

# **BAINBRIDGE ISLAND FIRE DEPARTMENT BOARD OF COMMISSIONERS**

## **Special Meeting Minutes**

February 24, 2021

The February 24, 2021 Board of Fire Commissioners special meeting was conducted “virtually” due to the restrictions put on public meetings by Governor Inslee. The restrictions were put in place due to the ongoing health concerns presented by the COVID-19 pandemic. Commissioners participated in the meeting remotely and the public was provided the opportunity to listen to the proceedings.

Chair Scott Isenman called the meeting to order at 6:30 PM. Present (remotely) were Commissioners Tim Carey, YongSuk Cho, Jack Metz and Fritz von Ibsch; Fire Chief Hank Teran; Deputy Fire Chief Jared Moravec; Volunteer Program Coordinator Jay Rosenberg; Finance Manager Ed Kaufman and Department legal counsel, Brian Snure.

### **AGENDA ADDITIONS & DELETIONS**

None

### **EXECUTIVE SESSION**

At 5:02 PM, Commissioner Isenman called for an Executive Session to last for 30 minutes. The Executive Session was called per RCW 42.30.110(1)(i)(iii) to discuss with District legal counsel, in a forum that maintains the attorney client privilege, legal risks of a proposed action or current practice that the agency has identified when public discussion of the litigation or legal risk is likely to result in an adverse legal or financial consequence to the agency.

At 5:32 PM the Executive Session was extended for 15 minutes. At 5:47 PM the Executive Session was extended for an additional 5 minutes. The open public meeting resumed at 5:52 PM.

### **BUSINESS AGENDA**

#### **1. Commissioner Discussion Continued**

Department legal counsel, Brian Snure, clarified the legal questions regarding the Department's hiring practices. Snure indicated the following:

- The Department's hiring of the Medical Services Administrator in 2018, without conducting an open hiring process, was not discriminatory in any way because no protected class was excluded.
- The Board's stated position to hire the next Fire Chief from the Deputy Chief's position is legal succession planning, common in the fire service, and not discriminatory in any way as long as no protected class is excluded.
- The entry level hiring practices of firefighters/EMTs is open to any applicant and therefore not discriminatory in any way as long as no protected class is excluded.
- Internal succession planning, including promotions, is common in the fire service and not discriminatory as long as no protected class is excluded.

Snure stated that the decision to have an “open hiring process or a less inclusive hiring process” is a philosophical one by the Board, not a legal decision.

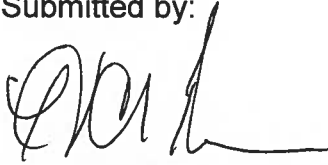
Snure also stated that staff’s practice of briefing individual Commissioners on topics for educational purposes, prior to the next open public meeting, is legal and common in the fire service as long as there isn’t a quorum of sitting Commissioners attending.

Commissioner Isenman instructed staff to bring to the Board a policy on the Board’s rules of procedures that will present guidelines for various Board activities including, but not limited to, the setting of agendas and chain of command. Chief Teran acknowledged the request and indicated staff will present the P&P at a future Board meeting.

ADJOURNMENT

The special meeting was adjourned at 6:07 PM.

Submitted by:

A handwritten signature in black ink, appearing to read 'H. Teran', written over a horizontal line.

Henry A. Teran, Board Secretary

Approved

March 3, 2021