

COUNTY OF KAUAI  
Minutes of Meeting  
OPEN SESSION

Board/Commission:	<b>FIRE COMMISSION</b>	Meeting Date:	<b>January 4, 2021</b>		
Location	Teleconference via Microsoft Teams	Start of Meeting:	2:00 p.m.	End of Meeting:	3:52 p.m.
Present	<p>Chair Jennie Chahanovich. Vice Chair Michael Martinez. Commissioners: Alfredo Garces, Linda Kaauwai-Iwamoto (<i>left at 2:36pm and entered back at 2:38pm</i>), Alfred Levinthol and Chad Pacheco.</p> <p>Deputy County Attorney Jenna Tatsey. Fire Chief Steven Goble (<i>left at 3:33 p.m.</i>). Office of Boards and Commissions Staff: Administrator Ellen Ching and Commission Support Clerk Sandra Muragin.</p>				
Excused	Commissioner Thomas Nizo and Secretary Sony Tamashiro				
Absent					

SUBJECT	DISCUSSION	ACTION
	Prior to the meeting being called to order, Administrative Assistant to the County Clerk Eddie Topenio logged into Microsoft Teams by video and administered the Oath of Office to Commissioner Linda Kaauwai Iwamoto serving a second term ending 12/31/23 and Commissioner Alfred Levinthol serving a second term ending 12/31/23.	
	Chair Chahanovich, Vice Chair Martinez, Commissioner Garces, Commissioner Kaauwai-Iwamoto, Commissioner Pacheco, Deputy County Attorney Tatsey, Fire Chief Goble, Administrator Ching and Commission Support Clerk Muragin were logged onto Microsoft Teams by video. Commissioner Levinthol, Public Person [REDACTED] ( <i>left at 3:32pm</i> ), Public Person [REDACTED] ( <i>entered at 2:03pm and left at 3:33pm</i> ), Public Person [REDACTED] ( <i>entered at 2:04pm and left at 2:46pm and entered back at 2:46pm and left at 3:32pm</i> ) called into Microsoft Teams and entered the meeting by audio.	
<b>Call To Order In Open Session /Roll Call to Ascertain Quorum</b>	<p>Chair Chahanovich called the Open Session meeting to order at 2:00 p.m. and requested a roll call.</p> <p>Chair Chahanovich thanked Commissioner Garces for his guidance and leadership as last year's Chair. They experienced a tumultuous year and he successfully lead them through every meeting.</p> <p>Commission support clerk Sandra Muragin verified attendance by roll call and requested a verbal response of present or here;</p>	

SUBJECT	DISCUSSION	ACTION
	<p>Commissioner Garces replied present.            Commissioner Kaauwai-Iwamoto replied present.            Commissioner Levinthol replied present.            Commissioner Nizo was excused.            Commissioner Pacheco replied present.            Vice Chair Martinez replied present.            Chair Chahanovich replied present.            Deputy County Attorney Jenna Tatsey replied present.            Fire Chief Steven Goble replied present.            Secretary Soncy Tamashiro was excused.            Administrator Ellen Ching replied present.            Commission Support Clerk Sandra Muragin replied present.</p>	<p>Quorum was established with six commissioners present.</p>
<p><b>Chair's Comments/Announcements Including But Not Limited To:</b></p>	<p>Next Meeting: Monday, February 1, 2021 – 2:00 p.m., Teleconference by Microsoft Teams</p>	
<p><b>Public Testimony</b></p>	<p>Chair Chahanovich announced if anyone from the public wanted to present a testimony. Hearing no response she moved to the next agenda item.</p>	
<p><b>Approval of the Open Session Minutes of December 7, 2020 Meeting</b></p>	<p>Chair Chahanovich requested the minutes be corrected with the change from Commissioner Tamashiro to Secretary Tamashiro in the first paragraph on the first page.</p>	<p>Commissioner Kaauwai Iwamoto moved to approve the amended Open Session minutes of December 7, 2020, with the change from Commissioner Tamashiro to Secretary Tamashiro in the first paragraph on the first page. Mr. Pacheco seconded the motion. Motion carried 6:0.</p>

SUBJECT	DISCUSSION	ACTION
<p><b>Fire Chief Monthly Reports, Pertinent Updates / Announcements</b></p>	<p><u>Kaua'i Fire Commission Report for the Month of November 2020, dated December 27, 2020.</u></p> <ul style="list-style-type: none"> <li>A. Chief of the Department</li> <li>B. Fire Operations</li> <li>C. Training Bureau</li> <li>D. Prevention Bureau</li> <li>E. Ocean Safety Bureau</li> <li>F. Lifeguard Tower/Roving Patrol Updates</li> </ul> <p><u>Kaua'i Fire Department Appropriation Balance – FY 2019-2020 as of November 30, 2020.</u></p> <p>Fire Chief Steven Goble reviewed the October 2020, dated November 24, 2020 report with the Commission (on file).</p> <p><i>Michael Gibson joined the meeting at 2:03 p.m.</i></p> <p><u>Chief of the Department</u>        Chief Goble announced that 80% of his department staff volunteered to take the Moderna vaccination and there have been no reported side effects. The second dose is scheduled to be taken in 28 days.</p> <p>Chief Goble briefly updated the commission on the new interisland and transpacific travel requirements. He said Governor Ige approved the enhanced movement quarantine (EMQ) that would become effective tomorrow for visitors that travel to Kauai. The EMQ would require participants to produce a negative COVID-19 test result 72 hours before arrival to Kauai. They would then have to quarantine in an approved bubble resort and take a second COVID-19 test 72 hours after arrival. If the second test is negative, they would have no further quarantine restrictions. Also interisland travelers can eliminate the 10-day quarantine with a negative COVID-19 test result taken 72 hours before departure to Kaua'i. Staff continue to support KEMA (Kaua'i Emergency Management Agency) in planning and</p>	

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	<p>logistics operations and Assistant Fire Chief Solomon Kanoho is a full-time Co-Incident Commander.</p> <p>Chief Goble described the tragic Christmas Eve vehicle accident, New Year’s fireworks death and Po’ipū structure fire. He said the investigation to the cause of the accident and fireworks related death is still on-going and fire to the structure was triggered by the improper disposal of legal fireworks.</p> <p>Chief Goble stated that Human Resources approved the hire of Michael Gibson for the Deputy Chief position and today was his official hire date. He said he knew Mr. Gibson from Nevada and the department became familiar with him as an 89-day contract assigned to special projects. Mr. Gibson retired as a Battalion Chief from Nevada and possessed strong leadership and interpersonal skills, he blended in nicely and worked well with others, and had a strong visionary leadership style that would assist the department in moving forward. Chief Goble received permission from the commission to invite Deputy Chief Michael Gibson to meet the commission and present a short introduction.</p> <p>Mr. Gibson said he was honored and privileged to be part of the fire department team and to serve the Fire Commission and Chief Goble. He pledged to do everything in his ability to assist the department and wanted to contribute to the forward movement that had already taken place. The commission congratulated him. Chief Goble thanked him for stepping up and looked forward to working with him.</p> <p><i>Michael Gibson left the meeting at 2:16 p.m.</i></p> <p>Chief Goble confirmed that on or before December 31, 2020, 10 individuals retired. This created opportunities and challenges to ensure coverage and they plan to fill the vacancies in late spring. He updated the commission on the following personnel changes;</p> <ul style="list-style-type: none"> <li>• Fire Captain Aaron Edwards replaced retired Battalion Chief Gary Hudson. Mr. Edwards had twenty years and demonstrated strong leadership skills, was</li> </ul>	

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	<p>accountable and would continue to drive change.</p> <ul style="list-style-type: none"> <li>• There were eight Fire Captain vacancies which resulted in promotions effective January 16.</li> <li>• Eight new fire fighter III apparatus, six new fire fighter II hazmat specialist and two rescue specialists.</li> <li>• Captain Jeremy Makepa replaced retired Captain Darryl Dante in the prevention bureau.</li> </ul> <p>He stated that he was impressed with the level of commitment, knowledge and skills these individuals brought to the position and was happy with the results.</p> <p>Chief Goble shared the following updates;</p> <ul style="list-style-type: none"> <li>• The Kapa‘a Fire Station 2 and Līhu‘e Fire Station 3 asbestos remediation was completed and everyone was now back at their assigned stations.</li> <li>• New apparatus projected delivery February/March timeframe. New Waimea Engine 7 replacement delivery March/April.</li> <li>• Working on budget proposals to fund maintenance needs and to purchase a new pump and couple outboard engines for water rescue craft.</li> <li>• Fire fighter Dizol promoted an idea that was used to collect toys during the surge testing sites in December 2020. The suggestion was a success and it allowed the department to continue to engage and support community needs.</li> <li>• Conducted valuable training at the Coco Palms site to build fire hose skill levels in maneuvering, handling and ways to gain access in difficult places, as well as, how to strategize deployment to upper floor buildings.</li> <li>• Paired up with airport crash rescue on a joint live fire burn. Plan to continue to train together to strengthen joint response and share in the cost.</li> <li>• 455 firecracker permits were issued this New Year’s eve.</li> <li>• Staff oversaw two New Year fireworks display, The Club at Kukui‘ula and Vidinha Stadium.</li> <li>• Ocean safety reported minimal beach activity, and most were locals experienced in</li> </ul>	

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	<p>water sports.</p> <p>Mr. Pacheco raised concern over workforce coverage due to the numerous movement in and retirements. Chief Goble reassured Mr. Pacheco that with the cooperation of his staff they reduced and restricted the number of allowable vacations to sustain coverage.</p>	<p>Mr. Levinthol moved to receive the Kauai Fire Commission Report dated December 27, 2020 and the Kauai Fire Department Appropriation Balance-FY 2019-2020 as of November 30, 2020. Mr. Pacheco seconded the motion. Motion carried 6:0.</p>
<p><b>Business</b></p>	<p><b><u>KFC 2020-5</u></b> <u>The Kaua‘i Fire Departments audit regarding overtime usage.</u></p> <ul style="list-style-type: none"> <li>A. Chief Goble to review Kaua‘i Fire Department Performance Audit Findings and Response dated November 2020.</li> <li>B. Review and discussion on Kaua‘i Fire Department’s five-page response letter to Spire Hawai‘i, LLP Partner Mr. Tyler Kimura dated December 4, 2020 (revised).</li> <li>C. Review and discussion on the Audit of the Kaua‘i Fire Department submitted by Spire Hawai‘i, LLP for the Kaua‘i County Council, Report No. 20-01, dated July 1, 2014 through June 30, 2018.</li> <li>D. Discussion on other related matters.</li> </ul> <p><i>Chief Goble shared the Audit of the Kaua‘i Fire Department online.</i></p> <p>Chief Goble explained that the County Council commissioned Spire Hawai‘i, LLP to audit and create a report regarding overtime abuse and the knowledge that it spiked pension payments upon retirement.</p> <p>Chief Goble addressed the audits three findings that required controls and said all of these areas are being addressed and closely monitored;</p> <ul style="list-style-type: none"> <li>1. Certain individuals used overtime opportunities to boost their retirement pension</li> </ul>	

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	<p>payments. Rank for rank provisions in the collective bargaining agreements allowed opportunities for buildup of excess pension cost. They identified community events and training that fueled overtime pay. The audit recommended distribution of overtime amongst all personnel and monitor community activities using 40-hour personnel.</p> <ol style="list-style-type: none"> <li>2. Excess pension costs are included in bargaining agreements and have become an accepted practice. The audit recommended the administration allocate time to be part of the negotiation process and outline a clear understanding to educate the unions about its impact.</li> <li>3. Fire station staffing is a concern. The auditors recommended regular assessment of staffing levels to ensure coverage.</li> </ol> <p>Chief Goble said the audit report was reviewed by the County Council on November 25, 2020.</p> <p>Chair Chahanovich asked if the auditors or County Council provided a schedule to report on updates. Chief Goble responded that the auditors did request a periodic report, which the department would monitor and make available upon requests.</p> <p>With no further updates to share and questions from the commission, Chair Chahanovich moved on to the next agenda item.</p>	
	<p><b><u>KFC 2020-7</u></b> The Kaua‘i Fire Department’s five (5) Year Strategic Plan. (On-going)</p> <ol style="list-style-type: none"> <li>A. Chief Goble to update progress of action plan.</li> <li>B. Discussion on other related matters.</li> </ol> <p>Chief Goble confirmed that they had a final meeting with the consultants back in October 2020 and Mayor Kawakami and Administrators were briefed on the report. Due to the lengthy audit report he did not have updates but would share them at the next meeting. Deputy Chief Gibson would manage this program, set up progress reports and oversee the entire process. He said they’ve made progress on many of the items and have already</p>	

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	<p>implemented changes based on the recommendations from the consultants. He said the promotional process was an item that caused a lot of unhappiness and grief; however, this last promotional process included these changes. He plans to put a working group to review and define the promotional process.</p>	
	<p><b><u>KFC 2021-01</u></b> <u>The Kaua'i Fire Department Utilization Study.</u></p> <p>A. Chief Goble to review the draft proposal.          B. Discussion on other related matters.</p> <p>Chief Goble shared that they met with the vendor Emergency Services Consulting International in November 2020 and outlined what the study would contain. The study would set a foundational standard on the needs and how to best provide resources to drive safe community initiatives. They are now in Phase I, which is the data collection. The timeline to accomplish the data collection is four months and once the vendor receives this data they would produce a report in 30-60 days. He estimated six months for a report that would contain short and long term recommendations.</p> <p>Chief Goble outlined a list of data and statistical information they were compiling;</p> <ul style="list-style-type: none"> <li>• Number of calls and call types</li> <li>• Staffing models at stations and during emergency calls</li> <li>• Protocols on response and procedures</li> <li>• Relationships with AMR and hospitals</li> <li>• Understanding threat possibilities and capability to address threat</li> <li>• Structure and pay/benefits in comparison to like departments</li> <li>• Deployment models that review resources and manpower to address emergency situations</li> <li>• Identify hazardous threat that could impact the island</li> <li>• Sufficient tools and training</li> <li>• Identify and understand facilities, policies and procedures and budget.</li> </ul> <p>Chair Chahanovich wondered if the work of three different consultants would make it</p>	

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	<p>confusing and overlap in information. Chief Goble admitted that he might have considered using only one consultant to accomplish two of the reports, since the audit was contracted by council. However, he believed there was a benefit and value in having three different consultants look at the information and felt confident that in the end they would have a product that would benefit the department.</p>	
	<p><b><u>KFC 2021-02</u></b> Fire Chief Steven Goble annual performance evaluation for period July 1, 2020 to June 30, 2021. (on-going)</p> <ul style="list-style-type: none"> <li>A. Review annual performance evaluation timeline.</li> <li>B. Review and possible decision-making on use of the six-month evaluation form.</li> <li>C. Review and possible decision-making on use of the 360 survey.</li> <li>D. Discussion on other related matters.</li> </ul> <p>Ms. Ching stated that she requested the survey be placed back on the agenda based on feedback from last month’s meeting. She asked for guidance from the commission on how to proceed forward with the evaluation. Ms. Ching validated the commissions desire to talk one on one with the Chief on questions that would help them complete the evaluation. She asked that they review the timeline and decide if they want to use the same six-month evaluation form for the annual evaluation.</p> <p>Vice Chair Martinez stressed that he wanted to continue to be allowed one on one meetings with Chief Goble and expressed frustration as to why they needed to receive input from outside the commission. He said they already eliminated that process in the past, but didn’t understand why it returned again. He said the 360 evaluation questions would be input from top level management and in the past they were disappointed with minimal responses. Commissioner Garces said he experienced these types of surveys and the information added another layer that could provide a broader scope of useful information.</p> <p>Ms. Ching said other commissions have decided to use a 360 survey and the Police commission would use a different survey that could fit this commission better. Vice Chair Martinez didn’t want to proceed with a survey just because the other commissions were</p>	

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	<p>doing it and did not agree with pushing the evaluation outside of the commission. He reemphasized that the Fire Commissions main duty was to evaluate the Fire Chief and he wanted to keep it that way. He reiterated that he would like to talk one on one with Chief Goble.</p> <p>Deputy County Attorney Jenna Tatsey addressed Vice Chair Martinez’s inquiry and said she conducted further research with other deputies and concluded that meeting one on one with Fire Chief Goble would not break sunshine law and she could not find any reason to prohibit the commissioners from doing that.</p> <p>Chair Chahanovich stated that the commission should use the same form to be fair and consistent with Chief Goble. She said there were too many questions in the survey and it was important that the commissioners have that conversation with Chief Goble to enable them to evaluate him.</p> <p>Chair Chahanovich then requested a response from each commissioner;</p> <ul style="list-style-type: none"> <li>• Vice Chair Martinez – important to be allowed to have a one on one meeting, no to the 360 survey and yes to keeping the evaluation in the commission only.</li> <li>• Mr. Pacheco: helpful to have a one on one meeting, no to the 360 survey because responses may not pertain to the objective they were evaluating Chief Goble on.</li> <li>• Ms. Kaauwai Iwamoto: no to the 360 survey, it contained too many questions and she did not understand how some related to their evaluation.</li> <li>• Mr. Levinthol agreed with everything Vice Chair Martinez mentioned.</li> <li>• Mr. Garces: experienced with 360 survey and the information added another layer of information and could provide a better understanding.</li> </ul> <p>Taking the commissions responses, Chair Chahanovich concluded that unanimously the commission did not want to proceed with the 360 survey and wanted to meet with Chief Goble one on one. Ms. Ching said the schedule would be updated and presented at the February meeting.</p>	

SUBJECT	DISCUSSION	ACTION
<b>Executive Session</b>	<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. Garces seconded the motion. Motioned carried 6:0.</p> <p>The commission and staff, disconnected from open session at 3:33 p.m. and connected into executive session.</p>
<b>Return to Open Session</b>	<p>Chair Chahanovich, Vice Chair Martinez, Commissioner Garces, Commissioner Kaauwai-Iwamoto, Commissioner Pacheco, Deputy County Attorney Tatsey, Administrator Ellen Ching and Commission Support Clerk Muragin were logged onto Microsoft Teams by video. Commissioner Levinthol called into Microsoft Teams and entered the meeting by audio.</p>	
<b>Call To Order In Open Session /Roll Call</b>	<p>Chair Chahanovich called the Open Session meeting to order at 3:50 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 Garces replied present.</p> <p>Commissioner Kaauwai-Iwamoto replied present.</p> <p>Commissioner Levinthol replied present.</p>	

SUBJECT	DISCUSSION	ACTION
	Commissioner Pacheco replied present. Vice Chair Martinez replied present. Chair Chahanovich replied present. Deputy County Attorney Jenna Tatsey replied present. Administrator Ellen Ching replied present. Commission Support Clerk Sandra Muragin replied present.	Quorum was established with six commissioners present.
<b>Ratify Actions</b>	Ratify actions taken by the Fire Commission in executive session for agenda items: ES KFC 2021-01.	Mr. Pacheco moved to ratify actions taken in Executive Session for ES KFC 2021-01. Ms. Kaauwai Iwamoto seconded the motion. Motion carried 6:0.
<b>Adjournment</b>	With no further business to conduct, Chair Chahanovich called for a motion to adjourn the meeting.	Mr. Pacheco moved to adjourn the meeting. Ms. Kaauwai Iwamoto seconded the motion. Motion carried 6:0  Chair Chahanovich adjourned the meeting at 3:52 p.m.

Submitted by: \_\_\_\_\_  
 Sandra Muragin, Commission Support Clerk

Reviewed and Approved by: \_\_\_\_\_  
 Jennie Chahanovich, Chair

- ( X ) Approved as circulated. 02/01/21  
 ( ) Approved with amendments. See minutes of \_\_\_\_\_ meeting.