

**Excelsior Fire District Board
EFD Governing Board Meeting
Wednesday, February 20, 2019**

**24100 Smithtown Road
Shorewood, Minnesota
6:30 P.M.**

MINUTES

1. CALL TO ORDER

Chair Jennings called the special meeting to order at 6:30 P.M.

ROLL CALL

Present: Excelsior Fire District (EFD) Boardmembers: Chair Jennings; Vice Chair Labadie; Boardmembers Erickson, Fletcher, and Miller.

Also present: Excelsior Fire District (EFD) Chief Gerber; Deephaven Administrator/EFD Fiscal Agent Young; Excelsior City Manager Luger; Shorewood City Administrator Lerud; Tonka Bay City Administrator Tingley; EFD Assistant Chief McCarthy; EFD Captain Perez; EFD Captain Steinwand; and, Firefighter Andy Hein.

Absent: None.

2. AGENDA APPROVAL

Erickson moved, Labadie seconded, approving the EFD Governing Board meeting agenda as presented. Motion passed 5/0.

3. SPECIAL MEETING TO DISCUSS REPLACEMENT PROCESS FOR THE FIRE CHIEF POSITION

Chair Jennings noted the Operating Committee met shortly after the Chief's announcement so some ground has been covered and tonight the Board will discuss how to have a solid game plan.

Tonka Bay Administrator Tingley explained the Operating Committee has met twice to plan for the transition and recruitment of a new Fire Chief once Chief Gerber takes his position with the City of Eden Prairie. He asked for Board feedback and approval of the job description, noting a draft has been provided using Chief Gerber's description and updates. Another item for discussion tonight is the requirement for the Fire Chief to live within 15 minutes of a fire station in the District. He asked whether the Board would like to continue that policy or extend it to 20-30 minutes to offer more recruitment flexibility. The third item for discussion is to authorize the Operating Committee to advertise the position.

Mr. Tingley reviewed the anticipated timeline for the hiring process with the position being posted the week of March 1, Interim Fire Chief candidates interviewed by Administrators March 7, Board approval of Interim Fire Chief contract March 20, the Fire Chief position closed March 28, applications reviewed and candidates selected to interview the week of April 1, candidates interviewed by Administrators the week of April 15, background checks and firefighter involvement April 22 through May 10, Board interview of two-three finalists and finalist selected May 15, physical and psychological evaluations May 20, and the new Fire Chief hired and start date July 8. Ideally, the Operating Committee would like the new Fire Chief on board shortly after July 4th.

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Interim Fire Chief Hiring Process

Mr. Tingley stated the expectation is that the Interim Fire Chief would be hired from outside of the organization. He noted the anticipated schedule and job responsibilities and stated the Operating Committee would like the Board's input on the proposed process.

Chair Jennings noted these documents had been provided prior to the meeting and asked for the Boardmember's comments.

Boardmember Erickson referenced the assumption that the Interim Fire Chief would be from outside the organization and asked about the reason for that assumption. He also asked if the Interim Fire Chief should be from inside the organization as this is a part-time position and there may be someone on staff who is interested in acting in an interim role. Boardmember Erickson pointed out that the process from today until hiring by July 4th is a short window of time so if hired in March, the Interim Fire Chief would be in place for only several months. In addition, the existing Chiefs will be running the operation so this new position would be a figurehead.

Excelsior City Manager Luger explained that a lot of this was modeled from a recent police chief hiring process with South Lake Minnetonka PD. Typically, an Interim Fire Chief is a retired Fire Chief so there is not much of a learning curve except to learn about the organization. In addition, an outside hire provides an outside perspective, which is helpful and can provide an analysis on the department and issues such as staffing. An outside perspective such as that has value and a retired Fire Chief also has a vast amount of experience. Also, if someone inside the organization is interested in the Fire Chief position, it allows them the opportunity to make that application. Ms. Luger stated an outside hire may also feel freer to make comments to the Board that an inside hire would not be comfortable making.

Boardmember Miller stated it seems reasonable and asked if this is the recommendation of the Operating Committee. It was confirmed this was their recommendation.

Boardmember Fletcher stated the interim police chief position was for a longer duration. Ms. Luger stated it was about six months. Boardmember Fletcher noted if the Interim Fire Chief is hired from inside the organization, there may be concern that Interim Fire Chief has a perceived 'leg up' on the Fire Chief hiring process. He asked if the Board would be open to the option of an inside hire if someone wants the Interim Fire Chief position but is not interested in being a candidate for the Fire Chief.

Ms. Luger stated the expectation is the Interim Fire Chief would be working 20-30 hours a week so that would be a lot to put on an internal staff member. She stated her opinion that there is real value to having an outside perspective and a retired Fire Chief who has been with different departments. It would also provide a fresh start between Chief Gerber and the newly hire Fire Chief. Ms. Luger stated she will respect whatever the Board decides.

Boardmember Fletcher stated he has no idea if anyone inside would be interested but if they were and qualified but did not want to be hired as the Fire Chief, he does not want to eliminate that as an option. He acknowledged an inside hire would not provide an outside perspective, which would be a benefit, but they would already be familiar with the organization and hit the ground running.

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Shorewood City Administrator Lerud agreed that current staff can handle the call response without anyone else being there. But, there is no one currently in the department with experience in all of the departments.

Chief Gerber stated his understanding that of the current Chiefs in the organization, they are either interested in the Fire Chief position or not available to do the interim process.

Chair Jennings stated there could also be a highbred option of someone with interest in the Interim Fire Chief position but no interest in the Fire Chief position.

Boardmember Fletcher stated Chief Gerber knows the department best and if that is Chief Gerber's opinion, he is comfortable with that.

Boardmember Erickson agreed, thanked the Board for holding the discussion, and stated he is comfortable with the recommendation of the Operating Committee.

Chair Jennings added his thanks to the Operating Committee.

Boardmember Labadie stated the Interim Fire Chief is a short-term position and the desire is to not have to do a lot of training, which won't be necessary with a retired Fire Chief.

Boardmember Erickson stated if the Interim Fire Chief will not be considered for the Fire Chief position, it removes the 'step up' opportunity, which he likes better as the applicants will know they are only interested in the Interim Fire Chief position.

Boardmember Fletcher stated the Interim Fire Chief will be working 20-30 hours a week and asked, as it relates to pay and benefits, whether it would be equivalent to what is currently budgeted or less. He stated he would have more trouble paying equivalent pay and benefits if it is a part-time position.

Mr. Lerud stated they don't know the pay range and would ask the applicant but he does not think it would be equivalent. He stated the decision on the level of pay rests with the Board.

Boardmember Fletcher noted Chief Gerber has done the budget for 12 years so anyone coming in has a fair amount to learn in a short window of time, which may require more than 20-30 hours a week.

Fiscal Agent Young stated the budget will be close to finalized and there will not be undertaking of policy review so the Board is not looking for many of Chief Gerber's functions from the Interim Fire Chief. The Operating Committee received input from Chief Gerber and decided a range of 20-30 hours a week was reasonable. However, the Operating Committee would like discretion if it is found the number is not realistic.

Ms. Luger stated the department is already very strong so the Interim Fire Chief is just keeping the 'ship on course' and on 'autopilot.'

Boardmember Fletcher stated he understands no one wants to rush the decision but asked if the timing can be tightened up and still remain a quality process. Mr. Young stated it will depend on the new hire's availability. The Operating Committee did not want to make it shorter than needed so there is enough 'air' in the process that they are comfortable a new Fire Chief can be in place the beginning of July.

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Chair Jennings agreed, noting there are also background checks and the new hire will need to give notice.

Mr. Tingley stated they were reluctant to start someone until after July 4th so they are not involved in that holiday. Chief Gerber agreed, noting the July 4th event takes a lot of planning and time. He explained the Eden Prairie hiring process took four months so he thinks the Operating Committee's proposed timing is realistic. Also, it is important to have the fire fighters engaged and providing input and that takes time. He stated it could move more quickly if the new Fire Chief is available quickly but better to err on the side of a longer process.

Boardmember Miller asked Chief Gerber when his last day will be. Chief Gerber stated he does not yet have a final offer from Eden Prairie but anticipates receiving it in the next week or two. Once received, he will give his notice of probably the last week in March. If the interim process moves forward and the contract is offered March 20, then there would be several days for the transition.

Boardmember Labadie stated she was also concerned about the 4th of July weekend and understands the concern of starting a new Fire Chief that weekend. She noted it may be a good public relations opportunity to have the new Fire Chief available during the 4th of July holiday because many in the community would be able to meet the new Fire Chief.

Ms. Luger stated an expectation could be that the new Fire Chief would be on duty on July 4th but would not be in charge. Boardmember Labadie asked how he/she would be introduced. Ms. Luger stated the new Fire Chief will shadow the Interim Fire Chief and could be introduced as the new Fire Chief.

Boardmember Erickson stated he does not want to drive this timing and decision based on a public relations move for the 4th of July. If available, he thinks it would be fantastic to have the new Fire Chief introduced to the community but he/she should not be in charge of the 4th of July event since he/she would have had no planning involvement in that event.

Chair Jennings agreed it would make sense to have the new Fire Chief visible and introduced but the Board should not 'hand the keys over' until after the 4th of July event, noting emergency calls also spike during that holiday.

Chief Gerber stated the 4th of July is a planned event with races, parades, and fireworks, and one of the biggest hazards and high call events of the year. In the rotation, all firefighters have to work every third 4th of July. He anticipated the Interim Fire Chief will plan part of that process as well as the existing Chiefs. Chief Gerber stated Boardmember Labadie's points are important and valid but it is an emergency management process so his advice is that 4th of July is not the day to start the new Fire Chief. However, if the new Fire Chief is available and willing, it would be great to have the new Fire Chief with the Interim Chief and firefighters during that event.

Chair Jennings asked if there are other thoughts relating to the recommendation of the Operating Committee on the Interim Fire Chief.

Fletcher moved, Labadie seconded, accepting the Operating Committee's recommendation for the Interim Chief hiring process. Motion passed 5/0.

Ms. Luger explained the Interim Fire Chief will be interviewed by the Operating Committee and hired by the Board. She asked if the Board would like to consider more than one finalist.

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Boardmembers Fletcher and Erickson indicated they are comfortable with presenting one Interim Fire Chief candidate to the Board.

Chair Jennings stated he would like, as much as possible, to keep a 'finger on the pulse' and be invited to the Operating Committee meetings. He asked if anyone else would like to attend the Operating Committee meetings. No one else expressed interest.

Boardmember Fletcher noted the Operating Committee's recommendation includes getting input from the firefighters like when Chief Gerber was interviewed by Eden Prairie, he had probably not yet talked with those firefighters. He asked when it becomes public information. Chief Gerber stated it is public information when the applicant becomes the finalist.

Mr. Tingley explained that once a finalist is identified, then the background checks would be done and the finalist would meet with firefighters after that. Ms. Luger concurred that the fire fighters will be involved during the time the background checks are being performed, which takes some time.

Chair Jennings asked if a score card will be created to evaluate applicants, noting it may be appropriate to look at something like that at the March 20 meeting so it is determined how candidates will be evaluated.

Boardmember Erikson stated that should be handled by the Operating Committee so it does not become public information. He noted only Dana Young was here when Chief Gerber was hired. At that time, there were 60 applicants that were weeded down but, in this case, it is not known how many applications will be received, especially if it is posted to a national board.

15-Minute Distance Requirement, Job Description, and Authorize to Advertise

Boardmember Fletcher stated he supports the distance requirement for the new Fire Chief but it would not be important for the Interim Fire Chief. Boardmember Erickson concurred and stated if it is just over 15 minutes, he would still consider it.

Boardmember Labadie asked for the Eden Prairie application, was there a distance requirement. Chief Gerber stated there was not. He explained there are pros and cons to that requirement but in this location, the Fire Chief plays a greater response role. The con is that a 15-minute requirement could limit the application pool. He commented on the many areas of focus involved with the EFD Fire Chief role but now in 2019 it is a different and stronger fire department.

Boardmember Miller stated the challenge will be housing availability and affordability. Ms. Luger agreed and stated 20 minutes would create a larger area for housing and include more affordable areas.

Boardmember Erickson stated he does not want to eliminate a candidate because they can't afford housing within a closer distance. He suggested that point (distance from the fire station) be weighted when considering applications.

Boardmember Miller suggested establishing a maximum time, such as 20 minutes, with the indication it would be looked at more favorably if closer.

Boardmember Labadie pointed out that no one will purchase a house until they have been hired so it is too speculative to make it a scoring point. Boardmember Erickson reconsidered and agreed.

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Chair Jennings asked if there is a time threshold that the Board would not consider. It was noted the requirement is a distance from any one of the fire stations within the district.

Boardmember Fletcher noted that would then give a fairly wide radius.

Boardmember Miller asked if the time to the station is significant. Chief Gerber stated it can be depending on the type of event. He stated 15-20 minutes seems reasonable and would include Chaska, Chanhassen, St. Bonifacius, and Victoria.

Boardmember Fletcher stated the flip side is if something were to happen, Chief Gerber has always been at events and that is easier if you are closer to the station. Chief Gerber stated with lights and sirens, he will be at the event within 15 minutes. The new Fire Chief will have a vehicle to take home but that is not the standard by which it has been judged.

Boardmember Erickson stated he is comfortable with leaving it at 15 minutes, noting it can be changed to 20 if needed for the right applicant.

Boardmember Miller asked whether the criteria can be changed after it is published. Boardmember Labadie agreed that is a concern.

Chair Jennings asked if there is a concern the applicant pool will not be large enough with the 15-minute requirement.

Boardmember Erickson stated other than someone inside the department, everyone else will have to move.

Chair Jennings asked for comments on the position description, stated he supports it as written.

Boardmember Fletcher stated the Fire Chief is an independent position so the new Fire Chief will have to cover all of those bases.

Chief Gerber stated the Operating Committee is talented and has done a good job.

Erickson moved, Miller seconded, approving the Fire Chief job description with a 15-minute distance requirement and authorize the Operating Committee to publish when ready. Motion passed 5/0.

Fire Chief Hiring Process

Chair Jennings asked for comments on the Fire Chief hiring process. He stated he is on board with the recommendation of the Operating Committee, noting the 4th of July piece has already been discussed.

Chief Gerber stated the Operating Committee has done a good job of connecting with the firefighters and tomorrow, there will be a meeting with firefighters, who have also received a document if they want to respond in that manner. The meeting will include a small group of administrators, city managers, and Chair Jennings to get input from the firefighters on the process.

Chair Jennings stated his support for the meeting, noting in the final round of interviews, candidates will meet with the Board and then make a presentation that includes the firefighters and public. With

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communication being key and central to this process, he supports ensuring all have the most exposure and input as possible.

Boardmember Fletcher noted someone then needs to bring the firefighter feedback and reaction to the Board. Chief Gerber agreed. Ms. Luger explained the cutoff is May 10, which allows five days to distill that feedback in a form that is useful to the Board.

Boardmember Fletcher asked if the Board should meet with the firefighters after the interview. Ms. Luger suggested the Operating Committee discuss that option.

Fletcher moved, Erickson seconded, approving the Operating Committee's recommendation for the Fire Chief hiring process as outlined and discussed tonight. Motion passed 5/0.

Mr. Tingley stated that covers everything the Operating Committee had requested for discussion.

Asst. Chief McCarthy referenced the Interim Fire Chief information and asked whether this means the Interim Fire Chief will be responding only if here during their 20-30 hours. Asst. Chief McCarthy noted that Chief Gerber is one of the day time responders so that is something to consider.

Boardmember Fletcher stated that currently, either Chief Gerber or Asst. Chief McCarthy are on duty. Asst. Chief McCarthy stated that is correct, noting they have a duty roster.

Boardmember Erickson stated there are a lot of moving parts in this process and stressed the importance of keeping communications open during this process between the Board, Operating Committee, Chiefs, Captains, and firefighters.

Ms. Luger stated that was discussed, noting a lot of meetings are scheduled so there is opportunity to touch base while going through the actual process.

Boardmember Erickson described the process Deephaven is using during a park planning process that includes periodic update e-mails.

Chair Jennings agreed with the importance of communication and noted there are also moving parts for each member with their respective cities and councils.

4. NEXT MEETING

A. Regular Board Meeting – March 20, 2019 6:30 P.M.

Chair Jennings noted the next regular board meeting is scheduled for 6:30 P.M. on March 20, 2019, at Station I.

Chief Gerber stated the next meeting will probably be his last.

5. ADJOURN

Erickson moved, Labadie seconded, adjourning the EFD Governing Board Special Meeting of February 20, 2019, at 7:32 P.M. Motion passed 5/0.