

Mosier Fire District Board Meeting
Mosier Fire Hall on Washington St.

DATE: May 8, 2014
7:00 p.m.

BOARD: Ken Hudson, Lee Roy Herman, Vic Hamilton, Glenn Bartholomew, Darin Molesworth
BUDGET ADVISORY COMMITTEE: Susan Gabay, Scott Baker, Mark Cherniack and David Povey

CAPITAL ADVISORY SUBCOMMITTEE MEMBER: Craig Funk

STAFF: Fire Chief Jim Appleton, Recorder Tracie Hornung

Absent: Excused: Public:

CALL TO ORDER – Meeting was called to order by Board President Molesworth at 7:04 p.m.

ADDITIONS OR CORRECTIONS – Added to the Board packet were a list of bills paid and an addition to the April 10 minutes titled Monthly Apparatus Mileage Logs proposed and written by Chief Appleton.

BUSINESS FROM THE AUDIENCE – None

CONSENT AGENDA

1. Approval of Minutes – April 10, 2014
2. Review/Approve Bills

Board Member Hudson made a motion to approve the Consent Agenda as presented, including the addition to the minutes. Board Member Bartholomew seconded. The motion passed unanimously.

It was agreed the Review of Bills would be postponed until after the Budget Committee Meeting.

BUSINESS

Molesworth suspended the Board meeting and opened the Budget Advisory Committee meeting at 7:09 p.m. Molesworth asked for nominations for Budget Advisory Committee Chair and Secretary.

Baker nominated Gabay for Chair; Cherniack seconded. Unanimously approved. Gabay nominated Cherniack for Secretary; Baker seconded. Unanimously approved.

➤ **Budget Committee review of 2014-2015 proposed Budget**

Appleton passed out copies of the Budget Message he wrote and read it aloud. Discussion followed regarding the beginning fund balance for 2014-15. Chief Appleton then walked the Committee through the General Fund Resources and General Fund Requirements pages of the proposed budget line-by-line. Regarding the mention in the Budget Message that the Board give consideration to increasing the tax rate, Baker suggested the District might want to consider an additional funding source based on building permit applications instead of an increased tax. Appleton said he doubted the District had the legal authority to do that but would look into it.

The Budget Committee Meeting was suspended by Gabay at 8:06 p.m. and she immediately opened the

➤ **Public Hearing for tax rate acceptance**

No comments were made and the Hearing was closed at 8:06 p.m.

A motion was made by Budget Committee Member Cherniack to accept the tax rate levy of \$1.65 per thousand. Budget Committee Member Baker seconded. There was no discussion. The motion passed unanimously.

A motion was made by Advisory Committee Member Baker to approve the budget as presented. Budget Committee Member Cherniak seconded. There was no discussion. The motion passed unanimously.

The public meeting of the Budget Advisory Committee was adjourned at 8:08 p.m. and the regular Fire District Board meeting was reconvened at 8:16 p.m.

There will be a Budget Hearing at the next Board meeting of June 12, 2014, and the public notice for that meeting will be in the newspaper.

1. Capital Advisory Subcommittee Update

Subcommittee Chair Craig Funk updated the Board on progress made by the Subcommittee. He said none of the current Fire District vehicles are compliant with the National Fire Protection Association. He gave an overview of a recommendation the Subcommittee is going to make to the Board on Phase I of an apparatus purchasing plan. He said the written recommendation will be ready by next month's Board meeting. Then it will be up to the Board to make decisions on the recommendations. He added that the Subcommittee has been considering financing options and that they had been in on two conference calls with experts on this issue. He said his hope was that the District would eventually be in a "sustainable situation" by developing a purchasing cycle in which the "first-outs" would be newer vehicles which, in about 15 years, would go into reserve status as newer vehicles were purchased. That would ensure a cycle so that the District always had "front line" as well as aging, but serviceable, vehicles.

At this point in the meeting, the Board returned to the Review of Bills. Hudson asked about the expense for T-shirts and sweats. Appleton explained that they were sold at the Grange dinner last month and a small profit was made. He said at the end of the year he would review what it costs to purchase and sell these products and the Board could decide if it was worth continuing with.

2. Volunteer Insurance Question

During the previous April 10 meeting, Herman had asked what would happen if someone being trained to drive a tender who was not a member of the District had an accident and said he had contacted an insurance agent because he was concerned that if a tender driver got in an accident with a District vehicle the Board could be sued. He said the agent told Herman that he, as a member of the Board, probably would not be covered. Also at that meeting a discussion had

followed on who has the authority to determine who becomes a District Volunteer. Appleton, at this current meeting, asked if the Board members had received an email he sent out April 25 to them regarding the insurance issue including a response from the Fire District's insurance agent, and also reported that, based on information from the Fire District's attorney, Appleton as Fire Chief has the authority to determine who becomes a District Volunteer as long as he operates within Board-approved, attorney-reviewed policy. Hudson asked if a certain individual who was no longer volunteering had been removed from the Volunteer list of those approved for freeway response. Appleton responded that no Board member had asked for a list of those removed. Hudson said he was asking for it now and Appleton said he will provide Hudson with one. A discussion followed about the white board in the District office that lists all the Volunteers and which needs to be updated. It was agreed that a more user-friendly way of creating and posting the list needs to be found, and Board Member Bartholomew agreed to help Appleton with the search for a new product. Another discussion followed on the existing Volunteer Membership Committee. Appleton said he would like it to function as a "welcome wagon" to new Volunteers, and a vehicle to recruit, orient and retain new Volunteers. He agreed that if the Membership Committee wanted to recommend new Volunteers he was open to that but, according to the Fire District's attorney and the Fire District's insurance agent, the Committee is not the final stamp of approval on who becomes a Volunteer: by state law and his employment contract, the Fire Chief is. Herman asked Appleton if he had written his own contract. Appleton said no. Herman added that "The Dalles" dropped the attorney that the Fire District currently uses because he was too expensive. Appleton noted that Hudson had offered to research the possibility of finding a less expensive attorney a few months ago but hadn't made much progress on it. Herman said he didn't know Appleton had the "power to hire and fire." He said Appleton "shouldn't have that kind of power." Appleton said state law says that's the way it should be and the District's attorney wrote the contract based on state law. Herman said that Appleton doesn't "pay any taxes" and therefore doesn't care how much it costs the District to employ him. "I don't feel you should have that kind of power," he said, asking, "Why should one person who gets paid have the power to hire and fire?" Molesworth responded, "Because it's state law." Hudson asked if Appleton had the authority to fire the Bookkeeper/Recorder. Appleton said he thought he did and produced his employment contract and stated that Section 4E of the contract spells out his authority to hire and fire. Hudson asked if the Board could change the contract. Bartholomew and Molesworth asked why they would want to do that. Hudson said, "I have said before in public meetings that I don't trust Jim's judgment." Herman then asked why Appleton "can't get along with women? Women can't progress here." A discussion followed about a female volunteer who had left the District and had returned. The term "freelancing" was discussed and Hudson said he thought Appleton had also done freelancing when he followed a Hood River ambulance to an incident outside the District when the District was not called. Appleton explained the particular situation and gave examples of other fire chief officers doing the same thing on occasion. He added he was "tired of getting beat up" about these issues. Herman asked, "Why don't you quit?" Appleton said he did not want to quit but that he wanted to be heard and respected. He added he had worked hard to get the previously mentioned volunteer back and that he and she are on good terms now. He listed four other women he had recruited and who are still Volunteers, and said that what Herman was saying to him was "insulting and rude." Herman said he would say no more. Appleton said he accepted Herman's "apology but I never want to hear about it again." Herman responded, "Unless I decide I will. I can say what I want." He added that

the issue could be decided “somewhere else besides here.” Appleton asked if Herman was threatening him. Herman’s response was unclear. Appleton told Herman that he (Appleton) had requested Recorder Hornung to directly quote what is said in Board meetings, adding that the District’s insurance agent is “horrified” by what he has been reading in previous Board Meeting minutes.

3. Attorney recommendation for agreement with Volunteer Association

Appleton suggested the District have a written agreement with the Volunteer Association and also suggested that someone on the Board or the Membership Committee start working with the District’s attorney to write it. He added that a written agreement would clarify some of the issues discussed earlier. Hudson asked if it would be possible to find a similar agreement in use elsewhere that could be modified for Mosier Fire District rather than going through an attorney. Molesworth agreed with that idea. Hudson agreed to search for one, but added he wouldn’t be able to start the process until cherry season is over.

4. Station development update

Appleton said he was looking for direction from the Board on where to site the proposed new fire station. Hamilton and Herman said they would prefer not to build on the land near the railroad tracks. Appleton agreed, because of the possible risk of explosion from a de-railed train carrying volatile crude oil and the noise of increased train traffic when a proposed second track is built in that area. Appleton said he had a team assembled to assist with siting issues. He has asked Wasco County if it would do a survey of land owned by the county near the Lower Rural Fire Station on State Rd. a possible site for a new fire station. He hasn’t heard back but if not, he will start talking with independent surveyors. He said he is also trying to find a way to build the station cheaper than a recent rough estimate of \$800,000 by another entity. Hudson asked what Appleton preferred in terms of what the interior space of the new building would contain. Appleton listed bathrooms, dormitories, showers, office, a community room, storage space and bays for fire-fighting apparatus. He said he wanted the building to have amenities that would attract Volunteers to want to spend time there so they would be readily available when called out. Bartholomew said the building could be designed so that it was expandable in the future. Appleton said he had been advised to start with a building a little bigger than what current needs are. He said he was looking into finding the answer to the question as to if it is cheaper in the long run to overbuild or to build a new addition in the future. He proposed coming to the next Board meeting with specs from the feasibility team and have the Board begin considering various options. In the meantime, Appleton said, he would have the survey done. He added that the county gave him as much assurance as possible at this time that it will do a lot line adjustment on the property. In response to Hudson’s question, Appleton said the feasibility team was David Bearss and his staff in Hood River. Hudson said he didn’t think a dormitory was necessary and would be inclined to develop a larger footprint for the building but not finish out the entire interior. He agreed with the building of an office. A discussion about the necessity for a community room was discussed. Appleton said the need for it couldn’t be dismissed. Hudson said Appleton did not want to take advice. Appleton said he respected Hudson’s objection to a community room but said fire service these days is a “culture that looks to a value above and

beyond fire and medical calls.” Hudson said, “I probably don’t agree with that.” Appleton said he thought this was a good discussion for the Capital Advisory Subcommittee.

5. Chief’s Monthly Summary

Appleton noted that Mosier Fire District would be receiving official word of its improvement in its ISO Classification imminently. He also reported that five new radios had arrived from a grant from the Wasco County Sheriff, which cost the District nothing. Hudson asked about the item on the Summary regarding dead pine trees on City property and why the District needed to be involved in any more of these discussions. Appleton explained that the City came to him asking about leaving slash piles on the ground until fall after the cut versus leaving some of the dead trees standing until fall when the rest of them would be cut, and he contacted ODF to get the answer. Referring to the item on the Summary about Fire Fighter 1 Classification, he said Chief Wood from The Dalles was scheduled to visit to review Mosier Fire District and submit the necessary application. When the application is approved, Appleton will be allowed to promote applicable Volunteers to Fire Fighter 1. Hudson asked what a trip to Cascade Motors, an item on Appleton’s mileage log, referred to. Appleton explained. Hudson asked if a \$1,400 expense was for one pager; Appleton explained it was for four.

CORRESPONDENCE – None

Meeting adjourned at 9:45 p.m.

Approved this ____ day of _____, 2014

Attest:

Board President Darin Molesworth

Tracie Hornung, Recorder