

SPOKANE VALLEY FIRE DEPARTMENT
Board of Fire Commissioners
Statutory & Operational Policy #001

The legislative body of the Spokane Valley Fire Department (hereafter referred to as Department) is the Board of Commissioners authorized and created under Title 52 RCW. The Board of Commissioners has the statutory obligation to manage the affairs of the Department and is responsible to establish all Department policies.

1. **Statutory Power and Authority.** The Board of Commissioners possesses the powers and authority as set forth in Title 52 RCW and other applicable provisions of the Revised Code of Washington.
2. **Organization.** The Board of Commissioners, at its first regular meeting in January of each year, shall elect a chair and a vice-chair. The vice-chair shall perform the duties of the chair in the absence of the chair.
3. **Participation of Commissioners.** Each Commissioner is an elected representative of the residents of the Fire Protection Department. Commissioners are entitled to vote on all matters coming before the Board of Commissioners and to make and second motions regardless of whether the Commissioner is serving as chair. Commissioners shall, however, be governed by the provisions of chapter 42.23 RCW in respect to any matter in which the Commissioner may have a conflict of interest.
4. **Actions of the Board.** RCW 52.14.010 provides that the Board of Commissioners of the Spokane Valley Fire Department is the legislative body of the Department. Chapter 42.30 RCW, the Open Public Meetings Act, and RCW 52.14.100 provide that actions of the Board of Commissioners may only take place at meetings authorized by statute. Individual Commissioners do not have authority to manage or direct the affairs of the Department or bind the Department to financial or contractual obligations. Administrative and managerial powers may only be exercised by those persons to whom such powers are delegated by action of the Board. The principal executive and administrative officer of the Department is the Chief who has the responsibility for the management of the daily affairs of the Department for the supervision of Department personnel and for the establishment of a chain of command to carry out such supervision. Commissioners are encouraged to become familiar with the Department operations and to meet the paid personnel of the Department. It is a policy of the Department, however, that individual Commissioners shall not supervise, direct or discipline Department personnel. In the event a Commissioner shall be dissatisfied with the operation or any action of the Department or its personnel, the Commissioner shall bring such dissatisfaction to the attention of the Board at a meeting of the Board.

5. **Authority of Chair.** The Chair of the Board shall have the authority specifically granted by statute and such further authority as may be granted from time to time by action of the Board of Commissioners.
6. **Communications with Consultants.** The Chief and the Chair or other designated commissioners have authority to contact Department consultants (attorney, accountant, engineers, architects, etc.) on an as needed basis without prior approval by the Board. Individual commissioners, absent delegation from the Board or an emergency situation, do not have authority to directly communicate with Department consultants without prior approval of the Board.
7. **Commissioner Compensation.** See Policy #018
8. **Schedule of Meetings.**
 - 8.1 Regular meetings. Regular meetings of the Board of Commissioners shall be held each month, pursuant to a schedule established by resolution of the Board. Meetings of the Board will be held at the Fire Department Headquarters, or at such other place as the Board may direct from time to time. All regular meetings shall be conducted in conformance with the laws of the State of Washington governing meetings.
 - 8.2 Special meeting. The chair or any three members of the Board may call a special meeting at any time. Not less than twenty-four hours before any special meeting, the secretary shall notify each member of the Board by written notice of the time, place, and the business to be transacted at the meeting. The notice shall be distributed and posted in accordance with the laws of the state governing such meetings. The presence of a Commissioner at the meeting or the Commissioner's written waiver of notice filed with the secretary shall constitute a waiver of receiving written notice of the meeting. When the meeting is called to address an emergency involving injury or damage, or the likelihood of the injury or damage, to persons or property and the time requirements for notice provided for above would be impractical and increase the likelihood of the injury or damage, the required notice may be dispensed with and the secretary shall notify each member of the Board by the best means possible under the circumstances.
 - 8.3 Notice of agenda for regular meeting. Not less than three days before any regular meeting, the secretary shall inform each member of the Board a reminder of the regular meeting and a preliminary agenda setting forth the matters that are to be considered at the meeting.
 - 8.4 Addendum to the agenda at regular or special meetings. Addendum to the agenda of either a regular or a special meeting may be permitted at the commencement of or during the

meeting, except that a final action shall not be taken on items added to the agenda of a special meeting unless notice, as required by applicable law, has been given.

- 8.5 Quorum. A majority of the entire Board shall be necessary to constitute a quorum at all regular meetings and special meetings.
9. **Excused Absence.** The Board of Commissioners may grant permission for a Commissioner to be absent from a scheduled meeting of the Board.
10. **Access to Department Records.** Each Commissioner shall have access to Department records during regular business hours of the Department provided that the review or examination of the records shall not interfere with the normal operation of the Department office personnel. Commissioners shall not remove original Department records from the Administrative office. The administration shall provide copies of records requested by Commissioners subject to the following limitations:
 - 10.1 No copies of confidential records will be provided without prior approval of the Board.
 - 10.2 Copies will be provided promptly, provided the copying shall not unduly interfere with normal operations of the administrative personal.
 - 10.3 Department records and information obtained from Department records may not be used by Commissioners for non- Department business nor disclosed to unauthorized persons.
11. **Department Information.** Commissioners may not use Department information, particularly confidential information, for individual gain or to promote the interest of any individual, group of individuals or entity. Commissioners have the duty to protect the confidentiality of privileged and private Department records and information. The unauthorized disclosure of confidential records or information is a violation of this responsibility. The Board, not an individual Commissioner, has the authority to disclose information or records of the Department. This restriction also applies when the Department is involved in any type of contract negotiations, disciplinary procedures or other Department business transactions.
12. **Personal Liability Protection.** The Commissioners shall be included as named insured's on all applicable Department insurance policies. In the event a Commissioner shall be individually named as a defendant in any litigation arising out of the performance by the Commissioner of Department business and the Department's insurance carrier shall deny coverage and refuse to provide defense to the action, the Department shall provide the Commissioner with defense coverage and liability protection subject to the following conditions.
 - 12.1 The cause of action must have arisen as a result of the action or non-action of the Commissioner while acting within the scope and

authority of the office of Commissioner.

12.2 The cause of action must not have arisen as a result of intentional, willful, or criminal conduct of the Commissioner.

13. Liability Protection Procedure. The following procedure shall be used to determine if the Department shall provide the defense and liability coverage for a Commissioner under the Department policy.

The matter shall be referred to the Department's attorney for investigation and review.

13.1 The Department's attorney shall fully investigate the facts and circumstances of the litigation and the actions of the defendant Commissioner.

13.3 The Department's attorney shall report to the Board of Commissioners in writing the results of the investigation and research. A copy of the report shall be furnished to each Commissioner under the attorney-client communication privilege. The Board of Commissioners shall make the final determination based on the report and investigation of the attorney.

Adopted:
Spokane Valley Board of Fire Commissioners:
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