

**JEFFERSON COUNTY
FIRE PROTECTION DISTRICT NO. 3**

**BOARD OF COMMISSIONERS
REGULAR MEETING
AUGUST 10, 1993**

AGENDA

- I. CALL TO ORDER
- II. APPROVAL OF MINUTES for July 13, 1993 Regular Meeting and July 16, 1993 Special Meeting.
- III. FINANCIAL REPORT
 1. Account Updates
 2. Community Hall
 3. Vouchers
- IV. SUB-COMMITTEE REPORTS
 1. Negotiations Sub-Committee
 2. Policy Sub-Committee
 3. Grievance Sub-Committee
 4. Community Hall Sub-Committee
- V. CHIEF'S REPORT
- VI. OLD BUSINESS
 1. Work hours for Employees (DISTRICTS PHILOSOPHY)
 - a. What is expectation of manned stations?
 - b. Who sets work hours for employees?
 - c. How is overtime to be handled?
 - d. What is considered to be overtime?
 2. Hiring Firefighter/EMT
 - a. Salary Breakdown
 - b. Job Description
 2. Fire Commissioners' Convention
 - a. Number to Attend

AGENDA CONTINUED ON REVERSE SIDE

Agenda August 10, 1993
Board of Commissioners
Regular Meeting

- VII. VOLUNTEER ASSOCIATION REPORT
- VIII. NEW BUSINESS
 - 1. Accept Mr. Benjamin Andrews as new F/F EMT
- IX. Q & A
- X. ADJOURNMENT

JEFFERSON COUNT
FIRE PROTECTION DISTRICT NO. 3

BOARD OF COMMISSIONERS
REGULAR MEETING
AUGUST 10, 1993

ATTENDANCE:

COMMISSIONERS - Chairman John Parker, Commissioners Roy Raudebaugh, Herb
Herb Stowe, Harry Morrison and Shary Irwin.

FORUM - Robert Wallace, Audrey Pedersen, Audrey Heaton, Ahmed Hasson,
Anita Benn, Shawn Russell, June Phins, Aileen Lopeman, Mike
McClure, R. Kent DeWitt, and Capt. Dave Lawson, Mandy Plumb.

CALL TO ORDER: Chairman Parker called the meeting to order at 7:10pm.

APPROVAL OF MINUTES: Commissioner Irwin made a **MOTION** to accept the
Minutes of July 13, 1993 and July 16, 1993; **SECOND** by Commissioner Stowe and
unanimously **PASSED**.

FINANCIAL REPORT:

Commissioner Raudebaugh presented the financial report as follows:

General Fund:	\$ 62,852.11
General Fund Investment:	\$ 0
E.M.S. Fund:	\$ 20,527.32
E.M.S. Fund Investment:	\$ 11,500.00
Reserve Fund:	0
Reserve Fund Investment:	\$ 113,181.87
TOTAL CAPITAL:	\$ 208,061.30

The Community Hall revenue month-to-date is \$240.00 and year-to-date is \$3,175.00.

Commissioner Irwin noticed that the gravel expense for the new driveway was not added to the Community Hall breakdown of expenses. Commissioner Raudebaugh also noted that the wages are one month behind due to the County's payroll system.

Commissioner Stowe questioned why the rentals have been decreasing. Mandy Plumb stated that most of this is due to the In-Kind Service that the renters are providing the

District in lieu of rent. Right now, the only paying customer we have is the Christian Congregation of Pt. Ludlow.

Commissioner Stowe noted that the vouchers had been looked at in advance and therefore made a **MOTION** to accept the vouchers as outlined; Chairman Parker called for questions on the Motion:

Commissioner Raudebaugh questioned why the Voucher Approval form no longer had the breakdown for the phone numbers. Mandy Plumb answered by saying that the new accounting program was not designed to do this, but that it is in the process of being updated.

Commissioner Stowe mentioned that the breakdown was listed on the voucher as well as on the reports generated by the new system.

Chairman Parker questioned what the V.F.I.S. voucher was for. Mandy Plumb said that it was a delinquent bill from 1992 to add on additional coverage for commandeered property.

This **MOTION** was **SECOND** by Commissioner Raudebaugh and unanimously **PASSED**.

COMMITTEE REPORTS:

NEGOTIATION SUB-COMMITTEE -

Commissioner Raudebaugh mentioned that he and Commissioner Stowe went to a workshop at the County Commissioners but no decision was made. He did note that during discussions between the County Commissioners and the school board, Pope was ordered to return to the table and negotiate with the school board and the fire district. Commissioner Raudebaugh asked Pope if the fire district and Pope representatives could meet on Wednesday, July 11, 1993. Pope said, "not ready." Commissioner Raudebaugh asked if Commissioner Stowe had anything to add. Commissioner Stowe had nothing to add.

Chairman Parker apologized for not introducing the Fire District's newest Commissioner, Commissioner Harry Morrison. Commissioner Morrison would be filling the vacancy left by former Commissioner Woodruff. Chairman Parker added that he was glad to have Commissioner Morrison aboard.

Mr. Hasson asked if the Fire District had hired a consultant to help with the Pope Mitigations? Commissioner Raudebaugh said that they have had a consultant on board since DEIS. He is Ron Hayworth from King County District #10 who is highly qualified. He's been working with the Fire District continually, with the exception of a couple of meetings where there were scheduling difficulties. There is also an attorney

who the Fire District has been working with. This attorney is very experienced with schools, fire departments, etc. Both the attorney and consultant will be attending all future meetings.

Mr. Hasson questioned the fee each will receive. Commissioner Raudebaugh responded saying that the attorney receives a rate of \$140.00/hr., while the consultant will be paid 2% of the money that the Fire District receives; as it relates to this matter. Commissioner Raudebaugh also noted that the Consultant's agreement states that he will reimburse the Fire District up to 2% of the attorney's fees associated with these negotiations. He also stated that he wasn't quite sure if these numbers and percentages were accurate, but that he would check on it.

Mr. Hasson asked who picks up the balance of the attorney's fees after the consultant pays his share? Commissioner Raudebaugh said the Fire District will pick up the remaining balance.

Commissioner Irwin stated that, originally, this attorney helped the County understand the DEIS and he has a strong background in this area. Commissioner Raudebaugh said that the attorney wrote the original presentation for the Fire District to present to the County on the DEIS. Commissioner Raudebaugh also said that when an agreement is reached with Pope, it will be this attorney and Pope's attorney who draw up the agreement.

Chairman Parker called for final questions: no further questions.

POLICY SUB-COMMITTEE -

Commissioner Irwin asked to cancel the Friday, August 16, 1993 policy meeting. Commissioner Parker said that he would like it cancelled as well. Concensus of the Board is to reschedule this meeting for August 27, 1993 at 9:00am.

Chief DeWitt said that at the last meeting he made reference to a policy that speaks about the Residency program and made a suggestion to change the policy. Now, he gave the Commissioners the old and newly proposed policy, as well as his Standard Operation Procedures for review.

Chairman Parker read the old policy. Chief DeWitt said he should read the new one. The only thing that he wants to change is the 9 month volunteer mandate before becoming a resident within the Fire District. He says this is not fair to the program and to those who might be coming in from somewhere else. He also said that if the Fire District wants to keep costs down, this is one way not to have to pay high wages and benefits to supply after-hour coverage to the Fire District.

Chairman Parker read the newly proposed policy and then called for comments from the Board. He asked if the Chief had anything else to add.

Chief DeWitt said he tried to word the procedure right so as to not cause trouble with the money and the possibility of the residents being considered as employees.. He said that each station captain had a copy and that he could change the contents of this procedure as necessary.

Commissioner Raudebaugh asked if this was a policy? Chief DeWitt said that it was a standard operational procedure. Commissioner Irwin said that she felt the policy needs to be revised as submitted. Commissioner Raudebaugh said that he did not feel that it was the prerogative of the Chief to change the policy any time he chose to.

Commissioner Irwin said that she thought that the Chief was speaking of the procedures when he made that comment. Chief DeWitt said that he sent the procedures out a week ago for the membership to review and that the District was getting closer to placing people in the program. Commissioner Raudebaugh asked what the volunteer association thought about the procedures? Chief DeWitt said that the association, as a body, had not discussed it as of yet due to the timing of their meetings. Chairman Parker decided that, as a matter of protocol, this matter should be carried over to the next policy meeting.

Commissioner Raudebaugh said that the residents will be supplying their own wash cloths and towels, so why does the District supply the soap? Chief DeWitt said that if you don't supply things like this, it tends to lead to fighting. He also stated that this is a small price to pay when they will be spending every third day on duty for no money. He felt that the District would be getting more than they were paying for.

Commissioner Irwin said they will already be paying a \$10.00/mo. kitchen fee. Chairman Parker said that he appreciated the Chief's experience. Commissioner Raudebaugh said that they'll talk about it.

Chief DeWitt reminded the Board that the procedures were his to make and that this was set out in policy. His concern is that if every procedure he is to draw up has to come before the Board for approval, he'll never get anything done.

Commissioner Raudebaugh said that he was correct except when money or cost was an issue. Chief DeWitt responded that the cost of the program was already budgeted, therefore cost was not an issue in this case. Commissioner Raudebaugh said that he felt this could wait for the next policy meeting; one to two weeks wouldn't hurt anything.

Commissioner Irwin said that she needed to be clear on who's job it was to do what. If the procedures are the Chief's job to do, let him do his job. Commissioner Raudebaugh still wanted to review this at the next policy meeting.

Chairman Parker called for recess at 8:30 pm.

Chairman Parker reconvened the meeting at 8:35pm.

GRIEVANCE SUB-COMMITTEE -

Commissioner Irwin said that the newly formed sub-committee would be meeting on Friday, August 13, 1993 at 7:00 pm at Station #31.

CHIEF'S REPORT: (Attached)

Commissioner Stowe made a **MOTION** to finish the driveway by chip-sealing it; **SECOND** by Commissioner Raudebaugh and unanimously **PASSED**.

Commissioner Stowe said that he wanted to especially thank Mandy Plumb for the work she did on retrieving insurance money on claims that should have been processed in prior years.

Commissioner Irwin questioned what the meeting was at the Hood Canal Bridge? Chief DeWitt said that it was a meeting with the Supervisor of the bridge, Dave Lawson and himself to get a tour of the bridge and an access key, in case of an emergency.

Chairman Parker said that he would like to see the Chief work towards seeing that more lights are installed at the West end of the bridge.

OLD BUSINESS:

Chairman Parker said that he felt the agenda items listed under Old Business should be dealt with in Executive Session.

Chief DeWitt said that he felt the subject matter was not specific to an individual or situation, and that this is something that should be handled publicly. This is a matter that needs to have a decision made by the Board. He then presented a list of options for the Board's review.

Chairman Parker called for a consensus of the Board whether to table this item to the policy meeting or to address now. Commissioner Raudebaugh requested a policy workshop. Chairman Parker then asked those directly involved with the outcome of the Board's decision in this matter; Capt. Dave Lawson and Mandy Plumb, A.A.

Capt. Lawson said that he would like to see the Board make a decision as soon as possible. He stated that he accrues alot of overtime due after-hour call outs. He felt that having additional personnel might eleviate the problem of off-hour coverage.

Chairman Parker said that he felt the need to explain the objective of the District, which is to have fire coverage around the clock, but that the District is experiencing

growing pains and this has not been accomplished yet. He went on to say that the volunteers get nothing for responding after hours.

Capt. Lawson responded by saying that the volunteers have daytime jobs that provide them a paycheck, and in doing so they get overtime compensation for additional hours worked over a 40 hour week. This is his daytime job, and therefore should compensate him for additional hours worked over a 40 hour week.

Anita Benn said that the Fire District would get into trouble with FLSA if they did not compensate employees for overtime.

Commissioner Raudebaugh urged the Board to work this out in an Executive Session.

Mr. Hasson said that the Fire District should also look at the L&I laws governing this matter.

Commissioner Stowe asked how Mandy Plumb felt about this matter. Mandy said that she would like this matter to be handled as expeditiously as possible because she is accruing overtime and would feel more at ease knowing how it is going to be compensated. She also stated that salary employees usually have some amount of overtime built into their salary base, and thus, the higher wages for salary vs. hourly. She also said that this statement does not apply to her. She stated that she would like to see the employee have a choice in how overtime is compensated; time and one-half after 40 hours/week comp-time or time and one-half monetary compensation.

Commissioner Raudebaugh said that he knows there are definite rules that govern these issues and he asked for the Chief to break out the Fire District section. He thinks that if the District has less than 5 employees the rules of FLSA do not apply. He said that he and the Chief would research this.

Mr. Hasson says that the Fire District should compensate employees for their overtime.

Commissioner Morrison said that he doesn't quite know everything he feels he'll need to know to be a Fire Commissioner, but he could see that the Fire District hired a competent Chief and therefore should let him do his job. If creating procedures is part of his job, then let him do it.

Commissioner Raudebaugh said that he agreed with Commissioner Morrison; however, he still wanted the Chief to get a copy of the laws from L&I and FLSA.

Mike McClure said that a recent court ruling dealt with mandatory stand-by, and that this should be looked at as well.

Commissioner Morrison felt that this was an issue that should be negotiated between the Chief and his personnel.

Chief DeWitt said that the only reason this item was placed on the Agenda for this meeting was that Mandy Plumb has accrued some hours of overtime since her employment started in March, and that when she used a week of it, some of the Commissioners had a problem with this.

Commissioner Stowe said that he didn't think the Board would give an answer today.

Commissioner Harrison, again, said that he felt this was a matter that should be worked out with the Chief and his personnel, not the Board.

Chief DeWitt said that he felt the same way. He should be able to do this.

Commissioner Raudebaugh said that if it were up to him, every hour worked would be paid.

Chairman Parker said that the solution is to hire more employees so the office and shop is continually manned.

Mr. Hasson said that no one should be denied money if they worked for it.

NEW FIREFIGHTER/EMT -

Chairman Parker asked Chief DeWitt to explain this agenda item.

Chief DeWitt spoke about the job description and pay scale chart drawn up for this position. (ATTACHED)

Commissioner Irwin asked the Chief to clarify what the \$100.00 was for if the employee resides in the District.

Chief DeWitt said that it was due to the expensive cost of living in the District. He said that this should augment the salary, as a sort of subsidized rent to encourage younger, new employees to live in the District. Commissioner Irwin said she thought this was a good idea.

Mr. Hasson said that when Mr. Andrews was interviewed, he expressed interest in living in the District.

Chief DeWitt said that this was true, but the cost of living here is very expensive.

Commissioner Irwin said that she thought the Chief wanted approval on a monetary increase based on this issue. Chief DeWitt said that was true.

Commissioner Irwin said that the employment ad stated a salary range and therefore it should be up to the Chief where to start the new employee.

Chief DeWitt said that he wanted the Board's approval.

Commissioner Raudebaugh said that he was uncomfortable with the \$100.00 expense for living in the District. He said that the District was spending taxpayer's money and that made this decision one of the Board's to make.

Commissioner Stowe asked where the employee would live if not in the District?

Mr. Hasson said that he felt the District should pay this item. It would be money well spent.

Commissioner Raudebaugh said if it is paid, it should be put into the wages.

Mr. Hasson disagreed, saying that the employee should not have to pay taxes on this item.

Commissioner Raudebaugh questioned if it was legal to do it any other way.

Commissioner Morrison said that the District is trying to get the Chief set up to do his job, so let him do it.

Commissioner Raudebaugh said that he agrees, but that he didn't want to get the District into trouble. Mr. Hasson said it was a little late to worry about trouble now.

Commissioner Morrison said that it wouldn't be the first time for trouble within the District and made a **MOTION** to let the Chief decide on the wage scale; **SECOND** by Commissioner Irwin and unanimously **PASSED**.

Commissioner Raudebaugh said that it sounded as if the Chief was pretty sure about the 53 hour work week.

Chief DeWitt responded by saying that he confirmed the legalities of working a 53 hour work week with Ron Hayworth, but that he wanted to negotiate the schedule with the new employee so that the lag time between paid personnel and resident coverage would be filled. The Chief also said that he didn't expect that the new employee would work over a 40 hour work week, plus drills, without being compensated. He also stated that he would completely check on the legalities of how to pay an allowance for living in the district, prior to implementation.

Commissioner Raudebaugh said that the Chief may have to take the 53 hour work week out of the verbage if the new L&I and FLSA literature says its bad.

Chairman Parker said it was a pleasure to have Ben Andrews on board with the District.

Chief DeWitt said that Ben was not at the meeting tonight and that he was not sure how to go about this, but that Ben had scored high on his tests, was a graduate of WSU wherein he received a Bachelor's Degree in Public Administration, was part of the WSU Fire Department as a resident and had grown up in the Fire Department and still remains active in that department when he's home. Chief DeWitt also told of how Ben responde on behalf of the District before his starting date and did very well. The Chief expected to have Ben start his new job with the District on August 16, 1993 if the Board approved his hire.

Commissioner Stowe said that after sitting on the interview panel, he would make a **MOTION** to hire Ben Andrews as the new Firefighter/EMT; **SECOND** by Commisisoner Raudebaugh and unanimously **PASSED**.

Chairman Parker questioned how many of the Commissioners were going to attend the convention.

Commissioner Stowe suggested that not all the Commissioners should attend the Convention and explained the costs involved in going.

Mr. Hasson suggested sending two Commissioners and then let them report to the remainder of the Board.

Commissioner Stowe said that they all go to the quarterly meetings because they can go to these without staying overnite and therefore decreasing the cost of attending.

Commissioner Raudebaugh siad that it has been the practice of the Board to alternate between the Commissioners, who attends what meetings. It was also his opinion that the subject matter of the convention was not all that good anyway.

Chairman Parker said that all the conventions have something valuable to offer; new products, networking, preview of new equipment, etc. He also said that the price included some meals and they were usually very good. He wanted to see the new commissioner go.

Mr. Oliver asked how the Board chooses who will attend?

Chairman Parker said that it was the policy of the Board to allow all the Commissioners to attend the yearly convention. However, the Board can pick and choose.

Commissioner Stowe said that he felt all the Commissioners should go to the closer ones that require less cost to attend.

Commissioner Raudebaugh said that the first day and evening of this one is political and not really necessary to attend.

Commissioner Morrison said that he didn't feel equipped to attend and requested not to attend at this time.

Commissioner Raudebaugh said that he felt Commissioner Morrison, being new, would benefit from attending and wanted to see him attend.

Chairman Parker asked the other Commissioners who would volunteer to take Commissioner Morrison and show him the ropes? No one volunteered. Chairman Parker said that if no one else would volunteer, he would do it.

Chief DeWitt said that he wasn't sure if he was expected to attend. Chairman Parker said yes and the secretary, too.

VOLUNTEER ASSOCIATION REPORT:

Mike McClure reminded everyone of the Salmon Bake the Fire District was putting on at the Jefferson County Fair this weekend. Everyone should come.

Q & A:

Mr. Hasson asked what was the disposition of the District car being at Super Valu grocery store on the 4th of July weekend?

Chief DeWitt said that he had talked with Capt. Lawson about the incident and was reminded that he gave permission for Capt. Lawson to use the car on the weekend so as to respond back to the District quickly if necessary. This was due to the anticipated increase in traffic problems over the holiday weekend. The Chief also said that it may become a matter of practice to do this on long holiday weekends.

Aileen Lopeman suggested that the Fire Department get a new dumpster for garbage as the one used for the Station #31 and the Community Hall was getting filled to fast by having all the stations use it.

Chief DeWitt said that he would do this, that he agreed with her.

Anita Benn questioned why the Minutes of July 13, 1993, page 8 and 9 said two different things about the same subject matter? {Subject matter: Allowing a volunteer to become a Fire Commissioner without giving up his status as a volunteer.}

Chief DeWitt responded by telling Ms. Benn that it was a State Law that no volunteers were allowed to sit on the Board of Commissioners unless the Board of Commissioners

chose to allow it under the law. The Board of Commissioners has the right to allow it, but must do so by a MOTION. This is what it says on page 8. On page 9 it says that the Board of Commissioners decided to let the law stand as it reads and not to allow the volunteers to sit on the Board of Commissioners.

Audrey Pedersen said that it was a policy of the Board in the past to allow volunteer members to sit on the Fire Commissioner's Board. She also went on to ask if it was the policy of the current Board not to allow this change to come in effect? Chief DeWitt said yes.

Commissioner Morrison made a MOTION to adjourn at 9:10 pm; SECOND by Commissioner Raudebaugh and unanimously PASSED.