

**Whatcom County Fire District #21
via Zoom Meeting
11:00 a.m.
November 18, 2021
Special Fire Commissioners Meeting**

CALL TO ORDER

Chairman Ansell called the special Whatcom County Fire District #21 Board of Fire Commissioners meeting for November 18, 2021, to order at 11:02 a.m. via Zoom Meeting.

ROLL CALL

Attendees: Chairman Bruce Ansell; Vice-Chairman Rich Bosman; Commissioners John Crawford and Kimberly McMurray; Fire Chief Jason Van der Veen; Division Chief Shaun Ward; Attorney Matt Paxton on behalf of Attorney Richard Davis.

Commissioner Fischer was excused through the end of the year for medical reasons.

Other: Local 106NW Representative Scott Brown.

RECESS INTO PUBLIC HEARING

Chairman Ansell opened the public hearing at 11:06 a.m.

PUBLIC HEARING STATEMENT

The public hearing is specific to allowing the District to increase its budget by up to one percent from the highest lawful levy since 1985 and levy certification. Comments will be restricted to these topics. The Board will not be responding to questions or challenges. Each participant will be provided a maximum of 5 minutes to comment.

PUBLIC COMMENT

There was no public comment.

Chairman Ansell stated that the District is entitled to request a one percent increase. The total additional amount of money to be collected (one percent) is almost \$63,000.00. Chairman Ansell noted that the one percent amount will not cover the cost of living increases. Resolution 2021-07 is a required formality and used as a placeholder for the District to take the one percent increase. The District will be entitled to collect the additional money in 2022.

Chief Van der Veen noted that since the District is a junior taxing authority, he must sign and forward the 2022 levy certification (budget) to the Whatcom County Council for approval. The maximum levy that can be collected in 2022 is \$6,597,438.70. Included is a 2021 levy administrative refund in the amount of \$29,846.75.

Attorney Matt Paxton noted that the c will review the levy certification to ensure the District does not exceed the allowable one percent increase.

RECONVENE INTO SPECIAL MEETING

Chairman Ansell closed the public hearing and reconvened the special meeting at 11:15 a.m.

Resolution 2021-07 Allowing the District to Increase Its Budget by Up to One Percent:

MOTION: Commissioner Crawford moved to approve Resolution 2021-07, Allowing the District to Increase Its Budget by Up to One Percent. The motion was seconded by Vice-Chairman Bosman and approved 4-0.

2022 Levy Certification:

MOTION: Vice-Chairman Bosman moved to approve authorizing Chief Van der Veen to sign the Levy Certification as presented and forward it to the Whatcom County Council. The motion was seconded by Commissioner Crawford and approved 4-0.

APPROVAL OF CONSENT AGENDA

1. Meeting Minutes
 - a) October 19, 2021- special
2. Staff Reports – Chiefs / Operations / Training / Technical Support
3. Financial Report
 - a) Total Revenues – October \$2,286,188.57
 - b) Total Expenditures – November \$701,573.06
4. Voucher / Payroll / Benefits
 - a) NWFR Employees Direct Deposit Payroll: \$315,743.75
 - b) Payroll Taxes Voucher: \$64,677.50
 - c) Benefits Voucher: \$214,795.08
 - d) Monthly Expenditure Voucher: \$105,463.57
 - e) Capital Projects Apparatus: \$893.16

Chairman Ansell noted that the District will have sufficient funds to run the department in 2022 until the first half of taxes are collected in April 2022.

Chief Van der Veen provided information regarding two upcoming retirement recognitions:

- Lieutenant Keith Zylstra: Sunday, November 21, 2021 @ 3:00 p.m. at Laurel Station 69
- Lieutenant Leslee Smith: Tuesday, November 30, 2021, @ 2:00 p.m. at Odell Station 61

MOTION: Commissioner Crawford moved to approve the November 18, 2021, Consent Agenda as presented. The motion was seconded by Commissioner McMurray and approved 4-0.

NWFR FIRE COMMISSIONER MONTHLY REPORTS

Commissioner Crawford attended the County Fire Commissioners meeting on Wednesday, November 10, 2021. He noted that the upcoming December topics will include new commissioner training, elections of new officers, and appointing a North Sound representative, which Commissioner Crawford may fill.

Three Board members (Ansell, Crawford, McMurray) attended the Washington Fire Commissioner's conference in October. Commissioner McMurray provided information regarding conference topics, including current district challenges, finance, cyber security, law enforcement calls, leadership, resiliency, and empowering firefighters.

Chairman Ansell and Chief Van der Veen met with District 4 Chairman Lann regarding their 2022 Contract for Services payment. The amount was discussed during their November regular meeting. The District 4 2022 budget is expected to be passed during their public hearing scheduled for Monday, November 22.

Chairman Ansell and Chief Van der Veen have met with Local 106 NW representatives to discuss the COVID 19 impacts on the members. More discussion is expected during the executive session.

LEGAL ISSUES

Attorney Max Paxton noted that the new COVID 19 federal vaccine mandates do not affect firefighters. State vaccine mandates remain in place and do affect firefighters.

IAFF LOCAL 106NW MONTHLY REPORT

Local 106NW Representative Scott Brown thanked everyone for their hard work on the Levy Lid Lift. He specifically thanked Firefighter Haley Urling-Ehinger for her hard work organizing the door-knocking and the social media page. In addition, Scott Brown thanked both Chairman Ansell and Chief Van der Veen for their open dialogue and willingness to work together.

Firefighter Chris Hollander has been reelected for another two-year term as a Local 106 NW representative.

Scott Brown invited all members to attend the upcoming retirement recognition.

The COVID 19 vaccine mandate memorandum of understanding (MOU) will be discussed in the executive session.

The new engine is in service.

Scott Brown recognized Lieutenant Troy Freeman, Firefighter Chris Hollander, and a Bellingham Firefighter for their assistance during the recent flooding, including supplying boats to rescue stranded community members in Everson and Sumas.

UNFINISHED BUSINESS

Commissioner Election: Chief Van der Veen congratulated both Commissioners McMurray and Crawford, who ran unopposed during the recent election and will serve another six years on the Board.

Levy Lid Lift: Chief Van der Veen cited an email he sent out to the members following the levy lid lift's disappointing outcome.

"As we are all aware by now, it appears that the levy lid lift measure has failed. While this is disappointing, the people have spoken, and we will have to continue our current operation with the funding we have.

*This election is not a reflection of your work or what the public thinks about the service you provide. You all do so much for the public, more than they will ever realize or see. And the fact that you do it with so little, and keep making it work year after year, is a testament to your character and work ethic. Although it could be easy for **any** of us to be frustrated or hold a grudge against voters, I think that we are all above this. As I said above, this election is not a reflection of your work or the service you provide. I do think it reflects where we are as a society today.*

The last two years have been hard on everyone. Rising inflation, a new respect for the plight of lower-wage service employees, slowdowns in the supply chain, and a divisive political climate have affected all of us. The fact that the County sent out the annual Assessed Valuation Property statements just weeks prior to the election didn't help at all. Most people are seeing a 20-30% increase in the assessed tax valuation, and they think it corresponds to a 20-30% tax increase, which it doesn't."

The Board will focus their efforts on a developing a strategy moving forward and plan to reach out to the public to determine what they want regarding service and ensure that they understand the implications. The Board does not intend to rerun the levy lid lift at this time. Chairman Ansell met with Consultant Karen Reed, who agreed that turning around a sixty percent (60%) no vote would be challenging. The library levy is also failing, although they intend to rerun it during the next election.

Chairman Ansell shared his personal six-year property value assessments and tax rates. In 2016-2017 his taxes to the fire district went down by \$15.00. In 2020-2021 his assessment went up six percent (6%), and his payment to the fire district went down \$7.00.

Chairman Ansell voiced his frustration regarding how the levy message had been misconstrued and disseminated to the public.

The Board plans to have another meeting to discuss future funding, which may involve station and equipment surplus, bonds (voter or commissioner approved), along with upcoming station and maintenance issues. A voter-approved bond would require a sixty percent (60%) approval, while a commissioner bond comes out of the regular budget and could take up to twenty years to pay off.

2022 Contract for Services with District 4: Chairman Ansell noted that all meetings with District 4 Chairman Lann have been positive. The NWFR Board plans to present an amended contract for services for 2022 only. The District will need to ensure that they are fully reimbursed for the cost of their services which will be twenty-five percent (25%) of the NWFR operating budget. The District 4 levy is expected to be significantly below NWFR's levy rate. It is unclear if District 4 will be able to afford the payment past 2022.

Further discussion is expected during the executive session.

Law Enforcement Response Update: Administrative Assistant Jennie Sand recently forwarded some information to the commissioners per Chairman Ansell's request. The article discussed Albuquerque's vision for non-police first responders. A copy was also sent to Emergency Medical Services (EMS) Director Mike Hilley.

A bill signed by Governor Jay Inslee deters law enforcement from responding to calls that do not involve a direct crime from one person to another and when the presence of law enforcement may escalate a situation.

Chairman Ansell believes that money is available in the Whatcom County EMS levy to fund a crisis/mental health response unit. Chairman Ansell further noted that it is irresponsible to give fire departments yet another unfunded mandate. Chairman Ansell suggested that the NWFR Board and the Whatcom County Fire Chiefs pressure Whatcom County to free up funds to create a crisis/mental health response unit.

Chief Van der Veen noted that the Whatcom County Fire Chiefs' Association has similar concerns regarding the unfunded mandate, specifically regarding Basic Life Support (BLS) responder training and safety. The Fire Chiefs have tried to acquire BLS funding from Whatcom County unsuccessfully in the past. Although fire departments can bill for transports, a good portion of those costs are not recouped.

Chief Van der Veen stated that it appears that the Whatcom County Fire Chiefs' Association is close to an agreed-upon matrix for how fire departments could be reimbursed. Their two-pronged approach includes reimbursement for BLS transports, funding and training a crisis/mental health unit.

In addition, the Whatcom County Fire Chiefs plan to be part of the County's discussion regarding crisis/mental health response unit protocols, safety, and training from the beginning, to ensure the best care for both clients and firefighters.

Fire departments are taking on a higher number of calls that law enforcement was forced to give up, with no additional revenue for safety and/or training on how to mitigate the potential risks.

Chief Van der Veen will keep the Board up to date with any additional information.

Chairman Ansell noted that he has offered assistance to Mike Hilley in the form of support and documentation when he approaches the Whatcom County Council.

Facilities Update: Chief Ward provided information regarding the current facility needs of the District.

The Birch Bay Station 63 roof is expected to be repaired in the near future.

The Birch Bay Station 63 tower does not contain asbestos and has been inspected by a structural engineer. The District has received two bids for repair but continues to wait on bids for demo.

Chairman Ansell stated that the Birch Bay station does not meet public safety facility requirements and will be part of a long-term budget discussion in the near future.

NEW BUSINESS

- **2022 Budget Study Session and Future Funding:** There was discussion regarding a 2022 budget study session date. A tentative date was set for Saturday, December 4, 2021, from 10 a.m. to 2:00 p.m. at Odell Station 61. Commissioner Fischer was excused from attending the meeting.

POLICY AND PROCEDURES

- None

CORRESPONDENCE

- From State of Washington Health Care Authority re: 2019 GEMT final settlement
- From Talia Nuckolls re: Vaccine mandate
- From Tom N Lynn re: Thank you for service
- From Hazel Graep: re Thank you for service
- From Lieutenant Mike Nelson re: Thank you for support
- From Lieutenant Leslee Smith re: Thank you for support
- Northern Light Letter to the Editor re: Levy Lid Lift
- Lynden Tribune Letter to the Editor re: Levy Lid Lift
- Lynden Tribune article re: Levy Lid Lift
- From Chief Hoffman, Fire District 7 re: Thank you for mutual aid
- Email from Melanie Hackett re: Proposition 2019-9
- The Responder: District newsletter, supplement
- The Responder: District newsletter, November issue

ANNOUNCEMENTS

December Meeting Attendance Query: All Commissioners present are expected to attend the December 16, 2021, meeting, most likely via Zoom Meeting. Commissioner Fischer and Vice-Chairman Bosman have been excused. The time will be changed from 1:00 a.m. to 11:00 a.m.

AGENDA ITEMS FOR THE NEXT MEETING

- Contract for Services with District 4
- Facilities Update
- Future Funding Options
- 2022 Budget Approval

- Law Enforcement Response
- Meeting Schedule
- City of Blaine Fire Marshal Interlocal Agreement (*tabled*)
- Assistant Chief Process (*tabled*)

EXECUTIVE SESSION

Chairman Ansell recessed the meeting for an Executive Session per RCW 42.30.110(i) “*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 11:57 p.m. for at least thirty minutes until 12:30 p.m. Chief Van der Veen and Attorney Matt Paxton remained for the executive session. No action is expected.

Chairman Ansell extended the meeting at 12:31 p.m. for another ten minutes until 12:41 p.m.

Attorney Max Paxton left the meeting at 12:41 p.m.

MEETING RECONVENED

Chairman Ansell called the regular meeting back into open session at 12:42 p.m.

Chairman Ansell announced that the Board had discussed Local 106 NW’s proposal and concerns regarding the vaccine mandates and sick leave. The Board has additional questions. Chairman Ansell plans to meet with Local 106 NW representatives in the near future for additional dialogue. Further discussion is expected during the budget study session before a decision is determined.

SIGNING OF DOCUMENTS

ADJOURNMENT

MOTION: There being no further business, Vice-Chairman Bosman moved to adjourn the meeting at 12:45 p.m. The motion was seconded by Commissioner McMurray and approved 4-0.

Respectfully Submitted by:

Jennie Sand, Board Secretary

ATTEST:

Bruce Ansell, Chairman

Rich Bosman, Vice-Chairman

John Crawford, Commissioner

Scott Fischer, Commissioner

Kimberly McMurray, Commissioner

Jason Van der Veen, Fire Chief