

Meeting Notes  
 Special Board Meeting  
 10:00 AM, Tuesday, March 30, 2010  
 MBFTE Conference Room

Present in Elk River: Judy Smith Thill, Nancy Franke Wilson and Barbara Tuccitto Warren

Teleconference: Matt Ashmore, Marv Calvin, Natasha Carlson, Dan Cline, Rick Loveland, Jerry Rosendahl, Troy Walsh and Amanda Wood

Absent: Jim Fisher, Barbara Frank and Kelli Slavik, Jeff Swanson

1. OPEN – RICK LOVELAND, CHAIR

Meeting opened at 10:02 a.m.

2. LICENSING, E-LICENSING AND CONTRACT

- The purpose of the meeting was to seek approval as the Executive Directors and the Chair are asking the Board to grant the Executive Committee and the Executive Directors permission to move ahead with licensing/E-licensing.
  - It is necessary to move quicker than our current decision making process allows.
  - Nancy Franke Wilson explained how the Executive Directors learned about E-licensing through our accountant Frank Ahrens.
  - The Executive Directors met with the E-licensing group and learned that the Governor has set this as one of his priorities.
  - E-Licensing is new for the State and because it is new, there is an advisory committee that must approve each new agency before they can begin to work on it with the Dept of Administration’s Office of Enterprise Technology Systems (OETS), the sponsoring agency.
  - It is probable that MBFTE can be the next state agency to be given permission to set up E-licensing. There is an advisory meeting on April 12<sup>th</sup> that the Executive Directors would attend with OETS and their contractors.
  - There is one portal to enter on the site to register for a license.
  - A pilot was tested with Post Board and the team created E-licensing for the EMRSB and they have recently begun working with DHS.
  - There is no upfront cost to MBFTE.
  - The site is funded by a 10% surcharge on each license.
  - Roger Ihrke stated that even though the ED’s will gain approval to make decisions about E-licensing, they are responsible for and will be working to develop the plan.

***Motion made by Marv Calvin to allow the Executive Directors to work in conjunction with the Chair on E-licensing to make decisions and report back to the full Board on those decisions – seconded by Matt Ashmore. Judy Smith Thill called for the vote – motion carried.***

| Member    | Aye | Nay | Abstain | Absent |
|-----------|-----|-----|---------|--------|
| Ashmore   | x   |     |         |        |
| Calvin    | x   |     |         |        |
| Carlson   | x   |     |         |        |
| Cline     | x   |     |         |        |
| Fisher    |     |     |         | x      |
| Frank     |     |     |         | x      |
| Ihrke     | x   |     |         |        |
| Loveland  | x   |     |         |        |
| Rosendahl | x   |     |         |        |

|             |   |  |  |   |
|-------------|---|--|--|---|
| Slavik      |   |  |  | x |
| Smith Thill | x |  |  |   |
| Swanson     |   |  |  | x |
| Walsh       | x |  |  |   |
| Wood        | x |  |  |   |

- Second item for the Special Meeting pertained to the issue Tim Leslie raised in regards to the legislative changes to Statute 16c.08 Professional Technical or Services contracts.
  - In 2009 this legislation was changed to the effect that before an agency may seek approval of a professional or technical services contract, it must be posted for application by MN State employees before offering a contract or amending a contract to outside vendors.
  - There was a lengthy discussion about the meeting held at the Minnesota Dept of Public Safety on Wednesday, March 24. In attendance at that meeting were Rick Loveland, Barbara Tuccitto Warren, Judy Smith Thill, Jim Fisher, Bernie Johnson - MBFTE's AG Rep, Betsy Hayes - Dept of Adm., Tim Leslie - outgoing Assistant Commissioner, Mark Shields - incoming Assistant Commissioner for DPS, Tom Thornberg and Brian Rice - both representing MPFF, and Frank Ahrens - DPS.
  - In accordance with their interpretation of an amendment to Minnesota Statute 16C.08, Tim Leslie explained that it was DPS's role to act as the hiring agent for the Executive Director job.
  - Jerry Rosendahl had been directed to write a position description for the Minnesota Department of Public Safety's Human Resources Division to hire an Executive Director to replace the contracted Executive Directors current working for MBFTE. Jerry then submitted that position description to DPS HR.
    - In the meeting it was determined that MBFTE will work with the Department of Administration on the certifying paperwork and their Human Resources Department for posting.
    - Bernie Johnson, MBFTE's AG rep clarified that MBFTE will have the final decision as to who will be interviewed and hired.
    - It was explained that that once the position description is posted, it will be open for 10 days. After that time, HR will send the resumes to the MBFTE Chair to begin the interviewing process.
    - Tim Leslie assured the MBFTE representatives in the meeting that this can all be handled in a timely manner. If MBFTE does not find a state employee that is qualified, the contract with Tuccitto Warren Associates may be extended for one more year.
    - Betsy Hayes stated that MBFTE should work with Justin Kaufman from her office to work the proper steps of certification.
    - During the meeting, Tim Leslie agreed that Jerry Rosendahl would work with Rick Loveland and anyone else he designated on rewriting the position description. Rick Loveland asked Judy Smith Thill if she would assist Jerry and him to re-submit a job description.
    - Judy Smith Thill reported on the additional items that were raised at the meeting.
      - a. MBFTE member explained that although the contract says 25 – 30 hours a week, Board members know that the present ED's each work way more than that. With that, the state would need to hire two full-time personnel to do the same job at 80 hours a week and if that is the case, going with a state employee could actually end up costing more money in the future.
      - b. They (the State) explained to those at the meeting that this is an exempt position and will be required to work whatever hours it takes to get the job done. A MBFTE member then explained that it isn't right that they are expecting someone to do the regular work for the Board, plus get the licensing up and running, in addition to learning a new job, and if a state employee would be put into this position now, they would be set up to fail.

- c. It was also made clear by a Board member that putting a brand new state employee in this position on July 1<sup>st</sup> could delay the setup process for licensing and if that was the case, it could put mud on the face of the MN fire service and the legislators who authored this bill.
- Rick thanked Jim Fisher and Judy Smith Thill for attending the meeting. He also thanked Marv Calvin for his counsel and support during this difficult time.

Discussion took place regarding the motion (Resolution 2010 – 3.01):

- A concern arose regarding the fact that several members of the Board were of the opinion that the Chair did not need Board approval to proceed on the Professional Technical Services Contract.
- Other Board members viewed the motion as a necessity due to the situation with the State, to assure that if the interviewing and hiring process takes an extremely lengthy time, the current ED’s could continue to work, so MBFTE does not lose continuity in the work being done.
- A Board member cautioned that we must follow the law in this process and that there are no exceptions.
- A Board member asked that if we are forced by law to look for someone else, why it would be necessary to pass a motion.

**Resolution 2010 – 3.01**

**Direct the Chair of the Board to contract services with Tuccitto Warren Associates, LLC not to exceed \$245,000 for FY2011 and to work with the Department of Public Safety and Human Resources to develop a position description for the Executive Director of the MN Board of Firefighter Training and Education.**

**Motion made by Marv Calvin and second by Natasha Carlson – motion carried.**

**Roll Call Vote:**

| Member      | Aye | Nay | Abstain | Absent |
|-------------|-----|-----|---------|--------|
| Ashmore     | x   |     |         |        |
| Calvin      | x   |     |         |        |
| Carlson     | x   |     |         |        |
| Cline       |     |     | x       |        |
| Fisher      |     |     |         | x      |
| Frank       |     |     |         | x      |
| Ihrke       | x   |     |         |        |
| Loveland    |     |     | x       |        |
| Rosendahl   |     |     | x       |        |
| Slavik      |     |     |         | x      |
| Smith Thill | x   |     |         |        |
| Swanson     |     |     |         | x      |
| Walsh       | x   |     |         |        |
| Wood        | x   |     |         |        |

ADJOURN

- The meeting adjourned at 11:04 a.m.

Respectfully submitted  
 Barbara Tuccitto Warren  
 Nancy Franke Wilson  
 Executive Directors