SOUTH KING FIRE & RESCUE

Regular Board Meeting
February 22, 2011
Station 68

Commissioner Gates called the meeting to order at 1600 hours with Commissioners Thompson, Fossos, Rickert and Freitas in attendance. Board Secretary Lauri Perry recording.

Pledge of Allegiance was led by D/C Olson.

APPROVAL OF MINUTES

Commissioner Gates noted we have two (2) sets of minutes in our packet he asked for the approval of the minutes of the January 25, 2011 Commissioner's regular meeting and the minutes of the February 4, 2011 Special Meeting. Commissioner Fossos made a Motion to adopt both sets of the minutes. Commissioner Freitas asked if Chief Church was going to be meeting with St. Francis in regards to Emergency Management, Chief Church replied that yes, they plan to meet on Friday, March 18th. Motion passed with unanimously.

COMMISSIONERS COMMENTS

Commissioner Freitas had no comments.

Commissioner Rickert had no comments.

Commissioner Fossos reported that he attended his second EMAC Meeting, they discussed Emergency Preparedness and he also attended the King County Fire Commissioners Executive Board meeting.

Commissioner Thompson thanked those that sent cards and emails of sympathy with the passing of his mother-in-law.

Commissioner Gates had no comments.

PUBLIC COMMENTS

Jerry Galland asked a question in regards to our February 4th Special Meeting of the Board of Commissioners. Commissioner Fossos responded by commenting on item 8a video taping of meetings and other options. He looked over to Chief Church and stated I want to make sure that in our policy there are no weapons brought into our fire station by the public, they are not authorized. Chief Church replied they are not authorized. Mr. Galland then questioned what policy, Chief Church replied SOG C-12. Commissioner Fossos added that police officers would be an exception to the policy; they are allowed to carry weapons into our stations.

Chuck Brezina, Precinct Committee Officer of unincorporated area of King County commented that if he goes into a courtroom and he tells a judge that he didn't know that, the judge is going to tell him that ignorance of the law is not an excuse. He sees a blatantly

misunderstanding and interpretation of the law in this room the last four (4) times that he has attended meetings; he is getting sick and tired of it. Commissioner Fossos asked for clarification of his comments, Mr. Brezina clarified it by stating that Commissioners Fossos comments and the comments about firearms and the total disregard for the law, he can open carry and conceal carry as a member of the public but the fire department and people in government cannot. That's what the law is, it has nothing to do with him wanting to walk in the door with a buntline special, he is allowed to do so, and the law says so. Commissioner Fossos and Mr. Brezina went back and forth on what the law states.

SAFE KIDS OF KING COUNTY SOUTH

D/C Olson noted that Deb Will of Safe Kids of King County South is not here yet. She had wanted to attend the meeting to thank the department for their involvement with the Safe Kids Program, they recently received an award from Mary Bridge Hospital, and he added that our PEO Kirsti Weaver has been serving on the Safe Kids Board for a number of years.

COMMISSIONER COMMITTEE REPORTS

Commissioner Gates noted that there was one (1) Policy & Procedure Meeting this month. Commissioner Rickert reported the following from the committee meeting:

- Reviewed the Commissioner Guidelines the yellow highlighted areas are updated per things that the Board passed in 2010. The committee will continue to review the Guidelines.
- Reviewed our Weapons & Prevention of Workplace Violence Policies, there will be no changes at this time; we plan on adding signs at the stations.
- This is a follow-up to the Motion that Commissioner Fossos made on February 4th *"to send this to the Policy & Procedure Committee for review and development of a policy, for distribution of the packets"* Commissioner Packets will be available the Friday prior to a Commissioners meeting between 10:00 am – 12 Noon after 12 Noon, the packets will be mailed to you. If there are large documents and only a few pages have been updated, then only the updated pages will be mailed to you, the rest will be emailed to you. Commissioner Rickert made a Motion that the Board of Commissioners of South King County Fire & Rescue approve distribution of the Commissioners packets to Commissioners the Friday prior to the meeting date, the packets can be picked-up between 10:00 am and 12 Noon, after 12 Noon, they will be mailed. This will allow the Board to come to the meeting prepared to discuss the agenda items. Commissioner Gates made an amendment to delete the work County from the Motion. Motion passed unanimously.

Commissioner Thompson reported on the following from the Policy & Procedure committee meeting:

- The committee discussed and recommends that there be some notes of the committee meetings sent out to the rest of the Board so everyone is aware of what was discussed and what the committee's recommendations are.
- The committee discussed and reviewed some Ethics Policies and Conflicts of Interest; they will be working on this in the future with more information to follow in the next few months.

- This is a follow-up to Commissioner Fossos Motion that was made February 4th *"to investigate videotaping all board meetings".* The committee was presented with several options and they recommend, Option #1 which is no cost to the District, we can use the equipment that we already have and that we begin videotaping our own regular board meetings. Commissioner Thompson made a Motion that the Board of Fire Commissioners of South King Fire & Rescue approve the videotaping of our regular Board Meetings beginning at our next board meeting on March 22, 2011 and add the video of the meetings to our website for a trial period of six (6) months. Commissioner Freitas asked if the committee discussed live stream or other methods. Commissioner Thompson replied that yes we discussed other methods; live stream is cost prohibited due to equipment costs the committee also discussed holding the meetings at City Hall, but this would only allow the City of Federal Way residents to view it not the residents in Des Moines and areas of unincorporated King County. Commissioner Rickert added that we would like to see how many people view the video and if we get a lot of hits, we can look at other options. Commissioner Fossos added that he supports this as it will focus on the entire Board not an individual of the Board. Motion passed unanimously.
- The committee discussed Motions needing to be seconded and the pros and cons of this. The committee recommends approval of this. Commissioner Thompson made a Motion that the Board of Fire Commissioners of South King Fire & Rescue approves the change in procedure and requires that all Motions are required to be seconded before any discussion on the motion can take place, effective immediately. Commissioner Freitas commented that as it sits right now, we adopted the abbreviated Roberts Rule of Order; he asked if we are abbreviating the abbreviated Roberts Rules of Order? Commissioner Thompson replied that our policy is Roberts Rules of Order revised, it is common practice by other entities that you can have motions seconded or not before discussion on the motion. Having motions seconded is more of the common practice. Commissioner Fossos noted that he likes it how we are doing it now. Commissioner Rickert added that we go by our guidelines and he noted that this allows meetings to run a little smoother if a commissioner makes a motion and it needs to be seconded, it guarantees a little support of the Board and it streamlines the operations of the meeting. Commissioner Freitas stated obviously, he will be voting against the motion, he added that by discussing things as a group and getting it out on the table, it is pretty easy to see if a frivolous motion is made compared to an education process. Motion passed 4-1 with Commissioner Freitas voting in opposition.
- The committee discussed that when individuals are in an "Acting position" they should use the title Acting Chief or Acting Fire Marshal and etc. for correspondences the committee recommends this change.

Commissioner Gates asked Joe Quinn's legal advice on the Policy & Procedure committee report in regards to weapons in our facilities. Joe Quinn noted that it is true that state law preempts local laws like that of general application for example here in Federal Way, if the police department tried to ban firearms throughout Federal Way as such a law would be preempted by state law, it could not be upheld. It is also true such amendment right to bear arms preserves many rights as far as rights to carry firearms. Joe discussed the case Cherry vs. Metro and a case that he was directly involved with was not preempted by state law

because it allows you to regulate and control what happens on your premises. He discussed the case that took place at Vashon Island, they passed a Prevention Workplace Violence Policy and neither the right to bears arms, 10th amendment or state law prohibited Vashon Island from having this prevention workplace violence policy and they posted signs informing individuals of their policy. This case went to the Court of Appeals and they confirmed that it isn't a law prohibiting weapons throughout Vashon Island, this is just about the fire station premises and the court upheld their position. Joe has been advising clients ever since that you can ban weapons from your properties, it doesn't violate the second amendment or the preemption clause.

RESOLUTION No 472 – SURPLUS OF VEHICLES

Chief Church read Resolution #472 into record. Commissioner Freitas made a Motion to accept the resolution; it was seconded by Commissioner Fossos. Motion passed unanimously.

ADMINISTRATIVE TEAM REPORT

Chief Church noted that the WFC will be taking over the NFirs process due to budget cuts at the State Fire Marshal's Office. The Board of Advancing Leadership is planning a Spaghetti Feed Fundraiser for October 1st, he challenged everyone to show their support for Advancing Leadership and attend the fundraiser. Once again, we have been asked to help Grace Church with the school clean-up which we will be participating in, it has tentatively been scheduled for August 27th & 28th, last year we also helped clean-up a few schools by spreading bark and etc. Chief Church added that he has a meeting on March 18th with Cary Roe from the City of Federal Way & Tony McLean from St. Francis to talk about their participation in the GFWEOC. Our Operations division is gearing up and ready for the potential of 6 inches of snow.

D/C Olson reported that Kirsti Weaver one of our Public Education Officer/PIO will be leaving the end of the month, she will be missed.

FEBRUARY BUDGET

The February budget is .01% over budget. CFO Lawson read into the record the list of expenditures for the month of February.

Mid-Month Utility Warrants (101607-101620) totaling	$27,710.24
Accounts Payable Warrants (101621-101701) totaling	$496,847.48
Payroll Direct Deposit Document for 158 indiv. DD002117-002274 totaling	$888,709.05
Payroll Warrants (#100044 -100046 for 3 individuals)	$7,360.67
Payroll Electronic Federal Tax Payment totaling	$184,688.16
TOTAL approval	$1,605,315.60

Commissioner Freitas noted that in Mary Stevens report in the packet there was some comparisons between last year and this year, he would like to get more information on that, is

it okay to talk to her directly. Chief Church noted yes, he may talk to Mary about this question.

PUBLIC COMMENTS

Jerry Galland commented that there is a lot of discussion here about weapons in public places, in Cherry vs Metro Seattle this is an employee (a bus driver) vs employer case and for the attorneys comparison that would be like saying no weapons are allowed on city busses. He would like to see how you would enforce that policy.

Meeting adjourned at 1539 hours.

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COMMISSIONER (CHAIR)

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COMMISSIONER (VICE CHAIR)

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BOARD SECRETARY