

Whatcom County Fire District #21
via Zoom Meeting
9:00 am
April 1, 2021
Special Board of Fire Commissioners Meeting

CALL TO ORDER

Chairman Ansell called the special Whatcom County Fire District #21 Board of Fire Commissioners meeting for April 1, 2021, to order at 9:00 a.m. via Zoom Meeting.

ROLL CALL

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

NEW BUSINESS

Regional Fire Authority (RFA) Issues

Chairman Ansell reported that during the last RFA Planning Committee meeting, the group seemed to be stuck on governance even though it had been finalized in a previous meeting (*November 2020*).

Most recently, in a special joint meeting held on Monday, March 29, 2021, the District 4 Board stated that they no longer thought the five board members from District 21 and three board members from District 4 is fair. Chairman Ansell surmised that with the addition of a newly appointed District 4 Commissioner, he had not received all the pertinent information surrounding the previous decision.

The District 4 Board proposed multiple options informally on multiple occasions for equal representation. The current option includes having three members from each board sit on the RFA Board.

District 4 Commissioner Andrews had asked Chairman Ansell to come up with an alternative solution which was provided in an email to District 4 Chairman Hanson followed up by some additional phone conversations. A draft copy of the communication was also forwarded to the District 21 Board for review and discussion.

Chairman Ansell noted that each board member is elected by the District 21 constituents to serve the public and asked how to explain to them why eliminating board members that they elected is reasonable.

District 21 has three times the area, three times the stations, three times the call volume, roughly three times the assessed valuation, and represent three times the voting public. Chairman Ansell does not believe it is fair that District 21 does not get at proportionate vote for the population that they serve.

Chairman Ansell noted that it appears there is some type of concern that the District 21 Commissioners may rule on something that may somehow be a disadvantage to the former

District 4 area. Without any specific examples, Chairman Ansell is unclear as to the root of the issue.

Over the past ten years, there have not been any significant issues, including any decreases in service or staffing levels. Chairman Ansell pointed out that the service levels in District 4's area have actually increased.

Chairman Ansell presented the counterproposal:

In agreement with the District 4 proposal, there would be six voting members on the interim transition board from 10/1/21- 12/31/23; three commissioners from District 4, three commissioners from District 21.

In addition, there would be two non-voting members on the interim transition board, filled by the remaining two District 21 Commissioners. The non-voting members would participate in the meetings and discussion but could not vote. This way their voice and experience would contribute to the board deliberations. Who fills the voting or non-voting seats could be changed periodically by the District 21 Board, but it would be identified going into each meeting who had the voting rights.

The two non-voting members would together (or individually, if only one was present that day), be the tiebreakers. Only in cases where there is a 3-3 vote would we ask them to vote. If they are both present and split their votes, the issue remains deadlocked at 4-4 and does not pass. If they both cast their votes the same way, the side they support prevails.

Commissioner Crawford voiced his frustration and thinks it is unnecessary that discussions have gotten to this point. Although he wants to move forward, he is unsure of what additional hurdles will come up in the future. He is in favor of the draft counterproposal.

Commissioner Fischer agreed with Commissioner Crawford. He is in favor of moving forward with the counterproposal.

Commissioner McMurray agrees that the district should not be in this position, understanding that the board will do what is needed to move forward. Commissioner McMurray was pleased with the draft counterproposal noting that it addressed all angles covered and should help to remove any further derailment.

Vice-Chairman Bosman is in favor of the counterproposal. Vice-Chairman Bosman pointed out an issue that has been neglected. The District 4 Board is responsible to the people who elected them to provide good service using the tax money entrusted to them appropriately. All of the additional time spent on this process has not only wasted time but cost both districts money and takes the fire chief away from being able to focus on his duties. He believes it is time to end the debate, promote this compromise and draw a line in the sand.

Attorney Max Paxton stated that there are no legal ramifications regarding non-voting board members and the decision, if approved, can be added to the RFA Plan.

Chairman Ansell provided examples of when a tiebreaker might be crucial including ratifying a collective bargaining agreement.

Chairman Ansell stated that there appears to be an unknown underlying issue that continues to drive changes. The last communication from the District 4 Board and Chairman Hanson included job descriptions, outsourcing hiring processes, and how the fire chief's administrative staff are chosen. Chairman Ansell stated that he would like to hear directly from the District 4 Board what the specific issue is rather than to vaguely state their distrust.

Chairman Ansell believes that the District 21 Board has been upfront and transparent all along, nor have they made any decisions that have negatively impacted the service to District 4. Historically, the District 21 Board has always been very open, inviting the District 4 Board to attend their meetings and even some executive sessions for discussions regarding key issues. He is hopeful that the District 4 Board will enlighten them on the trust issues later today.

There was a discussion regarding District 4 Chairman Hanson's latest email containing the draft administrative staff job description examples that appear to have come from Northshore Fire Department. Chairman Ansell stated that hiring authorization has been given to the fire chief through his contract and job description. Chairman Ansell is fully in support of having good job descriptions and qualifications however, having the required specific classes and education does not necessarily mean the person is the best fit for the organizational model.

Vice-Chairman Bosman concurred. Being a business owner himself in charge of hiring employees, it is vital to review not only how the candidate looks on paper but also if they are a team player and can be trusted.

Commissioner McMurray agreed further stating that just because a candidate has the necessary credentials does not mean they will be a good fit for the organization or work well as a team member. It is important for coworkers to be able to work together and have personalities that fit in order to complete the work efficiently, effectively, and to the best of their abilities.

Commissioners Crawford and Fischer have worked together for thirty-plus years. They agreed that many people have come and gone across that timeline and both agreed on the significance of trusting your coworkers.

Chairman Ansell stated that the district has been through a lot of personnel in all areas of the organization. There has been a real effort to create a positive environment and complimented Chief Van der Veen for taking charge. The Board had utilized a fire chief process in the past but chose to look internally for a candidate who had strong leadership skills, was well respected, and had the moral and work ethics need to be a leader in this district, even though he did not have all the necessary credentials at the time. Chairman Ansell noted that it was a great decision and gave Vice-Chairman Bosman credit for bringing him to the board for consideration. Chairman Ansell does not want to tie Chief Van der Veen's hands in selecting the team that best suits his management style.

Draft Interlocal Agreement (ILA)

Chairman Ansell provided a draft interlocal agreement for review to assure that if the RFA process moves forward both districts remain in their present circumstances (status quo). No significant changes would be made without the knowledge of the other district between now and the approval and formation of the RFA.

Attorney Max Paxton reviewed the draft ILA document which included employment agreements, number of employees, reserves, debt, changes in existing obligations and contracts, and other liabilities. Attorney Max Paxton stated that the intent is to keep both entities similar upon entering the RFA if there continues to be forward movement.

Chief Van der Veen pointed out a change that will need to be made to the reserve section since there are expected capital outlays in apparatus that will affect reserves.

Both district's attorneys will review the document to ensure all details are addressed if the RFA Plan moves forward.

Chairman Ansell noted that if ILA does not move forward the board will need to address some issues including the existing ILA agreement between District 21 and District 4. District 4 had sent a notice of intent to terminate the agreement, effective December 31, 2021. If things move in that direction, work will need to be done on a dissolution per their request as well as determine how District 4 is going to move forward as of January 1, 2022.

Chairman Ansell requested information regarding the dissolution process. Attorney Max Paxton agreed it would be a long process and provided options that included extending the agreement possibly in a month-to-month contract, or something similar that would pay the actual costs of providing that service, since at the moment District 21 is not being reimbursed for one hundred percent of the service they are now supplying to that portion of the district.

Attorney Max Paxton stated that it would be primarily up to District 4 to build up their staff. Transferring the assets will not be difficult. The challenge for District 4 will be to become operationally ready to take on calls. Other considerations include the mutual aid relationship and how quickly can it be built, and month-to-month interim agreements.

Commissioner Crawford suggested reviewing the county-wide mutual agreement before moving forward with discussions regarding what the district can provide in the way of services.

Chairman Ansell noted that he remains committed to moving forward in the RFA process and hopefully uncover the specific issue that is hindering the process.

MOTION: Commissioner Fischer moved to direct the RFA Planning Committee to bring the counterproposal forward in an effort to compromise on the originally agreed number of board positions. The motion was seconded by Commissioner Crawford and approved 5-0.

MOTION: Vice-Chairman Bosman moved to forward the draft interlocal agreement to District 4’s attorney for review and consideration if the RFA continues to move forward. The motion was seconded by Commissioner Fischer and approved 5-0.

ADJOURNMENT

MOTION: There being no further business Chairman Ansell moved to adjourn the meeting at 9:38 a.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

John Crawford, Commissioner

Scott Fischer, Commissioner

Kimberly McMurray, Commissioner

Jason Van der Veen, Fire Chief