



Nederland Fire Protection District Board of Directors Special Meeting Minutes June 15th 2021

**** This meeting is being recorded ****

Roll Call

Iain Irwin-Powell – Y
Patrick Richardson - Y
Todd Wieseler - Y
Ray Willis - Y
Henry Zurbrugg – Y
Chief Dirr – A/E

Also present John Chmil, Lyons Gaddis

Explanation of meetings format.

- 2 meetings,
 - 1 for the board to discuss the PIP
 - 1 to discuss the PIP with the Chief from a board perspective
- Chief Dirr indicated that he wished this special executive session to be public
- 2 part meeting in this session
 - Part 1 – SES for legal advice
 - Part 2 – discuss the PIP

Announce Quorum & Call Open Session to Order @ ~1907

Special Executive Session Motion

Special executive session to discuss personnel issues related to Chief Dirr's Performance Improvement Plan completion process.

I move, pursuant to Colorado Revised Statutes, Title 24, Article 6 Section 42, at subsection 4(b) and 4(f) to go into executive session to discuss legal advice with the District's attorney and personnel matters regarding to Chief Dirr. There are two elements to this session, a legal session with our attorney followed by a board personnel discussion based on advice given in the legal part.

The particular matter that is to be discussed behind closed doors in the personnel session is the results of the Survey of the Chief's performance improvement plan and discussion of the monitoring period from November 3rd 2020 to April 30th 2021.

As this executive session involves a personnel matter, the employee involved has been given the opportunity to require that the personnel discussion be conducted in public and the employee has indicated that they wish for this discussion to occur in public.

Motion to adjourn the open session 5-0-0

Adjourn open session @ 1912

Call the executive session to order @ 1915

Attorney consultation for legal advice regarding the public release of survey results to allow discussion in the following public session. See attached certification.

Public session discussion of the PIP survey results, call to session @ 1937

Motion to waive client attorney privilege on the PIP survey results – 5-0-0

Survey is double blind, so retribution on survey results is unlikely

Discussion is limited to the results of the PIP survey

Board presented with survey results question by question with the ability of each board member to present their opinion on an individual and overall basis.

No decision to be made in this meeting concerning the Chief

Chief was not present in this meeting as it was unclear how long this meeting would take

Chair statement that no retaliation may come from speaking at this meeting and any such claim would be taken seriously and investigated.

Survey discussion (Survey results attached to minutes)

Survey was designed to cover both staff and volunteers

Some questions may not have been relevant to one of the groups

Survey was a small sample size, which can make some of the results difficult to interpret

10 respondents (83% participation rate)

Selection of the survey respondents was any member of staff present at the end of the pip and any volunteer who had responded on at least 15% of calls, training or been present in the station during the PIP period

Q1 – Overall positive

Q2 – Overall positive

- IIP - The chief maintained a mostly professional attitude but did make comments that were inappropriate during some session.
- PR – You should conduct yourself in a professional manner all of the time as the fire chief

Q3 – Very split opinion

- IIP - Took 3 months to clean office, disappointing as it was a low hanging fruit
- IIP - It is easy to see when passing if the office is clean or not
- HZ – Hard to believe that top responders did not see the Chief's office

Q4 – Generally good

- IIP – in a PIP the result should be all the time
- TW – Hard to assess if this is an improvement
- IIP – Would like to have seen more improvement than we did
- PR – It is an indication of how you are caring for the public assets
- HZ – Could be interpreted as is the chief cleaning the station. Keeping the station clean is not entirely his responsibility
- PR – Setting the vision and department needs is the role of the Chief

Q5 – Mostly I don't know

- IIP – I believe that the Chief informed me of his absences most of the time
- TW – I felt this again should be low hanging fruit. The real intent of this measure is to keep your team informed.
- IIP – This also applies to others who also fail to communicate their location in district

Q6 – Majority, does not apply to me would be volunteers. The question applies most to employees.

- IIP – Strong opinions that a daily meeting should happen. Survey shows little effort in this department. In the first month this item was completely ignored. This is not an unreasonable goal
- HZ – This question really only applies to staff
- PR – The morning meeting addresses some of the earlier questions and success here would be reflected in those
- TW – The intent of this question was to provide a nudge to communicate direction

Q7 – Similar results to Q6

- IIP - Should be more weighted to more all of the time
- TW – May take time for the meetings to take effect if they have not been held previously
- PR – Are we checking a box or are these meetings being productive
- HZ – If the meetings have a format and philosophy these results should be closer

Q8 – Some of the time to those to which it applied

- IIP – Goals should be clear at the end of a meeting
- TW – If someone does not have enough information then they should be free to ask for clarification

Q9 – Even split of opinion

- IIP – hard to divine information from results. Intent of the question is to ensure that feedback is being given.
- PR – Not just feedback that a task was not right but also that a task was done well. It is all about communications and the results appear to indicate a communications problem.

Q10 – Split in the middle results

- IIP – Hard to monitor from a distance

- PR – Back to morning meetings. This information should be conveyed at the meeting. If it not being communicated then there is a problem.

Q11 – Even split of opinion

- IIP – Expectation would be to see most of the time / all of the time
- PR – Combined with Q10, if you are given all the expectations, you are more likely to feel empowered
- HZ – Why is none of the time so high. Indicates that volunteers have answered the question. Did they not have the ability to make a decision because of the chain of command.

Q12 – Heavily some of the time

- IIP – My interpretation of this is the people are not getting feedback on their task, should be inverted. A lot of interpretation could be made here. I have had feedback from staff that they feel that they are provided with tasks with no information.
- TW – It comes back to communication, feedback is healthy and helps a team execute tasks.
- HZ – I feel these answers need some context, why are the answers so split. Maybe some follow up is required.

Q13 - Similar to question 11

- IIP – Some context missing, comes down to communication that is missing
- PR – Are we delegating and communicating properly, 50% of the time no

Q14 – Even split of opinion

- HZ - This is going to be a great baseline for the future
- IIP - These questions were based on the PIP ,which the Chief had seen, so goals had been established

Q15 – Strong disagreement

- IIP - Most people do not know what the goal is
- PR – We have no master plan
- HZ – It is not just the long term vision, what is the vision of the week, short term vision This clearly needs to be addressed
- TW – I did stress the importance of sharing a vision with the team with the Chief
- HZ – The board is somewhat responsible for this issue
- IIP – After 20 years of being Chief there should be a vision. We discussed this last year with the implementation of SOPs/SOGs.
- TW – With the Chief taking a leave we were providing a vision that there needed to be change

Q16 – Mostly negative

- IIP – I find it disappointing that this so negative.
- TW – Lacking motivation, back to culture
- IIP – If you are not motivated it hard to get out of bed a 3am to run a call . People are generally strongly motivated. Should all be red
- HZ – The Chief should be the person to motivate both volunteers and staff.

Q17 – Similar to the previous set of answers

- IIP – Should look a lot better than it does. I feel that his is a fairly good reflection on how the department feels
- HZ – There are very fine lines between the middle answers.
- IIP – Not sure where to place the neither agree or disagree. Question to ask here is why do you feel that way in this response. Should be one or the other.
- TW – I see Chief Dirr as a person with a lot of experience, a lot of competence, I don't understand why there are not more people who do not see that. Is it his lack of ability in being a leader.
- HZ – There should be follow up as to why there is such a large discrepancy in this question.
- IIP – It would be interesting to focus this in a wider context
- The PIP is telling the Chief this is the role we want you to model and after 6 months these are the results that we see. While there may have been some distractions in the process, those should not have affected these questions.
- IIP – Because this is a public meeting there may be context on this question that we cannot discuss

Q18 – Mostly disagree/ don't know

- PR – Not sure this is not a good question. Creativity is difficult within fire service
- HW – I feel that creativity has little place in a high stress situation. There may be scope for creative ideas outside of that. That creativity should be listened do.
- IIP – I agree the fire is a structured environment, however there are a lot of people with great ideas that will not bring those into the department because they feel that it will be stifled.

Q19 - Mostly disagree/ don't know

- IIP – There should be opportunity to explore new ideas. They should not be stifled by the phrase 'this is how we have done this for 20 years'
- PR – How do we really build experience?
- HZ – Are there that many opportunities for change out there
- PR – There are different methods. How we operate changes. There are opportunities out there.
- HZ – Was six months long enough for the Chief to make changes that could be tracked.
- RW – Are you suggesting that we go against the universal training standards that have been handed down, that is freelancing
- IIP - It is not freelancing, it is accepting change
- RW – Seems like these questions have 2 parts, training standards and general housekeeping. That is why there are protocols and standards.
- IIP – There are protocols here, but they don't change here and that is the problem. As an example CPR has changed massively in the last 20 years.

Q20 –

- IIP – Similar question but back to communication. Lots of I don't knows. You should feel free to share ideas. In PIP meetings the Chief was dismissive of ideas brought to him by volunteers.
- HZ – This is weird result, all over the board

- IIP – Given that this is a clear period with clear goals, what did the answer to this look like before?
- HZ – It is possible that it would have been worse 6 months ago.

Q21 – Evenly split

- IIP – I feel the Chief left this until the last minute. It was clear who he needed to reach out to in order to rebuild trust.
- TW – This could be interpretive or observational

Q22 – Similar to the vision outcome

- Board agrees that the answer is very similar

Q23 – Mostly positive

- IIP – Weird how this looks given some of the comments I have received. This process is 2-way street, only so much the Chief can do to communicate. Why do people not want to come into the department to chat? Do we need to facilitate a better way to do that?
- TW – I was expecting this to be more negative based on the previous results. This may be more related to day-to-day interactions.

Q24 – Large I don't know component

- HZ – I am guessing the that "I don't know" and "Neither agree nor disagree" do not know the industry standards.
- IIP – It is not easy to get to the standards as there are no SOGs/SOPs
- PR – Re-form the question in the future after we create documented policies that reference standards. That may give us a clearer answer.

Q25 – Interesting split

- IIP – Clearly we are missing something in the pursuit of industry standards
- PR – I suspect if the answer is we have been doing it like this for 20 years you are not following industry standards
- TW – There shouldn't be any "I don't know, strongly disagree or I don't know"
- HZ – What is the understanding of industry standards in the volunteers and staff. The standards should be clear
- IIP – Training should reference the underlying standard documents. You do not need to read every standard document.
- PR – Referencing a specific standard is not a good use of time, but referencing it to get an operating standard it provides useful information.

Q26 - Interesting spread

- IIP – The chief has not produced SOGs or SOPS unless forced to do so. We still have no SOGs
- HZ – Was the creation of SOPs and SOGs delegated to you and Patrick at the beginning of this board
- IIP – It was required in the PIP
- PR – It was clearly delegated in the PIP
- HZ – There is a clearly a disconnect in the results
- IIP – Those that have been created were all reactive

Q27 – Skip for further discussion

Q28 – Disagreement on the spread of results

- IIP – General feeling that training is a waste of people's time
- HZ – The department has been struggling with training for a long time
- PR – Training must be endorsed
- HZ – Training is not very attractive
- IIP – When training is provided, is relevant and engages people then the willingness to train is there. The reason people don't come to training is because it is a waste of their time.
- HZ – This is the most relevant question regarding the state of the department and address with the chief and improve on.

Q29 –

- IIP – unsurprised by the results. A lot more effort by the officers to provide hot-washes after calls. Not lead by the Chief.
- HZ – Is an AAR for every call or just certain types of calls. Needs buy-in from all of the participants
- IIP – If there had been a framework in place for 283 Alpine the problems would have been resolved much quicker and with less effort.
- TW – This was a specific item in the AAR, there should be more visibility.

Board opinions on Chief's performance over the PIP period

HZ – I think the survey came out better than I expected. I am also confused about some of the outcomes. There is room for improvement. The board should support the Chief in attempting to make the necessary improvements. The survey can be used as a baseline moving forward.

PR – There is room for improvement. Useful tool for future performance evaluations. What happens when the PIP period is over. Will improvements be rolled back? Turn the PIP into a job description for a standard of the Chief to meet.

IIP – I did not see this as a positive outcome. I do not see the improvement that I would have expected. Lack of movement on easily achievable goals, specifically fire officer 1, blue card.

TW – I agree that is a baseline. The goals were clear. I have not seen great gains. I am losing the confidence that the Chief can be a good leader. We need a big change to start to address the culture issues here. Split the Chief role and create an administrative role and an operational role.

Further discussion about what the split roles may entail. Questions whether doing so creates another fulltime role or reduces the Chief's current role to a part time role.

Would a further extension of the PIP yield results?

An administrative Chief and operational chief must hold the same rank.

3 potential options

- Terminate the PIP as unsatisfactory but there were extenuating circumstances. 6 month continuation of the PIP, setting specific goals that must be met or terminate employment
- Administrative Chief/Fire marshal position
- PIP was unsatisfactory and terminate employment, potential severance package if the board decides

Public Comment

Nancy Stubbs – These results would be different if a leader was making a good attempt to be a solid leader. The inconsistency of results are a huge red flag. You have a long track record of results to consider.

Charlie Schmidtman – We have several responders actively avoiding the Chief. There has been a lot of backlash from the Chief. Policies implemented in his absence are being actively ignored. The number of respondents is so low because that is how low our responder count is. We have new responders and nothing to hold them accountable to, so we cannot decide if they are doing a good job or not.

PR – Requested follow up on the narcotics policy.

Ken Kehoe – While the survey is not definitive it does point to a trend. Why are specific skills of members, when offered, ignored? In other settings a survey with these results would require some significant action. The members have stated what they want, why has this not happened.

Motion to Adjourn the public session 5-0-0

Public session adjourned at @ 23:35