

**Excelsior Fire District Board
EFD Governing Board Special Meeting
Wednesday, January 25, 2006**

**24100 Smithtown Road
Shorewood, Minnesota
6:00 P.M.**

MINUTES

1. CALL TO ORDER

Chair Viesturs called the meeting to order at 6:00 P.M.

ROLL CALL

Present: Excelsior Fire District (EFD) Boardmembers: Chair Viesturs; Boardmembers Bauman, Love, Saunders, and Skrede; EFD Interim Chief George; Firefighter/Trustee Hoo

Also present: EFD Captain Heiland; Deephaven City Administrator Young; and Excelsior City Councilmember Bolles and Administrative Assistant Johnson

Absent: None

2. AGENDA APPROVAL

Love moved, Bauman seconded, approving the EFD Governing Board Meeting Agenda as presented. Motion passed 5/0.

Without objection from the Board Chair Viesturs proceeded with the Agenda as presented.

3. MATTERS FROM THE FLOOR

There were no matters from the floor presented this evening.

4. NEW FIRE CHIEF JOB DESCRIPTION

Discussion ensued regarding the proposed fire chief job description. The Position Description for the Excelsior Fire District Chief January 2006 that was prepared by Interim Chief George, Captain 11 Bergland, and Captain 21 Heiland was used as the starting point for the discussion.

Discussion ensued regarding where the new fire chief needed to take up residency. The Board and the firefighters were disappointed the previous Chief had never taken up residency within 20 minutes of EFD Station 1, as stated in the Chief's job description. There was discussion as to whether or not the distance from an EFD station could be either Station 1 or Station 2, or if it needed to be Station 1. It was noted it may not be legal to require the Chief live in a specific geographical area or commute time if the Chief position was non-critical to the operation; and that question needed to be addressed by the EFD Attorney.

With regard to the new fire Chief's location of residency, there was discussion as to whether or not it was an absolute requirement or a negotiable requirement. An alternative approach discussed was to require the Chief to spend the evening at one of the Stations a few nights per week so the Chief would be available to respond to calls. The more accepted approach was to have the Chief reside within some to-be-specified driving distance of Station 1, or from Station 1 or Station 2.

EFD GOVERNING BOARD MEETING MINUTES

January 18, 2006

Page 2 of 6

There was also discussion regarding a relocation package. Topics discussed were what size of relocation package would be necessary to entice a candidate to relocate and what distance would the candidate have to relocate before a relocation package would be offered. It was noted the property values within 20 minutes of Station 1 could keep qualified candidates from applying for the position due to property values. It was also noted an inadequate relocation package could keep possible applicants from applying.

There was discussion regarding whether or not the new Chief could retain benefits from both the PERA and the Relief Association if the new Chief was required to be on-call after hours. There were differing opinions. If the Chief were able to have benefits from the Relief Association there needed to be parameters for the amount of after-hours on-call time that was required to warrant the benefits. It was noted the Chief had a full-time day job in addition to any after-hours time required.

Firefighter Sweeney will ask the firefighters to state their preference, and reasons for their preference, of where the new Chief should be a resident at the firefighters meeting scheduled for January 26, 2006. The options are for the Chief to: 1) live within the Excelsior Fire District; 2) live within a to-be-determined commute distance of EFD Station 1; or 3) live within a to-be-determined commute distance of either EFD Station 1 or EFD Station 2. He will report back to the Board at their next meeting.

Boardmember Love expressed his preference for the Chief to live within a to-be-determined commute distance of either EFD Station 1 or EFD Station 2.

There was discussion regarding whether or not a candidate would be willing to relocate if they did not have a contract guarantee. Should a candidate accept the position and relocate and should the Board decide the candidate did not meet expectations during the probationary period, the new Chief needed to have some recourse to recoup his out-of-pocket relocation costs.

There was discussion regarding who performed fire marshal responsibilities when the EFD did not have a full-time Fire Marshal, and what skills were required to perform those responsibilities.

Captain 11 Bergland explained the Fire Inspectors do all of the inspections, prepare the necessary paper work, issue citations, and sign the appropriate documents. He stated if the Inspectors had questions they would solicit help from former Chief DuCharme. He stated DuCharme would attend plan meetings. Interim Chief George stated if there is no Fire Marshall, the Fire Chief is ultimately responsible for ensuring fire regulations are enforced. He stated who performs fire marshal responsibilities should be discussed in a future meeting.

Discussion ensued regarding educational requirements for performing fire marshal responsibilities, and if the proposed job description addressed the skills required to perform those responsibilities. Interim Chief George felt the requirements were addressed; the Chief did not need to be an expert in fire code but must have adequate knowledge of the code to enforce it. He then stated there were three Fire Inspectors that perform the actual work, and it was the Chief's responsibility to ensure the work was performed correctly and fire regulations were enforced.

Interim Chief George stated there was no certification for a fire marshal position, but an individual could be certified in the use of uniform fire code.

Boardmember Bauman explained the decision not to fill the Fire Marshal position in March 2005 and rely on the three the Fire Inspectors and the Fire Chief to perform fire marshal responsibilities was for a one-year trial period. After discussion, there was Board consensus they wanted to be provided with a

EFD GOVERNING BOARD MEETING MINUTES

January 18, 2006

Page 3 of 6

report at a March 2006 meeting addressing the successes and shortcomings of operating without a Fire Marshal.

It was suggested if the current method for handing fire marshal responsibilities is adequate it should be left as is until the new Chief is hired.

Firefighter Sweeny stated State Statute states the Chief was ultimately responsible for fire marshal activities, but the Chief can delegate those activities to the appropriate trained individuals. Boardmember Love noted a fire marshal is not a fire chief, but a fire chief is a fire marshal.

Administrative Assistant Johnson from Excelsior stated the Building Inspector can be used to assist with fire code inspections.

Interim Chief George stated standard operating procedures did exist but they needed to be updated.

After discussion, the following modifications to the January 2006 Fire Chief job description were agreed on:

1. Under **Duties** the following changes were made:
 - A. **Change** “Prepare and present an annual report to the District Board. Put together monthly reports on activities of the District to the Operating Committee and Fire Board.” **To** “Prepare and present an annual report for the District Board. Put together monthly reports on activities of the District for the Operating Committee and Fire Board.”
 - B. **Change** “Ensure an employee development program for the District and evaluate officer and firefighter performance.” **To** “Develop and implement an employee development program for the District and formally evaluate officer and firefighter performance.”
2. **Change** “Minimum Qualifications” **To** “Qualifications”
3. Under **Qualifications** the following changes were made:
 - A. **Delete** “Experience beyond 7 years in fire service management may be substituted for a degree.”
 - B. **Add** “Certification in the use of the Uniform Fire Code or ability to acquire.”
4. Under **Desired Knowledge, Skills and Abilities** the following changes were made:
 - A. **Add** “Principles and practices of budgeting (operating and capital), communication, contracting, human resources, information technology, public relations, project management, outreach, performance standards, telecommunications, records management, and resources to achieve outcomes and expectations.”
 - B. **Add** “Develop and maintain excellent labor/management relations through meeting regularly to discuss appropriate issues with the leaders of represented

EFD GOVERNING BOARD MEETING MINUTES

January 18, 2006

Page 4 of 6

groups and by cultivating ideas and/or suggestions from employees at all levels of the organization within the District in order to establish trust and enhance communication on an on-going basis.”

- C. **Add** “Create a culture that is conducive to change and one that is able to select, recruit, retain, develop and motivate a skills and talented workforce where all employees know their mission, role, job; and goals and objectives are clear in order top create an organization that delivers excellent customer service through ethical leadership standards, establishes an atmosphere of respect for employees.”

- 5. Under **Physical Demands** the following changes were made:

- A. **Change** “The employee must frequently lift and/ or move up to 10 pounds and occasionally lift and or move up to 100 pounds. Specific vision abilities requires by this job include close vision, distance vision, peripheral vision, depth perception, and the ability to adjust focus.” **To** “The employee must frequently lift and/ or move up to 10 pounds and occasionally lift and or move up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, peripheral vision, depth perception, and the ability to adjust focus.”

Boardmember Love noted there was a need to prioritize the job description requirements, and to identify which requirements were non-negotiable and which were negotiable.

Chair Viesturs called a recess at 7:37 P.M.

Chair Viesturs reconvened the EFD Board Meeting at 7:50 P.M.

5. NEW FIRE CHIEF HIRING PROCESS

Chair Viesturs stated at a January 26, 2006, firefighters meeting the firefighters will be asked to state their preference on whether the internal search should be done first or if the internal and external searches should be done in parallel.

Boardmember Love stated he still preferred the parallel selection process, which he had expressed at a January 18, 2006, Board meeting. He then stated he would support whatever decision the Board came to consensus on. He stated he did agree there were some benefits to proceeding with the internal search first.

Boardmember Saunders stated his preference was to conduct the internal search first, but would support whatever decision the Board came to consensus on.

Boardmember Bauman stated the memo from Jim Hurm dated August 21, 2000, regarding the Fire Chief Selection Process did a great job a addressing the pros and cons of conducting the internal search first.

Boardmember Skrede stated the number of possible internal candidates was larger than it was in 2000. He then addressed the cons identified in Mr. Hurm’s memo. He stated if a firefighter believed department “cliques” could pose a problem the firefighter should not even submit an application. The

EFD GOVERNING BOARD MEETING MINUTES

January 18, 2006

Page 5 of 6

issue of being the first Chief was no longer valid. He did not believe there would be any hard feelings if no internal candidate was selected. Boardmember Bauman stated he believed both the pros and cons listed in Mr. Hurm's memo still had some validity.

Boardmember Love stated the Board had extremely high expectations of the new Chief. He also stated he would expect there to be an internal candidate that could be a finalist for the position and possibly be selected for the position. He expressed there would be an element of credibility added to the search if the internal and external searches were done in parallel. He expressed concern with the "message" that would be sent if there no internal candidates that advanced past the first round of interviews.

Boardmember Saunders stated to live up to the mission of doing what is best for the EFD would probably require parallel searches. He then stated he thought the Board could strongly convey their desire to hire internally, and if the internal and external candidates had comparable skills the internal candidate would have the advantage.

Boardmember Bauman stated for those internal candidates who did not get the position, the new Chief should work with those individuals on development plans that would prepare them for future advancement opportunities.

Firefighter Sweeney discussed the possibility of having the firefighters identify if they were interested in the position by submitting a secret yes/no ballot, or having firefighters submit names of individuals they believed would be a qualified candidate. Interim Chief George stated if a firefighter was suggested as possible candidate the reasons for the recommendation needed to be specified.

Boardmember Love stated if an internal candidate was selected for the position the Board must make it very clear to the individual there was no open position to return to if the person was unable to fulfill expectations.

There was Board consensus to postpone making a decision on conducting the internal search first or conducting it in parallel with the external search until they had received the firefighters input.

Chair Viesturs stated her preference was for the Operating Committee to prepare a draft selection process for the Board to review and consider.

Boardmember Love stated he believed having an outside resource help with the selection process would be beneficial. He did not think there were internal resources that had enough time to manage the process.

There was consensus that the selection process originally developed by Mr. Hurm was a thorough process and should be used as the baseline; and efforts should be focused on improving and streamlining that process. There was also consensus with the need for hiring someone to manage the process.

Boardmember Bauman suggested Mr. Hurm be contacted for a recommendation of someone that could manage the selection process. Assistant Administrator Johnson added Ed Shukle also be contacted for recommendations.

The Board directed the Operations Committee to contact Mr. Hurm and Ed Shukle for recommendations.

EFD GOVERNING BOARD MEETING MINUTES

January 18, 2006

Page 6 of 6

6. OTHER BUSINESS

None.

7. NEXT MEETING (s)

A. Board Meeting -- To Be Determined

After discussion, the next Board meeting was scheduled for:

February 9, 2006, 6:00 P.M. at the EAST SIDE STATION

There was discussion regarding Agenda topics for the February 9, 2006, Board meeting.

The suggested Agenda topics for the meeting were: 1) determine whether the internal search process should be done before the external search or if the searches should be done in parallel; 2) determine how the administrative and financial tasks for the EFD would be accomplished; 3) review the selection process used in 2000; and 4) discuss the appropriateness of having a firefighter serve as an Advisory Boardmember with no voting privileges.

Boardmember Love stated the firefighters had designated Trustee/Firefighter Hoo to represent the firefighters at Board meetings some time ago, but his involvement had diminished once building construction was completed. He suggested a firefighter representative should: sit where the voting Boardmembers sit; be recognized in the minutes; participate in discussions; offer their opinion; and be recognized for their inputs.

Boardmember Saunders stated the JPA should be reviewed to determine what if any constraints there are with an Advisory Boardmember position.

8. ADJOURNMENT

Love moved, Skrede seconded, Adjourning the EFD Governing Board Meeting of January 25, 2006, at 8:30 P.M. Motion passed 5/0.

RESPECTFULLY SUBMITTED,

Christine Freeman,

Recorder