

**Whatcom County Fire District #21
Whatcom County Fire District #4
RFA Planning Committee
via Zoom Meeting
1:30 pm
March 29, 2021
Special Joint Board of Fire Commissioners Meeting**

CALL TO ORDER

Chairman Bruce Ansell called the joint special Whatcom County Fire District #21, Whatcom County Fire District #4, and North Whatcom Regional Fire Authority Meeting for March 29, 2021, to order at 1:33 p.m. via Zoom Meeting.

ATTENDEES

Chairman Bruce Ansell, Vice-Chairman Rich Bosman, Commissioner Scott Fischer, Fire Chief Jason Van der Veen; Division Chief Shaun Ward, Attorney Richard Davis.

District 4: Chairman Dave Hanson, Commissioners Harry Andrews, and Mark Lann, Attorney Joseph Quinn, District Administrator/Board Secretary Kris Parks.

Other: Consultants Karen Reed and Heather Logan; Local 106 NW Representatives Kenneth Cunningham and Scott Brown.

Commissioners John Crawford and Kimberly McMurray were excused from this meeting.

1. WELCOME AND INTRODUCTIONS

Consultant Karen Reed welcomed the group. Although there is not an opportunity for public comment, the public is encouraged to provide comments, ask questions, or voice concerns via the email link on both District websites.

2. REVIEW OF AGENDA

Consultant Karen Reed pointed out that the agenda would be limited to trying to resolve the issues that District 4 brought forward last week and to determine if the RFA can continue to move forward beyond this point.

In addition to focusing on resolving the RFA issues, Karen Reed mentioned that there is a potential for an executive session if needed.

Karen Reed pointed out that to stay on track for the August ballot, there are approximately two weeks remaining to wrap up the proposed RFA Plan and develop the second round of public outreach messages. It will be important for both Districts to present a strong and united front for the RFA Plan to the communities that each District serves.

3. APPROVAL OF MEETING MINUTES

All committee members have reviewed the minutes.

MOTION: Commissioner Fischer moved to approve the March 23, 2021 minutes. The motion was seconded by Commissioner Andrews and approved 6-0.

4. UPDATES

Website: Chief Van der Veen noted that there were no updates.

Election Consultant: Chief Van der Veen, along with Consultants Karen Reed and Heather Logan recently met with Election Consultant Kris Faucett. A contract is currently in development. It is expected that Kris Faucett's services will be utilized in the near future.

Commissioner: Chairman Ansell announced that he recently partook in a thirty-minute phone conversation with a District 4 community member regarding the RFA. The community member was referred to Chairman Ansell by District 4 Commissioner Hanson. The community member requested background information on the RFA process and expressed concern regarding any level of service changes if the RFA moves forward. Chairman Ansell invited the community member to watch today's meeting and guided her to the RFA website.

Commissioner Hanson talked with the same community member.

Commissioner Andrews had a similar conversation with another District 4 resident.

5. RFA PLAN ISSUES TO BE RESOLVED PER REQUEST OF DISTRICT 4 AS CONVEYED BY EMAIL TO CHAIRMAN ANSELL FROM ATTORNEY JOSEPH QUINN ON MARCH 23, 2021.

Consultant Karen Reed noted that District 4's concerns included the Human Resources Director, Finance Director (Business Manager), and the RFA Board composition.

Karen Reed expressed hope that the group could agree on how these issues will be resolved, identify any other major issues that have not been previously presented, confirm whether the group is comfortable collectively to continue the RFA process, or if a decision will be made to end the joint work. Karen Reed noted that one or both boards may require additional time outside of this meeting to make a decision. Either board can hold a special meeting prior to the next meeting scheduled for Thursday, April 1, 2021, at 10:00 a.m.

Commission Lann requested to see the email sent by Attorney Joseph Quinn. Chief Van der Veen forwarded the email to Commissioner Lann.

Chairman Ansell expressed his concern that a District 4 commissioner had not seen Attorney Joseph Quinn's email sent to District 21 on their behalf since the District 4 Board had directed their attorney to respond in writing during their special meeting held on March 23, 2021.

Karen Reed cautioned the group regarding discussing individual employees while in open session and invited either attorney to interject if needed.

Karen Reed requested that District 4 begin the discussions by summarizing their issues and concerns raised in Attorney Joseph Quinn's correspondence.

Staffing:

Commissioner Hanson stated that the District 4 Board had dismissed their concerns regarding filling positions and naming personnel on the organizational structure for the RFA. The District 4 Board is requesting that the sensitive, high-risk positions such as Human Resource Manager if hired in the future, or Business Manager when the current employee retires, is filled using an updated job description matching the position, including updated educational requirements, approved by both boards. They are also requesting a hiring process that is fair and equal for both positions. Commissioner Hanson did state that District 4 believes it is the Chief's job to fill his staff positions.

Initially, the District 4 Board was looking at the transferring of personnel over to the RFA differently, resulting in the false assumption that an employee with the same background and work experience would automatically move into an open similar position. Attorney Joseph Quinn has since educated the District 4 Board. Commissioner Hanson also had a beneficial conversation with Local 106 representative Kenneth Cunningham. Commissioner Hanson stated that he thought Kenneth Cunningham had contacted Chairman Ansell and Chief Van der Veen regarding their conversation and that this particular issue had been resolved.

Commissioner Andrews wanted the public to be aware that the District 4 Board is in favor of the RFA.

Commissioner Lann, being the newly appointed District 4 Commissioner, stated that he is looking at the RFA Plan with a fresh pair of eyes and may have additional questions. Commissioner Lann shared that he is absolutely in favor of the RFA. He believes that governance redundancy is unnecessary, and it is beneficial to eliminate a level of bureaucracy. Commissioner Lann does not believe that a board should be able to tell the community what is best for them.

Commissioner Lann noted that he has read all the previous RFA notes and watched all the streamed meetings including the recent RFA work session. He questioned how he could explain to the District 4 customers, that this is the most beneficial alternative. He believes if the RFA was in the best interests of all, the alternative information requested during the last meeting should be easy to obtain. He stated that he still has questions but does want to find a way to make the RFA work.

Commissioner Hanson stated that the District 4 Board is looking for an agreement on the process for filling any position, with the exception of the Administrative Assistant to the Fire Chief, in which they have no interest. The District 4 Board desires to have job descriptions and a hiring process in place for crucial positions that deal with legalities and liability, although ultimately, they understand that it is the Chief's decision who is selected. Commissioner Hanson stated that the District 4 Board has a lot of respect for Chief Van der Veen.

Chairman Ansell requested clarification regarding the District 4 Board's expectations regarding a process since they also stated that the decision is ultimately made by the fire chief.

Commissioner Hanson stated that the personnel issue was initially brought up when Chief Van der Veen stated that he would be opening up an application process for the Business Manager's position when the current person retires. Initially, he thought two commissioners from each District would be part of the hiring process. He has since rethought that position, as it is not part of governance unless a fire chief was being selected. Commissioner Hanson noted that he had not understood how the District 4 employee would fit into the RFA but is now clear.

Commissioner Hanson noted that the District 4 Board expects to see an outside assessment center for the high-risk Human Resource and Finance positions. They also require updated job descriptions including specific requirements such as background and education, approved by both boards.

Karen Reed attempted to encapsulate the District 4 Board's concern regarding the Human Resources Director (*not a current position*) and Business Manager's position. It is the fire chief's decision who is hired, the Commissioners do not need to be part of the hiring panel, however, the board will need to approve the job descriptions, set educational requirements for both positions, and require the use of an outside assessment center.

Commissioner Hanson agreed, further noting that the RFA Board would approve the job descriptions for those positions since they would most likely not become vacant until after the formation of the RFA.

Karen Reed asked whether the District 4 Board expects to rehire for all positions once the RFA is established. Commissioner Hanson stated that the District 4 Board is not looking to rehire any current positions outlined in the organizational chart since the employee placement has already been decided by the fire chief. Commissioner Hanson stated that it is important that the fire chief make those selections based on the qualifications for the positions.

Karen Reed voiced her uncertainty regarding Commissioner Hanson's response. Karen Reed stated that it sounds like the District 4 Board wants board approval for all job descriptions and educational requirements on the RFA organizational chart and then make an employee selection through a process to meet those conditions. Commissioner Hanson noted that he was only referring to the two previously mentioned positions.

Karen Reed questioned if the District 4 Board wanted the current Human Resource Assistant and Business Manger positions to go through a re-hiring process. Commissioner Hanson stated that the District 4 Board is requesting that the fire chief develop a job procedure, including qualifications and if there is an in-house candidate that meets the requirements then there would not be a need to look outside. Commissioner Hanson stated that the fire chief had discussed this course of action in the past.

Chief Van der Veen stated that he believes Commissioner Hanson desires to have all job descriptions reviewed by the Board, which is current District 21 policy. Chief Van der Veen noted that all job descriptions do need to be updated and it is his policy to continue to have all job descriptions reviewed by legal and the Board to enable transparency and remain defensible to the community. Only in the event of a vacancy will a transparent process

including an assessment center be initiated. Commissioner Hanson concurred and thanked Chief Van der Veen for his clarification.

Commissioner Hanson noted that if the RFA moves forward, a Human Resources Manager (*new position*) will be needed. Both the HR Assistant and Business Manager will continue in their positions. Commissioner Hanson clarified that only in the case of a vacancy or creation of a new position would there be a need for a hiring process.

Chairman Ansell stated that he understands the intent however, the last official written communication from the District 4 Board included requiring a hiring process with two commissioners from each board along with a neutral party. Commissioner Hanson noted that that request has been withdrawn and is not the desired direction of the District 4 Board.

Commissioner Lann noted that when he initially met with the two District 4 Commissioners, his input included wanting to open the discussion to see if it made sense that whatever the hiring process, it was open, transparent, and competitive, allowing the RFA to be involved in current, contemporary and professional HR practices. He further stated that he would rely on the fire chief and higher professional staff to deal with the details. Commissioner Lann's guidelines included remaining competitive, impartial, professional, and transparent.

There were no other comments or concerns raised regarding the staffing proposal.

Governance

Currently, District 21 has a Board of Commissioners consisting of five, and District 4 has a Board of Commissioners consisting of three. All governance would remain as RFA interim board members.

Commissioner Lann questioned why a new entity, made up of two organizations would not have equality in representation of the decision-makers. Why would there not be equal voices at the table?

Chairman Ansell responded stating that the governance portion of the RFA Plan had been previously discussed and an agreement had been made. Chairman Ansell voiced his frustration regarding educating a new commissioner and revisiting topics previously covered and agreed upon so close to the deadline. Chairman Ansell stated that previous discussions centered around bringing all eight board members into the RFA. It was noted that some board members have conveyed that they may not desire to be a commissioner in the future and some positions from either District would be eliminated through attrition. The RFA Board threshold was set at five members to be elected by the public at the next available election, staggering two, four and six-year terms.

Chairman Ansell questioned which commissioner positions from District 21 would be eliminated if the Interim RFA Board went to three commissioners from each District.

Consultant Karen Reed noted that if the RFA was formed in January 2022, the permanent five at large Board of Commissioners would be elected during the November 2023 ballot and begin their terms in January 2024. Any Commissioners elected before the November 2023

ballot would serve on the transition board until December 31, 2023. Commissioners will be elected in odd years.

Commissioner Hanson noted that the District 4 Board has no concerns having a five (D21) and three (D4) board of commissioners as long as there are some provisions made. Their concern includes District 21 Commissioners having the ability to make all the decisions for District 4 customers. District 4's number one priority will continue to be their customers. As the RFA grows, both Districts will blend, and territory issues will diminish. District 4 does not want anyone to step off the board because they want three board members from each District on the RFA transitional Board.

Commissioner Hanson proposed that a plan could include a provision stating that any resolution or motion of the RFA Board shall require at least one vote cast by the member of each former District Board for approval. The intent would be to ensure that the District 4 citizens have a voice and allow the District 4 Board to promote the RFA. Commissioner Hanson noted that the provision will be eliminated once the permanent RFA Board is elected.

Commissioner Hanson stated that most of the District 4 concerns stem from the draft RFA Plan that Karen Reed had disseminated. Commissioner Hanson noted that it would be a slow process to review and update all the policies and procedures that District 21 has in place. Ultimately, they will need to be approved and adopted by the new RFA Board to ensure that they are in the best interests of District 4's area and community.

Commissioner Lann questioned why equal representation would create anxiety for the District 21 commissioners.

Chairman Ansell answered noting that there is a trust issue with the District 4 Board. Chairman Ansell stated that it sounds like a line is being drawn, and it has been insinuated that former District 21 members only care about their constituents, which is not correct. Chairman Ansell spent a half-hour on the phone with the District 4 constituent reassuring her that the goal of forming the RFA is to ensure she can have service to the brand-new house she is building on Lake Whatcom. Chairman Ansell noted that he is mildly offended that the District 4 Board thinks they will be making decisions that are not in the best interest of all members of the community.

Commissioner Hanson noted that past history with the District 21 Board also includes trust issues. He further stated that the District 21 Board has procedures that are not always followed. The District 4 Board needs to know that they are not stepping into a larger issue by adopting how District 21 has always done business, which he admitted that the District 4 Board is just as guilty. Commissioner Hanson stated that it will take time and trust-building to move through the growing pains.

Commissioner Hanson stated that this is a governance issue and the District 4 Board fully supports Local 106 and the rank and file.

Commissioner Hanson indicated that it would be a sad day if the District 21 Board was willing to end the RFA process because they didn't want to have equal representation for the communities.

The District 4 Board is in favor of equal representation and allowing the fire chief and his management team to do their job. Commissioner Hanson suggested that the District 21 Board discuss the District 4 Board's request.

- 5-member (D21) and 3-member (D4) transitional RFA Board
- 5-member permanent RFA Board
- Any resolution or motion must include one board member from each District who had assisted in the development of the RFA Plan to pass.

Chief Van der Veen reminded the group that both Districts have had ten years of experience and history working together. The firefighters including the fire chief, do not see districts, but rather citizens who call for help. It does not matter to them in which district they respond. Chief Van der Veen noted that he understands that at the higher level of politics the view changes and elected officials have to do due diligence and ensure that legally, everything is done correctly.

Chief Van der Veen stated, "When the tones go off and apparatus start rolling, there is no District, just someone calling for help. When another agency calls for assistance the District responds without hesitation."

In response to some of the financial numbers reported by Financial Analyst Bill Cushman, Chief Van der Veen reminded both Boards that they have supported providing the same level of service in both areas for the past ten years. In addition, he urged the boards to focus on providing the service delivery to the public fairly and equitably.

Commissioner Hanson stated that his concern is at the governance level and the District 4 Board is not questioning the District's day-to-day quality of service.

Commissioner Hanson noted that during his earlier conversation with the District 4 community member, frustration was expressed regarding not knowing the inactive status of Agate Bay Station 11 located on Y Road until it was put up for sale. Commissioner Hanson stated that once the station was put up for sale, the District 4 community began discussing how many years District 21 has been overseeing operations and at what performance level. There continue to be concerns regarding the future of Smith Road Station 13.

Commissioner Hanson noted that they have learned through this process that the District(s) should have asked the voters for their assistance a long time ago for a levy increase. The District 4 Board wants to be able to sell the RFA to their citizens as a good deal, without question and without concerns left on the table. The District 4 Board wants to feel comfortable that they are doing the right thing moving forward with the RFA. Commissioner Hanson further stated that District 21 has done a fantastic job especially operationally and they would be hard-pressed to find better partners.

Commissioner Hanson expressed his hope that District 21 would take their proposal under serious consideration and that it would be sad if District 21 does not move forward with the RFA because they want to maintain control. District 4 would rather have equal representation.

Consultant Karen Reed reiterated that both sides have been at the table for eight months and until these issues were brought up last week, she had every reason to believe that both sides were in support of the RFA. Karen Reed noted that there are multiple perspectives on equality and pointed out that District 21 represents three- and one-half times as many people as District 4.

Karen Reed noted that there are legal issues that must be observed regarding quorums. Karen Reed reviewed her understanding of District 4's request regarding governance. District 4 is not trying to restructure the RFA transition or interim board but rather any action by that board would require at least one vote in support from the District 4 and District 21 Boards. In addition, District 4 is requesting that the one District 4 Commissioner voting in favor of an action must be an "old" commissioner.

Commissioner Hanson concurred, stating that the commissioner must have been a sitting District 4 Commissioner when the RFA was formally approved. Karen Reed expressed her concern noting that it would increase the likelihood of giving one person veto power on decisions moving forward. Karen Reed noted that she routinely strongly advises groups against allowing a single individual to have veto power. In addition, there would also need to be a caveat regarding securing a quorum, since one Board could choose not to attend a meeting, so business could not take place. Karen Reed stated that there would need to be some assurances to work around the quorum concern.

Commissioner Hanson noted that the District 4 Board's preferred stance was that they would rather see three commissioners from each side with voting authority allowing equal representation in the RFA Interim Board. Two of the five District 21 Commissioners would not be part of the RFA Interim Board.

Option two included any action by the RFA Interim Board would require at least one vote in support from both District 4 and District 21 Boards. In addition, District 4 is requesting that the one District 4 Commissioner voting in favor of an action must be an "old" commissioner.

Commissioner Hanson was under the impression that the District 21 Board was not amenable to option one, although he had not questioned them, hence option two was proposed. Commissioner Hanson noted that the District 4 Board is open to hearing other suggestions that bring the same result and allows both boards to remain happy during the transition period.

Karen Reed noted that would not be accurate or fair to say that the RFA did not move forward because the other side would not agree to conditions placed on the table.

Commissioner Andrews noted that he does not have a trust issue with Chairman Ansell and advised him to come back to the table with a short-term alternative that could be taken back to the District 4 citizens, demonstrating that the District 4 Board does have some control.

Commissioner Lann agreed stating that he has no trust issues with the District 21 Board. He noted that regardless of any past baggage, having the same number of votes by both boards within this interim entity still seems to address any arguments.

Commissioner Hanson reported that he has been meeting regularly with both Chief Van der Veen and Chairman Ansell. He stated his trust issues are not with Chairman Ansell but rooted in the past not the future and difficult to get over.

Karen Reed questioned Commissioner Lann regarding possibly needing to explore the finance of other structures more in-depth. Karen Reed pointed out that two small integrated districts are more efficient than two districts operating side by side with duplicate governance and administration structures. Karen Reed concluded that this was the basis for the integration of the operations over the past ten years. The further efficiency moving into an RFA includes streamlining the governance structure.

Karen Reed noted that there is no standalone financial model for the two districts. It is self-evident that it would be more expensive for both sides to try to separately stand-up operations to maintain the same level of service. Although she appreciates Commissioner Lann's position being a newly appointed commissioner, there is simply no time to complete alternative standalone district financial models and questioned if that would prevent him from proceeding. Commissioner Lann stated that he is not questioning the value of the RFA, nor will it prevent him from moving forward.

Commissioner Lann further stated that the issue for him included having the appropriate information to be able to equate options, educate the District 4 citizens, and justify the RFA along with the increased levy rate as the best choice. Commissioner Lann will contact Chief Van der Veen or Kris Parks if he has additional questions or needs further clarification.

Attorney Joseph Quinn had a previous commitment and left the meeting.

Karen Reed asked if the District 21 Board had any clarifying questions about what the District 4 Board has proposed.

Chairman Ansell voiced his frustration regarding revisiting the governance model which had been approved not only during an earlier meeting but also in the corresponding meeting notes. The concern is that revisiting previously approved topics has happened on more than one occasion which is very time-consuming for everyone (commissioners, consultants, fire chief, staff) involved, specifically this past week. Chairman Ansell agreed that it intensifies the trust issue and questioned when the cycle might end.

Chairman Ansell provided an example of veto power which included a decision to remodel a fire station in Birch Bay or Blaine. Since it does not favorably impact the District 4 Lake Whatcom area, it could be vetoed. What would have enhanced the overall operations of the fire service as identified in the current master plan could be vetoed.

Commissioner Hanson understood Chairman Ansell's concern and stated that the veto option was provided by District 4's attorney with little time to review although the same argument could be made for District 4's stations.

Commissioner Hanson stated that when both boards have come together, they have worked well as a team and expects that it is how business will continue to be completed moving forward.

Commissioner Hanson stated that in his prior experience working on an RFA Planning Committee, changes to the Plan were commonplace up and until the plan was approved. The draft plan language circulated by Karen Reed was the trigger for these latest concerns including transferring policies and procedures, some of which are outdated and need to be reviewed by the RFA Board.

Karen Reed clarified that the only portions of the RFA Plan approved by the Committee are sections one through five and that the rest of the plan has yet to be reviewed and accepted.

Commissioner Lann responded to Chairman Ansell's scenario stating that once the RFA is formed, all the commissioners will be expected to make decisions based on the entire region.

Commissioner Andrews stated that all board members need to change their mode of thinking from separated districts to one entity.

Chairman Ansell agreed and noted that the District 4 Board proposal involved giving a former District 4 Board member the power to veto a motion or resolution. Commissioner Andrews verbalized that he was not happy with that proposal. Commissioner Hanson also stated that that proposal is wrong and potentially dangerous. The option was presented to the District 4 Board by their attorney at the last minute as an alternative since it was their understanding that the District 21 Board was not open to the other proposed option of the three-member from each District representation.

Karen Reed articulated that there are ways to draft around the option two concern of requiring one board member from each District who was part of the RFA process, to approve a motion or resolution.

If there was an Interim RFA Board of three from each District, Chairman Ansell questioned the identity of the tiebreaker.

Commissioner Hanson talked about working through the RFA process, asking the questions to enable the District 4 Board to hold their heads up high when they bring the proposal to their citizens. In addition, Commissioner Hanson hopes that all members go into an RFA Board meeting as a unified unit, able to work through any issues. Chairman Hanson reiterated that there remains a strong concern by the District 4 Board to have equal representation on the Interim RFA Board and it would make them feel more comfortable initially, realizing that the number would shrink to a five at large board rather quickly.

Chairman Ansell stated that he would hate for this issue to destroy the RFA process since District 21 is very committed to moving forward. Commissioner Andrews and Hanson concurred.

Commissioner Bosman stated that the District 21 Board had entered into discussions to improve the service to both districts as a unified RFA as pointed out by Commissioner Andrews. The District 21 Board is tired and frustrated with items that have been approved and then continually questioned at a later date. Commissioner Bosman questioned if other

items are going to continue to arise and asked the group how determined they were to make this RFA work. Commissioner Andrews affirmed his determination.

Commissioner Hanson stated that the District 4 Board has no additional issues at this time however, issues may arise as the planning process moves forward.

Karen Reed noted that since the nature of issues brought forward has evolved from the email sent by Attorney Joseph Quinn, she questioned if the District 21 Board would require additional time to discuss before proceeding.

Chairman Ansell reiterated that the District 21 Board wants this Plan to work. When other concerns continually arise, it is difficult to understand where they come from and how to address them. Chairman Ansell stated his desire to be thorough and wants both Districts to be able to assure their constituents that this is the right direction.

Although Chairman Ansell would like to provide the District 4 Board with an answer today, the District 21 Board will need to have a discussion before proceeding, possibly during an executive session. Attorney Richard Davis advised the District 21 Board that they could meet as a District 21 Board separately and publicly, however, he advised them that there was not a basis to retreat into an executive session.

Commissioner Hanson restated that the equal governance representation option was agreed upon by the entire District 4 Board. Commissioner Hanson queried District 4 Board members regarding the recommendation of equal representation as stipulated in Attorney Joseph Quinn's email sent to Chairman Ansell on behalf of District 4.

Commissioner Lann supports the proposed position. Commissioner Lann stated he would rely on a consensus from the boards and legal advice regarding how the three-vote language is actually crafted and when it would be triggered. In addition, Commissioner Lann understands that the governance proposal is a change from the earlier agreement however, minds can change as new information becomes available. Commissioner Lann is open to hearing any alternatives and embraced the value of having equality or parity when it comes to opinion on governance and policy.

Commissioner Andrews cautioned the Committee that they need to make a decision soon as the election deadline is fast approaching.

Although Chairman Ansell is not opposed to equal representation, there was a prior governance agreement of five (D21) and three (D4). Chairman Ansell does not anticipate an issue being so divided that a tiebreaker would be needed however, a process would still need to be in place.

Commissioner Hanson suggested giving the fire chief or board chair tiebreaker authority.

Commissioner Hanson further stated that the aforementioned trust issues are in the past.

Attorney Richard Davis stated that only an elected RFA Board member official could vote, so the Chief could not be a tiebreaker. In addition, Attorney Richard Davis stated if there is a three-to-three vote, the motion or resolution would fail.

Commissioner Lann stated that a three-to-three vote would force the board to find a compromise that may lead to a better outcome.

Chief Van der Veen questioned if the veto power would be only for governance and policy. Due to the number of policies that need to be updated for District 21, Chief Van der Veen has been given the authority by the District 21 Board, to sign off on policies that do not financially impact the district. Other policies having a financial impact are approved by the board, following a review by legal.

Commissioner Lann stated that he does not want to interrupt the day-to-day operations of the RFA but would rather provide the tools and support needed for the fire chief to do his job that is consistent with the board's guidelines and priorities. Commissioners Hanson and Andrews concurred.

Commissioner Bosman noted that to change the approved governance plan now seems inappropriate. It is unclear how the change would be implemented and is unsure of what may be the next adjustment, causing additional frustration.

Commissioner Fischer noted that in other negotiations, agreements are TA'd (technically agreed) and maybe the RFA Planning Committee should have been following that practice all along.

Commissioner Hanson noted that with the turnover of two District 4 Commissioners, different perspectives have emerged.

Attorney Richard Davis noted that there is nothing to prevent issues from being re-examined and it is not uncommon to revisit issues during the process. Once the RF Plan is voted and approved by the RFA Planning Committee, the Plan cannot be changed.

Commissioner Lann noted that while he understands the District 21 Board's frustration, he noted that it takes a lot of time and hard work to get the best product.

Commissioner Bosman reiterated what Commissioner Andrews stated regarding the timeline and suggested possibly extending the date to put the Plan before the public.

Chairman Ansell noted that extending the date is an option.

Commissioner Hanson is not in favor of an extension and that the governance issue is the only sticking point.

Commissioner Fischer stated that there seems to always be another sticking point.

Karen Reed pointed out the fair amount of work that still needs to be completed including resolving the starting levy rate, confirming the transfer of assets, organizational chart, and

everything associated with the operations, facilities, and finance sections of the RFA Plan. There is no way to know how long each of these items may take to gain approval.

Commissioner Lann believes those items would be straightforward. Once the current issue is settled, the others will fall into place. Commissioners Hanson and Andrews agreed.

Attorney Richard Davis noted that the District 21 Board will need to carefully consider option one since essentially two of their board members will be disenfranchised from participating in the RFA or any committee.

Attorney Richard Davis noted that both he and Karen Reed have been involved in a number of RFA processes and trust level is essential to success.

Chairman Ansell requested information regarding how the interim RFA could go to two board members from each District and how commissioners would be eliminated.

Attorney Richard Davis did not recommend going in that direction, is not a proponent of the veto option, which could potentially lead to legal issues. Attorney Richard Davis further noted that when two organizations are brought together, they are expected to work collectively. In event of contentiousness, it would be a matter of persuasion not veto power that enables change.

The District 21 Board will convene in a special meeting before the scheduled Thursday, April 1, 2021 at 10:00 a.m. meeting.

Chairman Ansell stated that a procedure and/or policy would need to be developed to choose which commissioners would not participate in the RFA. In retrospect, Chairman Ansell stated that this discussion should have taken place during the governance phase of the RFA discussion. Chairman Ansell expects more changes if the group continues as it has for the past eight months.

Commissioner Hanson believes there are no other issues and is not in favor of giving one commissioner veto power and is open to other suggestions that will maintain equal representation.

Karen Reed stated that progress isn't always linear, and it is disappointing when decisions need to be revisited. There are many reasons to keep moving forward for now.

Karen Reed reiterated that there needs to be additional public discussion before the RFA Plan can be finalized by the mid-May deadline. There remain governance questions. In addition, revisiting all the policies, procedures, job descriptions, vacant positions, and assessment centers, could also lead to additional conflict within the first year of the RFA.

Karen Reed is committed to ensuring everyone has the information needed to stay on track. She appreciates everyone's hard work and willingness to come to the table.

The plan for Thursday, April 1, 2021:

- District 21 will meet prior for additional governance discussions

- Confirm whether there is agreement with the District 4 proposal that job descriptions, educational requirements for vacant positions will need to be approved by the Interim RFA Board and subject to an outside assessment center process for the positions of HR and Business Director, although the fire chief will make the final selection of the candidate.
- Confirm whether there is agreement with the District 4 proposal to change the structure of the interim RFA board
- Levy rate
- Remaining sections of the Plan

Chairmen Ansell noted that through all his diligent research he believes the \$1.45 is the best levy rate and wonders if it will still be a contentious issue. Commissioner Hanson believes it will be a non-issue and they would be remiss not to support the \$1.45. Both Commissioners Andrews and Lann concurred.

Commissioner Andrews stated that the veto term should be replaced with negotiate.

Commissioner Hanson noted that he intends to make contact with Chairman Ansell prior to the next meeting.

6. POTENTIAL 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.”*)

None

7. NEXT AGENDA(S) Date/Time/Topics

Thursday, April 1, 2021, at 10:00 a.m. via Zoom.

8. CLOSING COMMENTS

None

9. ADJOURN

MOTION: There being no further business Chairman Ansell moved to adjourn the meeting at 3:31 p.m. The motion was seconded by Commissioner Hanson and approved 6-0.

Respectfully Submitted by:

Jennie Sand, Board Secretary

ATTEST:

Bruce Ansell, Chairman

Rich Bosman, Vice-Chairman

Scott Fischer, Commissioner

Jason Van der Veen, Fire Chief