

**Whatcom County Fire District #21
4142 Britton Loop Rd, Bellingham, WA 98226
via Zoom Meeting
1:00 pm
May 21, 2020
Regular Board of Fire Commissioners Meeting**

CALL TO ORDER

Chairman Ansell called the regular Whatcom County Fire District #21 Board of Fire Commissioners meeting for May 21, 2020, to order at 1:10 p.m. via Zoom Meeting.

ROLL CALL

Attendees: Chairman Bruce Ansell; Vice-Chairman Rich Bosman; Commissioners Larry McPhail, John Crawford, and Scott Fischer; Fire Chief Jason Van der Veen; Division Chief Herschel Rostov; Attorney Richard Davis.

PUBLIC COMMENT

Due to Governor Inslee's Proclamation 20-28 issued during the evening of March 24, District 21 was prohibited from providing a location for the public to attend this meeting. Members of the public were able to hear the entire meeting via Zoom Meeting, except for executive session, but were not be allowed to speak or provide public comment.

APPROVAL OF CONSENT AGENDA

1. Meeting Minutes
 - a) April 26, 2020
2. Staff Reports – Chiefs / Operations / Training / Technical Support
3. Financial Report
 - a) Total Revenue – April \$1,981,616.34
 - b) Total Expenditures – May \$691,746.48
4. Voucher / Payroll / Benefits
 - a) NWFR Employees Direct Deposit Payroll: \$314,495.18
 - b) Benefits Voucher: \$202,854.60
 - c) Monthly Expenditure Vouchers: \$99,485.28
 - d) Monthly Expenditure Voucher (2): \$19,953.15
 - e) Capital Projects Apparatus Voucher: \$54,958.27

MOTION: Commissioner McPhail moved to approve the Consent Agenda as presented. The motion was seconded by Vice-Chairman Bosman and approved 5-0.

FIRE COMMISSIONER MONTHLY REPORTS

Whatcom County Fire Commissioner's Meeting: Commissioner Crawford announced that the Whatcom County Fire Commissioner's Meeting was canceled due to the COVID-19 pandemic. The next meeting is expected to be scheduled some time in July.

9-11 Dispatch Board Meeting: Commissioner Crawford noted the 911 Dispatch Board Meeting is expected to be scheduled for the end of June.

Board Chairman and Fire Chief Weekly Meetings: Chairman Ansell continues to meet with Chief Van der Veen weekly. Retired SWFA Fire Chief Ralston also attended some of the meetings. The group routinely discusses COVID-19 updates, operations and budget reviews. Chairman Ansell is also looking forward to meeting with the District 4 Board to review their budget status.

District Audit: Chairman Ansell noted that the district is in the process of their two-year audit. Both Chairman Ansell and Chief Van der Veen have scheduled a routine preliminary phone conference with the auditor to discuss any Board concerns along with district checks and balances.

IAFF LOCAL 106NW REPORT

No report.

LEGAL ISSUES

Attorney Richard Davis provided information regarding Governor Inslee's' update regarding COVID-19, which is expected to take place on May 31, 2020. It may be possible for the Board to begin meeting in person during upcoming meetings.

UNFINISHED BUSINESS

Dakota Creek Bridge: Commissioner Crawford spoke with Representative Luanne Van Werven on Tuesday, April 28, 2020 regarding the Dakota Creek Bridge weight restrictions and the impacts to district emergency response. Due to the COVID-19 pandemic impacts on their budget, the state has pushed the bridge repairs and/or replacement out to 2031, possibly further.

Chairman Ansell suggested forming a subcommittee, led by Commissioner Crawford to investigate the matter in more depth and report back any relevant information.

There was further discussion regarding how school buses navigate the bridge and if it could be an interim option for the district. Chief Rostov noted that he has already broached that option with the state some months ago which was rejected, citing that the district engines and tenders are too weighty to cross the bridge safely under any circumstances. Chief Van der Veen will forward all corroborating correspondence regarding the bridge crossing to Commissioner Crawford.

Prior to the COVID-19 pandemic, Chief Davidson had drafted a preliminary letter noting the districts delayed response concerns. Once completed, the letter can be forwarded to legislature, media, and key members of the community. Commissioner Crawford noted that Representative Luanne Van Werven also thought the letter was a good idea.

First Amendment to Intergovernmental Agreement (ILA) for Fire and Protection Services: Chairman Ansell noted that the District 4 Board had requested specific language changes to the ILA which were presented during the last meeting. Chairman Ansell stated that rather than dealing with frequent amendments, he suggested reviewing the entire document at one time.

The Board gave Chairman Ansell the authority to draft a letter to the District 4 Board requesting a formal document outlining their list of specific concerns regarding the interlocal agreement. The District 21 Board will then review their concerns and determine how they will respond.

A draft copy of the letter will be forwarded to Attorney Rich Davis for review before it is mailed to the District 4 Board.

District 4 Petition to Merge / Response Letter: Chairman Ansell noted that the District 4 Board had approved and forwarded a Petition to Merge with District 21 on December 18, 2019. The Board has yet to respond to their request, partly due to a concern regarding their permanent EMS Levy.

Attorney Richard Davis reiterated that he had contacted the Department of Revenue to discuss options for the District 4 EMS levy. They stated that the permanent levy would survive and may be applied to the entire merged district. The attorney met with the new assessor to discuss the query. He also verified the Department of Revenue's opinion.

Chairman Ansell noted that since the attorney's conclusion, there has been discussion regarding whether forming a regional fire authority (RFA) may be a better option.

Retired SWFA Fire Chief Ralston noted that in his experience, an RFA may be ultimately more beneficial for the district. There was further discussion regarding how an RFA could be approved and how taxes would be collected. A planning committee process would be established to review RFA funding and structure models to best meet the needs of the community.

It was decided to attempt to resolve the ILA issues before the district can move forward with more RFA in-depth discussions.

NEW BUSINESS

Resolution 2020-11 Cancellation of Warrant: Chairman Ansell stated the warrant had been issued to the wrong vendor.

MOTION: Commissioner Fischer moved to approve Resolution 2020-11 Cancellation of Warrant. The motion was seconded by Vice-Chairman Bosman and approved 5-0.

Attorney/Client Representation: Chairman Ansell requested information regarding District 21's legal representation. Attorney Richard Davis stated that he plans to continue to represent District 21 in legal matters.

Attorney Richard David noted that attorneys are bound to ethical rules of professional conduct which has made him withdraw from representing District 4 while certain ILA issues get resolved between the two agencies. Attorney Richard Davis further noted that he will not give advice regarding District 4 and if needed, the Board may need to hire outside counsel.

The Board expressed their appreciation to Attorney Richard Davis for his continued legal advice as well as his attendance at monthly board meetings.

Northwood Station 72 Technology Upgrade: Chief Van der Veen noted that he had previously queried the Board regarding updating Northwood Station 72 to be able to house full-time staff or administrators. Chief Van der Veen received a bid of \$10,340.00, which includes wiring the station and adding hardware to support work stations in the building. Chief Van der Veen noted that since the district already owns the station with no plans to sell, an alternative headquarter or back up option makes sense.

In addition, the Lynden Fire Department is potentially planning a major station renovation in the future and may request to house their crews at Northwood Station 72 for up to six months.

Chief Van der Veen requested formal approval to utilize monies from capital facilities to fund the project.

MOTION: Commissioner Fischer moved to authorize the Fire Chief to move forward with the technology upgrades to Northwood Station 72 not to exceed \$15,000. The motion was seconded by Commissioner McPhail and approved 5-0.

POLICIES & PROCEDURE

0100.1101.00 Public Records: Chairman Ansell noted that the only change to the Public Records policy is to update the district's public records officer designation.

MOTION: Commissioner Crawford moved to approve Policy 0100.1101.00 Public Records as presented. The motion was seconded by Vice-Chairman Bosman and approved 5-0.

CORRESPONDENCE

- Bellingham Herald article re: Toad Lake drowning
- Bellingham Herald article re: Bellingham apartment fire
- Northern Light article re: Salute to medical first responders
- Northern Light article re: Birch Bay car fire
- Anonymous: Thank you for services
- The Responder: District newsletter, May issue

ANNOUNCEMENTS

June Regular Board Meeting Attendance Query: All Commissioners are expected to attend the June 18 meeting which will either be held at Odell Station 61 or via Zoom Meeting.

The Board agreed to purchase flowers to send to the family of former Bellingham Fire Department paramedic and Interim Fire Chief Roger Christensen, who recently passed away.

AGENDA ITEMS FOR THE NEXT MEETING

- Whatcom County Paramedic Training Interlocal Agreement
- City of Blaine Fire Marshal Services
- Dakota Creek Bridge
- Missing Commissioner Laptop
- 2019 Budget Amendment

EXECUTIVE SESSION

Chairman Ansell recessed the meeting for an Executive Session, per *CW 42.30.110(1)(i)* *To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation to which the agency, the governing body, or a member acting in an official capacity is, or is likely to become, a party, when public knowledge regarding the discussion is likely to result in an adverse legal or financial consequence to the agency.*

at 2:00 p.m. for at least one hour until 3:00 p.m. Chiefs Van der Veen and Rostov, Attorney Richard Davis and Dave Ralston remained for the executive session. Action is not expected to be taken.

MEETING RECONVENED

Chairman Ansell called the regular meeting back into open session at 3:06 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 3:07 p.m. The motion was seconded by Commissioner Fischer and approved 5-0.

Respectfully Submitted by:

Jennie Sand, Board Secretary

ATTEST:

Bruce Ansell, Chairman

Rich Bosman, Vice-Chairman

Larry McPhail, Commissioner

John Crawford, Commissioner

Scott Fischer, Commissioner

Jason Van der Veen, Fire Chief