

Missoula Rural Fire District
Board of Trustees
Missoula, Montana 59804

January 9th, 2024

The Missoula Rural Fire District (MRFD) Board of Trustees (BOT) met in regular session at the Station 1 Headquarters meeting room and via a "Zoom" video conference on **Tuesday, January 9th, 2024.**

CALL TO ORDER: Chairman Murphy called the meeting to order at 16:00 hours.

PLEDGE OF ALLEGIANCE

ROLL CALL: Present: Chairman Ben Murphy, Vice-Chairman Larry Hanson, Secretary Dick Mangan, Trustee Jeff Merritt, and Trustee Dan Corti.

READING OF THE MINUTES: Trustee Merritt moved to accept the minutes as written. Vice-Chairman Hanson seconded the motion. The motion was voted on and passed with 5 ayes, 0 nays and 0 abstains.

PUBLIC COMMENT: The members of the public that were in attendance didn't have anything to comment.

CLAIMS: Trustee Merritt accepted the claims as submitted. Vice-Chairman Hanson seconded the motion. The motion was voted on and passed with 5 ayes, 0 nays and 0 abstains.

COMMUNICATIONS: Raquel Wilkinson conveyed that the communications consisted of three thank you cards, a notice of public hearing for annexation, two DFM reports, a Resident/Volunteer Program Report, a Public Relations Outreach Breakdown, a Calls for Service Report, and an Outline of Expectations and Goals from the new administration.

TRUSTEE REPORTS: Vice-Chairman Hanson lost his son-in-law, to which MRFD's Station 5 crew responded. He and his family wanted to go on record to thank the crew for a job well done.

STAFF REPORTS:

Local 2457: Lieutenant Kottwitz reported that he and Engineer Paulsen attended a funeral in Great Falls in December as part of their membership with the State Honor Guard. The funeral was for a cancer line-of-duty death. Captain Ballard attended the funeral on behalf of the Seventh District and presented the Medal of Valor to the fallen member's family. Lieutenant Kottwitz also reported that a spring seminar will be held in February where the Local will send two members to attend the educational conference that is hosted in the off years of legislation. Lastly, the Local ratified the contract on December 18th.

Battalion Chief (BC): BC Lubke reported that the number of incidents at the end of the year was 3,586, which is a little over 4% higher than the previous year. He also mentioned several mutual aid incidents but not many significant incidents in MRFD's District. One of the mutual aid incidents was a big commercial building structural fire in East Missoula. MRFD had several resources committed to help with the large building fire. There was another structure fire incident in Frenchtown, and there was a serious fatality accident at the same time as one of those structure fires.

Finance and Human Resources (HR): Melissa Schnee reported that she has been doing a lot of work getting the Chiefs up to speed and has held several budget meetings. MRFD was balanced with Missoula County through November. Once she receives the December statement, she will discuss open spending with Chief Finlay. Jenn Culp and Raquel Wilkinson completed the task books for Training Officer Crocker and Captain Huleatt. They will now distribute the new task books to everyone.

Deputy Chief: Chief Horsens shared updates on his involvement in multiple ongoing projects. Along with Lieutenant Richards, he joined a conference call with Michael Penzotti, who has previously assisted MRFD in securing grants such as Staffing for Adequate Fire and Emergency Response Grants and Assistance to Firefighter Grants (AFG). During the call, Michael provided insights on the funding priorities for the upcoming year, and the AFG application process is set to open on January 29th. Last week, he met with several partner agencies to discuss Automatic Vehicle Location (AVL) and identified significant room for improvement in their response times through the accreditation process. To enhance the services of MRFD and their mutual aid partners, they are confident that implementing AVL would be the best solution. In order to move forward on the AVL trial, the Chiefs met with the Missoula Fire Department (MFD), Missoula County 911, and the Missoula County Office of Management to address any concerns, and the feedback received was positive. The following steps involve scheduling a meeting with stakeholders from other fire and emergency medical service agencies in Missoula County and leveraging the services of a recently retired Deputy Chief from Snohomish County in Washington, who played a crucial role in the implementation of their AVL system. Additionally, MRFD can benefit from this individual's expertise as he used the same Computer-Aided Dispatch system as MRFD's 911 center. As part of the accreditation process, the Fire District conducts surveys of community members every three years to gather their priorities, expectations, and concerns. The most recent survey was conducted in January 2021, and a follow-up stakeholder meeting was scheduled for March 5th, 2024. The meeting will be facilitated by Brian Dean from the Center of Public Safety Excellence Technical Advisory Program. MRFD hopes to have 40-50 members of the public participate in the meeting. Additionally, an email has been sent to everyone, asking them to save the date for MRFD's Banquet on March 9th, and more information about the event will be provided soon. Recently, Station 4 has been facing issues with its furnace. Chief Horsens has been in touch with the plumbing contractor who subcontracted the heating, ventilation, and air conditioning work and a plumbing contractor who has worked for MRFD before. The plumber will be examining certain items that may be included under the warranty. Chief Horsens will be attending the Lolo Community Council Meeting and is also planning to meet with all the program managers before the end of January. Chairman Murphy asked if implementing AVL would require revisions to mutual aid and auto aid agreements. Chief Horsens explained that it would require some revisions. Still, their conversations recently with mutual aid partners are very much on board, especially the MFD and Frenchtown Rural Fire District (FRFD). Chairman Murphy asked if it would need to be updated before the trial of the new AVL system. Chief Horsens explained that the trial would be done on a small scale, so updating those contracts wouldn't be necessary.

Assistant Chief of Operations: Chief Paulsen shared that he and the other chiefs collaborated to create a list of goals and expectations for the shifts and themselves. They came up with a comprehensive plan, which they rolled out to all the shifts last week and was well received. As part of the accreditation process, they are creating a Professionals Standard Code of Conduct Manual to better highlight the policies already in place. This manual has been passed on to the HR Department and the attorney for review. Chief Paulsen has been assisting Captain DeVos in filling the Resident/Volunteer Coordinator position. They are working on the required documentation to proceed with the hiring process. Captain DeVos is doing a great job with five members currently in training. Chief Paulsen has been involved in the AVL meeting and multiple budget meetings recently. Among his upcoming goals and projects, he aims to assist HR in completing the employee handbook, a vital task outlined in their goals and expectations. Additionally, he is working closely with the Resource Manager Division and the Training Officer to understand their programs better and offer support whenever necessary. MRFD will be implementing station rotations, which involve moving everyone around without changing their shifts. The decision was made after identifying that some members were receiving fewer call volume compared to others. The aim is to offer a more equitable experience to all members. Chief Paulsen recently discussed installing engine backup cameras with Resource Manager LaForest and Assistant Resource Manager Mullins. The cameras are heated and will be necessary for the snowy conditions in which the engines operate. When Trustee Merritt inquired whether the cameras would be wired or wireless, Chief Paulsen clarified that MRFD would not use the wireless version due to its 10-second delay.

Fire Chief: Chief Finlay reported that the goals and expectations that were put together were covered last week for the crews. He doesn't feel that the list is all-inclusive and will continue to add and update those goals and expectations as necessary. He will provide information regarding a timeline and any additional items. The three chiefs have been spending some extra time sharing information to ensure a smooth transition of their roles. They are still gathering information regarding Chief Newman's departure but are optimistic that it will be completed soon. Unfortunately, IT Joe Ford had to step away due to a family emergency, causing some difficulties on the IT side. MRFD had received a summons for the damage caused to a neighboring building, which is based on the alleged improper use of a hydrant. The case has been turned over to the insurance company, who will assign an attorney to handle it. The summons contained several inaccuracies, which the insurance company will investigate. At first, the insurance company wanted to settle the matter, but MRFD decided to defend their actions, as they believe they did nothing wrong. On January 5th, a member of Local 2457 identified that an Unfair Labor Practice would be filed against MRFD. The administration initiated a weekly administrative meeting to identify projects taking place within the administration. Recently, Chief Finlay conducted a productive meeting with the chiefs of MFD. They have decided to continue collaborating and meet monthly from now on. Chief Finlay recently met with the East Missoula Rural Fire Department (EMRFD) to discuss their personnel coverage. The department relies mainly on University of Montana students for their coverage, which was affected during the winter break due to the unavailability of student volunteers. EMRFD approached MRFD to request additional support during the holiday season. MRFD has agreed to provide three 24-hour coverage periods to help them through the winter break. EMRFD has made a few additional requests in addition to the three 24-hour periods. They understand that MRFD can't continue to cover them for extended periods, but if they have a shortage for a few hours, MRFD can certainly pick that up. EMRFD feels confident that they will be fine after the winter break once they reestablish their staffing. As Chief Horsens mentioned, he has been working with AVL, which has been part of their long-term discussions. Chief Finlay took part in a webinar on economic updates from the Western Fire Chiefs earlier this week. The administration's first meeting for policies and updates is scheduled for January 18th, and they aim to include legal, HR, chiefs, and anyone else with policy ideas. This process will continue every week until all policies are updated. They will work on the goals listed in the handout and update them as necessary. There will be a Labor Management Meeting scheduled for the near future. MRFD did not receive any applications from within the organization for the Accreditation Manager position, so the administration is currently exploring options on how to proceed. Chief Finlay contacted a finding service to inquire whether they could assist MRFD in their search. It's important to note that final decisions have yet to be made, and the administration is still researching their options. On January 23rd, a meeting is scheduled with FRFD, where both departments will discuss possible ways to improve their services. Chief Finlay requested the previous fire chief's files. Chairman Murphy asked Chief Finlay if MRFD was dispatched to their calls while MRFD was assisting EMRFD. Chief Finlay responded that when East Missoula is aware they will be out of service, MRFD has been dispatched to assist. There have been a few errors, but thankfully, MRFD personnel were able to catch those errors. Chairman Murphy further asked if MFD had been involved. Chief Finlay explained that as part of MRFD's request, they also asked MFD to be dispatched. MRFD and MFD have also discussed dividing the work more equitably.

OLD BUSINESS:

NEW BUSINESS:

1. **Discussion and Decision on Chiefs' Employment Contracts:** Chairman Murphy explained that the contracts were not finalized yet and they will be addressed at the next BOT meeting.
2. **Discussion and Decision on Collective Bargaining Agreement with Local 2457:** The lead negotiator, Trustee Merritt, reported that the negotiations began in mid-August and initially progressed well. They reached an agreement on wages almost immediately. However, they are currently facing a challenge with the language used in the agreement, which contradicts the Montana Code Annotated (MCA). They attempted mediation but were unsuccessful, so they

decided to take the matter to the BOT. Trustee Corti inquired if the current definition in the contract was correct. Trustee Merritt explained that the MCA specifies the duration of the probationary period. Moreover, the definition of an assistant chief is outside the scope of the bargaining agreement. Trustee Corti noted that it would be inappropriate to approve a contract that contradicts state law. Chairman Murphy reminded the trustees of their obligation to uphold the constitution of the State of Montana. Trustee Merritt explained that article 12 of the contract states that if any provision is found to violate the MCA, it would be nullified. Given their oath, voting on the current agreement would be a violation of their oath. Trustee Corti suggested revisiting section 31 since the Board is reviewing the definitions. Trustee Merritt confirmed that it would be advisable. Chairman Murphy pointed out that the current definition of an administrative chief would lead to an unfunded position, putting the BOT at risk of a wrongful termination lawsuit. Trustee Merritt suggested deleting the whole section. The trustees voted on the motion not to ratify the contract and to review the sections in question. The motion passed with 5 ayes, 0 nays, and 0 abstains.

CLOSED EXECUTIVE MEETING (personnel): Chairman Murphy determined the next matter to be a matter of individual privacy, and the individual's privacy considerably outweighs the public's right to know. The meeting will be closed to the public for an executive session.

REOPENING OF MEETING TO THE PUBLIC: Chairman Murphy reconvened the public meeting.

Chairman Murphy explained that matters were discussed pertaining to Chief Finlay's privacy, specifically regarding notes provided to the BOT by Captain Ballard. Chairman Murphy asked if Chief Finlay would like to waive his rights of privacy for the document. Chief Finlay responded that he would like to waive his rights to privacy pertaining to the document. The document is now available upon request in the HR office.

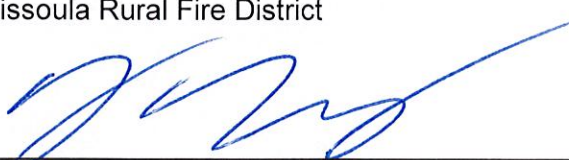
Trustee Dan Corti revisited new business item 2. He said that he would like to present a new motion because he believed he was restricted in what he originally proposed. He moved to not ratify the contract with Local 2457 and reopen negotiations without limitations. Vice-Chairman Hanson seconded the motion. The motion was voted on and approved with 5 ayes, 0 nays and 0 abstains.

ADJOURNMENT: Trustee Merritt made a motion to adjourn. Vice-Chairman Hanson seconded the motion. Chairman Murphy adjourned the meeting at 17:19 hours.

Respectfully submitted,



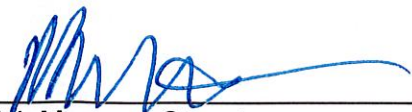
Jenn Culp, Administrative Assistant
Missoula Rural Fire District



John (Ben) Murphy, Chairman

2/13/24

Date



Dick Mangan, Secretary

2/16/24

Date