



NORTH DAVIS FIRE DISTRICT
BOARD OF TRUSTEES
Station 41, 381 North 3150 West
West Point City, UT 84015
(801)525-2850

Timothy E. Roper, Chairman
Howard Madsen, Vice-Chairman
Erik Craythorne, Board Member
Mark Shepherd, Board Member
Jerry Chatterton, Board Member
Nike Peterson, Board Member
Scott Wiggill, Board Member
Chad Bangerter, Board Member
Gary Petersen, Board Member

Mark Becraft, Fire Chief
John Taylor, Deputy Fire Chief

BOARD OF TRUSTEES MEETING
October 15, 2020 – 6:00 PM (Amended)

Meeting minutes from the North Davis Fire District Board of Trustee Meeting held at Station 41, 381 North 3150 West, West Point City, UT 84015 on October 15, 2020 at approximately 6:15 pm. Board members and members of the public had the ability to participate in the meeting in person, via Zoom, or by telephone.

Board Members Present: Chairman Timothy E. Roper, Jerry Chatterton, Nike Peterson (via Zoom), Scott Wiggill (via Zoom), Mark Shepherd, Gary Petersen, and Chad Bangerter

Excused: Vice-Chairman Howard Madsen and Erik Craythorne

Staff Present: Fire Chief Mark Becraft, Deputy Fire Chief John Taylor, and District Clerk Misty Rogers

Visitors: None

- 1. Call to Order:** Chairman Roper called the Board of Trustees Meeting to order. He then asked that all participants speak loudly to ensure that everyone could hear.
- 2. Invocation or Inspirational Thoughts:** Board Member G. Petersen.
- 3. Pledge of Allegiance:**
- 4. Citizen Comment:** None
- 5. Consideration of Approval of Minutes from the August 20, 2020 Board Meeting**
Board Member Shepherd made a motion to approve the minutes from the August 20, 2020 Board Meeting. Board Member G. Petersen seconded the motion. The motion passed.
- 6. Consideration of Approval of the North Davis Fire District Bills for August and September 2020**
Board Member G. Petersen made a motion to approve the NDFD bills for August and September 2020. Board Member Chatterton seconded the motion. The motion passed.
- 7. Consideration of Approval of the North Davis Fire District Financial Report**
Ms. Rogers stated that the Fiscal Year 2020 (FY2020) audit is currently underway, and it is anticipated that \$200,000 of Ambulance Revenue, \$29,000 of Impact Revenue, and \$30,000 of Cares Act Funding will be returned to the FY2020 budget. The Cares Act Funding received from West Point, Clearfield, and Sunset will be used to assist with wages associated with the Covid-19 pandemic.

Board Member Shepherd made a motion to approve the North Davis Fire District Financial Report. Board Member G. Petersen seconded the motion. The motion passed.

8. Discussion and Consideration of Resolution, 2020R-13, Amending the North Davis Fire District Policies Chapter 2, Organization of the Board of Trustees and Chapter 3, Board Meetings

Chief Becraft stated that the proposed policy amendment includes permitting the Board of Trustees to hold work sessions prior to the scheduled board meetings. Work sessions will typically begin at 6:00 pm and board meetings will typically begin at 6:30 pm. However, if the work session is not completed by 6:30 pm, the Board of Trustees will have the ability to continue the work session immediately following the scheduled board meeting.

Board Member N. Peterson stated that she supports the Board of Trustees holding work sessions. She then asked if a board meeting should be referred to as a "policy session." Ms. Rogers stated that within the next few days administration would verify the proper term which should be used when referring to a board meeting. In the meantime, Ms. Rogers recommended that the board approve the policy as presented and, if needed, the policy could be amended in the future.

Board Member G. Petersen motioned to approve Resolution, 2020R-13, Amending the North Davis Fire District Policies Chapter 2, Organization of the Board of Trustees and Chapter 3, Board Meetings. Board Member Chatterton seconded the motion. The motion passed.

Roll Call Vote:

Chairman Roper (non-voting)	Vice-Chairman Madsen – excused
Board Member Bangerter - aye	Board Member Chatterton – aye
Board Member Craythorne - excused	Board Member G. Petersen – aye
Board Member N. Peterson - aye	Board Member Shepherd – aye
Board Member Wiggill – aye	

9. Discussion and Consideration of Resolution 2020R-14, Amending the North Davis Fire District Personnel Policy and Procedures Manual

Chief Becraft stated that over the past nine-months the administration has worked closely with the Employers Council to review, update, and legally vet the proposed NDFD Personnel Policy and Procedures Manual.

Amendments to the NDFD Personnel Policy and Procedures Manual include state and federal statute updates and language changes to provide clarification. The intent of amending performance and merit pay policy is to create consistency and equality among employees. In the past, employee's merit pay was determined by an evaluation score. This process was not consistent between all evaluators and ultimately created unintended wage discrepancies. If an employee meets proficiency and performs to required expectations, they will receive a merit increase which is set and approved by the Board of Trustees. If an employee does not meet proficiency and/or is on probation, they will not be eligible for a merit increase until they are released from probation. Chief Becraft informed the board that the "fire chief" position is the only position within the North Davis Fire District that is considered to be "at-will" employment. All other positions within the North Davis Fire District are considered merit employee positions.

Board Member G. Petersen asked if there were a document showing the changes from the previous policy to the proposed policy. Ms. Rogers stated that the entire policy had essentially been revised, therefore, the document had been sent without showing the strikethroughs. She then stated that if the changes were shown, the document would have been roughly 400 pages. Board Member G. Petersen stated that this is a time when all strikethroughs should have been presented to the board. He then stated that he wanted to navigate through the policy quickly but thoroughly. Chairman Roper stated that the significant changes to the North Davis Fire District Personnel Policy and Procedures Manual would be presented to the board during the meeting. Chief Becraft stated again that amendments to the NDFD Personnel Policy and Procedures Manual had been reviewed and vetted by Employers Council.

Chief Becraft stated that the Board of Trustees had previously approved the Personal Use of Public Property policy which had been drafted and vetted by the Utah Association of Special Districts (UASD). He stated that no changes to the Personal Use of Public Property (Section 510:1) were being proposed. Other policy amendments include changes to Section 808, Disciplinary Process. Board Member G. Petersen and Board Member N. Peterson asked if an "adjudicator," which is referenced in Section 811, should be defined within the policy. Chief Becraft stated that "adjudicator" was a term recommended by the Employers Council. Board Member N. Peterson expressed concern that there may be confusion if the title "Human Resource Coordinator" and "Human Resource Director" are not clearly defined. Chief Becraft stated that the titles "Human Resource Coordinator" and "Human Resource Director" are differentiated within the organizational chart. He then stated that Ms. Rogers is the Human Resource Director, and she oversees the Human Resource Coordinator. However, until the Human Resource Coordinator position is filled, Ms. Rogers is performing both functions.

Chief Becraft stated that the tattoo and the smoking/tobacco policy found within the NDFD Personnel Policy and Procedures Manual has also been amended. The policy amendment stipulates when and where smoking/vaping can occur and meets state and federal compliance. The policy has been amended to permit employees to have tattoos. However, if the tattoo is deemed offensive, the employee must cover the tattoo. Board Member Bangerter and other members of the board recommended adding language to define the term "offensive" within the policy. Ms. Rogers stated that the proposed policy includes a definition of offensive. She then read aloud section 802:2 (1)(3) to the board. Ms. Rogers stated that she believed the definition of "offensive" found within the NDFD Personnel Policy and Procedures Manual was adequate.

Board Member Bangerter asked if Chief Becraft had any employees who have "pushed back" for being asked to cover tattoos, remove piercings, etc. Chief Becraft responded by saying that he did not believe that he had ever experienced "push back" from an employee who was asked to cover a tattoo. Board Member G. Petersen asked if there is an appeal process for anyone who does not feel that they should have to comply with the Chief's request. Chief Becraft stated yes, there is a grievance policy which an employee can utilize.

Board Member Chatterton asked that language found in Chapter 307, Uniform Allowance, be clarified to state what 40-hour per week employees are eligible to receive uniform cleaning allowance as well as how often they are eligible to receive it. Chief Becraft stated that the policy would be amended to indicate which 40-hour per week employees are eligible to receive cleaning allowance (Fire Chief and Deputy Chief) and how often (annually) they are eligible to receive the allowance.

Board Member G. Petersen stated that in Chapter 103:3(1), a word is missing. Board Member Shepherd recommended adding the word "modify or amend" to the sentence. Chief Becraft thanked the board for their comments.

Board Member Bangerter asked if employees are required to read the policy. Ms. Rogers stated yes, employees are asked to sign a document stating that they have read and received the policy updates and that they know where the NDFD Personnel Policy and Procedures Manual can be found. Board Member G. Petersen recommended that language within the document state that the employee has received, read, and understands the policy.

Chief Becraft stated that he and Chief Taylor have reviewed and updated the NDFD Standard Operating Procedures (SOP's) and they will continue to update them as needed. The SOP's are operational policies and they do not need to be approved by the board. Chief Becraft stated that after the NDFD Personnel Policy and Procedures Manual has been approved by the board, administration will hold a mandatory training with all full-time and part-time employees where the amended NDFD Personnel Policy and Procedures Manual will be presented and discussed.

Board Member N. Peterson stated that in Section 211:2 (4) the word "usually" is used. She expressed concern and recommended removing the word so that the paragraph would read, "Employees transferred, for management's convenience, i.e., lack of work, budgetary reasons, or reorganization, to a job in a lower salary range will be paid at their former rate. If their pay exceeds the maximum for the new pay range, their salary will be in a Red-Circle Rate for the job classification of the position being transferred to and will be handled as described in Salary Administration, Chapter 301." Board Member G. Petersen agreed.

Board Member N. Peterson referenced Section 502:4, and asked if regular employees with more than 240 hours of vacation leave at the end of the year will be paid out for the excess hours or if the excess hours are considered use or lose. Chief Becraft stated that vacation hours more than 240 hours at the end of the year is typically considered use or lose.

Board Member N. Peterson expressed concern with language found in 808:1(1), "Under normal circumstances, the District endorses a policy of progressive discipline in which it attempts to provide employees with notice of deficiencies and an opportunity to improve. It does, however, retain the right to administer discipline in any manner it sees fit." Board Member N. Peterson stated that the sentence "It does, however, retain the right to administer discipline in any manner it sees fit" is open ended and can be problematic. She stated that administration needs flexibility, however the wording could be misconstrued and taken out of context. Chief Becraft stated that it is the intent of administration to provide progressive discipline and that the language being discussed is to allow for flexibility in rare circumstances. Board Member N. Peterson stated that this section will not stop the approval of the policy, however further review of this section and amendments should be presented to the board for action at the next meeting. She then recommended removing the sentence "It does, however, retain the right to administer discipline in any manner it sees fit" from the policy. Chief Becraft stated that Chapter 808 will be sent back to legal for further review and clarification.

Board Member G. Petersen stated that he agreed with Board Member N. Peterson. He then clarified that the district either follows progressive discipline, or they do not, and it should be clearly written within the policy. Board Member G. Petersen stated that Chapter 808 is not ready for approval and he recommended that administration discuss it with Employers Council. He then recommended that the board approve the proposed NDFD Personnel Policy and Procedures Manual with the noted

amendments, but excluding Chapter 808 Disciplinary Procedures. Chief Becraft stated that NDFD wants to embrace progressive discipline and help employees to grow and advance; however, occasionally circumstances will arise when immediate action must be taken.

Board Member G. Petersen made a motion to approve Resolution, 2020R-14, Amending the NDFD Personnel Policy and Procedures Manual with changes as noted and excluding Chapter 808 Disciplinary Procedures for further consideration. Board Member Bangerter seconded the motion. The motion passed

Roll Call Vote:

Chairman Roper (non-voting)

Board Member Bangerter - aye

Board Member Craythorne – excused

Board Member N. Peterson - aye

Board Member Wiggill – aye

Vice-Chairman Madsen – excused

Board Member Chatterton – aye

Board Member G. Petersen – aye

Board Member Shepherd (*left at 7:15 pm*)

10. Fire Chief's Report

Chief Taylor explained how to use the "iSpyMobile" app to the board. He then stated that the multi-use helmets approved in Fiscal Year 2021 had arrived and had been put into use. The District budgeted approximately \$70,000 for the purchase of multi-use helmets and comms; however, the total cost will likely be less than originally anticipated. Chief Becraft stated that the firefighters are appreciative to the Board of Trustees for their willingness to provide them with safer gear and equipment.

Chief Taylor stated that since the August 20th Board of Trustees Meeting several changes to personnel have occurred. Two part-time firefighters have taken their final fire exam, one part-time firefighter resigned to accept a full-time position with another agency, and two previous NDFD firefighters were rehired for part-time employment. Chief Taylor stated that administration and the crews are busy and continuously running. Between August 20th and October 15th NDFD responded to approximately 500 calls.

Chief Taylor stated that a significant amount has been spent on vehicle maintenance. Truck 41 recently underwent ram repairs, other vehicles required new brakes, and tires. He then stated that NDFD strives to repair their trucks and equipment as repairs are needed. Chief Becraft stated that Truck 42 has been switched out with Engine 42 and Engine 42 is being ran as a first out engine in hopes of saving the miles on the ladder trucks.

Chief Becraft stated that the District has received Cares Act Funding from Sunset, West Point and Clearfield which will be used for Covid-19 related wages. It is unclear if Davis County will be providing financial relief due to the pandemic to the District. Chief Becraft stated that several months ago, the District had applied for a FEMA Grant, however, the request was unsuccessful.

Chief Becraft stated that soon, the Board of Trustees needs to discuss the Paramedic Program, the Capital Improvements Plan (CIP), Organizational Structure, and the reorganization of duties of the District. He then stated that the Paramedic Program is quickly approaching and that the Board of Trustees may need to schedule additional or longer work sessions to ensure that adequate time is spent discussing the Paramedic Program, the CIP and Organizational Structure of the District. Chief Becraft stated that if needed, he could meet one-on-one with Board Members and/or attend Council

Meetings to update them on the process of the Paramedic Program. Board Member G. Petersen stated that paramedic discussions should be held during a work session to allow for board member discussion. Chairman Roper and Chief Becraft agreed, however, if Board Members have questions regarding the program before the work session is held, they could contact Chief Becraft. Board Member G. Petersen stated that staff has pertinent information regarding the paramedic program that should be presented to the board. He then stated that the number of board members in attendance had dropped below the level of a quorum therefore the meeting should end. Chairman Roper stated that much of the information would have been presented to the board during the September meeting, however it was cancelled due to the lack of a quorum.

Board Member Chatterton recommended holding the November Board of Trustees Meeting and Work Session via Zoom. Board Member G. Petersen requested that the Organizational Structure and CIP plan be emailed to each board member again.

11. Other

12. Motion to Adjourn

Board Member G. Petersen made a motion to adjourn. Board Member Chatterton seconded the motion. The motion passed.

Passed and adopted the 19th day of November 2020.



ATTEST:

A handwritten signature in blue ink that reads "Misty Rogers".

Misty Rogers, District Clerk

A handwritten signature in blue ink that reads "Timothy E. Roper".

Timothy E. Roper, Chairman