

**CENTRAL DISPATCH ADMINISTRATIVE AUTHORITY**

**OPERATIONS BOARD AGENDA**

**MINUTES**

**10:00 a.m. P.D.T., Tuesday, August 14, 2018**

**Elko Fire Department 725 Railroad St. Elko, NV 89801**

**CALL TO ORDER**

The agenda for this meeting of the Central Dispatch Administrative Authority Operations Board has been properly posted for this date and time in accordance with NRS requirements.

*The Elko Central Dispatch Administrative Authority Operations Board meeting for Tuesday, August 14, 2018 was called to order at 10:00 a.m. by Chairman John Holmes.*

**ROLL CALL**

Operations Board Members

Present:

Lee Cabaniss, Elko Amb  
John Holmes, Elko Fire  
Ben Reed, Elko Police Dept  
Jim Pitts, Elko County Sherriff

Others:

Tom Coyle  
Dale Lotspeich, Eagle Comm.  
Donna Holladay, CDAA  
Karrie Hunton, CDAA  
Della Beachel  
Mike Palhegyi, Elko Police Dept  
Kathleen Smith, NHP  
Kathy Baker, CDAA  
John Pitts, Elko Co Fire  
Linda Bingaman, Elko Co Fire  
Rae Burt, ECSO  
W. Glover, Citizen  
Scott Fullerton, OE3  
Bill Boden, OE3  
Jarry Walton

**APPROVAL OF MINUTES:** July 9, 2018

*Lee Cabaniss moved to approve the minutes for July 9, 2018 as is Ben Reed seconded.*

**I. NEW BUSINESS**

- A. On July 18, 2018, the Union, on behalf of Della Beachel and in accordance with Article 7, Paragraph B, Section 2 of the Collective Bargaining Agreement between Central Dispatch Administrative Authority and the International Union of Operating

Engineers Local #3, requested a response to the decision of upholding the termination of Della Beachel. Per the CBA, the Union is requesting to submit the matter to the Operations Board. The Operations Board shall hold a meeting within thirty (30) days to consider the matter. The Operations Board shall conduct an informal hearing during which they shall hear testimony and argument from the Union Representative and from the Authority's staff, advisors and Lawyer. The Operations Board shall issue a written decision within ten (10) days of the conclusion of the meeting. **PUBLIC COMMENT WILL BE TAKEN PRIOR TO ANY OPERATIONS BOARD ACTION: ACTION ITEM**

*No public comment. The board and the union agreed that the employer would present first. Donna Holladay with Elko Central Dispatch read her statement that was provided to the board, intent to discipline, provided the policies and documentation relevant to the discipline, also discussed and provided to the board was the interview between Donna Holladay and Della Beachel on May 10, 2018. Ben Reed questioned Donna on how she was able to obtain the text message that Della Beachel had sent to the other Employee that had a warrant. Donna Holladay advised she received that text message from that employee with consent from her. Jim Pitts clarified that Della Beachel was terminated for releasing confidential information? Donna confirmed, yes. Reed acknowledged Donna Holladay had included several policy violations and clarified that all employees are given a copy of the policies? Donna Holladay stated employees are provided copies of the policies. John Holmes asked Donna Holladay if she was ever advised by Della Beachel of the situation. Donna Holladay replied no she was not, Chesarae advised her the next day. Scott Fullerton with OE3 states that no confidential information was released, that warrants are public knowledge. Jim Pitts agrees that warrants are public knowledge. Donna advised it is against policy and that dispatch does not release information. Scott Fullerton with OE3 states that Della Beachel was only given that information, because there was no supervisor on the floor or at the center and Della was the most senior dispatcher. That Della used no property of CDAA to obtain information about Chesarae, that she received a courtesy phone call from NHP. Donna stated that Della received that information during working hours and that it is the private property of Chesarae. Jim Pitts asked Donna did NHP ask for Chesarae or a supervisor. Donna replied that NHP asked for a supervisor. Ben Reed stated that being a dispatch center there are rules on how to handle confidential information and that by releasing that information it is damaging. It leaves the question are others being tipped off? Where does this start or stop. The solution would be to advised Donna and let her handle it. Scott Fullerton says the biggest issue here is the intent of dissemination, and NHP using the word warrant it changed the situation. That Della didn't make an intentional inquiry, she was provided the information. The divulgence of that information occurred before it got to Della. That Della knows not to use ECDA equipment to obtain that information. That there was no intent to benefit herself/or someone else. Reads the email send June 4, 2018 regarding code of ethics. Jim Pitts states he doesn't see it any different than someone calling into dispatch asking to speak to a deputy, that dispatch is passing of information. All Della did was pass on information, the issue he sees is that Della didn't notify the director. Scott Fullerton disagrees says that this is not an issues that dispatch deals with on a regular basis, dispatch didn't provide clarity and that it is a unique situation. That this should have resulted in clarification of policy, that the penalty was over extended and by passed all steps of discipline and moved to termination. That the error was simply a violation to communicate correctly. Donna Holladay advised that Della was terminated for violating policy. There was a breach of information that left dispatch, that is not the reputation that we want for our agency. Donna reads the letter sent by unemployment that Della Breached confidentiality and admitted to doing so. Ben Reed questions if this incident would create an audit from CJIS. Donna believes it would. Kathleen with NHP speaks and states that she was working that night and is a supervisor for NHP, that it was a courtesy call and they have the right to make a decision to make those calls as a professional courtesy.*

To let that person know they have a warrant and to get it taken care of, they do this before they enter the warrant into the system. Reed asked Kathleen do you notify the general public the same way? Kathleen with NHP advised yes, if they call. John Holmes inquired if NHP has a policy regarding this? Kathleen advised no not at this time, it was something they are working on.

Donna states that dispatch does not confirm warrants, that we send those calls to the jail. Scott Fullerton states that Della was in essence set up to botch it. She didn't initiate it and had no supervisor on duty, she was just given the information. Pitts asked Donna how she would have handled it, Donna replied she would have advised Chesarae. John Holmes reads the interview with Della and Donna occurred on May 10, 2018. Scott Fullerton reads the discipline letter sent to Della, citing that Della divulged information, violated policy. That this was miscommunication and doesn't warrant termination. That progressive discipline didn't happen and again it called for clarification of the policy, that the policy isn't clear and is a grey area. That there was no harm no foul. The agency wasn't at risk or put in risk. That Della handled the situation to the best of her ability with the training provided. Reed brings up that there is a policy of confidentiality. Scott states it was a public service, that is whole thing was blown out of proportion because the word warrant was used. Scott asked Della if she believed it was best for Chesarae to advise Donna? Della replied yes. Pitts stated that it was a violation of policy she should have followed chain of command and advised Donna. Scott then asked does the punishment fit the violation? Pitts replied he didn't feel there was a NCJIS violation. Scott states that a previous punishment for another employee for an NCJIS violation was two days off. That Della's previous discipline was due to personal phone calls. John Holmes asked how Della obtained Chesarae's phone number, Scott replied it was given to her by Chesarae. Scott states that this is a non-egregious act, that discipline should be progressive. That maybe Della should have called supervisor. That clarification needs to happen in regards to what information needs to be passed onto a supervisor. John Holmes asked how long Della has been working at dispatch. Della replied November, 2010. Holmes asked if there has been any other progressive discipline. Tom Coyle asked did any other discipline figure into Donnas decision? Donna says yes. Tom states sealed records shouldn't be brought up.

Explore the past, discuss the evaluations if it impacts the decision in this case? Reed asked Holmes if he had more information than the rest of the board? Holmes states just one meeting that he took part of after that he received no more information, until he received the packet like the rest of the board. Scott Fullerton reads the Dispatcher II job description, states there is a general statement about chain of command. Reed asked about Rules of Conduct 1.8.11 cited in letter on June 4, 2018. Was Della disciplined for that Donna? Donna replied yes. Reed states that it is a pretty strong policy that information isn't to be used for own or other persons benefit. Fullerton states Della did not use the this information for that purpose. Reed says that Policy and violation and level of discipline are two different things. Holmes states that policy for the center keeps information confidential and it wouldn't be given out. Fullerton replies, that the phone call was going to be made anyway. Thinks there is something bigger here than this call. Della is a good employee, letters of quality and that Della is a good asset to dispatch. Reed redirects to the Director or the center and the attorney. Tom Coyle states that there are two violations for sure. Policy 1.11 Della received criminal information this is deemed confidential, 1.3 failure to follow chain of command and 2.2 Code of Ethical Standards. This holds the center to a standard, could have put the agency at risk for an audit. At this point the board needs to look at the violation, do they uphold the findings? Do they uphold the level of discipline? Direct the Director and provide a written determination within ten days. Clarification of the process discussed that the board makes the determination and written notice in ten days, the Union gets the last word on the discipline issue. Scott states that punishment exceeded what occurred, and requested Della be reinstated with loss wages/infringement. Donna states that the decision was not easy that she involved Pool Pact, Elko County HR and the attorney and the decision was well thought out. Reed points out that the warrant was a misdemeanor FTA for a traffic violation from four years ago. Holmes brings up the text message that Della sent to Chesarae: Chesarae "Does anyone else know?"

Della "It's between you and NHP no one else's business." Holmes asked has this occurred before? That this is disrespectful to the immediate supervisor. That at the time there was three leads and someone is always available to call. Della states it was a social interaction between her and Chesarae and didn't mean to disrespect Donna or the center. Donna asked Della, did you tell the any other employees? Della replied that she had a conversation with Dawn Bradshaw. Dawn asked her if it was about a warrant. Della responded that she couldn't tell her, but it was about a warrant. Donna read the interview with Dawn on May 24, 2018. Scott replies that this still comes back to intent, that this hard decision bypassed seven steps of discipline, steps that are outlined in the contract. Reed replied some things do cause termination on the first act. Scott says not when it's a non-egregious act. Reed replies lots of things do not get the seven steps of discipline. Donna says she is worried about just passing information along. Scott says Della is being punished for being a middle man. Holmes advises that the board has heard opening statements. Does anyone have anything to add? Tom Coyle request to hear additional information from the other side. Scott Fullerton states has nothing to add. Pitts request to read the letters the union has brought for Della. Bill Bodin advises they only have one copy. Lee Cabaniss request a short recess to read the letters, break taken at 11:19 a.m. August 14, 2018. Session resumes at 11:32 same date called back into session by John Holmes. Holmes thanks everyone for their time and would like to hear final statements. Tom Coyle starts for dispatch, that confidentiality is something special, that there is policy and training and confidentiality is stressed. That the policy 1.11 and 1.8 draw a firm line in the sand regarding confidentiality. That the stock/trade of the center is to receive and process confidential information. There are high standards related to that. There was a break down in the process. The Director reviewed the evidence and statements and that termination was appropriate, the employee disagrees, the board should give weight to the opinion of the Director and the violation of confidentiality. Pitts states he feels the information was disseminated appropriately and had Donna been contacted she would have done the same thing that Della did. Scott Fullerton says there is a procedure in place for discipline, thinks this needed a new set of eyes. The agency stance is that the sky is falling, the union thinks its more like a acorn. That there is a place in the middle that can be met. The penalty should associate well with the crime. That you can't disseminate personal information that belongs to that person. That Della protected CDAA by contacting Chesarae, preventing it from becoming a bigger issue. That is didn't put the center at harm. That this should create a process for other dispatchers, if they encounter a similar situation. Scott requested the board reduce the punishment to a council and put Della back to her regular station, with lost wages and infringes. The board decides it would be appropriate to review the employees personnel file, look at previous policy violations and employee evaluations, since Donna factored that into her decision. That the file is not for public so they will need to recess to review it and that Della will need to give them permission to look at it, that she has the right to be present with her Union representation. Lee Cabaniss makes a motion to recess at 12:11 p.m. August 14, 2018 Ben Reed seconded. It is decided to move the presentation that Dale with Eagle is presenting to next meeting. John Holmes reconvenes the meeting at 1:02 p.m. same date. Tom Coyle request that the record shows that the recess was for the board members to review the personnel file. That Della consented and was present when she wanted to be with her representation. Reed states there was a verbal reprimand 6 months ago for personal phone calls, that nothing serious was noted and the marks meet standard or higher. Pitts didn't see anything to change his opinion. Pitts is ready to make a motion, hates to override Donnas decision but motions for four days off without pay and give job back. Reed seconded with one amendment that they include policy violations. Pitts agrees with violation of chain of command. Reed feels that it should also include policy violation 1.8.11 Confidential information. Pitts doesn't agree, but will agree to it for the motion. Reed motions the floor. Lee asked for someone to state the motion. Pitts states motion four days without pay, reinstatement, personnel file will show failure to follow chain of command and violation of policy 1.8.11. Reed seconded. No discussion. Public comment. Kathleen with NHP doesn't believe that confidential information was passed on,

*doesn't believe Della violated it. Scott clarified back pay minus the four days, look at vacation accrual, sick leave reinstated at current levels. Scott will need a letter with official ruling. Reed asked Tom Coyle if had enough clarity? Tom replied yes. Holmes no further? Board voted motion passed three in favor one opposed. John Holmes felt the punishment should have been stronger. Adjourned on this matter at 1:12 p.m. August 14, 2018.*

**B. Introduction of the new Assistant Director, Karrie Hunton. PUBLIC COMMENT WILL BE TAKEN PRIOR TO ANY OPERATIONS BOARD ACTION: NON ACTION ITEM**

*New Assistant Director is introduced to the board. Karrie Hunton gives a brief personal statement introducing herself.*

**II. OLD BUSINESS**

**A. Update and discussion regarding the Elko County E911. ACTION WILL NOT BE TAKEN**

*Ben Reed made a presentation to commissioner and they voted unanimously to vote on increasing 9-1-1 surcharge to \$1.00. They agreed to put on a future agenda. Pitts states that it needs to be stressed that the fees will be used to maintain the system. Reed still hasn't received confirmation from the Homeland Security Grant. Reed explained to the commissioners how critical the system is and that the fees will be consumed by the annual fees for next gen.*

**B. Update of the day to day business. ACTION WILL NOT BE TAKEN**

*Donna Holladay there have been a lot of wildland fires keeping the center very busy, making it difficult for the dispatchers. Donna also advised there is an ad in the paper and indeed to fill the vacant positions. Donna there have been radio issues, causing the console to stick open Payden with Eagle is aware of the situation and looking into it.*

**III. RUN REVIEWS**

**A. Discussion regarding run review and debriefing for Elko Central Dispatch and its User Agencies. ACTION WILL NOT BE TAKEN**

*Holmes recommended if there is going to be a review it needs to be sent to Donna 10-15 days before the meeting. Reed discussed a call that a citizen was shooting at an officer that the call started downtown at the bar and ended up in a pursuit toward Carlin. That dispatch handled the call well and getting information out to the units and having the interagency dispatch worked well because there wasn't a delay in the information from agency to agency.*

**IV. PUBLIC HEARINGS**

**A. Public comment period. ACTION WILL NOT BE TAKEN**

*Ben Reed introduced Mike Palhegyi and let the board and dispatch know that he is in charge of operation command for communication with EPD to dispatch.*

*Lee Cabaniss updated that they jackpot has some 800 radios in Jackpot now, that Jackpot 1 and 2 have them, should ease communication.*

*John Holmes advised that all the handhelds that Elko Fire Department has are updated, except for his in his unit Reed requested he get that one done as well even if EPD has to pay for it.*

*Ben Reed says that the encrypted channels are working really well for the Police Department and have had countless incidents that it has worked in.*

*Linda Bingaman agrees there have been a lot of wildland fires, she has come to the center during the times and it is really busy. That at some point you might need to keep a dispatcher there on overtime and the board needs to support the center when that happens. The board thinks that it a lead dispatcher can make that determination, if they need to keep a dispatcher during a busy time and that the board supports that decision. Lee Cabaniss would like to see three dispatchers on at all times. John Holmes lets Lee know he is working on that and needs to meet with Curtis. Donna says that it is a contractual issue.*

*Donna brings up the issue with ambulance units bypassing REACH for MedX. Lee has spoken to REACH about when they offer the fixed wing they will decline and let them know they will be moving onto the next service. Lee is working on something that would treat REACH not calling back in a certain amount of time as a declination. REACH should also have coordinated for any mile markers on Interstate 80, Highway 93, 225 and 227.*

*Reed said National Night Out went good.*

*Donna added the police department to some of the medical/fire run cards after a meeting with Ty Trouten and Mike Palhegyi.*

*Donna reminded the board that there will be a company here next week to change out the UPS and they have told her that it will not disrupt dispatch, we will have electricity.*

*Motion to adjourn meeting by Lee Cabaniss at 1:34 p.m. on August 14, 2018. Seconded by Ben Reed.*

This agenda item is to provide time for the general public to address the Central Dispatch Administrative Authority Board regarding items of concern. Action cannot be taken at this time, but a matter can be set on the agenda for a future meeting, as appropriate.

**NOTE:** The Presiding Officer of the Elko Central Dispatch Administrative Authority Operations Boards reserves the right to change the order of the agenda, and if the agenda has not been completed, to recess the meeting and continue on another specified date and time. Additionally, the Presiding Officer reserves the right to combine two or more agenda items, and/or remove an item from the agenda, or delay discussion relating to an item on the agenda at any time.

Respectfully submitted,



Donna Holladay  
Director, CDAA