

JEFFERSON COUNTY FIRE DISTRICT NO. 3

a.k.a. PORT LUDLOW FIRE & RESCUE

BOARD OF COMMISSIONERS

REGULAR MEETING MINUTES

January 11, 2005

CALL TO ORDER:

Chairman Commissioner Gene Carmody called the Regular Meeting of January 11, 2005, of the Board of Commissioners for Jefferson County Fire District No. 3, a.k.a. Port Ludlow Fire and Rescue, to order at 7:00 p.m. at Station 31 located at 7650 Oak Bay Road, Port Ludlow, Washington.

Commissioners present were Commissioner Eugene Carmody, Commissioner David Wheeler, Commissioner Robert Pontius, Commissioner Bill Hansen, and Commissioner Mike Porter. Also present were CFO/District Secretary Arlene Obtinario and Local 3811 President Lt. Wicus McGuffey.

Not Present: Chief Wayne Kier due to illness.

CALL for the FLAG SALUTE:

Chair Carmody lead the assembly in the Pledge of Allegiance to the Flag of the United States of America.

CALL for APPROVAL of the AGENDA:

Chair Carmody called for Approval of the Agenda. **MOTION:** Commissioner Wheeler moved to approve the Agenda as presented. Commissioner Hansen seconded the Motion. Chair Carmody called for discussion of the Motion. Question was called. Chair Carmody called for a vote on the Motion. The Motion carried unanimously.

CALL for APPROVAL of MINUTES:

Chair Carmody called for the Approval of the December 14, 2004 Regular Meeting Minutes **MOTION:** Commissioner Porter moved to approve the December 14, 2004 Regular Meeting Minutes as presented. Commissioner Wheeler seconded the Motion. Chair Carmody called for discussion. Question was called. Chair Carmody called for a vote on the Motion. The Motion carried unanimously.

CALL for PUBLIC COMMENT:

Chair Carmody called for Public Comment. There was no response.

FINANCIAL REPORTS:

Vouchers: Commissioner Carmody reported that he had reviewed the bills and they total \$37,245.47. **MOTION:** Commissioner Wheeler moved to approve payment of the vouchers totaling \$37,245.47 as presented. Commissioner Hansen seconded the motion. Chair Carmody called for discussion and questions. Question was called. Chair Carmody called for a vote on the Motion. The Motion carried unanimously.

Payroll: MOTION: Commissioner Hansen moved to approve the December payroll of \$72,940.15 paid on January 5. Commissioner Porter seconded the Motion. Chair Carmody called for discussion and questions. There were no comments. Question was called. Chair Carmody called for a vote on the Motion. The Motion carried unanimously.

Chair Carmody reviewed the Financial Status Reports and the Tax Collection Tracking Sheet dated December 31. Commissioner Wheeler interjected the statement that because hiring was put on hold when consolidation with North Kitsap and Jefferson #1 was under consideration, there is the availability to add an additional \$40,000 to the Early Bond Payoff Contingency Fund, which would ensure freedom from indebtedness in June 2008.

January 1, 2005 Unused Personnel Benefits

Chair Carmody conducted a review of the sick leave, vacation and comp time liabilities on the books as of January 1, 2005.

Ambulance Transport Patient Accounts Status:

MOTION: Commissioner Hansen moved to authorize charity write-offs for Patient No. 682 in the amount of \$490.00 and Patient No. 615 in the amount of \$34.10. Commissioner Porter seconded the Motion. Chair Carmody called for discussion of the Motion. It was noted that #682 produced 2003 IRS documentation showing annual wages of \$11,789, and #615 is deceased and Medicare and a secondary insurance had paid all but \$34.10. Question was called. Chair Carmody called for a vote on the Motion. The Motion carried unanimously.

PORT LUDLOW FIRE FIGHTERS ASSOCIATION:

Lt. McGuffey reported on behalf of the Association; stated the Association has received a \$1,000 donation as a result of Admiralty Condo fire thankfulness; the Association members voted to purchase a stainless steel barbeque for Station #31; and the purchase of new caps, jackets, and defib batteries is also planned.

LOCAL 3811:

President Lt. McGuffey asked to defer his report to Unfinished Business, Item A. Local 3811 Labor Agreement.

CHIEF'S REPORT:

Chair Carmody announced that Chief Kier was on sick leave; that Chief Kier had circulated his written report to the BOC prior to the meeting start and that anyone with questions or comments would need to contact the Chief.

SUB-COMMITTEE REPORTS:

ALS Update:

Chair Carmody stated the next meeting is set for March 15th, 7:00 p.m. at Station #31.

UNFINISHED BUSINESS

Local 3811 Labor Agreement:

Commissioner Wheeler reported that he was under the wrong opinion that the Union would give their desire for wages and benefits and then the BOC would determine how to proceed with negotiations.

President McGuffey said the Labor/Management Committee should be setting negotiation dates; establishing the negotiations committee; and that he thought the negotiations would be he as Local 3811 President, Manly as the Local 3811 Vice President with the Chief and a Commissioner representative. McGuffey went on to state that it is now his assumption that the BOC discussed in Executive Session the hiring of a labor attorney and the Board's decision to conduct such a hire was not announced in the open public meeting. McGuffey further stated there is no negotiations committee to meet with, so the Local cannot proceed.

Chair Carmody said no decisions were made so there was nothing to report in the open public meeting; strategy was discussed; there is a need to discuss the meeting dates; and there is a need to know McGuffey and Manly's available dates for meeting. Chair Carmody stated that probably the Local would be meeting with the Fire Chief, but if the Board is not comfortable, the Board would probably seek the help of a third party. Chair Carmody stated "No one has been contracted; no one has been hired; not there yet".

McGuffey stated that the Local wants the negotiations committee identified. Commissioner Wheeler said the BOC needs to identify who will speak for management; that in his opinion, Chief Kier hasn't seemed comfortable to do so; he does not feel any one Commissioner has the experience to conduct negotiations, so he needs to know exactly how the Chief wants to proceed. Chair Carmody said the Chief needs to be present and he will make contact with the Chief as soon as he is well.

Commissioner Hansen recommended that everything should be in writing so perceptions do not rule. Commissioner Wheeler asked if someone else would volunteer to sit on the labor committee because he has misunderstood two topics so far and stated that he feels that he is not doing a good job. Commissioner Porter said he is not volunteering but he believes the Chief wants to participate, but not necessarily conduct the negotiations.

McGuffey said he does not personally care which Commissioner serves on the Labor/Management Committee and stated there is written record of all meetings. He went on to say that, he does not think Commissioner Wheeler is doing a poor job because there is open discussion without fear of repercussion. Commissioner Hansen expressed that he prefers that Wheeler continue. Commissioner Pontius said that his thought, when the contract would be extended, that the package would stand static on December 31, 2004. McGuffey said that the Local voted to not enter into an extended agreement for 1 year and to go into negotiations immediately. Discussion

followed in an attempt to identify past timelines and discussions. It was agreed that Chair Carmody would contact Chief Kier as soon as he is well.

Policy Manual Re-Write:

Chair reported the 2000 series rewrite has been circulated and Commissioner Wheeler said the 5000 series and Policy No. 3640 are also in circulation.

Ambulance Transport Fees:

Commissioner Wheeler reported that he and Chief Kier attended a meeting with Jefferson #1 Commissioner Jess Bondurant, Chief Boggs and Assistant Chief Zehren as assigned to form a committee to review the current ambulance transport fees. Commissioner Wheeler referred to a written report from Chief Kier; stated the Fee Review Committee recommends using the 3.3% increase, that Medicare is willing to pay and to raise District 3's mileage rate from \$10 per mile to \$12. Commissioner Pontius asked if the mileage increase is recommended only because District 1 is doing it and asked if a 20% increase in the mileage fee could be justified; CFO Obtinario reported the 2005 IRS mileage rate has been set at 40.5 cents per mile, the largest IRS mileage increase in several years.

MOTION: Commissioner Wheeler moved to accept the Committee's recommendation. Commissioner Hansen seconded the Motion. Chair Carmody called for discussion of the Motion. Discussion followed. Question called. Chair Carmody called for a vote on the Motion. Commissioner Wheeler voted in favor of the Motion. Commissioners Pontius, Hansen, and Porter voted in opposition of the Motion. Motion fails.

MOTION: Commissioner Porter moved to increase the ambulance transport fees by 3.3% rounded off to the nearest dollar. Commissioner Hansen seconded the Motion. Chair Carmody called for discussion of the Motion. Commissioner Wheeler said that if the Board is not raising the mileage rate then, in his opinion, there needs to be a higher increase than the 3.3% so the taxpayers do not have to subsidize the insurance companies. Question was called. Chair Carmody called for a vote on the Motion. Commissioners Porter, Pontius, and Hansen voted in favor of the Motion. Commissioner Wheeler voted in opposition of the Motion. **Motion carried.**

Commissioner Pontius asked to have staff place the ambulance mileage rate subject on the next agenda and to produce a cost justification for raising the mileage rate from \$10 to \$12.

Re-schedule Strategic Planning Workshop:

Chair Carmody will set a meeting when Chief Kier is healthy; Commissioner Wheeler said the Union wants to participate; and Commissioner Hansen and Local 3811 President McGuffey voiced agreement.

Fire Chief & CFO/District Secretary 2005 Wages/Benefits:

Motion: Commissioner Wheeler moved to approve Fire Chief Wayne Kier's 2005

salary to \$78,000 per year. Commissioner Porter seconded the Motion. Chair Carmody called for discussion of the Motion. Question was called. Chair Carmody called for a vote on the Motion. The Motion carried unanimously.

Motion: Commissioner Wheeler moved to approve Chief Financial Officer/District Secretary Arlene Obtinario's 2005 salary to \$44,000 per year. Commissioner Porter seconded the Motion. Chair Carmody called for discussion of the Motion. Question was called. Chair Carmody called for a vote on the Motion. The Motion carried unanimously.

Other Unfinished Business:

Chair Carmody called for additional Unfinished Business and there were no responses.

NEW BUSINESS

Seminars/Meetings:

Chair Carmody reviewed the Meetings and Seminars listed on the Agenda. Commissioners Carmody and Pontius expressed intent to attend the February 10th WFCAs Legislative Workshop/Reception in Lacey/Olympia; Commissioner Pontius said he is attending the March 2 – 4th NW Leadership Seminar in Portland, Oregon; Commissioner Pontius said he is attending the Snure Seminar; and Commissioner Hansen reported that he is conducting a parliamentary procedure seminar for the WFCAs Saturday Seminar program this year.

Other **NEW BUSINESS:** Chair Carmody called for other New Business.

[1] **MOTION:** Commissioner Wheeler moved to transfer \$40,000 to the Early Bond Payoff Contingency Fund. Commissioner Pontius seconded the Motion. Chair Carmody called for discussion of the Motion. Question was called. Chair Carmody called for a vote on the Motion. The Motion carried unanimously.

GOOD OF THE ORDER; QUESTIONS & ANSWERS: nothing specific.

Executive Session:

Commissioner Wheeler asked for an Executive Session to review the performance of a public official. Chair Carmody called for an Executive Session at 8:25 p.m. for 5 minutes. CFO/DS Obtinario was invited to stay for the Executive Session.

Call back to ORDER:

Chair Carmody called the Regular Meeting back to Order at 8:30 p.m. Chair Carmody stated no action to be taken.

ADJOURNMENT: There being no further business, Chair Carmody called for adjournment at 8:31 p.m.

JEFFERSON COUNTY FIRE PROTECTION DISTRICT NO. 3

SIGNED:

BY:


