



KING COUNTY FIRE PROTECTION DISTRICT NO.16

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KENMORE, WA 98028

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MINUTES

August 7, 2019

REGULAR MEETING BOARD OF COMMISSIONERS at Northshore Fire Department's Headquarters Station 51

I. OPENING OF MEETING

1.1 Roll Call

Chair Suzanne Greathouse called the meeting to order at 5:00 PM.

Persons in attendance were Commissioners Rick Verlinda, Don Ellis, Suzanne Greathouse, and Dave Maehren. Also present was Acting Fire Chief Eric Magnuson, Legal Counsel Scott Missall, Attorney Peter Altman, Board Secretary Kate Hansen, Battalion Chief Mike Morris, and three members of the public.

1.2 Adoption of Minutes of June 18th, July 23rd, and July 26th

Commissioner Ellis moved to approve the meeting minutes. Commissioner Verlinda seconded. The board discussed.

Separate votes were taken for each set of minutes:

The minutes of June 18th passed unanimously.

The minutes of July 23rd passed 3-1, with Commissioner Maehren opposing.

The minutes of July 26th passed 3-1, with Commissioner Maehren opposing.

II. APPROVAL OF THE AGENDA

The board discussed the agenda as presented.

Commissioner Maehren requested that Item 5.1 be moved ahead of the Executive Session. Commissioner Verlinda seconded. The board discussed. The motion failed 2-2 with Commissioners Greathouse and Ellis opposing.

Legal Counsel Missall requested the addition of Item 5.12 Legal Counsel Litigation Update.

Commissioner Greathouse moved to approve the agenda as modified. Commissioner Verlinda seconded. The motion passed 3-1, with Commissioner Ellis opposing.

III. EXECUTIVE SESSION

3.1 The Board moved into Executive Session at 5:10PM for thirty minutes to discuss matters related to collective bargaining pursuant to RCW 42.30.140(4)(b). The board moved back to open session at 5:35PM.

Labor Attorney Peter Altman addressed the board and recommended that they take action on the collective bargaining agreement as presented.

Commissioner Maehren moved to take action on the collective bargaining agreement with Local 2459, authorizing the Chief to sign the agreement. Commissioner Ellis seconded. The motion passed unanimously.

IV. PUBLIC COMMENT

Lake Forest Park resident Mike Dee addressed the Commissioners with miscellaneous comments.

V. BOARD DISCUSSION AND POSSIBLE ACTION ITEMS

5.1 Board Vacancy Discussion and Potential Appointment of Replacement

Commissioner Greathouse presented Policy 1113 regarding the filling of Commissioner Vacancies. The board discussed.

Commissioner Maehren moved that the Chief immediately first thing tomorrow post notice of our seeking applicants for the vacant position for that those applications that are due within 10 days and all applicants are invited to our next meeting for interview and possible appointment. Commissioner Verlinda seconded. The motion failed 2-2, with Commissioners Ellis and Greathouse opposing.

Commissioner Greathouse moved to post for three weeks and complete the process thus meeting the obligation of September and the 90-day time period. Commissioner Ellis seconded. The board discussed.

Commissioner Verlinda made a friendly amendment to interview and appoint at the Board's first meeting in September. Commissioner Greathouse accepted the amendment. The board discussed.

The motion passed unanimously.

5.2 Regionalization Discussion

Acting Chief Magnuson reported that the three Fire Chiefs have completed comparison and analysis requested by the boards. The Chiefs are in the process of compiling corresponding documents that will be circulated for the Joint Meeting next Tuesday, August 13th.

The board reviewed and made changes to Northshore's Guiding Principles. Acting Chief Magnuson will circulate the revised version to all three departments for additional feedback and further revision.

Desired Topics of Discussion for the August 13th Joint Commissioner Meeting include:

- o Guiding Principles
- o Timeline, phases, and process of work to be completed
- o Strategy for communications to the public

5.3 Prioritization of 2019 Board Agenda Topics

The board reviewed and made changes to the Future Agenda Topics list.

5.4 Commissioner Availability for Special Meetings

Commissioner Greathouse stated she will submit a statement to Board Secretary Hansen; which will be posted with the meeting minutes.

The board discussed potential changes to the August meeting schedule.

Commissioner Maehren moved to establish a Special Meeting for August 15th, 5:00pm, and that the agenda be the one that we identified tonight for our next meeting. Commissioner Ellis seconded. The motion passed unanimously.

5.5 Possible Joint Meeting with Northshore Utility District, City of Lake Forest Park, and City of Kenmore

The board discussed potential timing and topics for a meeting with partner agencies. The board directed Acting Chief Magnuson to reach out to partner agencies to determine availability for a desired joint meeting.

5.6 Future Update to Partner Agencies on Regionalization Discussion

Commissioner Maehren read an e-mail that he sent to the Lake Forest Park Counsel in June. The e-mail will be sent to Acting Chief Magnuson for circulation to the board. The board authorized Acting Chief Magnuson to coalesce input from all Commissioners into one document, to be circulated to participants in the August 13th Joint Meeting.

5.7 Notification Practices for Availability of Meeting Materials

The board and staff discussed current notification practices and potential changes for the distribution of meeting agenda and meeting materials. Board Secretary Hansen will evaluate options for setting up a notification list for individuals interested in receiving this information and report back to the board.

5.8 Access to Legal Services Policy

Legal Counsel Missall reported on current legal access practices and the board discussed. Counsel advised that he can set up billing matters in nearly any fashion desired by the board.

A standing communications report from Legal Counsel will be added to the agenda.

The board discussed the billing format for legal services. Commissioner Maehren expressed an interest in identifying when board members accessed legal counsel services.

Commissioner Maehren moved that legal counsel be directed to open a 'matter' on board access to legal services. Commissioner Verlinda seconded. The board discussed. The motion passed 3-1 with Commissioner Ellis opposing.

5.9 Facility Condition Assessment and Capital Funding Plan RFP

One response that was received to the Facility Condition Assessment and Capital Funding Plan RFP. Acting Fire Chief Magnuson requested guidance on how to proceed. The board discussed.

The board directed Acting Chief Magnuson to reach out to the companies that Commissioner Maehren recommended and request an estimate for a simple reserve fund analysis.

5.10 Firefighter Hiring Process Update

Acting Chief Magnuson reported that one of the four conditional offers previously made had to be rescinded. A second panel was convened which resulted in two candidates being given conditional offers. Due to upcoming retirements and promotions, Acting Chief Magnuson requested authorization to send a fifth firefighter to the fall academy.

Commissioner Ellis moved to send a fifth Firefighter to the fall 2019 Academy. Commissioner Maehren seconded. The board discussed. The motion passed unanimously.

5.11 Commissioner Compensation Claims

Commissioner Ellis moved to approve the compensation claims. Commissioner Verlinda seconded. Legal counsel identified a number of compensation claim conflicts with current policy. The board discussed.

Commissioner Maehren moved that all compensation requests be withdrawn. The motion died for lack of a second.

Commissioner Verlinda moved to approve the submitted compensation requests with the recognition that the board had previously approved attendance at the Pancake Breakfast; that the late submittal was excusable because of its de minimis nature; and that board members attending the King County Fire Commissioners meeting were also previously authorized. Commissioner Ellis seconded. The motion passed unanimously.

5.12 Legal Counsel Litigation Update

Legal Counsel Missall reported that litigation of the claim of Don Ellis against the District and Commissioners Maehren and Verlinda has reached a point that will require a significant amount of legal work to defend the district and commissioners. Missall reported on the case schedule and trial date issued by the court and upcoming deadlines. Missall also reported that Ogden Murphey Wallace would likely be conflicted under the state rules of professional conduct attorneys from representing either the district or named commissioners in the litigation. He advised that he should know the firm's position on that by Monday and would advise the district and two commissioners accordingly. Further discussion will occur at the next meeting.

VI. **BOARD RESOLUTIONS**

6.1 None

VII. **REPORTS**

7.1 Fire Chief Report

7.1.1 Salary Survey Report

Acting Chief Magnuson recommended that the Salary Survey work be conducted in-house rather than hiring one of the three companies whose proposals were presented. The board discussed.

Commissioner Verlinda moved to direct the Fire Chief to contact Cabot Dow to start the process of doing a salary survey for the positions that have been identified. Commissioner Maehren seconded. The board discussed.

Commissioner Maehren made a friendly amendment to clarify the deliverables of Cabot Dow. Commissioner Verlinda accepted.

The motion passed unanimously.

7.1.2 Station 57 Remodel Update

Acting Chief Magnuson reviewed the project timeline. Construction is estimated to be completed in March/April 2020.

Acting Chief Magnuson answered questions on the Fire Chief report.

7.2 Commissioner Reports

- o Commissioner Maehren reported that he and Commissioner Verlinda attended the King County Fire Commissioners Meeting last month and the presentation was on Emergency Management
- o Commissioner Greathouse reported that she attended Kenmore's Night Out hosted by the Kenmore Police Department and was pleased to see the fire department there as well.

- Commissioner Maehren inquired about 9/11 Anniversary plans. The fire chief was requested to provide the board with an update for 911 Memorial Anniversary plans.

VIII. CONSENT AGENDA

8.1 Vouchers

- The General Fund Vouchers totaled \$38,674.64 and Reserve Fund Vouchers totaled \$2,547.50

Commissioner Ellis moved to approve the consent calendar as presented. Commissioner Verlinda seconded. The motion passed unanimously.

IX. FUTURE MEETING AGENDA ITEMS

9.1 Opportunity to Request Future Agenda Items

Agenda items were set as part of Item 5.3

X. EXECUTIVE SESSION

- 9.1 The Board moved into Executive Session at 8:46PM for up to 30 minutes. To discuss litigation or potential litigation with legal counsel pursuant to RCW 42.30.110(1)(i); and to evaluate the qualifications of an applicant for public employment or review of the performance of a public employee pursuant to RCW 42.30.110(1)(g). Action may or may not be taken after. The board moved back to open session at 9:10PM.

XI. ADJOURNMENT

The meeting adjourned at 9:10PM

NEXT MEETING DATE

The next regularly scheduled Commissioners meeting is for August 21, 2019

Attachments: Agenda; Fire Chief's Report; Commissioner Gehrke Letter of Resignation; Commissioner Greathouse Letter to Board

BOARD OF COMMISSIONERS


RICK VERLINDA, Member


SUZANNE GREATHOUSE, Chair


DON ELLIS, Member

POSITION #4, Vacant



DAVID MAEHREN, Member

ATTEST

KATE HANSEN, Secretary

King County Fire Protection District No. 16

Adopted at a Special Meeting of the Board of Commissioners on August 15, 2019