

JEFFERSON COUNTY FIRE PROTECTION DISTRICT NO. 3
a.k.a. Port Ludlow Fire and Rescue
BOARD of COMMISSIONERS
Special Meeting Minutes
September 24, 2001

CALL to ORDER:

Chairman Commissioner David Wheeler called the Special WORKSHOP Meeting of September 24, 2001, of the Board of Commissioners of Jefferson County Fire Protection District No. 3, a.k.a., Port Ludlow Fire and Rescue, to order at 9:15 a.m. at Station 33 located at 101 South Point Road, Port Ludlow, Washington.

Commissioners present were Commissioner David Wheeler, Commissioner Gene Carmody, and Commissioner Howard Morse. Also present were Chief Wayne Kier and District Secretary Arlene Obtinario.

Not Present: Commissioner Roy Raudebaugh and Commissioner Robert Pontius

PURPOSE of the SPECIAL MEETING:

Chair Wheeler stated the purpose of the Special Meeting is to conduct a **WORKSHOP**. Chair Wheeler stated **NO ACTION WOULD BE TAKEN**.

Topics for discussion/review were the Budget Process with particular attention to revenue sources; personnel, apparatus and vehicle needs. Chair Wheeler called on District Secretary Arlene Obtinario to take the attendees through the revenue portion of an instructional form she had designed as a tool for the workshop. During discussion, the Commissioners recommended the full Board, at their next Regular Board Meeting, be asked to consider dedicating \$250,000 of the Fire Reserves and \$150,000 of the EMS Reserves for emergencies only so there would always be a minimum of \$400,000 in Reserves for emergencies. The attendees also reviewed the Capital Plan and proposed changes were to be presented to the full Board for acceptance.

ADJOURNMENT:

Chair Wheeler called for adjournment at 1:05 p.m.

JEFFERSON COUNTY FIRE PROTECTION DISTRICT NO. 3

Signed:

BY:

David L. Wheeler
Commissioner David L. Wheeler, Chairman

BY:

NOT PRESENT

Commissioner Roy Raudebaugh, Vice-Chairman

BY:

NOT PRESENT

Commissioner Robert Pontius

BY:

Eugene Carmody
Commissioner Eugene Carmody

BY:

Howard Morse
Commissioner Howard Morse

ATTEST: By:

Arlene F. Obtinario

Arlene F. Obtinario, District Secretary

JEFFERSON COUNTY FIRE PROTECTION DISTRICT NO. 3

a.k.a. Port Ludlow Fire and Rescue

BOARD OF COMMISSIONERS

REGULAR MEETING

September 25, 2001

A G E N D A

- I. **CALL TO ORDER REGULAR MEETING** **7:00 pm**

- II. **Call for Approval of Minutes**
 - 1. **September 11, 2001 Regular Meeting Minutes** **TAB 1**

- III. **Financial Reports**

- IV. **Fire Fighters Association &/or Local 3811**

- V. **Topics for Discussion and/or Decision**
 - A. **Station #31 Project Update**
 - 1. **Restroom Conversion Approval** **TAB 2**

 - B. **MED13 Interlocal Agreement/VFIS Response** **TAB 3**

 - C. **MED-NET Communication System** **TAB 4**

 - D. **Fessler Easement/Cable TV** **TAB 5**

 - E. **Thermal Imaging Camera**

 - F. **Burn Permits**

 - G. **Background Checks**

 - H. **Local 3811 Employment Contract PROPOSED**

 - I. **Budget Workshop Preliminary Revenue Numbers** **TAB 6**

 - J. **Dedicated Emergency Reserves**

 - K. **Proposed Revised Capital Plan**

 - L. **Other Topics for Discussion and/or Decision?**

- VI. **GOOD of the ORDER; QUESTIONS and ANSWERS**
 - A. **Sept. 28th, 8:00 a.m. County Auditor's office to certify 9/18 Election**
 - B. **Fallen FF Memorial Service Oct. 7th 10:00 a.m. at the Capitol **RSVP required****

- VII. **EXECUTIVE SESSION**
- VIII. **ADJOURNMENT**

Jefferson County Fire Protection District No. 3
a.k.a. Port Ludlow Fire & Rescue
Board of Commissioners
Regular Meeting Minutes
September 25, 2001

CALL to ORDER: Chair Wheeler called the September 25, 2001 Regular Meeting of the Board of Commissioners of Jefferson County Fire Protection District No. 3 to order at 7:05 p.m. at Station #33 located at 101 South Point Road, Port Ludlow, WA.

Commissioners present were Commissioner David Wheeler, Commissioner Roy Raudebaugh, Commissioner Robert Pontius, Commissioner Gene Carmody, and Commissioner Howard Morse. Also present were Chief Wayne Kier and District Secretary Arlene Obtinario.

CALL for APPROVAL of MINUTES: Chair Wheeler called for approval of the Minutes for the September 11, 2001, Regular Board Meeting. **MOTION:** Commissioner Raudebaugh moved to approve the Minutes as presented. Commissioner Morse seconded the motion. Commissioner Pontius asked for discussion. Commissioner Pontius talked about the second paragraph on page 5 titled **EMS Special Agency Fund Interlocal Agreement**; asked District Secretary Obtinario if she had attended the Jefferson County Fire Commissioners and Secretaries Association meeting when he asked for volunteers for the committee and Obtinario replied yes and said she had recommended Commissioner Morse for the committee. Commissioner Pontius talked more about the proceedings of that particular County Association meeting and indicated a need to reword the proposed Minutes. Obtinario said the proposed Minutes could only reflect what took place at the last Board meeting. She also asked if corrections to proposed Minutes could be handled before, not during, the Open Public Meeting. Commissioner Carmody asked if the Board meetings could be tape-recorded. Obtinario replied yes, but the tapes become part of the public record if the Board wants to use them for clarification, and then storage and filing the tapes, for public access, become issues. Obtinario said she would have to tape-record the meetings if the Board desires their meetings written up verbatim. Commissioner Morse said the proposed Minutes reflect the meeting as he recalls. And, Commissioner Raudebaugh asked Commissioner Pontius if the proposed Minutes say what happened at the last meeting and said that the Minutes can only record the activities of the last Board meeting. Question was called. Chair Wheeler called for a vote. Commissioners Wheeler, Raudebaugh, Carmody and Morse voted in favor of the motion. Commissioner Pontius abstained from voting. The motion carried.

Financial Reports: Chair Wheeler called for financial reports and D.S. Obtinario stated there were none for review or action.

Fire Fighters Association &/or Local 3811: Chair Wheeler called on Lt. Andrews. Lt. Andrews said he had nothing to report at this time, but Arlene has an address for a relief fund for the families of the New York Fire Fighters for donations.

TOPICS for DISCUSSION and/or DECISION:

Station #31 Project Update

Restroom Conversion Approval. Chair Wheeler asked if everyone had reviewed the proposal. He encouraged everyone to at least read the last paragraph of the Architect's proposal. Commissioner Raudebaugh explained to the Board that at the last site meeting with Primo, Commissioner Pontius questioned whether or not the conversion should be done. Commissioner Raudebaugh reported that he had signed off on the conversion and Commissioner Pontius had not, so the subject was being brought to the Board for a decision. Chair Wheeler recapped the issue and said the conversion would make the ladies restroom a unisex restroom equipped as a handicap shower which in turn would eliminate the bench in the men's room and allow for more room in the shower area. He went on to say that each restroom would be equipped with the proper hardware and the bench would be stored on the premises for the future if needed. Commissioner Pontius said the decision should be referred back to the Station Committee. Discussion followed. Commissioners Wheeler, Raudebaugh, Carmody and Morse agreed to proceed with the restroom conversion as proposed.

Med13 Interlocal Agreement/VFIS Response Chair Wheeler referred the Board to the FAX TRANSMITTAL from Jennifer York, our District's VFIS representative. Commissioner Pontius asked Obtinario if the insurance company understands that District 3 is the employer. D.S. Obtinario replied that the initial request for input on the 'hold harmless' topic specified such. Commissioner Pontius asked Chief what he thinks. Chief Kier stated he believes the answer to eliminate a 'joint liability' clause is strictly from an insurance payoff perspective. Commissioner Morse said he and Dist. #1 Commissioner Ed Davis believe the 'hold harmless' clause is on an inter-district basis, and believes if an outside party sues, the 'hold harmless' clause would have no bearing.

MOTION: Commissioner Morse moved to remove the joint liability clause from the proposed Interlocal Agreement. Commissioner Pontius seconded the motion. Discussion followed. Commissioner Wheeler said maybe there is a need to throw both clauses out if they don't mean anything. Commissioner Raudebaugh said he thinks both are needed. Commissioner Wheeler said he wants to have the insurance company review one more time and also ask what it would cost to have a separate policy for the MEDIC13 personnel and response vehicle. Commissioner Morse said the E911 User Group may see MED13 as a separate entity and would charge accordingly. Question was called. Chair Wheeler called for the vote. Commissioners Wheeler, Pontius, Carmody and Morse voted in favor of the motion. Commissioner Raudebaugh voted against the motion. The motion carried.

MED-NET Communication System Commissioner Morse asked who would pay for our own repeater repairs, and Chief Kier said we would be handling the repairs. Chief Kier went on to say that, first started out, the whole group would work on and pay for repeater infrastructure; however, the Port Townsend Police Chief said the City does not benefit, so would not participate; Chief said the Green Mountain Repeater would not assist Port Ludlow as is, but it might be worth a \$1000 to find out if the MED-NET could offer enhanced service. Chief explained that all agencies use the system, but each agency relies on certain repeaters within the overall system. Commissioner Pontius asked if we are a group, why are 3 districts and the hospital singled out? Chief asked if the Board would support a letter asking why we are being singled out and if being singled out, then stating we are not interested. Commissioner Morse said he does not support saying we would not participate, but prefers the letter to say we would work cooperatively with all the fire districts, the City of Port Townsend and the hospital. Chair Wheeler suggests Chief Kier write his response to David Goldsmith and Chief Kier said the letter requests the response be written to Bob Wilson, Chief of Fire District No.2, but he would copy Goldsmith. The Board agreed that Chief Kier should write a response as discussed.

Fessler easement/Cable TV Chief Kier explained that the backhoe operator working on Fessler's driveway ripped out the cable TV line at least 3 times. **MOTION:** Commissioner Raudebaugh moved to have Chief Kier write a letter to Michael Fessler asking him to repair the cable TV lines per Millennium's plan. Commissioner Morse seconded the motion. Discussion followed. Commissioner Raudebaugh said Millennium thought the fire district was responsible for the damages and would pay for the repairs, but he explained that the fire district is the adjacent property; Chief Kier said he also intends to send a letter of 'unsupport' for their repairman who barged into the office and was verbally abusive to Arlene; Commissioner Pontius said if the backhoe company did not call prior to digging, the backhoe company would be responsible for the repair costs. Question was called. Chair Wheeler called for a vote. The motion carried unanimously.

Thermal Imaging Camera Chair Wheeler said the \$5000 donated in Herb Stowe's memory has been authorized to go toward the thermal imaging camera and he said he would like to move forward to authorize the purchase by utilizing \$1500 from the Mitigation Fund with the balance coming from the \$10,000 designated for EMS Equipment in the Capital Plan. Commissioner Morse stated "So moved." Commissioner Pontius seconded the motion. Commissioner Raudebaugh initiated discussion by asking if there is enough money in the Mitigation Fund to cover the \$1500 and D.S. Obtinario replied yes. Question was called. Chair Wheeler called for the vote. The motion carried.

Burn Permits Chief Kier said he had mentioned burn permits at the last meeting and proceeded to circulate an extensive Decision Package titled Outdoor Burning. Chief Kier

summarized RULE BURNING as outdoor burning other than land clearing burning. He explained that, under the new laws, Rule Burning would be allowed 2 weekends in the fall and 2 weekends in the spring, according to the RCW; Olympic Air Pollution Control Authority (OAPCA) has the jurisdiction and all they are allowing would be a total of 8 days per year for Rule Burning. Chief Kier went on to state that in order to open up the burning to more than 8 days a year, the fire district would be required to enter into an interlocal agreement with OAPCA and the fire district would be required to issue burn permits. Chief Kier stated the easiest action to take would be to not get into the permit business. Commissioner Morse asked how much issuing burn permits would increase our liability. Chief said he is not a lawyer, but it is his understanding that anytime there is a special agreement there is liability. Chief referred the Board to his handout; stated that Clallam 3 had just begun to issue burn permits and the packet included a copy of their interlocal agreement with OAPCA for review. Chair Wheeler said if a permit is issued with proper instruction/direction, and a person does not abide by the rules, then the individual would be responsible, if the fire gets away. Chief Kier said his personal desire would be to not issue permits, but if we don't issue permits, people will burn anyway, and if we do issue permits, it is lots of extra work. Commissioner Carmody said if we don't allow burning, debris piles would be sitting around creating a hazard. Chief stated that OAPCA is the enforcing agency and the only time the fire district has authority, is during fire danger or an actual incident. Chief also stated that OAPCA plans to take over the burn permit process for the land clearing permits, but they don't know yet how or when. He stated that Clallam 3 issues year-round permits. Chief stated that burn barrels have been illegal since around 1978. Commissioner Pontius said the residential permits should be free, but the citizens should have to come in to get them. It was stated that the fire district may be incurring a little more liability if charging for a permit. Chief said that as of September 26th, all land clearing burns need to contact the OAPCA. He said that in the past, the DNR (Dept. of Natural Resources) permits stated the need for the contractor to telephone the local jurisdiction prior to lighting off the piles. Chief stated agriculture burn permits would still go through the DNR because agriculture is a silvaculture project. Chief asked the Board's approval to develop a format and permit similar to Clallam #3, but specify July, August, and September as standard, no-burn months and also restrict burning during pollution alerts and fire danger specific to the time. Commissioner Morse said many residents of the Ludlow Maintenance Commission desire to burn and they're trying to comply, so would appreciate a structured burn permit program. Chief said he believes OAPCA is going to handle the land clearing permits and not going to give the authority to the local jurisdictions. Chief said he does not intend for staff to inspect residential Rule Burn piles, but the permit issue process would ask the person, 'do you understand'.

MOTION: Commissioner Raudebaugh moved to write residential fire permits. Commissioner Pontius seconded the motion. Question was called. Commissioner Raudebaugh, Pontius, Carmody and Morse voted in favor of the motion. Commissioner Wheeler voted against the motion. The motion carried.

It was noted that Chief Kier would keep the Board informed regarding the status of land clearing permits.

Background Checks Chief Kier reported the Jefferson County Sheriff has discontinued doing background checks for fire districts. Chief Kier suggested 2 possible ways to handle the situation. He said that in the interim, he is going through the Washington State Patrol to get criminal background checks and he has applied to the WSP to be able to check the child molestation and older adults background checks. He said he could continue to do the WSP internet check or the District could retain a private investigator. He said the WSP is strictly Washington State data, where a private investigator could run background checks in all 50 states. Chief Kier explained he has a local resident, a private investigator by profession, who has offered to do background checks for the fire district free of charge. Chief Kier recommends the Board interview Mr. Roger Dunn, and if he works out, establish a formal agreement for background check service. Chief said it would be worth it to pay a fee or a retainer. Chair Wheeler mentioned that a lot of employers charge the employee for their own background checks. Chief Kier said Fire District #3 doesn't have that many people to process, so there shouldn't be a huge expense incurred. **MOTION:** Commissioner Morse moved to go with option 2, to have the Chief set up an interview by the Board of Mr. Dunn. Commissioner Pontius seconded the motion. Chair Wheeler said, that in light of the current events, he supports the concept. Chair Wheeler called for a vote. The motion carried unanimously.

Local 3811 Employment Contract PROPOSED Chief Kier reported that Local 3811 may have a proposal prepared for the next meeting.

BUDGET WORKSHOP PRELIMINARY REVENUE NUMBERS & Proposed Revised Capital Plan Chair Wheeler reviewed the preliminary revenue numbers; stated the property tax numbers came directly from County Assessor Westerman; and Westerman had not given the timber tax projections as yet for 2002 so the projections from 2001 were used for the purposes of completing the exercise. Chair Wheeler asked the Board to consider a recommendation from the budget workshop meeting to dedicate \$250,000 for fire emergencies and dedicate \$150,000 for EMS emergencies with a total of \$400,000 in reserve funds dedicated for emergency spending controlled by the Commission. Chair Wheeler went on to say that Fire District #3 hasn't had a resolution that stipulates a minimum reserve balance to be maintained at all times. Much discussion followed regarding fire property tax, current and previous years' property taxes; how the miscellaneous revenue is calculated, etc. Commissioner Raudebaugh explained his process for ensuring the payment of the bond prior to establishing the Chief's fire and EMS operations budget amounts. Chair Wheeler circulated a DRAFT resolution establishing the dedicated reserves which would be placed on the next

agenda for consideration. Chair Wheeler also circulated a revised Capital Plan for Board review.

Other Topics for Discussion and or Decision

Chair Wheeler expressed his desire to move forward with the purchase of a tender/pumper; said \$300,000 is dedicated in the Capital Plan for a new engine; had hoped to handle the purchase in 2001, but the \$300,000 was moved to 2002 because there is no realistic way to make the purchase in 2001. He said it is his goal to have District #3 attain a rating of a Class 5 or 4; he stated he wants to use the taxpayers' money for service now and would even prefer to purchase 1 unit outright and finance another instead of waiting until 2006 to purchase the second unit. Chair Wheeler said we have budgeted \$350,000 for a tender/pumper in 2006, but if the cost of financing the purchase now is less then waiting until an outright purchase in 2006, then he supports a purchase through the Washington State Treasurer's LOCAL program. Chair Wheeler circulated a printout from the State of Washington for discussion purposes only; stated that he had asked Obtinario to obtain the printout and had her ask the LOCAL program how much it would cost in interest to borrow \$300,000 for 5 years. He noted the interest rate to be at 4.5% with a total cost of interest at \$36,363, which would bring the cost of the second unit to \$13,637 less than waiting until 2006 to purchase the same unit. Chair Wheeler also stated that New York City's immediate apparatus needs may set other orders 3 to 4 years out. Commissioner Raudebaugh said the district is already in debt every year a little over \$106,000 and said we'll be hard pressed to get 6% and its going to be 1% to 3%. Chair Wheeler said he respects Commissioner Raudebaugh's financial management, because the fire district does actually have reserves now, but he believes tax dollars are meant to give the taxpayers service they want and the person who is paying for it now shouldn't have to wait 5 years before they receive service. Chair Wheeler said the taxpayer isn't getting the service for their tax dollars. Commissioner Raudebaugh asked to wait for the Chief's budget and to make guesses for 2003 before making any decision. Chair Wheeler said he is expressing his personal desires for the District and is asking for review and consideration by the Board.

Commissioner Pontius asked Chief Kier about projected health care benefit costs and Chief Kier said he's already cranked in a 12% increase over 2001, but after the health care workshop on October 11th, he should have better numbers to work with.

Commissioner Carmody reported the Beach Club, Cove Room, is available for the upcoming October 18th Jefferson County Fire Commissioners and Secretaries Association meeting. Generally, the Commissioners agreed to provide home-baked

goodies for the refreshment time and D.S. Obtinario said she would coordinate the utensil and beverage needs with the Beach Club staff.

Chair Wheeler reviewed the **Good of the Order; Questions and Answers** notes on the Agenda.

Chair Wheeler called for no **Executive Session**.


Chair Wheeler called for **Adjournment** at 9:30 p.m.

JEFFERSON COUNTY FIRE PROTECTION DISTRICT NO. 3

SIGNED: BY: 
Commissioner David L. Wheeler, Chairman

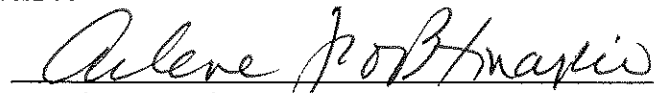
BY: 
Commissioner Roy Raudebaugh, Vice-Chair.

BY: 
Commissioner Robert Pontius

BY: 
Commissioner Eugene Carmody

BY: 
Commissioner Howard Morse

ATTEST:

By: 
Arlene F. Obtinario, District Secretary