



**North County Regional Fire Authority  
 COMMISSIONER'S MEETING  
 STANWOOD / STATION 99  
 November 09, 2016  
 4:00pm**

**MEETING MINUTES**

**CALL TO ORDER**

The following attendees were present:

Commissioners	
X	Greg Oakes, Chair
X	Jan Iverson, Vice-Chair
X	Jeff Sinker
X	Larry Longley

Fire Authority Staff	
X	Don Bartlett, Battalion Chief
X	Katie Ellis, Board Secretary
X	Randy Krumm, Finance Manager
X	John Cermak, Fire Chief

Meeting called to order at 4:02pm

**FLAG SALUTE**

**PUBLIC COMMENTS**

None

**APPROVAL OF AGENDA**

Motion to approve the Agenda

1<sup>st</sup>: Commissioner Iverson                      2<sup>nd</sup> Commissioner Longley

**DISCUSSION:** None

**APPROVED:** Unanimous

**APPROVAL OF CONSENT AGENDA**

Motion to approve the Consent Agenda

1<sup>st</sup>: Commissioner Sinker                      2<sup>nd</sup> Commissioner Iverson

**DISCUSSION:** None

**APPROVED:** Unanimous

**APPROVAL OF MEETING MINUTES**

Motion to approve the October 24, 2016 meeting minutes

1<sup>st</sup>: Commissioner Longley                      2<sup>nd</sup> Commissioner Iverson

**DISCUSSION:** None

**APPROVED:** Unanimous

**OLD BUSINESS**

Discussion of Policies 25, 45, and 51

Chief Cermak stated that Local 4118 requested a special meeting for a one time meeting to address these three policies. Discussion with Ken Longley, Joe Simmons, and Will King occurred regarding compliance with 38.2. Chief Cermak noted that legally it does not even need to be included in the CBA and if there were a change in working conditions we are supposed to discuss it according the RCW. Per the IAFF website they list a process that addresses a change in working conditions that Local 4118's Executive Board was unaware of. Chief Cermak noted that he hopes that they review this process and is hopeful that it will prevent communication breakdowns in the future. After Local 4118 submitted their grievance, Chief Cermak replied through email noting that a change of working conditions for the Career staff doesn't exist because the policy in question only concerns part time and volunteer firefighters. He did not hear back from Local 4118 in regards to this email. After meeting with Ken Longley, Joe Simmons, and Will King yesterday – Chief Cermak believes they were not so concerned with the policies themselves, but rather with the implementation process. Chief Cermak noted that he wants to keep the organization moving forward and discussed the importance of recognizing that it's



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a two-way street between Administration and Local 4118 to make this happen. To help alleviate any future concerns regarding when policies will be reviewed, the Commission meeting agendas will be provided to the Executive Board of Local 4118. Chief Cermak commented on policy 51, noting that Joe Simmons was present during the presentation and explanation of these policies during a Commission meeting. BC Bartlett explained at that meeting the importance of implementing the changes in order to ensure we have proper staffing and to be able to ensure that we can accept, and to be able to be in compliance with the SAFER grant requirements. This was an opportunity for Local 4118 to express any concerns they may have had. They had an opportunity to discuss their concerns at a Labor Management meeting, however Will King cancelled all previously scheduled Labor Management meetings. Lastly, at the second reading of these policies Ken Larsen noted that he had received a text from Will King (who left on a call prior to the second reading) and Will King indicated that 38.2 should be considered.

At this point it appears that what they are asking for is to put an SOP into place to guide the Officers who are in charge of the staffing to make sure that its done consistently. Chief Cermak has a draft of what they are asking for. With that noted, the grievance appears to be dissolved. Commissioner Longley asked if Local 4118 signed off on dissolving the grievance. They told Chief Cermak that it was dissolved, however they have not provided anything other than a verbal agreement. Commissioner Oakes asks if we know how long they have to get notification to us. Chief Cermak believes it was 15 days.

Commissioner Longley requested to go on record that he is opposed to any more special meetings until the labor group decides that they want to continue labor management meetings. He believes this is their way of circumventing the labor management process in their favor.

Commissioner Oakes has had 2 communications with Will King and spoke to the importance of communication and noted that without that link, work will not get done

Commissioner Longley also spoke with Will King for 45 minutes prior to Will King cancelling the meetings providing advice against the cancellation of those meetings.

Chief Cermak noted that they have agreed that the most important thing to address is to figure out a way to better communicate and better the relationships. One way to do this is to have Brunocini come in and help us build better relationships and how to work together in disagreement. He does not think we are that far off. Chief Cermak noted that he was invited to attend the October 2014 prior to his employment with NCRFA via phone conference for a meeting with Chief Eastman at which time he shared that our budget was drawing from our reserves and we needed to down to 21 FTE's to sustain us until we finalize the City of Stanwood contract. The Local stated they wanted to be in the 50th percentile, and Chief Cermak would like for them to be at the 100th percentile, but due to budget constraints that can't happen. He did note however that we were able to get them to the 50<sup>th</sup> percentile with agreements in place to step back and get to 21 people but in addition to that they stated they wanted a 22nd person by way of a Training Chief. We came up with the funding to put this 22nd position in place without drawing from our reserves. And looking back we started out with a 5.8 million dollar budget and we've brought in revenue and are now at 7.2 million. This is a testament to all of the good things we have done. What we said we would do – we did. We have done a great job not having to use our reserve funds.

With grants, we are working on the exact timeline that was discussed with Local 4118 in the beginning it was clear that it would take 1-2 years to get our staffing back up to where we all want it. Chief Cermak again noted that he wants to make a commitment to improve communications.

Commissioner Longley noted that it is time for Local 4118 to step up and make an effort to work with Administration to improve communications.

Chief Cermak pointed out that we have accomplished all of this responsibly to the Community by not using our reserves and that going forward Local 4118 have agreed that they would commit to having someone come in and help us address relationship issues.



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**FINANCE**

Randy Krumm provided a draft of the budget for review and discussion.

Due to scheduling conflicts in December – the December 14th & December 28th regular meetings will be cancelled. A regular meeting in their place will occur on December 21st at 3pm.

Commissioner Sinker inquired on how much is budgeted for training in 2017. \$132,675 has been budgeted and will be used for things such as the Fire Academy, EMS Training, Suppression Training, Conferences, Supplies/Materials, Outside Training, and Construction Materials etc.

**NEW BUSINESS**

Presentation of Awards

The annual banquet was cancelled due to lack of attendance by the department but Chief Cermak still feels how important it is to recognize our staff.

Jeff Walsh received a Letter of Commendation and his former Warm Beach badge for his involvement in providing such great care to the Warm Beach Community and his consistent dedication to the residents of that area.

Eric Johnson received a Letter of Commendation for his successful completion of the Company Officer Development Program and being a great mentor for others to follow.

Matt Fleischbein received the Fire Chief Commendation Award and medal for his Class A Uniform for his significant impact on the department by managing the Fire Explorer Program and Fire Prevention Program by providing public education within our community.

Blake Branstrom received the Fire Chief Commendation Award and medal for his Class A Uniform for his significant impact on the department by building a stronger force in the Wildland Firefighting efforts. He also has done an incredible job in helping to train and recruit interest for the Fire Academy.

Joel Smith received the Fire Chief Citation Award for his efforts in training new employees, recruiting new employees to ensure proper staffing levels and for his commitment to the Fire Academy success.

Kyle Fleischbein received the Medal of Valor for his selfless efforts to rescue a community member who was stranded in her car amidst flood waters and he creatively and courageously put his own safety over another's – an act above, and beyond the call of duty.

Meeting adjourned at 1657 for 5 minute break to congratulate the award recipients. The regular meeting reconvened at 1701

**PUBLIC HEARING**

2017 Revenue Public Hearing

The hearing opened at 1701

There were no comments by the public

The hearing closed at 1702



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**PUBLIC HEARING**

2017 Budget Hearing 1<sup>st</sup> of 2

The hearing opened at 1702

There were no comments by the public

The hearing closed at 1702

**CHIEF'S REPORT**

Chief Cermak noted that he has spent a lot of time with legal the last few weeks. He attended the area Chief's meeting which has had a lot of discussion around the training consortium. Met with Local 4118 and believe we have come to an agreement on those three policies.

**PART PAID FIREFIGHTERS COMMENTS**

N/A

**VOLUNTEER FIREFIGHTERS COMMENTS**

N/A

**LABOR LOCAL #4118 COMMENTS**

Local 4118 President Will King stated that they had a good Labor Management meeting and wanted to come forward and make sure their requests for what they were hoping to see were not being lost in the translation via email. He noted that they had a good discussion and recognized they could do a better job at requesting information in the future from Administration. Local 4118 President Will King also stated the Chief has offered to provide Commission agendas to them prior to each meeting and believes that will help with communication. He also noted that in the event they receive a policy they do not have a process to review and give feedback so there was discussion to create that process so Administration can have an expectation of what to expect from them on their end. They want to have a process so the communication lines will improve. They felt they had easy and reasonable concessions and ideas and they were primarily concerned with ensuring that 38.2 allowed them to be a part of the policy making process. Will noted that they are hoping to see the Board and Administration were not looking to decrease staffing and levels of service; they now see that clearly was not the case and the Fire Chief made it extremely apparent which makes them very comfortable. He noted that they talked about creating a directive on how to fill those positions in the future. As far as they are concerned they are happy with the outcome and will pull back the grievance.

Commission Oakes asked Will King if the meeting yesterday was a Labor Management meeting, he thought it was a Special Meeting because the Labor Management meetings had been cancelled. Will stated yes he cancelled all pre-scheduled Labor Management meetings. There were 2 last month, but he was going to be out of state and another one this month. Contractual obligations required 6 meetings and he believes they have already met that.

Commissioner Oakes noted that previous discussions were that due to the nature of this department those regular meetings are needed on a monthly basis. And because of that need there were Labor Management meetings scheduled through the end of the year. So now as a result of the cancellations, the need still exists and the communication link is paramount in order to continue moving in the right direction. It is the desire of the Chief and Board to build the organization into a bigger, stronger, and healthier organization. So we must embrace process and do it the right way, we will develop into a better department sooner. In order to move forward, he would encourage the communication link. He would like Local 4118 to reconsider the cancellation of the Labor Management meetings and hopes they will recognize the benefit of those meetings and make the attempt to reengage in those meetings.

Commissioner Longley wanted to address Local 4118 with issues relating to trust, respect, and teamwork.

With regard to trust: In the 5 years that he has been on the Board he has listened and trusted Local 4118 however has gotten to the point where he cannot trust them anymore. He feels they have led the Board down the wrong path too many times. He noted the number of IAFF members who have sat upon the Board of Commissioners and feels Local 4118 has



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thrown them all under the bus by making complaints to other departments stating they are anti-union and fighting them on contracts and yet they are devoting their time on this department. He stated Local 4118 is the backbone of this department however it also consists of part timers, volunteers, and administration. He asked that Local 4118 recognize that we are here to serve the public, not solely Local 4118.

Commissioner Longley also noted that for the second time Local 4118 wanted to sit in on Executive Session to bring these Anti-Union complaints forward. The Board wanted to provide them with the opportunity in order to ensure that if there were issues that they were taken care of properly. The Board listened to their concerns and then hired an investigator who spent 2 weeks conducting an investigation. He noted that in Executive Session Will King told the Board that there were many complaints and when asked if these were recent complaints, the Board was told yes – these were indeed recent complaints (and not those previously brought forward). He stated that they had set a date to review the findings with Local 4118 representatives 3 times in order to accommodate Will King's schedule. And yet the day they met, three of the Executive Board members were here – all on duty, without one of them finding coverage in case they received a call. After only 15 minutes two members left and 20 minutes after that – they all had been called out on calls. Commissioner Longley stated that his respect for Local 4118 Board is at an all-time low. The Local leadership is not leading.

Commissioner Longley then reviewed some of the complaints that were brought forward:

The investigator was given 18 names of people Will King told the investigator that had legitimate complaints regarding allegations of anti-union activity, sentiment etc. that the Fire Chief has done. She spoke to 16 people. 2 did not call her back. Of the 16 she spoke to, only 5 still work here. Some of them haven't worked here in more than 2 years. Of the 5 who had complaints, they came up with 51 different complaints. They went through all 51 complaints and found that not a single one has anything to do with being anti-union. 3 of the 5 are Executive Board members and the other 2 are previous Executive Board members. They didn't hear any complaints from Local 4118 members; the only complaints are from the leaders of Local 4118. Commissioner Longley made it clear that he is tired of listening to the invalid complaints.

With regard to respect: Talking to other organizations regarding the current and former IAFF Board members is not fair to them. Calling all the other fire departments in the area and telling them that Chief Cermak has been placed on Administrative Leave and may lose his job for anti-union activities is uncalled for and unfair. Commissioner Longley also noted that there were several calls to the newspaper with misinformation regarding anti-union activities. Complaints such as "the Chief got mad at me because I was texting during class" or "he got mad during a Labor Management meeting and walked out". Those are not anti-union activities. He says he is disgusted with the time and money this is costing and wasted a lot of time and resources. He feels the Union Leadership needs to focus on what is important on how to better this department.

With regard to teamwork: Even after speaking with Union President Will King regarding the cancellation of the Labor Management meetings and Commissioner Longley cautioned him on doing so. He wanted Will to know that he would not recommend doing that. He feels that Local 4118 Leadership wants to fight the Board on everything. Commissioner Longley stated that he feels it's time that the rest of the Local 4118 membership knows what is going on because they are not hearing the facts from Will King. He feels they are being misrepresented by their own leadership.

Commissioner Longley noted that if the complainants do not want to be a part of this team that maybe they should begin to consider some of the many job opportunities in the area.

**COMMITTEE REPORTS**

Commissioner Sinker noted that the last Sno-Isle Fire Commissioners meeting had Seattle Fire Dept. present information on the suicide issue amongst fire service personnel. The next meeting will be the holiday meeting at Station 62 at December 1<sup>st</sup>. He also met with our Volunteers to try to set goals for themselves and trying to figure out how to better fit in to our department. He also met with the Explorer group and the current Fire Academy recruit class. Commissioner Sinker also attended the Camano Fire & Rescue Commissioners meeting.



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Commissioners Sinker and Oakes attended the Fire Commissioners Conference in Yakima and learned a lot.

Chief Cermak attended the Risk Management meeting and was informed that the risk insurance rate will be increasing 3% in 2017.

**CORRESPONDENCE**

**GOOD OF THE ORDER**

Commissioner Sinker inquired as to whether or not we would be hosting a food drive for the holidays and encouraged our department to do so.

Chief Cermak presented Commissioner Sinker with his retirement gift to thank him for his 35 years of service with our department.

Battalion Chief Bartlett noted that he would like to see our department adopt Veterans for the holidays.

**EXECUTIVE SESSION**

The Commission broke to enter Executive Session at 1750 to review the performance of a public employee per RCW 42.30.110(g) and is expected to last 30 minutes

The regular meeting reconvened at 1827

Action taken: The Board will take the advice of our legal counsel we are not going to waive the attorney/client privilege concerning Ms. Russel's investigation reports.

**ADJOURNMENT**

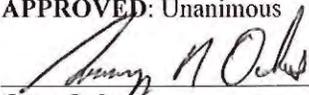
Motion to adjourn at 1828

1<sup>st</sup>: Commissioner Sinker

2<sup>nd</sup> Commissioner Iverson

DISCUSSION: None

APPROVED: Unanimous

  
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Greg Oakes  
Chair

  
\_\_\_\_\_  
Katie Ellis  
Board Secretary