

EVANS VALLEY FIRE DISTRICT # 6
BOARD OF DIRECTORS
REGULAR MEETING

Minutes of March 11, 2004

1. The meeting was called to Order by Chairman Don Worthington at 6:00 p.m.
2. Roll Call: Present: Dennis Feeley, Don Worthington, Larry Tuttle, Greg Worthington and Ron Mailho; Chief Bill Fuller; Approximately 100 Firefighters and citizens from the community
3. Moment of Silence
4. Pledge of Allegiance
5. Consent of Agenda: Dennis Feeley moved to accept the agenda; Greg Worthington seconded the motion. The motion passed unanimously.
6. Approval of the Minutes for the February 18, 2004 Special Board Meeting: It was moved by Greg Worthington and seconded by Ron Mailho that the Minutes be approved. The motion carried unanimously.
7. Financial Report by Jackie Smedegaard. It was moved by Dennis Feeley and seconded by Greg Worthington that the Financial Report be approved and that the bills be paid. Ron Mailho noted that line items 204 and 229 have negative balances and that we should transfer funds into these two line items. Chief Fuller recommended a workshop to address the line item shortfalls. Attorney Martial Henault stated that there was no problem with negative line item balances as long as Materials and Services category was not overspent. A Special Board Meeting was scheduled for Wednesday, March 17, 2004 at 3:00 PM at the Fire Station. The vote was taken and the motion to accept the Financial Report and pay the bills carried unanimously.
8. Communications: (1) From the Evans Valley Firefighters Association -- To The Board of Directors: The Firefighters have taken a Vote of No Confidence in Directors Don Worthington, Greg Worthington and Ron Mailho and feel that their resignations are in order.
(2) From the Evans Valley Firefighters Association -- To the Board of Directors: The Firefighters have taken a Vote of Confidence in Chief Fuller and request renewal of his contract.
(3) From Martial Henault -- To the Board of Directors: Regarding Agenda Item 10 B (Chief's intention not to renegotiate 2004-2005 Contract). The District is not furthered by additional airings of public concerns. The Chief has no statutory right to go on at length about his Contract. There are two time when there is a statutory right: 1. ORS192.661(I) Performance Evaluation and 2. ORS 192.661(B) Dismissal, Discipline, Written Complaints and scheduled hearing. Therefore, the Board should limit the Chief to one or two sentences regarding his employment. Dennis Feeley moved to accept the advice of the legal counsel that Chief Fuller refrain from more than a one or two sentence comment on his employment. Ron Mailho seconded the motion. The motion passed with Dennis Feeley, Greg Worthington and Ron Mailho voting in favor and Larry Tuttle abstaining. Chief Fuller stated that he did not intend to renegotiate his contract for 2004-2005.

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9. OLD BUSINESS:

- A. SORC Report: Dennis Feeley had no report since the monthly SORC meeting is next week.

- B. Safety Committee Meeting: Ron Mailho reported on the March 2, 2004 Safety Committee Meeting (see attached).
- C. Progress of OSHA inspection reports: Chief Fuller presented a list of items from the both the Safety and the Health Reports and the status of each item to date. Don Worthington reiterated his desire to address each item as soon as possible. Ron Mailho mentioned OSHA inspections and fines in southwest Oregon. SDAO abated much of the fines.
- D. Water Tank Project: Larry Tuttle reported that he is obtaining the free use of an ultra sound machine to test the two tanks behind the shop to determine their wall thickness. He will perform those tests and take the data to Hardy Engineering (who have offered free engineering assistance with our water tank project) in order to get reliable idea on the suitability of using either of these tanks for our project.

10. NEW BUSINESS:

- A. Budget Progress/Appoint Budget Officer: Chief Fuller reports that he has completed the Budget Calendar and is starting work on the 2004-2005 budget. He also stated that we need to appoint a Budget Officer. Greg Worthington moved that Chief Fuller be appointed Budget Officer. The motion was seconded by Ron Mailho. Don Worthington and Ron Mailho offered to assist the Chief. The motion passed unanimously.
- B. Chief's intentions not to renegotiate 204-2005 contract: See item (3) under Communications.
- C. Agendas for future meetings: Larry Tuttle reported on the instructions in the SDAO's Management & Policy Resource Guide regarding notification of Board meetings and workshops and that the agenda should be a part of this notification. Larry Tuttle will notify interested media via email and/or fax. Media requests for notification will go through the Chief. Don Worthington suggested that such requests be in writing.
- D. Goals discussed at BBQ: Larry Tuttle reported on the goals of the District, Auxiliary and Association which were developed at the March 2, 2004 barbecue. Don Worthington noted that the Volunteers are the backbone of the Department.
- E. Adoption of the Emergency Action Plan: Chief Fuller presented the Emergency Action Plan, Section 8.72 of the District's Standard Operational Guidelines. It was moved by Dennis Feeley to adopt this Plan. The motion was seconded by Greg Worthington. Item 2 G was amended to "The fire chief or medically trained personnel will administer first aid to employees that may become injured." The motion passed unanimously.

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- F. Adoption of Lockout/Tagout Policy: Chief Fuller presented the Lockout/Tagout Policy, Section 8.74 of the District's Standard Operational Guidelines. It was moved by Dennis Feeley to adopt this Policy. The motion was seconded by Greg Worthington and passed unanimously.
- G. Fire District 3 BOD Meeting Report: Ron Mailho reported on the February 19, 2004 BOD meeting of Jackson County Fire District 3 which he attended (see attached).
- H. SDAO Workshop: Ron Mailho reported on the February 26, 2004 SDAO workshop which he and Dennis Feeley attended (see attached).
- I. Adoption of the Incident Management System Policy: Chief Fuller presented the Incident Management System Policy, Section 8.73 of the District's Standard Operational Guidelines. It was moved by Dennis Feeley to adopt this Policy. The motion was seconded by Greg Worthington and passed unanimously.

11. Chief's Report (see attached):

12. Good of the Order: Comments from the Community

- (1) Chris Brooks commented on the February 18, 2004 meeting: Chief Fuller has requested help on various issues; Ron Mailho had spent 20 minutes critiquing the Chief and seemed threatened by the comments of others. At the February 12, 2004 meeting issues of disclosure and conflict of interests of Board Members were discussed; "How can the patrons of the District trust the Board?" Chris requested the resignation of Don Worthington and Greg Worthington immediately. Greg Worthington stated he had no intention of resigning. Heated discussion between Chris, Greg and Don including reading of transcripts of the meeting.
- (2) Kay Pawlick presented her concerns regarding communications and items at the January, 2004 BOD meeting including jackets for the Board Members and planting a lawn. She concluded by requesting the resignations of Don Worthington, Greg Worthington and Ron Mailho.
- (3) Lucille Koger stated that the current situation around the District is similar to the situation in the 1980's (when there was tension between certain Board Members, the community, the Chief and the Volunteers). She continued that one of the goals at that time was to purchase the property to the east of the fire station for training purposes and to hire a second person. The District now appears to have no goals. She inquired if the Board Members intended to keep their oath of office. At the February 18, 2004 BOD meeting certain Board Members appeared to want to "Hang our Chief;" would allow no speakers from the community and "turned their backs on the community." She requested the resignations of Don Worthington, Greg Worthington and Ron Mailho.
- (4) Doug Williams (sarcastically) congratulated Don Worthington on bringing in Martial Henault "To shoot Bill down." He questioned who paid for Martial Henault's services. Don Worthington responded that SDAO was paying him. Doug Williams stated there is "them against us" mentality and posed three questions to the Board. 1) Given the vote of no confidence from the Firefighters, how does the Board plan to regain the allegiance of the Volunteers? 2) If Chief Fuller leaves, how does the Board plan to get a qualified Chief, at the salary Chief Fuller is making, who will be accepted by the Volunteers and the community? 3) Concerning a 5 year budget and the need to go to the voters for funds, how does the Board propose to get the community to accept increased taxes to raise revenue. Greg Worthington answered that he doesn't believe the department has

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slipped so much in just 8 months with respect to the volunteers and that he sees the community as coming together. Larry Tuttle stated that he has good communication and trust with the Volunteers; he believes there is no way to attract a qualified Chief since our Chief's salary is at or below the level of pay for fire service new hires and Chief's salaries start in the \$40,000 to \$50,000 range in Oregon; and that any proposed tax increase will need to include what the additional funds are need for, how the funds will benefit the community and stress efficient use of such funds. Don Worthington had "No idea that Chief Fuller was leaving;" he questioned whether we need a new levy or just a "new financial arrangement with existing revenue;" and stated we need to get together.

- (5) Rusty Riis asked Chief Fuller "If there was a different Board of Directors, would you stay?" Chief Fuller responded that he would not say whether he would stay or leave. Rusty then requested the resignations of Don Worthington, Greg Worthington and Ron Mailho.
- (6) Scott Lochard was recognized by Larry Tuttle and asked to address the Board and the community. Scott stated that the problems the District is facing are not uncommon in Oregon and are solvable. Problems such as ours involve a combination of Communication (a lack of), Discipline (personal), Change and Posturing. He continued that the lack of Volunteers is a "National Crisis". He offered his mediation services pro bono to the District. Scott then answered several questions from the audience.

13. Adjournment -- Motion to adjourn was made by Dennis Feeley and seconded by Greg Worthington. The motion passed unanimously and the meeting was adjourned at 8:25 PM.

Secretary

Next Meeting: _____ March 17, 2004 3:00 PM