**DEPOE BAY RURAL FIRE PROTECTION DISTRICT**

**Regular Board of Directors Meeting - Minutes**

**December 13, 2022**

\*\*CORRECTED\*\*

|  |  |  |
| --- | --- | --- |
| **Attendance:** | | |
| **Board Members:**  Paul Erskine – President  Richard Krolak – Vice President  Janel Gifford – Secretary/Treas.  Robert Batty – Director  Kathy Lebeuf - Director | **Staff:**  Bryan Daniels – Fire Chief  Tom Jackson – Division Chief  Lynn Johnson – Admin. Asst.  **Guests in Person:** | **Guests via GoToMeeting:**  Patrick Ganz – DBFD Captain |
|  |  |  |

Board President Paul Erskine called the Regular Board meeting to order at 4:13 pm and all present recited the pledge of allegiance. Roll call was taken to establish that a quorum was present.

Next President Erskine called newly appointed position #5 Director, Kathy Lebeuf to the front of the room to execute her Oath of Office.

At 4:16 pm President Erskine advised those present the Board was adjourning to executive session and read the following statement:

The Board of Depoe Bay RFPD will now meet in executive session pursuant to:

* + ***ORS 192.660(2)(d) to conduct deliberations with persons designated by the governing body to carry on labor negotiations.***
  + ***ORS 192.660(2)(i) to review and evaluate the employment-related performance of the chief executive officer of any public body, public officer, employee, or staff member who does not request an open hearing”***

***Designated staff shall be allowed to attend the executive session\*. No decision may be made in the executive session. At the end of the executive session, the Board will return to open session and welcome the audience back into the room. Members of the public audience are asked to leave the room.*** *The Board of Depoe Bay RFPD may prohibit news organizations from disclosing certain specified information. Representatives of the news media will be allowed to attend all but two types of executive sessions:*

* + ***The news media may be excluded from an executive session held to conduct deliberations with a person designated by the governing body to carry on labor negotiations.***
  + The Board of Depoe Bay RFPD must exclude any member of the press if the news organization the reporter represents is a party to the litigation being discussed during the executive session.

\*The governing body may choose to allow other specified persons to attend the executive session. See *Barker v. City of Portland*, 67 Or App 23, 676 P2d 1391

Executive Session ended at 5:26 pm, at which time President Erskine informed those present the Board was returning to Regular Session from Executive Session. A short break was taken and then the Regular Board Meeting resumed at 5:31 pm.

**Approval of Minutes**

**Item 1 – November 8 2022, Supplemental Budget Hearing, and the Regular Board Meeting Minutes**

Minutes of the November 8, 2022 Supplemental Budget Hearing and the November 8, 2022 Regular Board Meeting minutes were presented for approval. Janel Gifford made a motion to approve the November 8, 2022 Supplemental Budget Hearing and the November 8, Regular Board Meeting minutes as presented: with Rich Krolak seconding the motion. No further discussion. The motion passed. **(See Motion #1)**

**Fire Chiefs Report**

1. **Paid Leave Oregon Program:** Chief Daniels provided a quick overview of the Paid Leave Oregon program, noting that we are only one of five states in the nation that have such a program. He continued explaining that because we have less than 25 employees, we are not required to pay into the fund. He added there is a grant available for employers that choose to pay in, but after looking into it determined that it would not be a cost-effective measure nor give us a return.. It is his recommendation to not pay the optional portion of the contributions and just follow the program as required. There was a short question and answer session between Board members and the Chief regarding the program. Rich Krolak asked if a motion was needed; Chief Daniels noted he and Janel had conversations regarding this prior to the meeting, and the Board agreed a motion was necessary. Janel Gifford made a motion that the District will not pay the optional portion of the contributions and will follow the programs intent with the employee contributing their required portion to the program without extra cost to the District, and Rich Krolak seconded the motion.**(See Motion #2)**
2. **SDAO Documentation and Evaluation Suggestions:** Chief Daniels reported that he attended a SDAO online class after Janel had inquired about it and it piqued his interest. The course stressed the importance of updated evaluations and job descriptions. After referencing a letter that he had written to the Board outlining several bullet points including evaluations, job descriptions and policies he informed the Board that we are currently without a formal evaluation process. Adding that this occurred after the current Union Executive Board informed him that our current evaluation has contract language in it that was previously rejected during negotiations and using it creates a potential unfair labor practice. Chief Daniels advised the Board he would like to immediately revert back to using the 2018 evaluation to avoid any conflict to conduct employee evaluations. Continuing, he stated his second bullet point from the letter was for management to review and update the job descriptions and get those to the board for approval in the next 90 days. It is also his recommendation that we start that project, advising the Board that they would start to see these in the future. Lastly, the third bullet point from the letter was to establish District policies related to performance goals; he added we have a lot of unspoken demands on our personnel and provided some examples. He acknowledged that we need to adopt and/or create some policies that are in line with NFPA Standards. Chief Daniels stated that these operational policies would be executed or brought to the Board as applicable, over the next six months.
3. **Evaluation:**  Director Batty asked who is up for evaluation and when. Chief Daniels advised it is based on the employees’ annual anniversary dates. Bob asked for Bryan to provide these dates to the Board. Janel noted that in addition to anniversary dates, it would be helpful if Bryan also provided the date of each employee’s last evaluation to the Board.

**Items Not on the Agenda**

None

**Secretary-Treasurer Report & Statement of Bills**

**Item 1 – Accounts Payable and Payroll Activity: November 2022**

* Statement of Accounts Payable / November 2022
* Payroll Activity Report / November 2022

Secretary-Treasurer Janel Gifford reviewed the financial statements and reports.

**Item 2 – Other Financial: November 2022**

* Balance Sheet / November 2022
* Profit & Loss Report / November 2022
* Receipts & Disbursements General Fund: November 2022
* Receipts and Disbursements Reserve Fund: November 2022

Director Gifford informed the rest of the group that she has been in conversation with Accountant Kathie Gordon-Brooks, and questioned the language contained in our current motion, and said that she will possibly make changes to the motion language for future meetings if the members are agreeable.Director Batty asked about tax collection figures and it was noted that it was at about 75%: a short discussion ensued around the 2022/2023 Budget and the associated numbers and regarding the motion language. At the end of discussion Director Gifford made a motion to approve accounts payable and payroll activities for the month of November 2022. Rich Krolak seconded the motion. The motion passed. **(See Motion #3)**

**Correspondence**

**Item 1 – Updates as Presented in the Currents Record**

The Currents Record was available for review.

**Item 2 – Media Articles as Presented in DBFD Media Record**

DBFD articles and postings were available in the Media Binder.

**Old Business**

**Item 1 – Relief Fire Captain Position -**  Director Krolak asked what the Chief needed from the Board on this, and Chief Daniels advised he does not think we are ready yet. Janel Gifford noted that she had some comments on the job description that Chief Daniels was supposed to incorporate into the job description and has not heard back yet, so the item will remain as an Old Business item.

**New Business**

None

**Public Comments and/or Questions**

None

**Agenda Suggestions - Open**

Regular Board of Directors Meeting 1/10/2023 @3:00 pm

Meeting adjourned at 6:21 pm.

**Roll Call**

Date December 13, 2022

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Present | Absent |  |  |
| Paul Erskine | X |  |  |  |
| Richard Krolak | X |  |  |  |
| Janel Gifford | X |  |  |  |
| Robert Batty | X |  |  |  |
| Kathy Lebeuf | X |  |  |  |

**Motion # 1** **and Voting Record:**

Date: December 13, 2022

|  |  |  |  |
| --- | --- | --- | --- |
| Motion Made By: |  | Motion Seconded By: |  |
|  | Robert Batty |  | Robert Batty |
|  | Paul Erskine |  | Paul Erskine |
|  | Richard Krolak | X | Richard Krolak |
| X | Janel Gifford |  | Janel Gifford |
|  | Kathy Lebeuf |  | Kathy Lebeuf |

**MOTION #1:** To approve the November 8, 2022 Supplemental Budget Hearing and the November 8, 2022 Regular Board Meeting minutes as presented.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | FOR | AGAINST | ABSTAINED | COMMENTS |
| Paul Erskine | X |  |  |  |
| Richard Krolak | X |  |  |  |
| Janel Gifford | X |  |  |  |
| Robert Batty | X |  |  |  |
| Kathy Lebeuf | X |  |  |  |

RESULTS

|  |  |
| --- | --- |
| PASSED | FAILED |
| X |  |

**Motion # 2** **and Voting Record:**

Date: December 13, 2022

|  |  |  |  |
| --- | --- | --- | --- |
| Motion Made By: |  | Motion Seconded By: |  |
|  | Robert Batty |  | Robert Batty |
|  | Paul Erskine |  | Paul Erskine |
|  | Richard Krolak | X | Richard Krolak |
| X | Janel Gifford |  | Janel Gifford |
|  | Kathy Lebeuf |  | Kathy Lebeuf |

**MOTION #2:** **:**  : The District will not pay the optional portion of the **Paid Leave Oregon** contributions and will follow the programs intent with the employee contributing their required portion to the program without extra cost to the District.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | FOR | AGAINST | ABSTAINED | COMMENTS |
| Paul Erskine | X |  |  |  |
| Richard Krolak | X |  |  |  |
| Janel Gifford | X |  |  |  |
| Robert Batty | X |  |  |  |
| Kathy Lebeuf | X |  |  |  |

RESULTS

|  |  |
| --- | --- |
| PASSED | FAILED |
| X |  |

**Motion # 3** **and Voting Record:**

Date: December 13, 2022

|  |  |  |  |
| --- | --- | --- | --- |
| Motion Made By: |  | Motion Seconded By: |  |
|  | Robert Batty |  | Robert Batty |
|  | Paul Erskine |  | Paul Erskine |
|  | Richard Krolak | X | Richard Krolak |
| X | Janel Gifford |  | Janel Gifford |
|  | Kathy Lebeuf |  | Kathy Lebeuf |

**MOTION #3:** To approve accounts payable and payroll activities for November 2022 as presented. This motion will also include any potential or conflict of interest relating to the accounts payable and payroll.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | FOR | AGAINST | ABSTAINED | COMMENTS |
| Paul Erskine | X |  |  |  |
| Richard Krolak | X |  |  |  |
| Janel Gifford | X |  |  |  |
| Robert Batty | X |  |  |  |
| Kathy Lebeuf | X |  |  |  |

RESULTS

|  |  |
| --- | --- |
| PASSED | FAILED |