

**Excelsior Fire District Board  
EFD Governing Board Meeting  
Wednesday, September 25, 2019**

**24100 Smithtown Road  
Shorewood, Minnesota  
6:00 P.M.**

## MINUTES

### **1. CALL TO ORDER**

Chair Jennings called the meeting to order at 6:31 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 Mackey; Excelsior City Manager Luger; Shorewood City Administrator Lerud

Absent: None.

### **2. APPROVAL OF AGENDA**

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

### **3. APPROVAL OF MINUTES**

#### **A. July 24, 2019, EFD Board Regular Meeting Minutes**

**Miller moved, Erickson seconded, approving the EFD Board Regular Meeting Minutes of July 24, 2019, as presented. Motion passed 5/0.**

### **4. CONSENT AGENDA**

#### **A. Monthly Fire District Administrative Reports – June 2019**

- i. Call Reports**
- ii. Firefighter Activity**
- iii. Firefighter Percentages**
- iv. Inspection Reports**

#### **B. Report of the Operating Committee – August 7, 2019**

#### **C. Treasurer's Report**

**Fletcher moved, Erickson seconded, approving Consent Agenda as amended, removing the Treasurer's Report.**

Boardmember Fletcher indicated the Treasurer's Report was not in the packet so could not be approved.

**Motion passed 5/0.**

## **EFD GOVERNING BOARD MEETING MINUTES**

**September 25, 2019**

**Page 2 of 5**

### **5. MATTERS FROM THE FLOOR**

There were no matters from the floor presented this evening.

### **6. REPORT AGENDA**

#### **A. Fire Chief / Fire District Report**

Chief Mackey stated the overnight duty crew program is in its second month and is doing really well. He reviewed the August calls with the Board.

Chair Jennings thought everything in the report looked good. He indicated there was a lot of discussion in regard to the duty crew and the buy in of current fire fighters.

Chief Mackey indicated typically the push back is with the older generation and the fire service culture is changing overall. He thought the way the duty crew was presented initially was the traditional style that most cities build into it. It is about the money and the call volume and a lot of that really is not the case. He thought re-educating the firefighters, the new recruits that will be in the business for a number of years, this is changing their life in a way where those firefighters will be able to retire with that retirement money and not worry about potentially having a mental health issue, a chronic cancer issue, a cardiovascular issue and along with that the Fire Department is promoting and has cleaned the weight room with money received to get new equipment. The weight room is going to be more inviting with photos and create a better meal plan for the fire fighters on Thursday nights. The whole culture of the industry is based more on the young generation being safer, smarter and better about how the job is done long term. That includes deconning after major house fires and taking the gear and laundering it immediately before wearing it again. He indicated the duty crew is so much more than just working overnights. He noted the response time is so much faster with the duty crew.

Boardmember Miller thought that was a qualitative service level that is not heard about often and is good to hear that.

Boardmember Erickson concurred and thought as the Board comes to see the coming in of numbers, response times will drop from twelve to eighteen minutes to six to eight minutes. He indicated the Board has talked about this before regarding when the city is in the District depends when the paramedics are going to get there because when the paramedics are not on a call, they are sitting in Deephaven's barn. If there is a call in Deephaven in the middle of the night the Fire Department and ambulance might get to the emergency at the same time but if there is a call in Tonka Bay it might take twelve to fifteen minutes to get to the call and that is where a duty crew out of here might be eight minutes away and that is the qualitative difference. He stated as the Board has talked about this over the years and getting to the footprint, he was glad Chief Mackey was reintroducing the health and welfare of the fire fighters.

Chief Mackey thought the Excelsior Fire District Board and operating committee in the communities have really stepped up because he thought there were a lot of cities that would like to have this model based on money and numbers and a lot of times that is not there. This is more about the health and wellness of the group and then the service is so much higher quality and better times. This is a win, win for the citizens and membership and is because of what the board and Council and Operating Committee are doing to make that happen.

## **EFD GOVERNING BOARD MEETING MINUTES**

**September 25, 2019**

**Page 3 of 5**

Boardmember Erickson thought this was very much in partnership with the police departments because they are caring defibrillators and certain things as well. The important thing is whoever gets to the incident first is capable of responding and when looking at overnight police coverage, Deephaven has one and Excelsior will have one or two but is a big District so those one or two police are at the wrong end of the District then the Fire Department needs to take the call while paramedics are arriving. That is the three legs of the stool that the Board used to talk about with the police response capability and fire response time really picking up now in the overnight hours, he indicated he was excited to see what the stats look like a year from now.

Chief Mackey agreed and noted if the Police Department has an incident overnight, they are pretty well tied up so it is good to know that now they do not necessarily need to go to a medical call unless called upon because the duty crew can take care of it.

Chief Mackey stated what he has been told by the fire fighters with the overnight duty crew is that it will take a little time to adjust to the immediate response and a few errors have been made but corrected such as turning a wrong way to get to a call. He thought this was a pretty small problem to deal with in the grand scheme of things.

### **7. Unfinished Business**

#### **A. Operating Committee Composition Question**

Chief Mackey noted he sent out all pertinent correspondence to each Boardmember regarding this item. He noted Greenwood's Mayor Kind was appointed to the City Administrator position. Another request was sent by the City of Greenwood to put Mayor Kind on the Operating Committee. He noted all of the information was forwarded to the District's attorney who looked at the information and was able to refer back to the JPA and his response with the last piece that was attached.

#### **B. Attorney Response**

Chief Mackey read the letter from the District's Attorney regarding Mayor Kind being appointed to the Operating Committee. The Attorney determined that Mayor Kind as the Greenwood City Administrator met the joint powers agreement requirement to serve on the EFD Operating Committee. He noted the only qualification for an Ex-Officio Member is that she/he be the Chief Administrative Officer of the City. The JPA does not prohibit the Mayor or City Councilmember who has been appointed as a Chief Administrative Officer of a member city from serving on the Ex-Officio Member.

Chair Jennings stated when the Board last met there were two pieces to it, there was the Greenwood's Membership on the Operating Committee itself and then there was the question about dealing with it from a meeting standpoint and dealing with potential HR issues. Given the opinion of the Board's Attorney it seems pretty straight forward that Greenwood is now a member of the Operating Committee. He thought one of the things discussed, to some degree, was whether or not the Operating Committee has the ability to have a closed-door session in the event that there are HR issues that need to be addressed and he wondered if there was any feedback on that.

Boardmember Erickson indicated he remembered the discussion but did not recall if the Board came to an actual definitive answer because he thought that had to go back to legal as well, whether or not the Operating Committee can close their sessions if they are under Oath of the Meeting Law for those events.

## **EFD GOVERNING BOARD MEETING MINUTES**

**September 25, 2019**

**Page 4 of 5**

Chair Jennings wondered if the Board should find that out. Chief Mackey did not think he would get a solid answer on that but from what he understood from the Attorney, the Operating Committee is currently under the Open Meeting Law. If the Board wants to change that the JPA needs to be amended.

Chair Jennings thought if this were to move forward then the JPA needed to be amended and would be very laborious and difficult. He wondered if the simple solution would be to put them in a place where the Operating Committee has the ability to close the meeting and talk about confidential business and then reopen it. Boardmember Erickson indicated that is what council's do and are also required to be under Open Meeting Laws. He would think the Operating Committee would be able to do that as well but was not sure if the Board needed a legal opinion on that or not.

Boardmember Lerud was not sure if the Operating Committee would need a legal opinion because it is subject to the Open Meeting Law and in the Open Meeting Law it gives reason why a meeting can be closed. If the Operating Committee is subject to one part of it then it should be subject to all of it. He thought the authority already existed and the Operating Committee can organize the agendas to put all of that under one item if needed.

Boardmember Erickson agreed. He also concurred that the opinion of the counsel authorized Greenwood to have as both the Mayor and Administrator on the Operating Committee. He did not see how they get around that with the opinion he read.

Boardmember Miller indicated he just wanted clarification on some of the points and thought the attorney answered his questions. Boardmember Erickson indicated the Operating Committee did have some concerns with an elected official sitting on their board and wanted the Fire District to be cognizant that there were some concerns and differences between elected officials and staff, in their perception of what their role is.

Boardmember Labadie agreed and did not think anyone, at any point in time, questioned Mayor Kind's qualifications, it was just a matter of clearing up the titles as covered. Boardmember Miller noted the Operating Committee has never been political and do not want to start.

### **C. Call Response (Added Item)**

Boardmember Fletcher asked the Board if he could bring back some data on call response with the duty crew information. The Board indicated they would appreciate that information.

The Board also discussed speed bumps in the cities impeding fire call response and Boardmember Labadie requested the statement made by Chief Mackey at the Shorewood City Council be brought forward to the Tonka Bay City Council.

### **D. Administration Position To Start In September**

Chief Mackey stated the job was posted with two applicants responding. He noted one applicant pulled out with one internal applicant, a fire fighter, applying for the position. An interview process was started, and the applicant accepted the position and started in the administrative position on Monday. His hours will be 8:30 a.m. to 11:30 a.m. and for two weeks will work with Anna from 1:00 p.m. to 4:00 p.m. He noted there will be three people from 8:30 a.m. to 4:30 p.m. daily, other than one hour and will help with the work overload and gap.

**EFD GOVERNING BOARD MEETING MINUTES**

**September 25, 2019**

**Page 5 of 5**

**8. NEW BUSINESS**

**A. Proposed New Payment Plan**

Chief Mackey updated the Board on the new proposed payment plan. He noted the District will be using PFM Payment Solutions. A webinar was conducted for staff and was determined baby steps would be made starting with centralized billings, credit cards and report filing and grow into the program. There is not cost to start this process and one of the goals was to not only centralize and organize and create better reports but also for Mary at Deephaven not having to send out so many checks each month. There are also some financial benefits to bring back some money and also convenient for staff to manage their own accounts with spending tracking. The other piece this does is eliminate the need for personal expenditures for reimbursement.

Chief Jennings noted he implemented something like this at one of his companies and the time saved alone is worth it. He thought it was easy to govern and safe.

The Board was in favor of this program.

**Fletcher moved, Erickson seconded, authorizing Chief Mackey and Fiscal Agent Young To enter into the appropriate agreements to implement the PFM Payment Solutions program. Motion passed 5/0.**

**9. NEXT MEETING**

**A. EFD Governing Board Meeting November 20, 2019, 6:30 P.M., Station 1**

**Chair Jennings noted the next regular EFD Governing Board Meeting is scheduled for 6:30 P.M. on November 20, 2019, at Station I.**

**10. ADJOURNMENT**

**Erickson moved, Labadie seconded, Adjourning the EFD Governing Board Meeting of September 25, 2019, at 7:21 P.M. Motion passed 5/0.**