

**Excelsior Fire District Board
EFD Governing Board Meeting
Wednesday, March 8, 2006**

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

MINUTES

1. CALL TO ORDER

Chair Viesturs called the meeting to order at 6:04 P.M.

ROLL CALL

Present: Excelsior Fire District (EFD) Boardmembers: Chair Viesturs; Boardmembers Love, Saunders (arrived at 6:15 P.M.), and Skrede; EFD Interim Chief George; Firefighter/Trustee Hoo (arrived at 6:40 P.M.)

Also present: Shorewood Administrator Dawson (arrived at 6:05 P.M.); Tonka Bay Administrator Irvine; Excelsior Deputy Clerk Johnson and EFD Fiscal Agent Olds; Fire Inspector Murphy-Ringate; Captain 11 Berglund; and Firefighters Duncan and Sweeney.

Absent: Boardmember Bauman

2. AGENDA APPROVAL

Love moved, Skrede seconded, approving the EFD Governing Board Meeting Agenda as presented. Motion passed 3/0.

3. APPROVAL OF MINUTES

A. February 9, 2006, and February 22, 2006, EFD Board Meeting Minutes

Love moved, Skrede seconded, Approving the February 9, 2006, and the February 22, 2006, EFD Board Meeting Minutes as presented. Motion passed 3/0.

4. FIRE CHIEF SELECTION PROCESS

A. Discuss Process with Lynn and Associates

Jim Lynn and Mark Nagel, both with Lynn and Associates, stated they would review the Fire Chief Selection process mission statement, mission objective, and selection timetable that were distributed at the meeting. Lynn stated the timeline identified the process steps.

Lynn stated the to-be-determined Selection Process Steering Committee should be comprised of 6-8 individuals. The Steering Committee would be the individuals Lynn and Associates would have the most contact with. He then stated the Steering Committee would be responsible for coordinating the search, performing the applicant screening, conducting the first round of interviews, and then recommending a select number of candidates for interviews with the Board, firefighters, and the Community.

EFD GOVERNING BOARD MEETING MINUTES

March 8, 2006

Page 2 of 8

Chair Viesturs stated Mr. Lynn and she had reviewed the process timeline to ensure the goals were realistic and meshed with tentative Board Meeting dates. She noted the timeline depicted the goal for a starting date for the new Fire Chief by mid-August 2006.

Mr. Lynn then reviewed the process Mission Statement and the Mission Objective. He also reviewed the process steps and provided clarification as needed. The major process steps were: profile development; launch recruiting/advertising campaign; steering committee screening interviews; face to face interviews – first round; third progress meeting with the Board; and Board, firefighters and Community interviews – final round.

Lynn stated he believed the District description used in the 2000 search was relatively complete, but it should be reviewed by the Steering Committee and enhanced as necessary. With regard to the District, Boardmember Skrede questioned if the District would be described as two stations or three stations. Boardmember Love stated he thought the District should be described by what the District owned; but went on to state he thought there was an obligation to inform candidates the District currently provided contract services to another community.

With regard to the Fire Chief position profile, it was noted the Board had approved a revised EFD Fire Chief Job Description at the February 22, 2006, Board Meeting.

In response to a question from Chair Viesturs, Mr. Lynn stated Lynn and Associates had asked the firefighters to fill out a draft fire chief profile at a firefighters meeting they attended on Thursday, March 2, 2006. Mr. Nagel explained they had asked the firefighters 5 questions. Mr. Lynn stated they were pleased with the amount of thought the firefighters put into completing the profile questionnaire.

Administrator Dawson stated a notice of all Steering Committee meetings needed to be posted, but meeting minutes were not required.

Chair Viesturs stated she would like the firefighters to prepare a target list of potential candidates at their next firefighters meeting.

It was noted each application will be assigned a number when received, and during the initial application screening process names would not be provided to the Steering Committee; and the firefighters (other than the Steering Committee members) would not be privy to the applicants names or be involved until the final interview phase.

Chair Viesturs stated she would like the Board to review and approve the interview guide that would be developed by Lynn and Associates at a Board Meeting scheduled for April 26, 2006. Mr. Lynn noted the interview guide would be developed based on the position's core competencies, and it would be a structured guide that would help to assess behavioral background.

Mr. Lynn stated any applicants considered for an interview must meet the minimum requirements of the position. It was noted the initial interviews would not be conducted at either of the EFD Fire Stations. He then stated the first round of interviews would be conducted by the Steering Committee as a group.

Firefighter Duncan suggested all communication with the firefighters regarding the Fire Chief Selection flow through either Firefighter Sweeney or him.

EFD GOVERNING BOARD MEETING MINUTES

March 8, 2006

Page 3 of 8

Discussion ensued regarding advertising for the position. Mr. Lynn stated the Board would be notified of when the ads were scheduled to run in the Star Tribune, the Pioneer Press, and any other print media. Interim Chief George suggested the ad also be run in the Fire Chief Magazine and possibly a few other national publications. Deputy Clerk Johnson stated ads were run in 6 – 8 different publications for the 2000 search.

With regard to a question from Administrator Irvine, Boardmember Love stated if there was a very strong out-of-state applicant the Steering Committee should decide whether the EFD would reimburse the applicant for travel costs that would be incurred by coming to an interview. Chair Viesturs then stated if there was a strong out-of-state candidate the Board would need to address what type of relocation package would be offered.

Interim Chief George stated the same applicants for fire chief position appear repeatedly; he stated he would not be surprised to see some of the same candidates from the 2000 search.

B. Discuss Makeup of Steering Committee

Discussion ensued regarding the makeup of the Steering Committee. Consensus was reached that the Steering Committee be comprised of two Board Members, two Operating Committee members, two firefighters, and the Interim Fire Chief. Discussion then ensued regarding proposed Steering Committee members and alternate members.

Chair Viesturs stated someone from Excelsior suggested an individual who was not a member of the Board and was not a firefighter be a member of the Steering Committee to ensure the District's citizens were represented. Boardmember Love and Boardmember Skrede both stated the citizens were represented.

Interim Chief George stated the firefighters had selected Doug Sweeney and Bruce Duncan to represent the firefighters on the Steering Committee.

Deputy Clerk Johnson noted she would provide some of the administrative coordination support for the Steering Committee; and she would log and track the applications. Chair Viesturs stated Excelsior's Mayor Ruehl did not want all of the administrative support to be Johnson's responsibility.

Skrede Moved, Loved seconded, Appointing the Following Individuals to the EFD Fire Chief Selection Steering Committee: Chair Viesturs (the Team Leader); Boardmember Bauman (alternate during March 2006); Boardmember Saunders (alternate beginning April 2006); Deephaven Administrator Young; Tonka Bay Administrator Irvine; Shorewood Administrator Dawson (alternate); Firefighter Duncan; Firefighter Sweeney; Firefighter Hoo (alternate); and Interim Chief George.

Interim Chief George questioned whether or not he should be a member of the Steering Committee. He explained that he did not intend on applying for the position of EFD Fire Chief. The Board, the other proposed members of the Steering Committee, and Mr. Lynn agreed George should be a member of the Steering Committee.

Motion passed 4/0.

EFD GOVERNING BOARD MEETING MINUTES

March 8, 2006

Page 4 of 8

C. Plan Next Steps

Mr. Lynn reviewed some of the next steps as identified in the process timetable. He stated the timetable dates were goals and they could be modified if needed.

Chair Viesturs again stated the timeframe for the firefighters involvement in the interview process – the Board and the firefighters would be involved with the final round of interviews which was currently planned to begin the week of July 10, 2006.

Mr. Lynn stated the process used by the Board, the Community and the firefighters to interview final candidates in the 2000 search was a good starting point and the Steering Committee and Lynn and Associates would refine that process where appropriate.

Mr. Lynn asked Deputy Clerk Johnson to provide him with the email addresses for the Steering Committee members. A meeting time for the first Steering Committee Meeting can be established.

5. FIRE INSPECTOR PROGRAM

A. Coordinated vs. Police/Fire PERA

Administrator Irvine reviewed the highlights of the Operating Committee's memo to the Board regarding the Part-Time Fire Inspector Program dated March 1, 2006 (as detailed in the memo which was on file).

Irvine stated the Operating Committee, Interim Chief George and former Chief DuCharme all thought the part-time inspector program was working well. She stated the Operating Committee recommended the program be continued with two 25 hours-per-week fire inspectors until the new Fire Chief had the opportunity to evaluate the program.

Irvine stated the Operating Committee also recommended the job description for the fire inspector position be changed to no longer require the inspectors to respond to all fire calls during their scheduled shift. That change would significantly simplify administration of the part-time inspector positions, and it would place the inspectors in the PERA Coordinated Plan (which was slightly less expensive than the Police/Fire Plan starting in 2008). The inspectors would still be encouraged to clock out from their fire inspector positions to attend all fire calls.

Irvine stated the Operating Committee recommended a wage increase and limited benefit package on an interim basis for the part-time inspectors in order to retain the qualified inspectors. She explained the recommended wage increase was from \$13.50 per hour to \$14.50 per hour effective January 1, 2006. She then explained the recommended limited benefit package was in accordance with the City of Excelsior's benefit package. Assuming a 25 hour work-week, sick leave would be earned at a rate of 2.3125 hours for each two week pay period and vacation would be earned at a rate of 1.9375 hours for each two week pay period.

Irvine stated the details of the budget ramifications of 25 – 30 hour work-weeks for two inspectors, which included the wage increase and benefits package, was addressed in the memo. She noted if the part-time inspectors' hours were increased to a maximum of 25 hours-per-week, the 2006 budget amount of \$43,500 would cover the inspector costs.

EFD GOVERNING BOARD MEETING MINUTES

March 8, 2006

Page 5 of 8

In response to a question from Chair Viesturs, Administrator Irvine explained the Operating Committee chose not to include holiday pay as part of the benefits package.

Interim Chief George stated he would prefer the inspectors work closer to 30 hours-per-week but he did understand the budget constraints. He also stated two 30 hours-per-week inspector positions were better than the previous three 20 hours-per-week positions; but if three positions was the only way to increase the hours available to perform inspector work than there may have to be three part-time inspectors. It was noted, a 30 hours-per-week position would be considered full-time. George then explained the number of inspections the two current inspectors were completing had increased substantially. He stated with two 25 hours-per-week inspectors the pre-planning responsibilities would be short changed.

Chair Viesturs questioned if the inspectors would have more hours available to perform inspector duties if they clocked-out for fire calls.

Interim Chief George explained to track clock-out time for calls would pose an administrative burden on the inspectors and him. He stated a firefighter is paid one hour for any call whether the call takes 10 minutes or 60 minutes. Administrator Dawson explained firefighters are paid for fire calls; and the inspectors can return from a fire call anytime within the hour, be paid for the call, and continue working on inspector responsibilities.

Boardmember Love explained the reason for removing the requirement to respond to fire calls from the job fire inspector description and having the inspectors clock-out for fire calls was to preserve the part-time employment status for the inspectors. He then stated he had trust the inspectors would complete their timecards with integrity.

Boardmember Skrede reaffirmed the intent was to maintain the part-time status for the inspectors and to continue to pay them for fire calls.

Love moved, Skrede seconded, Adopting the Recommendation of the Operating Committee to Continue with the Part-Time Fire Inspector Program (which Included the Wage Increase and the Limited Benefits Package) subject to the Condition that the new Fire Chief Report back to the Board on the Status of the Program within three months of Employment.

Discussion ensued regarding the desire to maintain the inspector positions as part-time positions by removing the requirement to respond to fire calls from the inspector job description and the desire to have the inspectors clock-out of their inspector job and respond to fire calls in a firefighter capacity.

Firefighter Hoo stated day-time positions for a district are also used to supplement day-time response to fire calls. Although he understood the concern with a possible change in classification to full-time and the possibility for overtime pay, he would still prefer the requirement to respond to fire calls remain in the inspector job description. He noted that he had not supported the move to a part-time inspector program; and he acknowledged the part-time program had been more successful than he thought it would have been, though it could have been because of the inspectors' hard work. He then stated there needed to be an incentive for the inspectors to stay.

Chair Viesturs stated her rationale for separating fire inspector responsibilities and firefighter responsibilities was to provide more time to for inspector responsibilities.

EFD GOVERNING BOARD MEETING MINUTES

March 8, 2006

Page 6 of 8

Fire Inspector Murphy-Ringate explained when she had previously attempted to separate the time spent on inspector responsibilities from time devoted to fire calls it was an extremely time consuming task. The task of determining how many minutes she was required to make up and when she could make them up was difficult.

With regard to question from Murphy-Ringate, Chair Viesturs explained even if the costs for the PERA Coordinator Plan and the PERA Police/Fire Plan were the same, the issue of overtime would remain.

Ensuing discussion continued regarding separating the time spent on inspector responsibilities and the time spent on fire calls.

Deputy Clerk Johnson stated the reason the Board started to look at the separation of responsibilities was because PERA was triggered; and she stated the Board's main objective was to determine how to keep the part-time fire inspector program until the new Fire Chief had time to assess the program and determine how fire inspections would be handled in the future.

Boardmember Love explained the Board had made the decision to move to the part-time fire inspector program approximately one year ago, and the program had turned out to be more complex than was originally anticipated. The objective now was to keep the program in place until the new Fire Chief had the opportunity to assess the program.

Deputy Clerk Johnson explained the inspectors could move from the PERA Coordinator Plan to the PERA Police/Fire Plan, but it was not possible to do the reverse.

Fire Inspector Murphy-Ringate expressed concern with the type of message that would be sent to the firefighters if the fire call responsibility was removed from the inspector job description for financial reasons.

Boardmember Love expressed his displeasure with the implication that a bad message would be sent to the firefighters if the job description was changed. He stated the Board (along with the communities, the former Fire Chief, and firefighters) had worked hard to create a good Fire District. He then stated because some firefighters did not like a decision the Board had made, it would be inaccurate to portray the Board's action as a negative message.

Fire Inspector Murphy-Ringate stated when the former Fire Marshall did not respond to fire calls it caused some firefighters to be disgruntled.

With regard to a question from Chair Viesturs, Interim Chief George explained the District had an average of 60 calls per week and it would be a rare exception that an inspector would go on more than 15 calls in a week. He stated if the current inspectors were to leave for a more lucrative inspector position their replacements may not want to respond to fire calls if that were not a requirement of the inspector job description.

Boardmember Love explained when the part-time inspector program was originally conceived it was viewed as providing three individuals with an opportunity to learn new skills, and possibly leave for more lucrative positions. The current situation could result in a major policy shift to full-time personnel and that discussion should wait until the new Fire Chief has been hired.

EFD GOVERNING BOARD MEETING MINUTES

March 8, 2006

Page 7 of 8

Boardmember Skrede stated if the program had originally been more thoroughly assessed the current situation may be different.

Interim Chief George stated the existing policy could work in the interim, but the issues would need to be addressed in the future.

Fire Inspector Murphy-Ringate suggested the fire inspector fire calls be tracked over the next few months to determine if it was actually an issue. Chair Viesturs stated that was a good idea.

Motion passed 4/0.

Firefighter Sweeney stated he would support the decision and would convey that to the firefighters.

Skrede moved, Saunders seconded, Approving 25 Hours-Per-Peek as the Maximum Fire Inspection Hours per Inspector. Motion passed 4/0.

B. Salary/Benefits

This was discussed under Item 5.A.

C. Budgetary Impact

This was discussed under Item 5.A.

6. APPROVE AMMENDMENTS TO INTERIM CHIEF GEORGE'S EMPLOYMENT CONTRACT

Deputy Clerk Johnson stated an Employment Contract between the Excelsior Fire District and Dana George appointing him to serve as Interim Fire Chief until a new Fire Chief is hired, was approved by the Board on January 18, 2006. The Employment Contract provided compensation to George, in addition to his Deputy Fire Chief salary, for the duties he would perform as the Interim Fire Chief. The Employment Contract did not clarify that the compensation that George receives for the Interim Chief position is in addition to his pay for answering fire calls or attending training.

She stated for the sake of clarity Fiscal Agent Olds requested the Board amend Section 5 in the Employment Contract to specifically state that George will be compensated for fire calls and attending training. The proposed amendment was:

5. Compensation

(a) Base Salary

For services rendered by the Employee under this Agreement, the Employer shall pay to the Employee \$3,000 per month in addition to the pay received as Deputy Fire Chief and the wages he receives for responding to fire calls and attending training.

EFD GOVERNING BOARD MEETING MINUTES

March 8, 2006

Page 8 of 8

Skrede moved, Love seconded, Approving the Amendment to the Employment Contract of Dana George as presented. Motion passed 4/0.

7. MATTERS FROM THE FLOOR

Firefighter Sweeney, speaking as President of the Relief Association, stated as soon as the Relief Association received their audit for 2005 he would present the audit information to the Board. He explained that the 2004 audit information had been presented prior to the final audit being received and some of the information presented was not correct.

With regard to a question from Boardmember Skrede regarding final audit information and in particular whether or no there would be a shortfall, Firefighter Sweeney stated the Relief Association anticipated receiving the finalized audit within 30 – 60 days and upon receipt they would determine if a mandatory payment from the EFD would we required. Deputy Clerk Johnson stated the final audit is usually not available until June or July.

8. OTHER BUSINESS

With regard to a question from Chair Viesturs regarding the Orono Contract, Administrator Dawson stated Administrator Young would author a memo regarding the Orono Contract on behalf of the Operating Committee and the memo would be available for a Board Meeting on March 22, 2006.

The Board authorized Chair Viesturs to send a letter to Mark DuCharme on behalf of the Board.

9. NEXT MEETING (s)

A. Board Meeting March 22, 2006; 6:00 – 9:00 P.M. EAST SIDE STATION

Chair Viesturs noted the time and location of the next EFD Governing Board meeting.

10. ADJOURNMENT

Love moved, Skrede seconded, Adjourning the EFD Governing Board Meeting of March 8, 2006, at 7:26 P.M. Motion passed 4/0.

RESPECTFULLY SUBMITTED,

Christine Freeman,

Recorder