

COUNTY OF KAUAI
Minutes of Meeting
OPEN SESSION

Board/Commission:	FIRE COMMISSION	Meeting Date:	December 7, 2020		
Location	Teleconference via Microsoft Teams	Start of Meeting:	2:01 p.m.	End of Meeting:	3:55 p.m.
Present	<p>Chair Alfredo Garces. Vice Chair Jennie Chahanovich. Commissioners: Linda Kaauwai-Iwamoto, Michael Martinez, Thomas Nizo (<i>left at 3:18 p.m. and joined at 3:52 p.m.</i>) and Chad Pacheco (<i>joined at 2:57 p.m.</i>).</p> <p>Deputy County Attorney Jenna Tatsey. Fire Chief Steven Goble (<i>left at 3:28 p.m.</i>) and Secretary Soncy Tamashiro (<i>left at 3:28 p.m.</i>). Office of Boards and Commissions Staff: Administrator Ellen Ching and Commission Support Clerk Sandra Muragin.</p>				
Excused	Commissioner Alfred Levinthol and Commissioner Chad Pacheco				
Absent					

SUBJECT	DISCUSSION	ACTION
	Chair Garces, Vice Chair Chahanovich, Commissioner Kaauwai-Iwamoto, Commissioner Martinez, Commissioner Nizo, Deputy County Attorney Tatsey, Fire Chief Goble, Administrator Ching and Commission Support Clerk Muragin were logged onto Microsoft Teams by video. <u>Secretary</u> Tamashiro and Public Person [REDACTED] entered the meeting by audio.	
Call To Order In Open Session /Roll Call to Ascertain Quorum	<p>Chair Garces called the Open Session meeting to order at 2:01 p.m. and requested a roll call.</p> <p>Commission support clerk Sandra Muragin verified attendance by roll call and requested a verbal response of present or here;</p> <p>Commissioner Kaauwai-Iwamoto replied present.</p> <p>Commissioner Levinthol – was excused.</p> <p>Commissioner Martinez replied present.</p> <p>Commissioner Nizo replied present.</p> <p>Commissioner Pacheco – was excused.</p> <p>Vice Chair Chahanovich replied present.</p> <p>Chair Garces replied present.</p> <p>Deputy County Attorney Jenna Tatsey replied present.</p> <p>Fire Chief Steven Goble replied present.</p> <p>Secretary Soncy Tamashiro replied present.</p> <p>Administrator Ellen Ching replied present.</p>	

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	Commission Support Clerk Sandra Muragin replied here.	Quorum was established with five commissioners present.
Chair's Comments/Announcements Including But Not Limited To:	Next Meeting: Monday, January 4, 2021 – 2:00 p.m., Teleconference by Microsoft Teams	
Public Testimony	No testimony from the public.	
Approval of the Open Session Minutes of November 2, 2020 Meeting		Vice Chair Chahanovich moved to approve the Open Session minutes of November 2, 2020, as circulated. Ms. Kaauwai Iwamoto seconded the motion. Motion carried 5:0.
Fire Chief Monthly Reports, Pertinent Updates / Announcements	<p><u>Kaua'i Fire Commission Report for the Month of October 2020, dated November 24, 2020.</u></p> <ul style="list-style-type: none"> A. Chief of the Department B. Fire Operations C. Training Bureau D. Prevention Bureau E. Ocean Safety Bureau F. Lifeguard Tower/Roving Patrol Updates <p><u>Kaua'i Fire Department Appropriation Balance – FY 2019-2020 as of October 31, 2020.</u></p> <p>Fire Chief Steven Goble reviewed the October 2020, dated November 24, 2020 report with the Commission (on file).</p> <p>Chief Goble said the department wore a shrouded badge in memory of fire fighter Kalani Telles who sadly passed away November 13, from brain cancer. They would continue to</p>	

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	<p>shroud their badge until his memorial service, which was yet to be scheduled.</p> <p>Chief Goble highlighted the efforts made to establish online meetings as a way to keep his team updated with department news. One of the sore spots openly expressed by the department was the secrecy behind the promotion process. Many did not understand and no one explained how it was handled. They wanted a basic understanding to level the playing field.</p> <p>Chair Goble stated they are actively inspecting facilities and equipment to assess conditions and discover any repair or replacement needs. The goal was to ensure safety standards are met to keep the public and crew members safe. He informed the commission of an urgent matter regarding the discovery of asbestos tile and glue used on the floors of the Kapa'a Fire Station #2. They were able to divert CIP (Capital Improvement Plan) funds and hire a tile contractor to fix the problem. During the renovation project the crew was temporarily relocated to Waipouli Resort in a two bedroom condominium unit and they were extended a great rate. The floors are scheduled to be completed this week. Līhu'e Fire Station #3 floors also tested positive for asbestos and that was scheduled to take 2-3 weeks to complete. The crew relocated to Banyan Harbors while construction proceeds. The commission expressed their appreciation in being kept in the loop should the public question why trucks and crew members were in those areas. Another project in the works is the construction of a facility type building that was funded through DHS (Department of Homeland Security) grant funds. The construction materials should arrive in 60-days and take 8-9 months to complete. The facility would be used as a centralized training and practice area and shared with the police department, Līhu'e airport fire rescue and PMRF (pacific missile range facility). They are also planning to repair the helicopter hanger. A contractor was secured but since then the bid surpassed the reduced budget and this placed them in a position to redesign or put the project out to bid again.</p> <p>Other CIP projects in process include rewiring the Hanalei Fire Station communication tower, repair jet ski storage facility and replace ocean safety tower unit floors with a repair</p>	

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	<p>kit.</p> <p>Chief Goble shared new equipment received; F150 pick-up truck to replace an older vehicle, water tender truck that was capable of holding a couple thousand gallons of water and a fire engine truck for Waimea Fire Station #7 that was anticipated to be delivered March 2021.</p> <p>Chief Goble said they now have 10 confirmed retirees at the end of this year and this created challenges with staffing but would work with Human Resources to fill the vacancies. New recruits had a pinning ceremony and anticipated station assignments beginning December 14.</p> <p>Chief Goble said they are working on the budget that includes significant key equipment, such as the purchase of a rescue boat and replacement of a couple of water pumps on brush trucks.</p> <p>Vice Chair Chahanovich inquired about how much notice was required for potential retirees. Chief Goble explained that the ERS (Employee Retirement System) had a set timeline which was a 30-day advance notice.</p> <p>Ms. Kaauwai Iwamoto asked if the crew at the fire stations were invited to join the open session fire commission meetings. Chair Goble said portions of his report are communicated with his team. He commented that it was a great idea and would make an effort to communicate the information to his staff.</p> <p>Chair Garces echoed the efforts that Chief Goble has taken to keep a tight budget and corral the team to step up and share in the responsibilities to maintain the high level of service.</p> <p>Mr. Martinez expressed his gratitude to Chief Goble for briefing the commission on the conditions of the department's facilities and vehicles. He felt those were very important for the commission to understand and made aware of.</p>	

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	<p>Ms. Kaauwai Iwamoto appreciated being informed of the two stations temporarily relocated and was now able to address concerns should the public approach her.</p>	<p>Vice Chair Chahanovich moved to receive the Kauai Fire Commission Report for the Month of October 2020, dated November 25, 2020 and the Kauai Fire Department Appropriation Balance-FY 2019-2020 as of October 31, 2020. Ms. Kaauwai Iwamoto seconded the motion. Motion carried 5:0.</p>
<p>Business</p>	<p><u>KFC 2020-5</u> <u>Update on the Kaua'i Fire Departments audit regarding overtime usage. (On-going)</u></p> <p>Chief Goble reported that the performance audit was commissioned by the county council in response to abuse in overtime that raised concerns of spiking pension payments upon retirement. The council hired Spire Hawai'i, LLP to perform the audit and it recognized individuals who took advantage of the opportunity to boost their retirement pension. The audit was presented before the full council on November 25 and accepted. They have not received any recommendations but the commission would be copied on any response.</p> <p>The audit addressed three areas the department needed to place controls. First was on training and community risk events. These are needed; however, it must be held in a responsibly fiscal matter with the utilization of scheduling training during on-duty hours and community events distributed evenly amongst on-duty staff. They have modified assignment of off island training opportunities to one or two staff members instead of five to eight. The staff members would share the information with the departments.</p> <p>Second was spiking pension cost that was driven by bargaining agreements. They were asked to allocate time in the negotiation process and outline a clear understanding of its</p>	

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	<p>impact.</p> <p>Third was fire station staffing complex. They reviewed the islands unique staffing requirements that did not fit the normal mode of other stations pitching in when needed. Kaua'i fire stations are spread out and need to be self-sufficient in providing emergency response.</p> <p>All of these issues are being addressed and closely monitored.</p> <p>With no further updates to share, Chair Garces moved on to the next agenda item.</p>	
	<p><u>KFC 2020-7</u> Update of the Kaua'i Fire Department's five (5) Year Strategic Plan meeting with Playgroup Consultant Leslie Mullens. (On-going)</p> <p>Chief Goble said the final strategic plan was received and discussed at the October meeting. His priority was to communicate the plan with the Mayor and department and roll out a first year action plan.</p>	
	<p><u>KFC 2020-8</u> Fire Chief Goble annual performance evaluation for period July 1, 2020 to July 1, 2021. (on-going)</p> <ul style="list-style-type: none"> A. Discussion and possible decision-making on the process and steps to assess and identify performance measures to complete the annual performance evaluation. B. Review and possible use of the six-month evaluation form. C. Review and possible decision-making on use of the 360 survey evaluation. <p>Ms. Ching requested the commission discuss and decide the tools they would need to complete Chair Goble's annual performance evaluation that was due to Human Resources on June 30, 2021. She explained that the commissioners expressed concern with not being allowed to meet one-on-one with Chief Goble and that hindered their ability to complete the six month evaluation. She wanted to make sure the commission was equipped with enough information and that would require a timeline to ensure discussions are placed on the agenda.</p>	

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	<p>Mr. Martinez expressed his disappointment with not being able to meet or call Chief Goble for the six month evaluation, when it was always allowed in the past. Mr. Levinthol agreed with Mr. Martinez. Ms. Ching explained based on Sunshine law it was a wiser decision to arrange for the commission as a whole to talk and interview Chief Goble during a scheduled meeting in executive session. Deputy Attorney Jenna Tatsey stated one on one conversations are allowed under Sunshine law; however it becomes an issue when those conversations are shared with other commissioners. Ms. Tatsey would explore past practices and share the information with the commission.</p> <p>The commission was confused as to why another evaluation was required when they just finished the six month. Ms. Ching explained that Human Resources required a six month evaluation on new hires and annual evaluation after that. They clarified that the six month evaluation was based from July 1 to December 31, 2020. The annual evaluation would evaluate from July 1, 2020 to June 30, 2021. A timeline was crucial in meeting HR's deadline. Ms. Ching said if a 360 survey was used it would involve sending it out to the entire fire department and asked Chief Goble for a count of all this staff members. He responded that the fire department and ocean safety staff totaled 216.</p> <p>Mr. Martinez didn't understand why a 360 survey was needed and didn't want to use it just because another commission decided to use it in their evaluation process. He also was not aware that Human Resources required a six month and annual evaluation in the first year of a new hire. He requested more time to review the questions before committing. Vice Chair Chahanovich agreed with Mr. Martinez and shared that she has had experience with 360 surveys and they could be used as another tool to evaluate. She requested additional time to also review the questions.</p> <p>Chair inquired about the timeline for the 360 survey and Ms. Ching replied that they would allow one to one and a half weeks response time.</p>	

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	<p>Ms. Tatsey suggested the commission could also invite someone from HR to the meeting to gain additional insight and information on the evaluation process.</p> <p>Ms. Ching said in order to turn in a signed annual evaluation the commission would have to approve a final evaluation, collated with everyone's comments at the May meeting.</p> <p>The commission unanimously agreed that they needed more time to review and requested this be placed back on next month's agenda.</p>	
	<p><u>KFC 2020-9</u> <u>Review and approval of 2021 meeting schedule.</u></p>	<p>Vice Chair Chahanovich moved to approve the 2021 meeting schedule, as circulated. Ms. Kaauwai Iwamoto seconded the motion. Motioned carried 6:0.</p>
	<p><u>KFC 2020-10</u> <u>Election of Chair and Vice Chair to serve a one-year term for calendar year 2021.</u></p> <p>Chair Garces opened the floor to the commission and asked that they select a Chair first.</p> <p>Mr. Nizo was unreponsive at 3:18 p.m. when asked if he would accept the Vice Chair position, but he was still signed into the meeting. Ms. Muragin texted and called his cellphone but received no response. Chair Garces concluded that he temporarily stepped away from the meeting.</p>	<p>Mr. Martinez moved to nominate Vice Chair Jenna Chahanovich to serve one-year as Chair for calendar year 2021. Ms. Kaauwai Iwamoto seconded the motion. Motion carried 6:0.</p> <p>Mr. Martinez moved to nominate Thomas Nizo for Vice Chair.</p> <p>Motion died without a second.</p>

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	<p>Chair Garces congratulated the elected officers. He thanked the commissioners, Chief Goble and Boards and Commissions staff for their commitment during this challenging year. Vice Chair congratulated Chair Garces for steering the commission in the right direction.</p>	<p>Vice Chair Chahanovich nominated Commissioner Mike Martinez. Mr. Pacheco seconded the motion. Motion carried 5:0.</p>
<p>Executive Session</p>	<p>Administrator Ellen Ching read the Hawaii Revised Statutes to move the meeting into Executive Session.</p> <p>Pursuant to Hawai'i Revised Statutes §§92-4, 92-5 (a) (2) (4), 92-9 (a) (1-4) and (b), 76-47 (e) the purpose of this Executive Session is to receive and approve Executive Session minutes, to consider the hire, evaluation, dismissal or discipline of an employee or officer of the County where consideration of matters affecting privacy will be involved; and to consult with the Commission's legal counsel on questions and issues pertaining to the Commission's and the County's powers, duties, privileges, immunities, and/or liabilities as they may relate to this agenda item and take such appropriate action.</p>	<p>Mr. Pacheco moved to enter into Executive Session. Mr. Martinez seconded the motion. Motioned carried 5:0.</p> <p>The commission and staff, disconnected from open session at 3:28 p.m. and connected into executive session.</p>
<p>Return to Open Session</p>	<p>Chair Garces, Vice Chair Chahanovich, Commissioner Kaauwai-Iwamoto, Commissioner Martinez, Commissioner Nizo, Commissioner Pacheco, Deputy County Attorney Tatsey, Administrator Ellen Ching and Commission Support Clerk Muragin were logged onto Microsoft Teams by video.</p>	

SUBJECT	DISCUSSION	ACTION
<p>Call To Order In Open Session /Roll Call</p>	<p>Chair Garces called the Open Session meeting to order at 3:52 p.m. and requested a roll call.</p> <p>Commission support clerk Sandra Muragin verified attendance by roll call and requested a verbal response of present or here;</p> <p>Commissioner Kaauwai-Iwamoto replied present.</p> <p>Commissioner Martinez replied present.</p> <p>Commissioner Nizo displayed a thumbs up.</p> <p>Commissioner Pacheco replied present.</p> <p>Vice Chair Chahanovich replied present.</p> <p>Chair Garces replied present.</p> <p>Deputy County Attorney Jenna Tatsey replied present.</p> <p>Administrator Ellen Ching replied present.</p> <p>Commission Support Clerk Sandra Muragin replied present.</p>	<p>Quorum was established with six commissioners present.</p>
<p>Ratify Actions</p>	<p>Ratify actions taken by the Fire Commission in executive session for agenda items: ES KFC 2020-04 and ES KFC 2020-05.</p>	<p>Ms. Kaauwai Iwamoto moved to ratify actions taken in Executive Session for ES KFC 2020-04 and ES KFC 2020-05. Vice Chair Chahanovich seconded the motion. Motion carried 6:0.</p>
<p>Adjournment</p>	<p>With no further business to conduct, Chair Garces called for a motion to adjourn the meeting.</p>	<p>Mr. Pacheco moved to adjourn the meeting. Ms. Kaauwai Iwamoto seconded the motion. Motion carried 6:0</p> <p>Chair Garces adjourned the meeting at 3:55 p.m.</p>

Submitted by: _____
Sandra Muragin, Commission Support Clerk

Reviewed and Approved by: _____
Alfredo Garces, Chair

- Approved as circulated.
- Approved with amendments. See minutes of 01/04/21 meeting.