

Chehalis Civil Service Commission

Minutes of May 30, 2023

MEMBERS PRESENT: Joe Mano, Sheila Johnson-Teeter, Dennis Dawes

OTHERS PRESENT: Fire Chief Adam Fulbright, Deputy Chief Matt McKnight

Meeting was called to order at 6:02 P.M. by Chair.

Minutes of March 28, 2023 were approved as published. There was no meeting held in April due to lack of a quorum.

The election of an Assistant Chair was discussed. That position would enable the meeting to proceed if a quorum were present. Dennis Dawes was nominated for Asst Chair. Johnn-Teeter/Mano. Mr. Dawes was elected.

Old Business:

The updated eligibility list for Police Department was presented to the Commission. There currently is no Police Lateral list or Fire Department entry level list. In further discussion, the new Fire Chief, Adam Fulbright introduced himself to the Commission and was welcomed. He discussed the lack of an eligibility list. He asked for clarification of the procedures since Chief Hendershot had suggested preparing a list with a limited timeline of candidates on it. Chief Fulbright said there is one position vacated and one retiring, so a need for a new list exists. After several questions and answers, the Chief said he had a better understanding of the process and would contact the testing agency for names for the eligibility list.

New Business: the introduction of the new Fire Chief had taken place.

Rules and Regulations:

Deputy Chief McKnight presented a memo to the Commission about the records of the Commission. The Secretary had provided him with physical and digital records. He and a city employee had organized the records and found that there were many missing. He stated that if a public records request were to be presented to the City, the City might not be able to provide the necessary information requested. The explanation from the Secretary was simply that the directions over the years from the city clerks had varied widely and that at least four boxes of records were presented to the city who then disposed of them.

The memo made several recommendations: minutes of a meeting within one week of the meeting held, and an agenda and attachments to be prepared one week prior to the next meeting. The Commission asked if that was possible by the Secretary who agreed with the conditions.

The Rules and Regs have been finalized with the Commission, but they need to be edited. The Commission asked the Secretary if they could be updated within about two weeks

time. The Secretary agreed that is possible, although the format was developed by the City and hopefully would not present any issues.

Public Comments: none

For the Good of the Order: the next meeting will be June 27, 2023.

Meeting was adjourned at 6:45 P.M.

Joseph Mano
Chairman

Janelle Williams
Secretary



Chehalis Police Department

Memorandum

To: Chehalis Civil Service Board
CC: Chief Kaut
From: Deputy Chief McKnight
Date: April 14, 2023
Subject: Civil Service Records Review

A few months ago, we took custody of the records from the Civil Service Commission with the intent of reviewing the material, purging old files, and storing or archiving the remaining documents. I was provided with four boxes of documents and a USB drive from Civil Service Secretary Janelle Williams. During the past few months, our staff has spent more than 40 hours organizing the records, partly due to the majority of the records not being received in an organized manner. Records were dated as far back as 1975 and included minutes, agendas, correspondences, employment applications, assessment center information, eligibility lists for both police and fire, and other miscellaneous documents.

A thorough review of the records from 1975 to 2022 was conducted. The following is a review of my findings related to the records:

Minutes and Agendas - According to the Washington State Retention Schedule #GS 10004 Rev. 1; agendas, meeting/agenda packets and minutes are required to be retained for 6 years after the end of the calendar year then transferred to Washington State Archives for permanent retention.

- There was a total of 150 meeting minutes and 91 meeting agendas from 1981 to 2022. No minutes were located for the years 1982 – 1985, 1991 – 2004, and 2012 (17 years). No agendas were located for the years 1982 – 1987, 1991 – 2000, 2002 – 2004, 2012, 2013, and 2015 (20 years).
- Between one and four agendas were located for the years 1988, 1989, 2001, and 2005 – 2014.
- Between one and four minutes were located for the years of 2005, and 2009 – 2015.
- There have been three years since 1991 when more than seven meeting minutes were located.
- There are four years since 1991 when more than seven agendas were located.
- Three times since 1991 there have been the same number of agendas and minutes located for the same year.

Correspondence and Communications Sent/Received - According to the Washington State Retention Schedule #GS 10004 Rev. 1; correspondence/communications sent or received on behalf of the body must be retained for 6 years after the end of the calendar year then transferred to Washington State Archives for permanent retention.

- Significant correspondence was retained from 1981 – 1990 and is likely in compliance with the retention schedule.
- Little to no correspondence was located from 1991 to the current year. It should be noted that Williams began using city email in mid-2022 and those correspondences would be retained through that email system. Prior to mid-2022 Williams did not use city email and any email messaging on behalf of the Commission is likely not recoverable by the city at this point.
- It is likely Williams was sending/receiving correspondence by post mail. Almost no post mail records after 1991 were located and therefore couldn't be properly retained or archived.

Eligibility Lists, Job Applications, and Testing Scores - According to the Washington State Retention Schedule #GS 03012 Rev. 1; eligibility lists, applications and test scoring are to be retained for three years and then destroyed.

- Eligibility, applications, and test scoring were located sporadically from 1981 to present. Some entry level scoring data was located but there did appear to be significant portions missing.
- There were no lateral or entry level eligibility lists located from 2005 to 2016. There were several gaps in eligibility lists in other years, but I am unsure how many lists were produced during those gaps. It should be noted that I was hired in 2013 and that lateral eligibility list was not located.
- There was data for three assessment centers that was collected in paper copy form. They appeared to be complete and with all the documents from the Assessment Center.
- There was electronic information for three additional Assessment Centers; however, no specific scoring information was located, and the data appeared to be the handouts, schedule, interview questions, etc. There were no documents that included scoring sheets, completed assignments, or assessor feedback.
- It is possible that the missing records were destroyed, but no documentation was located to support that as required by Washington retention regulations.

Rules and Regulations - According to the Washington State Retention Schedule #GS 10009 Rev. 1; Rules and regulations must be retained until superseded and then transferred to Washington State Archives.

- I located paper copies of Rules and Regulations from 1958, 1982, 1984, 1986 and 1987. There were approximately ten electronic files for Rules and Regulations; however, none of them were signed and I was unable to tell if any of them were ever adopted.
- It appears that the latest adopted copy of the Rules and Regulations is from 1987, although significant changes have been made over the years. Potential issues could arise if the rules were to be challenged at any point.

Summary:

Williams stated that she has never sent any records to Washington State Archives and that she has provided the Police Department with all the records she has.

There is a significant number of records that were required to be retained or sent to Washington State Archives that are unavailable. Specifically, 17 years of missing meeting minutes and 20 years of missing agendas. If these records were to be requested, the city would be unable to fulfill those requests. The exact number of missing records is unknown and likely would not be determined with any further research.

There are also other records that are allowed to be destroyed that were not destroyed properly and were either not properly documented as destroyed or are simply lost. Some of the missing records contain sensitive information to include employment applications with identification information.

Per Washington State Retention Schedule, out of the paper documents received about 80% were past the retention date and could be destroyed, about 10% were required to be sent to Washington State Archives, and about 10% have been retained. This does not include the unknown number of missing or lost documents.

The Civil Service records have not been retained and stored in compliance with Washington State Government General Records Retention Schedule as outlined above and have placed the city and Commission open to potential civil liability.

Recommendations:

- Minutes be sent by email to our department within seven days of any meeting and agendas be sent at least seven days prior to any meetings.
- All correspondence by the Civil Service Commission be conducted using city email to ensure retention. This may require Civil Service Board Members to be provided with city emails. If any post mail is received or sent, copies be sent to our office within seven days.
- When assessment centers are completed, all documents should be provided to the police department for proper retention within seven days of the certification of the eligibility list. At Civil Service meetings we will collect a copy of the current eligibility lists for retention.
- Any time new Rules and Regulations are ratified they be provided to our department within seven days of the meeting. Old rules and regulations will be archived by the police department.