

**NOBLESVILLE FIREFIGHTER MERIT COMMISSION
MEETING MINUTES
JULY 20, 2022
4:00 P.M.**

Commissioner Sarah Russell Goddard called the July 20, 2022 Noblesville Fire Merit Commission Meeting to order.

Commissioners present were:

COMMISSION MEMBERS

Commissioner Sarah Russell Goddard
Commissioner Mark Glodowski
Commissioner Mike Navarro
Commissioner Chris Renner

Chief Matt Mitchell, Assistant Chief Adam Biddle, Deputy Chief Chris Gellinger (representing the Noblesville Fire Department); attorney Jon Mayes; and members of the Noblesville Fire Department were all present for the meeting.

APPROVAL OF MINUTES

Commissioner Renner motioned to approve the minutes from the June 15, 2022 Merit Commission Meeting.

Commissioner Glodowski seconded the motion.

VOTE TO APPROVE MINUTES

Commissioner Goddard	Aye
Commissioner Glodowski	Aye
Commissioner Navarro	Aye
Commissioner Renner	Aye

The motion was passed.

APPROVAL OF AGENDA

Commissioner Navarro motioned to approve the agenda.

Commissioner Renner seconded the motion.

VOTE TO APPROVE AGENDA

Commissioner Goddard	Aye
Commissioner Glodowski	Aye
Commissioner Navarro	Aye
Commissioner Renner	Aye

The motion was passed.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Agenda Item 1: Merit Commission to consider hiring three (3) new recruits from the 2021 Hiring List on August 22, 2022, pending INPRS approval (Chief Matt Mitchell)

Chief Mitchell said four applicants were presented for consideration at the last Merit Commission meeting for the August 2022 recruit class and today we are presenting three more applicants for the recruit class which will start on August 22, 2022. They are Timothy Zachary Thomas, Kyle Vergon, and Harrison Collins. Merit Commission's approval is contingent on each of the three being approved by INPRS.

Commissioner Goddard asked if we are going down the hiring list and Chief Mitchell said that was correct.

Commissioner Navarro made a motion to approve the hiring of Timothy Zachary Thomas, Kyle Vergon, and Harrison Collins, pending INPRS approval.

Commissioner Renner seconded the motion.

VOTE TO APPROVE THE HIRING OF TIMOTHY ZACHARY THOMAS, KYLE VERGON, AND HARRISON COLLINS ON AUGUST 22, 2022 PENDING INPRS APPROVAL

Commissioner Goddard	Aye
Commissioner Glodowski	Aye
Commissioner Navarro	Aye
Commissioner Renner	Aye

The motion passed.

Agenda Item 2: Merit Commission to consider the deletion of Rule and Regulation 10.48 (Chief Matt Mitchell)

Chief Mitchell gave Merit Commission members paperwork marked Exhibit A. The rule we are asking to be struck is regarding the department issuing pagers and members being required to carry pagers. He said we haven't issued pagers in a long time, so his recommendation is to strike this rule.

Commissioner Glodowski asked for clarification of the rule number. He said the paperwork from Chief Mitchell is for Rule 10.48 but the agenda says Rule 10.28. Chief Mitchell clarified that he is requesting that Rule 10.48 be struck.

Commissioner Goddard asked if the rules would just skip that number or if the remaining rules would have to be renumbered. Chief Mitchell said we would just skip it and if we do an addition in the future, we might insert the addition in that place.

Commissioner Goddard asked how the function of pagers has been replaced. Chief Mitchell said we communicate via texting since everyone has a cell phone.

Commissioner Renner made a motion to strike Rule 10.48.

Commissioner Navarro seconded the motion.

VOTE TO STRIKE RULE 10.48

Commissioner Goddard	Aye
Commissioner Glodowski	Aye
Commissioner Navarro	Aye
Commissioner Renner	Aye

The motion passed.

Chief Mitchell asked Jon Mayes if we need to do anything regarding correcting the agenda since it states Rule 10.28 instead of 10.48. Mr. Mayes said no.

Agenda Item 3: Merit Commission to discuss the 2022 Hiring Process (Chief Matt Mitchell)

Chief Mitchell provided Merit Commission members with paperwork marked Exhibit C. Exhibit C comes from the Merit rules and discusses the certification of an eligibility list and the list being in effect for two years or until a new eligibility list is certified by the Merit Commission. We are very close to exhausting the 2021 Hiring List and are facing a period of time where we might not have a Hiring List which is arguably required by Merit rules as outlined in Section J. We are not ready to present the process to Merit Commission but we are working on it and are here to discuss the fact that we need to move on to the next Hiring List.

Chief Mitchell said we need to go back and do something that we failed to do when we certified the list. He distributed paperwork to Merit Commission members marked Exhibit B which is from Merit statute/Merit law. The highlighted section on Exhibit B states that “The commission shall adopt rules for grading the applicants, including the establishment of a passing score. The commission shall place the names of applicants with scores on an eligibility list by the order of their scores and shall certify the list.” Chief Mitchell said that the list was certified, but a passing score was not established. We are going to have that discussion as we move toward a 2022 Hiring List. Chief Mitchell said the 2021 Hiring List process was the first time we had done a solo list in a long time. The previous lists were done as joint hiring lists with fire departments in the surrounding area. The upcoming 2022 Hiring List will be a solo list as well. With the joint hiring lists in the past, the fire departments would get together and determine the passing score for the list. This could be done in a few different ways—for example, we would designate the top 200 people on the list as the passing score. Another example would be identifying an actual score, such as 80% and those who scored below 80% did not pass. The joint hiring lists had many more applicants and so we never exhausted a list. Chief Mitchell recommends that for the 2021 Hiring List, a minimum score of 75% be established. That would eliminate ten people on the 2021 Hiring List who we would not consider.

Chief Mitchell said we have applied for a SAFER grant [Staffing For Adequate Fire and Emergency Response] which is a federal grant. We applied two years in a row and did not receive the grant, but we have recently received some optimistic news which leads us to think we may receive this grant. We have requested fifteen firefighters for this grant and the 2021 Hiring List will not support hiring fifteen applicants. On average, it takes 8 or 9 applicants to be able to hire one recruit based on background checks, who is still available, etc. If we receive the grant, we would plan on starting a new recruit class in early 2023 and the 2021 Hiring List will not support that, so we will need to move much sooner on getting a new Hiring List established. If we receive the SAFER grant, we would still utilize the remaining applicants on the 2021 Hiring List who have a score of 75% or higher before we move to the next Hiring List.

Chief Mitchell said the request being made of Merit Commission today is to establish the passing score on the 2021 Hiring List at 75%. At a later meeting, we will be bringing the process for a 2022 Hiring List to Merit Commission for approval. A 2022 Hiring List will tentatively be ready for approval by the Merit Commission by the end of this year. If we receive the SAFER grant, the recruitment period will be six months and then the performance period will be for three years. The federal government picks up all salary and benefit costs for the three year performance time for these firefighters. However, if the recruitment period lasts longer than six months, then that extra recruitment time will be deducted from the performance period which then reduces the amount of time that the federal government will pay the salary and benefit costs.

Commissioner Glodowski said since we're not part of a joint hiring process, should we have a one year list instead of a two year list? Chief Mitchell said he doesn't think we have that option since statute says the list is good for two years, so there would be a statutory challenge with a one year list. In addition, there would be a financial challenge because of the cost of conducting a hiring process.

Commissioner Goddard asked what the threshold is for other fire departments—is it also 75% or is it something else. Chief Mitchell said he doesn't know what other departments are currently doing—all he knows is what we've done in the past with joint hiring processes.

Commissioner Navarro asked if the people remaining on the 2021 Hiring List will move to the top of the 2022 Hiring List. Chief Mitchell said we would still continue to work off the 2021 Hiring List. If Merit Commission approves establishing the passing score for the 2021 Hiring List at 75% or higher, then the 2021 Hiring List will be worked based on the 75% passing score and then we would move to the 2022 Hiring List.

Commissioner Goddard asked Mr. Mayes if there are any concerns with changing the standard. For example, if this list is 75% and the next list is 80%, could someone claim discrimination because one standard was harder than another. Mr. Mayes said in his view, there would not be discrimination allegations that would have any merit at all. He said Merit Commission has that discretion. Sometimes it boils down to how big of a pool do you want it to be? That's one of the many screening tools that departments may use to allow more or less and then you can play with that to see what works best.

Commissioner Glodowski asked if there have been talks already to get the 2022 Hiring Process started and Chief Mitchell said yes, we have started to prepare for the next hiring process.

Commissioner Glodowski made a motion to establish the passing score for the 2021 Hiring Process at 75%.

Commissioner Renner seconded the motion.

VOTE TO ESTABLISH THE PASSING SCORE FOR THE 2021 HIRING PROCESS AT 75%

Commissioner Goddard	Aye
Commissioner Glodowski	Aye
Commissioner Navarro	Aye
Commissioner Renner	Aye

The motion passed.

Agenda Item 4: Merit Commission to consider approval of the 2022 NFD Engineer Process (Assistant Chief Adam Biddle)

Chief Mitchell announced to Merit Commission that Chief Biddle will be stepping down as Assistant Chief and will be going back to shift.

Chief Biddle said serving as Assistant Chief has been an excellent experience but that he misses responding to calls and being on shift.

Chief Biddle said we exhausted the 2021 Engineer Promotion list because there were only two successful candidates on the list. At the April 2022 Merit Commission, Merit Commission voted to approve conducting a 2022 Engineer Promotion Process because like the Hiring List, we are required to always have a current Engineer Promotion list.

Chief Biddle distributed printed copies of the proposed Engineer Promotion Process to the Merit Commission members. It is the same process that Merit Commission approved in 2021 with the exception of date changes. Chief Biddle said the invitation to sign up for this process has already been sent out to the department and that seven people signed up. Merit Commission approved this to be a one year Engineer Promotion list so that the normal timeline of promotion processes for officers and engineers will be maintained. This process is how it has been in the past—it has not been changed.

Commissioner Renner made a motion to approve the 2022 Engineer Process.

Commissioner Navarro seconded the motion.

VOTE TO APPROVE THE 2022 ENGINEER PROCESS

Commissioner Goddard	Aye
Commissioner Glodowski	Aye
Commissioner Navarro	Aye
Commissioner Renner	Aye

The motion passed.

The meeting adjourned.