

**Whatcom County Fire District #21  
Station 61 – Blaine  
9408 Odell Street, Blaine WA 98230  
1:00 pm  
October 17, 2019  
Regular Board of Fire Commissioners Meeting**

**CALL TO ORDER**

Vice-Chairman Ansell called the regular Whatcom County Fire District #21 Board of Fire Commissioners meeting for October 17, 2019, to order at 1:06 p.m. at Station 61 – 9408 Odell Street, Blaine, WA 98230.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Attendees: Vice-Chairman Bruce Ansell; Commissioners Larry McPhail and John Crawford; Interim Fire Chief Joe Noonchester; Division Chiefs Jason Van der Veen and Herschel Rostov; Attorney Seth Wilson.

Chairman Bosman was previously excused from this meeting.

Commissioner Berkeley was not excused from this meeting.

**PUBLIC COMMENT**

- None

**APPROVAL OF CONSENT AGENDA**

1. Meeting Minutes
  - a) August 14, 2019 – special
  - b) August 15, 2019
2. Staff Reports – Chiefs / Operations / Training / Fire Marshal / Prevention
3. Financial Report / Revenue
  - a) Total Revenue – September \$189,776.72
  - b) Total Expenditures – October \$839,917.01
4. Voucher / Payroll / Benefits
  - a) NWFR Employees Direct Deposit Payroll: \$322,296.23
  - b) Benefits Voucher: \$387,898.93
  - c) Monthly Expenditure Voucher: \$128,532.40
  - d) Capital Projects Facilities Voucher: \$19,801.25
  - e) Capital Projects Apparatus Voucher: \$3,272.19

**MOTION:** Commissioner McPhail moved to approve the Consent Agenda as presented. The motion was seconded by Commissioner Crawford and approved 3-0.

#### **NW FIRE COMMISSIONER MONTHLY REPORTS**

- **County Fire Commissioner Meeting:** Commissioner Crawford attended the WHAT-COMM meeting held on Thursday, October 3, 2019, at the Fireplace Room in the Municipal Court building. Due to the absence of certain key members, there was no discussion regarding splitting dispatch. The next WHAT-COMM meeting will be scheduled for early in 2020. Commissioner Crawford may become a representative on the WHAT-COMM board.
- **First-In Training and Education (FITE) Program:** Commissioner Crawford provided information on a program that provides an opportunity to high school students who may want to experience and possibly pursue a career in either the fire service, emergency medicine or the military. Commissioner Crawford has been asked to be a part of the advisory board of the FITE program. Currently, Meridian and Bellingham high schools are participating in the program. The organization is currently seeking donations for fire service gear and/or tools.
- **District Health Care Committee:** Vice-Chairman Ansell attended the recent Health Care Committee meeting on Tuesday, October 15, 2019. Every year the committee meets to review the various health care programs and then provides a recommendation to the district.

The district has been self-insured since 2010 which is fast becoming a strain on finances. The committee has recently met with four health care vendors and is currently waiting on quotes from all vendors before reconvening to review the programs. The goal of the committee to find an economical alternative without reducing health care benefits or coverage.

Vice-Chairman Ansell applauded the committee for their efforts and diligence to find a plan that best fits the district's needs.

- **Contract Negotiations:** Vice-Chairman Ansell noted that the contract negotiations committee has not met in the past month, although work continues behind the scenes. The next meeting is scheduled for Tuesday, October 22, 2019.

#### **IAFF LOCAL 106 NW MONTHLY REPORT**

- None

#### **LEGAL ISSUES**

- **Commissioner Unexcused Absences:** Vice-Chairman Ansell reported that Commissioner Berkeley has not attended nor been excused for the past three

regularly scheduled NWFR Board meetings. To date, Commissioner Berkeley has missed twenty-five meetings during his term.

During the NWFR Board Meeting held on Thursday, September 19, 2019, the Board had discussed and agreed to send Commissioner Berkeley both a certified and regular correspondence alerting him to statute RCW 52.14.050 and the consequences of his unexcused absences. Commissioner Berkeley has not responded nor has either letter been returned from the postal service.

Vice-Chairman Ansell reviewed RCW 52.14.050:

*“Vacancies on a board of fire commissioners shall occur as provided in chapter 42.12 RCW. In addition, if a fire commissioner is absent from the district for three consecutive regularly scheduled meetings unless, by permission of the board, the office shall be declared vacant by the board of commissioners. However, such action shall not be taken unless the commissioner is notified by mail after two consecutive unexcused absences that the position will be declared vacant if the commissioner is absent without being excused from the next regularly scheduled meeting. Vacancies on a board of fire commissioners shall be filled as provided in chapter 42.12 RCW.”*

Mr. Berkeley will be contacted by the district notifying him that he is no longer a North Whatcom Fire and Rescue Commissioner. He will also be requested to return any district property including his commissioner laptop.

Attorney Seth Wilson noted that the Board has the option to fill the position for the remainder of the term although there is a ninety day time limit. It was noted that since Mr. Berkeley's position is up for reelection, a newly elected commissioner will fill the position before the ninety-day time limit.

**MOTION:** Based on RCW 52.14.050, Commissioner McPhail moved that Mr. Berkeley's fire commissioner position be officially vacated effective Thursday, October 17, 2019. The motion was seconded by Commissioner Crawford and approved 3-0.

## **UNFINISHED BUSINESS**

- **Master Plan:** Chief Noonchester provided an update regarding the progress of the district master plan being conducted by Emergency Services Consulting International (ESCI).

ESCI will be conducting district site visits from October 28-30, 2019. The visits will also include station tours. Vice-Chairman Ansell will contact Chairman Bosman regarding attending the ESCI meeting time set aside for the commissioner. The goal is to have the completed master plan presented to the Board by the end of the year.

- **Paramedic Consortium:** Chief Van der Veen provided an update regarding the paramedic consortium. The two district members participating have been formally enrolled in Bellingham Technical College. Classes begin in January, 2020. Currently, both members are participating in study groups to prepare for the program.

Vice-Chairman Ansell inquired whether a formal agreement has been drafted confirming how the district will be reimbursed for backfilling the two firefighter positions. Chief Noonchester has received a written confirmation on how and the amount the EMS program will reimburse the district. It is expected that a formal contract will be signed in November.

The Board requested to see the contract at the November Board meeting.

- **Interlocal Agreement with the City of Blaine for Fire Marshal Services:** Chief Rostov provided information regarding the interlocal agreement with the City of Blaine for fire marshal services. The process will consist of two pieces; an ordinance which will declare fees and code update language including the district's ability to handle operational permits and collect fees; a written contract for services agreement. Chief Rostov will continue to meet with the City of Blaine to move the process forward.
- **Ambulance Purchasing Process:** Chief Van der Veen announced that the new TriVan aid unit will be delivered to Birch Bay Station 63 on either Friday, October 18, 2019, or Monday, October 21, 2019. It will take some time for the new aid unit to be evaluated.

Currently, the majority of the district aid units have a significant number of miles, with maintenance costs rising.

The district has also posted a bid process for two or more additional ambulances. Chief Van der Veen will be contacting manufacturers and providing them with spec information.

After reviewing the current Capital Facilities Plan, and receiving unanticipated revenue from Ground Emergency Medical Transportation Program (GEMT), Vice-Chairman Ansell questioned if the district should consider purchasing more than two aid units since the cost will not impact the budget.

Chief Van der Veen noted that additional apparatus can be ordered off the same bid provided that the district follows a specific timeline. Commissioner McPhail expressed his concern about eventually having to replace all four apparatus at the same time. Further discussion is expected, possibly during the December 19 meeting.

Once ESCI has completed the master plan, there will be a clearer direction regarding which district apparatus to surplus.

- **Interlocal Agreement with Fire District 4:** Chief Noonchester noted that the two districts have been participating in a functional consolidation since June 2011. The District 4 Board of Fire Commissioners are interested in investigating a full merger with North Whatcom Fire and Rescue.

Recent annexations in District 4's area by the City of Bellingham is a part of the reason for considering a full merger. There is no significant commercial property left in District 4's area which is the bulk of a tax base. The current annexation includes Britton Loop Station 12, including the admin building and training grounds. Chief Noonchester stated that as their district continues to shrink, it may be an opportune time to explore other options. Operationally it makes the most sense to pursue a full merger since both districts work well together. Chief Noonchester further noted that if the two districts separate, it would impact staffing significantly and take some time to separate.

In addition, Chief Noonchester announced that the district desires to create a training consortium at the Britton Loop Station 12 campus, which would also include South Whatcom Fire Authority and Bellingham Fire Department. The consortium would benefit the entire fire service in this area and may prove to be a revenue source for the district.

The District 4 Board authorized Chief Noonchester to approach the District 21 Board to possibly pursue a full merger.

Vice-Chairman Ansell requested clarification regarding the necessary steps. Attorney Seth Wilson stated that if both parties decided to move forward, the District 4 Board would pass a resolution stating their interest and desire to move forward with an election to merge. It would then be reviewed by the District 21 Board and if approved, would move on to the election phase and ultimately be voted on by the District 4 citizens, where it would need a simple majority to pass. Attorney Seth Wilson noted that for taxing purposes the district boundaries need to be set by August 1, each year.

Upcoming special elections include February 11, 2020, and April 28, 2020. If a merger was approved, the regular fire levy rates would be blended and set for the first year, to be collected in 2021. Following the first year, the district could request the one percent increase or a levy lid lift. The current District 4 EMS levy would be eliminated.

Vice-Chairman Ansell stated that the annexation issue may ultimately result in District 4 not being able to meet their twenty-five percent of the total District 21

budget obligation, which will in turn would impact District 21's ability to conduct business. If the two districts separate, District 4 would need to revert to a lower staffing model. Vice-Chairman Ansell is concerned about the potential negative impact regarding staffing.

Vice-Chairman noted that once completed, the master plan being conducted by ESCI may assist with the ultimate direction of the Board. Vice-Chairman Ansell concluded by stating that ultimately, merging with District 4 may be the right thing to do however, the Board needs to ensure that it will be fiscally sustainable for District 21 in the future.

With assistance from legal and the Whatcom County Treasurer's Office, Chief Noonchester agreed to put together a fact sheet to answer questions regarding how and what a merger would look like including potential impacts on both districts. The information will be made available to the commissioners before the next meeting. The goal will be to make a decision by the end of the year.

## **NEW BUSINESS**

- **Resolution 2019-08 Cancellation of Warrants:** Chief Noonchester provided information regarding the Cancellation of Warrants.

**MOTION:** Commissioner McPhail moved to approve Resolution 2019-08 Cancellation of Warrant. The motion was seconded by Commissioner Crawford and approved 3-0.

Due to the recent fraudulent check-cashing scheme, Vice-Chairman Ansell requested that finance explore developing a paperless process for vendor payments in the future. Chief Noonchester noted that the district currently completes payroll through direct deposit and will investigate the possibility of a paperless process for vendors.

- **Self-Contained Breathing Apparatus (SCBA):** Chief Van der Veen provided a follow-up from a past Board meeting regarding the status of the district's current SCBA's along with a bid specification for a future purchase of eighty SCBA's. The cost will not exceed \$500,000.

Several payment options were discussed including utilizing funds from reserves, GEMT monies, splitting the cost, or a possible payment plan with the vendor.

Chief Van der Veen expressed his appreciation for all the hard work Lieutenant Kevin Biery has put into this project.

The Board directed Chief Van der Veen to move forward with the bid process.

- **Distribution of Mitigation Funds:** Chief Noonchester provided information regarding the amount of funds in the mitigation account along a timeline of when those monies need to be spent. Historically, the district has used the funds to pay a portion of the Birch Bay Station 63 ladder truck loan.

In addition, Chief Noonchester provided data from the district's capital facilities plan regarding which apparatus was targeted to be replaced and the timeline. Attorney Seth Wilson noted that mitigation monies can be spent on items identified in the capital facilities plan.

Chief Noonchester requested authorization to replace the maintenance shop truck (AP305) and one command vehicle (AP009), both of which have high mileage and are past due to be replaced, as per the capital facilities plan.

Chief Noonchester will provide amounts and a timeline for replacing both vehicles during the next meeting.

- **Ground Emergency Medical Transportation Program (GEMT) Payment:** GEMT is a voluntary Certified Public Expenditure based program that provides supplemental cost based payments to eligible providers that render GEMT services to Medicaid enrollees. For qualifying agencies, the supplemental payments cover the funding gap between a provider's actual costs per GEMT transport and the allowable amount received from Medicaid and any other sources of reimbursement.

Chief Noonchester announced that he received notification that a supplemental GEMT payment (\$339,852.48) will be made within sixty days for the fiscal year 2018. It is expected that the entire payment for the fiscal year 2019 will be made on May 2020.

## **POLICIES & PROCEDURE**

- None

## **CORRESPONDENCE**

- Bellingham Herald article re: Woman found deceased in a submerged vehicle
- Northern Light article re: Woman found deceased in a submerged vehicle
- Northern Light article re: Woman found deceased in a submerged vehicle found to be an accident
- Bellingham Herald article re: Gas siphoning
- Bellingham Herald article re: Semi accident
- Bellingham Herald article re: Toad Lake boat capsizes
- The Responder: District newsletter, October issue

## **ANNOUNCEMENTS**

- **Bellingham Fire Department Ariel Truck:** Chief Noonchester announced that the City of Bellingham has a reserve aerial truck that they would like to swap for an older district fire engine that will be utilized during training. Chief Van der Veen will investigate.
- **District Barbeque:** Chief Noonchester provided information regarding a district barbeque put on by all three chiefs and held at Delta Station 68 on Wednesday, September 25, 2019. The event was well attended.
- **November Work Session:** Commissioner Crawford will not be attending the November 9 budget study session.
- **November Board Meeting Attendance Query:** Chairman Bosman will not be attending the November meeting. All other Commissioners present are expected to attend the November 21 meeting.

## **PUBLIC COMMENT**

- None

## **AGENDA ITEMS FOR THE NEXT MEETING**

- Master Plan Update
- Paramedic Contract with Whatcom County
- City of Blaine Interlocal Agreement
- District 4 Interlocal Agreement
- Mitigation Fund Purchase
- Public Hearing for One Percent Increase

## **EXECUTIVE SESSION**

Vice-Chairman Ansell recessed the meeting for an Executive Session, *per RCW 42.30.110(g)* “to evaluate the qualifications of an applicant for public employment or to review the performance of a public employee.”

at 2:37 p.m. following a five-minute break until 2:55 p.m. Interim Fire Chief Noonchester, Division Chief’s Van der Veen and Rostov and Attorney Seth Wilson, remained for the executive session.

## **MEETING RECONVENED**

Vice-Chairman Ansell called the regular meeting back into open session at 2:53 p.m. Action will not be taken as a result of the executive session.

**SIGNING OF DOCUMENTS**

**ADJOURNMENT**

**MOTION:** There being no further business Commissioner McPhail moved to adjourn the meeting at 2:59 p.m. The motion was seconded by and Commissioner Crawford approved 3-0.

Respectfully Submitted by:

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Jennie Sand, Recording Secretary

**ATTEST:**

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Bruce Ansell, Vice-Chairman

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Larry McPhail, Commissioner

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John Crawford, Commissioner

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Chief Noonchester, Board Secretary