SOUTH KING FIRE AND RESCUE
BOARD OF FIRE COMMISSIONERS MEETING
October 26, 2021
Station 68 and Virtual Meeting
5:00 PM
AGENDA

1. Call to Order

2. Pledge of Allegiance

3. Approval of the Minutes from the Regular Meeting on September 23, 2021 and the Minutes from the Special Meeting on October 19, 2021

4. Commissioners Comments

5. Public Comments - please state your name and address for the record (please limit comments to 3 minutes or less)

6. Commissioner Committee Reports

7. Commissioner Meeting Recordings & Minutes

8. Resolution 600 – Delegating Authority to Fire Chief and Executive Director of Business Operations to enter into contracts and other obligations – Rescinds Resolution 569

9. Administrative Team Report

10. October Budget

11. Approval of Vouchers

12. Executive Session per RCW 42.30.110 (1) (c) To consider the minimum price at which real estate will be offered for sale or lease when public knowledge regarding such consideration would cause a likelihood of decreased price. Executive Session to last approximately 45 minutes, with no action to be taken after Executive Session.

13. Adjournment

We will respect each other and their opinion, and we will hold each member accountable to confront inappropriate behavior, or behavior that does not add value.

The Board of Fire Commissioners may add items and take action on items not listed on the agenda.

SOUTH KING FIRE & RESCUE
September 23, 2021
Station 68 and Virtual per Governor Inslee's Proclamation

Commissioner Gates called the regular meeting to order at 1700 hours with Commissioners Rickert, Berger and Thompson in attendance via the virtual meeting. Commissioner Fuller was not feeling very well. Board Secretary Lauri Perry recording.

Commissioner Gates moved Public Comments to the end of the meeting.

The Pledge of Allegiance was led by Commissioner Rickert.

APPROVAL OF MINUTES
Commissioner Gates asked for the approval of the Regular Meeting Minutes on August 24, 2021. Commissioner Berger moved to approve the minutes. Motion was seconded by Commissioner Rickert. Motion carried unanimously.

Commissioner Gates asked for the approval of the Special Meeting Minutes on August 27, 2021. Commissioner Rickert made a Motion to approve the minutes of the August 27th Special Meeting. Motion was seconded by Commissioner Berger. Motion carried unanimously

COMMISSIONER COMMENTS
Commissioner Rickert had no comments.

Commissioner Berger had no comments.

Commissioner Thompson had no comments.

Commissioner Gates noted that last month we met in person and now we are back to meeting virtually, it is his intention to continue meeting virtually as long as masks are required.

COMMISSIONER COMMITTEE REPORTS
Commissioner Gates noted that the Insurance Committee met. Commissioner Berger reported on behalf of the Insurance Committee, he noted that the Insurance Committee met a few months ago in regards to our insurance premiums going up significantly. The committee asked Jack Stanford to do an analysis on our loss history. The committee recently met with Jack and he provided a few recommendations to help lower our premium; raise our deductible for property damage from $1,000 to $10,000 per incident which could equate to a premium savings of about $23,000 since our buildings are so well maintained and raise the deductible on auto physical damage from $250.00 to $1000.00 per incident or about $6600 per year in premiums or about a 13% reduction. This change will save the District thousands of dollars. Commissioner Berger made a Motion to accept the 2021 insurance year proposal from our insurance carrier Enduris. Motion was seconded by Commissioner Fuller. Motion carried unanimously.

Commissioner Fuller joined the meeting during the committee reports.

DRAFT

RESOLUTION NO. 599 – AUTHORIZING OPEN PUBLIC BOARD MEETING TO INCLUDE REMOTE PARTICIPATION BY ONE OR MORE COMMISSIONERS

Chief Pennington read Resolution 599 into record. Commissioner Berger made a Motion to approve Resolution 599. Motion was seconded by Commissioner Fuller. Motion carried unanimously.

ADMINISTRATIVE TEAM REPORT

Chief Pennington

Chief Pennington reported that tonight's report will be relatively short. The team, has a lot of other work that we're doing, but the lion share has been focused on working with Labor and going through the Governors mandate. And working with our legal counsel, other agencies a whole "plethora" of different people trying to work our way through all of this and trying to make sense of it as the landscape keeps changing. So that's been a good portion of staff time working with that and then the other large agenda items for us has been developing the 2022 budget. We've had a series of meetings with team leads and division heads and getting everybody's budget requests so it's been a very open and transparent process and interacting with those that manage the program so that's been the lion share of the work were still continuing with the other things that we need to do. I would say, in the interest of time, if you have a question about some of the other programs or some of the other things that are going on please contact myself or Lauri Perry. And we will put you in contact with the division lead on so with that that's the end of the administrative team report and I'll segway over to the budget. If you're ready for the budget Mr. Chair we'll deliver that to you, the vouchers.

SEPTEMBER BUDGET

Finance Supervisor Kelsey Barrett read into record the list of expenditures for the month of September.

Mid-Month Utility Warrants (#115674-115692) totaling	$66,642.07
Accounts Payable Warrants (#115693-115781) totaling	$1,086,320.24
Payroll Direct Deposit Document for 190 indiv. DD023857--024046 totaling	$1,330,175.05
Payroll Warrant for 0 individual #	$0
Payroll Electronic Federal Tax Payment totaling	$306,219.76
Medical Claims as of September 21, 2021	$335,266.90
TOTAL approval	$3,124,624.02

We are 1.48% over budget, however if you back out the front loaded capital expenses for the engines we are approximately .55% over budget.

APPROVAL OF VOUCHERS

Commissioner Gates requested a Motion and a second to approve tonight's vouchers. Commissioner Fuller made a Motion to approve the vouchers. Motion was seconded by Commissioner Thompson. Motion carried unanimously.

PUBLIC COMMENTS

IT Specialist Jaden Hassell oversaw and managed the public comments.

I'm Joel Barrett. I live in 65's. I'm a Battalion Chief with South King. I rise today to stand in opposition of the motion you guys made the last meeting. The motion was to allow our members not to provide aid if they're not vaccinated. I'd like to advise you guys that King County Public Health allows for non-vaccinated members with reasonable accommodations to continue serving the public as they do today. I can give you some examples of fire departments that actually do this Kirkland, Central Pierce, Vancouver Fire and several other agencies allowing their members to do what they do today, treat patients and serve the public by reasonable accommodations and those are various, testing and masking. I believe all of these agencies have all of the same liability and insurance carrier as South King, so that shouldn't be a concern for you guys. Last month's motion stripped the rights of our membership to serve the community that they were hired to do. I don't think the board should or has the right to supersede the government of our EMT license which is King County Public Health but that's exactly what you guys did you stripped the rights of our guys. With this information I'm hoping, or we are hoping, that you rescind the motion and let your Fire Chief and Union negotiate reasonable accommodations. We currently have 20 plus members who have filed for medical or religious exemptions, and they've been approved by this Fire Department's Fire Chief and HR. The district and local have a tentative agreement that we've worked through previously and were awaiting ratification from our members and the department. And all that does is save 3 jobs, it puts 3 of our 20 something people to day shift and 17 members lose their job on October 18th. My shift, I have A shift, we have 7 dedicated members with approximately 100 years of service, and it will take 15 years to rebuild that experience level. There'll be several members tonight giving you some kind of presentation trying to save their jobs. We, my shift and I, place a high value on our members, and it would sure be nice if the board did the same. Thank you and please remember listen to your members tonight. Thank you.

Hi I'm Steve Gentry. I worked here for 37 years. I retired 10 years ago and I just heard some rumors that some of the guys that were not vaccinated are going to be let go and I think that's absolutely the wrong thing to do. They've been working for a year and a half unvaccinated so whatever they're doing right now is working for them. I just find that really horrible that you're considering firing somebody for not taking the vaccine and they're going to lose their pension, they're going to lose their job. I'm really disappointed, thank you very much.

Ted Gentry hello, I worked for this department for <inaudible> years and I've been retired for 2 years now. I'm holding a copy of the Federal Way Mirror article about your special meeting on the 27th and some things in here I really wanna address. I find it disappointing and discouraging that you would take a stance in this method and I've had a discussion with a few of you personally over this and the response that I got was we're just following with what the Governor says but that's not true. What you're doing is taking the Governor up a level. The Governor's mandate allows for exemptions for medical, it allows exemptions for religious views, and what you're saying is <inaudible> and that no exemptions are allowed. That's taking it farther than it <Cut Off by Call in Dialer> and then a quote from Commissioner Thompson saying 'hopefully employees will see the light and get vaccinated'. That is so insulting guys that can only be interpreted as you will think the way I tell you to think or I'm going to punish you for it and you know that philosophy has a name in a socio-economic structure that's

called fascism. It's called totalitarianism and if that's how you want to run the department be honest about it, don't tell me this is because we have to follow the Governor's mandate. You need to understand that these are guys that have worked for you for a long time, this is experience you cannot replace and to flush them away like this is absolutely ridiculous. It's not in the best interest of the community and I say this as a community member. This is simply taking a stand and saying you will think the way I tell you to think or I'm gonna fire you. This cannot stand. Guys you have said that you are here to support the fire department and you're here to support the community, and this doesn't do that. In fact, financially I need you to consider the ramifications of this. You're a department right now that is mandating overtime and can't keep up with the overtime that's spared. How are you going to keep up with that when you lose up to 20 more people due to this? You will be closing stations, you will be slowing response times, and you even admit to that here. A quote from Bill Gates, "We'll get to everybody, we may just not be as fast as we used to". That's not watching the response times and in the best interest of your community. That's cutting off your nose to spite your face. I implore you reconsider this decision, this is absolute lunacy. Thank you.

Hi Commissioners, I'm Matt Lee I have been with the department for 6 months. I'm a mechanic with Fleet at Station 60. So, I know that all of us have made decisions in our life that we can't go back on and change. Once we make decisions we can't always go back and we always wish we could make that change but we can't so it's important that we take in all the information that we have at the beginning of the decision making process. We have to make that point right now to stand for the firefighters, for the individuals that wanna make their right in their choice. They stood for us when we all ran home. When we all ran home and hid in our homes they stood and they had no idea what they were up against. They were given face masks and gloves just like what's being used today. It didn't change, they fought for us when we were all hiding at home, we need to stand for them now. We need to make the right choice today and the right choice is to stand for the same people that stood for us when nobody else could make that decision for them. They're people. I'm sure they were scared. I'm sure they weren't knowing what they were going to bring home to their family, but now we easily push them aside after what they gave. It's no different than the veterans, police officers, nurses they all gave while we sat down and stayed safe. What now? Are we going to make that decision today that we can't look back on and say oh I can't change that oh well and turn a blind eye they did that in history. Think about the history that we've lived through, we know what happens when people get separated <during division> and when we separate people vaccinated or unvaccinated it's only a matter of time but it's easy to turn a blind eye instead of making the right choice and that's to stick up for the firefighters, and the police officers and the nurses that gave. Don't ever forget where you came from. At one time you all made this decision to want to stand and to give a purpose for your life, well make that purpose today. You can't stand for a better reason. Don't think of these as 20 people they aren't 20 people they have a wife, they have children they have mother in laws, father in laws who knows whose living with them but all of them matter. That could be 100-120 people you're making a decision for right now you're not just making it for the 20 guys you're making it for everybody and it shouldn't be held lightly in your hand, you should know the strength that you have to make a choice as a body as we all can as a body. I mean really that's what we're looking for, were looking for people to stand and make the right choice today and to make that difference because otherwise tomorrow it's too late, tomorrow you've already made the decision and its gone and you can't change it. I stand here now with you guys and hope that you make the right decision.

Chris Andersen Captain South King Station 64, Commissioners South King firefighters have come to work every day during this pandemic and have answered every call and we will continue to do that why? Because this is what this noble profession has always done and will always do. Yet your lack of leadership and inability to communicate with us is making that very difficult. Early on they called us heroes, now we're being told we're selfish and putting our patients and community at risk, I would agree with that statement if it were true. There has not been one documented case of our members giving any of our patients Covid. I'm also not aware of any known or documented case in which a first responder or healthcare professional gave Covid to a patient in King County. If it were shown that first responders and healthcare professionals were getting their patients sick, I would have been vaccinated months ago because they are correct, we do have an obligation to protect them, but the science doesn't support that. How this department and other departments in King County can take such a stance not to allow us to continue to in our current capacity is infuriating. What does King County know that the rest of the state doesn't know? I challenge all of you to please reconsider your stance and allow us to continue in our current capacities with accommodations to include mask wearing and testing like the other agencies are allowing. Let's be a regional leader like our mission statement says that we are. I want to leave you with just a couple of numbers, I know we're inundated with numbers but there is one number that hits this home at least for me and please don't take this as insensitive, every death is tragic, but we have to look at the numbers. This is per the Department of Health as of September 21st and we're only talking about King County. There has been 139,000 confirmed cases, 1800 deaths. If we break that down, 1800 deaths over the course over 19 months is 94-95 deaths a month. If you take that down farther, that's 3 deaths a day in King County. So, since the beginning of the pandemic, we've had 3 deaths a day, were going to allow 20 guys or better to leave. We've had 3 deaths a day in King County, in a population of 2.3 million. Please reconsider, thanks.

Tonia Andersen Hi there. I just have a quick question to try to help me understand and explain to my kids. Can you please help me understand the difference of this state saying that unvaccinated firefighters can treat patients, while wearing PPE and testing, and as Chief Barrett explained that other neighboring fire departments are allowing their members to keep their jobs in King County, but South King Fire says no? Why are there different rules pending the county you work in? Commissioner Gates replied, "I'm not in a position to answer that.". Tanya Andersen, Chief can you answer that? AC Chaney replied, "I'm not in a position to answer that.". Tanya Andersen replied, "Thank you".

Well my name is Tim Gurule and I've been a professional firefighter for 7 years. Prior to fire, I like many in this department raised my right hand in defense of the pursuit of liberty. Myself and many like me volunteered to go into harms way not once but many times and we continue to do so today. We do these things not because they are easy but because they are hard. We do them because they are necessary. The world needs shepherds. Because whether we choose to believe in them or not, there are wolves. Three months before I was vested in my previous fire department, I got an opportunity to come to South King. I took it without hesitation, I had took it because I had heard what this department was, what it represents, that family is always first and that we'll do anything to support our members. I thought that the other night, as I dawned my full PPE, my P100 Mask, my eyewear as I walked into a CPR scene where the family members were gathered in a room. And they gladly invited me into their home to work on their family member, and not one of them asked me what my vaccination status was. All of them gladly welcoming me into their home as I have been doing the last 18 months of this pandemic. This year, I received a meritorious service citation for directly saving a life at a fire. My son was proud and we hang it in our home and if I'm going to go home and tell my children I can

no longer serve my wife and my kids deserve to know why. So why commissioners, if the state allows a legal path to accommodation will you not relent? We do not need to stay married to our opinions. If a new and better information is available, please adjust our opinions, use the information in front of us, use logic we don't have to stay rooted in one idea that we held from the beginning. If I can no longer tell my son that this year, I saved someone's life and I show the award for it, and now I tell him I don't get to do that anymore I'm not a firefighter anymore. What can I tell my wife and kids as to why? What reason can I tell them that we will not accommodate? Commissioners, I'm asking you as a man to a man, what am I going to tell my wife when the state allows us legal exemptions and accommodations what can I tell my family of why I can no longer work here? Commissioner Gates replied, "I'm not in a position to answer that right now". Tim Gurule asked How about the other commissioners? Will my Fire Chief give me an answer for what I can tell my children? Chief Pennington replied, "We've been working with your Local, and we've been working with a variety of medical program directors to try and find an answer for you and I don't have one right now."

Good evening gentlemen, my name is Tyrel Rose and I have been a firefighter here at South King for 8 years. This past week I had the opportunity to save the lives of two separate people. One man who wrapped his car around a tree, his head pinned between two pieces of metal. Where I had to take a <resub> saw and cut within 6 inches of his head to save his life. The second one was someone who was shot twice in the arm and torso. I helped stop the bleeding and breathe for him all the way on the trip to Harborview. Gentlemen, I only want to be able to provide the same level of care to our citizens without having to sacrifice my personal morals to do so. We've gone a year and a half without spreading Covid to a patient thanks to our diligence and proper PPE. My question to you is this, and the same as every other one tonight, the state allows me to work with accommodations proven safer than any we have used previously, why won't you? The way that I see it the decision to not allow reasonable accommodations is a decision based in fear. If an officer or firefighter working for your department were to make a decision based on fear people would be hurt. Make no mistake about it, people will be hurt by this decision. Because fear gentlemen, it <inaudible> a rotten crop.

Good evening, my name is Chad Snyder I'm a Lieutenant at South King Fire & Rescue Station 67. Commissioner and Commissioners, I have provided to you a public document this public document is a letter from Judge Dave Larson. He is a municipal judge for the City of Federal Way. I believe each of you are very familiar with him. Judge Larson recently gave his opinion in an email to the Supreme Court of Washington State. The email is the document you have along with two attachments. I'm going to highlight a few parts of that document tonight. In regards to can the Governor or can a municipality, a government entity i.e. a fire district can they mandate the vaccine? Here's his points. The question is whether there is any authority established directly by legislative enactment permitting the Supreme Court, the Governor, or the Government official to directly/indirectly adopt vaccine mandates. We must keep in mind that the court in Jacobson was addressing a Massachusetts statute that allowed local jurisdictions to mandate vaccines no such statute exists in our state that gives the Governor or the Supreme Court the authority to mandate vaccinations. The only vaccination mandate passed by the legislature that is currently in effect is for school aged children, see RCW 28.210. There is no statute that mandates adult vaccines or delegates the decision to require vaccinations to any other government official or government body. The Governor's emergency powers do not give him authority to create laws, only waive or suspend them, see RCW 43.06.220 and RCW 43.06.220. They provide limited actions that can be taken by the Governor and those powers do not include managing vaccine policy, see attachment B in the back. The Supreme Court definitely has no legislative or executive authority

to pass vaccine mandates. There is also no law or regulation that conditions public employment on any form of vaccine or other medical procedure. This means that the Governor, the Justices, and/or other state/local officials cannot mandate vaccinations as a condition of employment because no law passed by the legislature has given them the authority to do so. Terminating, this is key here, sir terminating a public employee for not performing an act that the public employer has no authority to compel would be a problematic violation of due process and it would fly in the face of fundamental fairness. The monetary liability for wrongful termination would be staggering, and there may even be an argument for attorney's fees, this is under, 42 US Code 1983. I'm going to read that last statement again. Terminating a public employee for not performing an act that the public employer has no authority to compel would be a problematic violation of due process and it would fly in the face of fundamental fairness. Are you prepared to take that liability sir? When you do not have to? You've been given an out, you have chosen to go above and beyond. Are you willing to take that liability?

Good evening, commissioners. I'm Andrew Lowen, a 20-year veteran currently working at Station 61 on the HazMat team. The last couple years I went to day-shift and joined in the initial process of Covid, a task force serving as a PIO serving information to the public keeping them informed as to what is going on and then later on as support team providing support for the levy. I had the opportunity to work with really good people and I want to thank you Chief Pennington and Chief Chaney for the conversations I had during that time with you and I do trust and know that you are thinking deeply about what is going on as well as the commissioners – and I also echo that sentiments, the feelings, the communications that the people behind me have shared with you. They have thought deeply about this as well and so I'm thankful for their communication to you about that and we're not doubting you recognize that there's sincerity in doing so. I would like to speak briefly about a couple of things Captain Andersen mentioned. I'm not a selfish person, I'm intelligent. I have a degree in Geology Education from Western Washington. Many classes on HazMat training. I can carry on a conversation, and compassionate and for those of you who know me you know that's true. I've sacrificed, we have sacrificed a lot, from dead babies to drunk drivers to families who are mourning. We've carried that burden and given some of that ourselves to that. In all of this, I'm at great peace that my faith is carrying me through this, that there will be resolution. I may not completely understand how that comes but there will be resolution and I'm at great peace about it. I have great peace when I go on Covid calls, in the last year. I have documentation right here that shows I have gone on 10 Covid positive patients, wearing proper PPE I have never tested positive for Covid. The PPE works. It's a reasonable accommodation that does not pose undue hardship on our district. It's not very glamorous, but I have swabbed countless people at the test site. In the last month we've seen over 10,000 people at Federal Way. I do it because I care about the people of my community. I'm able to answer their questions. I have my own personal test results, I'm happy to share it with you. Three negative test results. Why? Because people need to go back to work, they wanna go to concerts, they wanna spend time with their loved ones they wanna work, I wanna work. It's a reasonable accommodation, along with PPE. I have been spit on, yelled at, cussed at and vomited on in the last month. It's something I do because I care about people. So, thank you for thinking deeply about these things. Thank you for giving yourself to what we all can agree on and that is service to the public. Thank you gentlemen.

Cheryl Hurst many of you know how much I respect South King Fire & Rescue. And I know all of the commissioners personally and respect them highly also. I'm vaccinated. Not a big vaccine person, I did it but that doesn't change the fact that not everybody has to make that same decision. For us to lose to 20-25% of our fire service personnel, I don't know big is not the right percentage 20 people well to

me if we lost 1 you're endangering the mutual aid from surrounding departments. I live off the end of 61's which is where you go. 61's is on one end of the lake we're on the other. We should say it correct 361. They are our only reliable responders there that's not from a line that George <inaudible> King County Sheriffs. They're it. They're our safety, and they're our everything. So, okay we move somebody here, we move somebody here, and maybe we patch up a couple of things. I'm not really interested in having people hashed up and moved and hiring new people. One of the things that you have to sit there and think about is first of all these personnel, young, old, retired they deserve better. You hired them because they are the best of the best. Do you know how many people want to get into South King Fire & Rescue? People are begging to get into here. You picked them because they are the best. You want your fire service to be at full strength. That's what we paid for in Proposition 1. People trust us this time, boom, boom were going to give you that money. What are you going to take away from that? People, you just got people to trust us. With to say oh I'm sorry because they guys have been working for a year and a half or if they were working in Montana or Idaho that if they were using reasonable accommodations would they be fired? No, they wouldn't be. You guys are really, really smart people. I get where you're at. I get it, I get it, I get it, I get it but right now at this point, I mean there is just nothing I can say to stop emotionally feeling that you're willing to ruin the strides that the department has made to get back together and being cohesive. You're willing to ruin people's families. Their dream jobs from probably when they were 8 years old. You're willing to risk all that for something that 90% of departments in the country would just shake their head and say what are you thinking. So at this point, I respect you guys and I respect them. I'm kinda stuck in the middle, but really seriously think. You picked them because they are the best of the best and respect their decisions please.

Hello, my name is Randy White Lieutenant Station 61- Station 62 I don't know why I said that. Randy White I am here today begging for you to reconsider that motion that you made last month. I brought my wife on her birthday. I brought my 3 children so they can see what leaderships all about. Leadership is not easy, it is not about making the easy decisions. It's about making the hard decisions and what's right, not going with the status quo. My leadership background, I'm a lieutenant here at South King Fire & Rescue for the past 2 years. I'm an Army Combat Helicopter Pilot. Pilot in command, air mission commander, instructor pilot. I have flown numerous missions overseas leading 6 aircraft in the middle of the desert in Iraq. I have a little bit of experience in leadership. Leaders come to the top when they admit that they're wrong, and they've made a poor decision. It's not a career ender, it's how you recover from that. This is one of those times. So not all decisions are made easily, my dad told me when I was a kid, stand up for what you believe in, even if you're the only one standing. A lot of us have stood up today. We've given years and years of our lives. We've had injuries, countless amounts of pain for all of us just to serve the public. Everything that we've brought to the table today, it proves that the PPE we're wearing has great effect. In the past 19 months, we've run 35,000 calls roughly, not one instance where we have contaminated the public with Covid 19. Coming in today, we were late so we were listening to meeting and you were saying the Pledge of Allegiance, and it's always an important thing to me because having served in the military and public service at the very end you said in liberty, right? Liberty here is the definition of liberty, the state of being free within society from oppressive restrictions imposed by authority on one's way of life, behavior, or political views. That's exactly what's happening here, our liberties are being destroyed. So my one question. Please can you look back at my family and tell them why, that me with an exemption, will be fired on October 18th because I didn't get a shot for a disease that I already survived? Can you answer that question to my family please? Commissioner Gates replied, "Not at this time." Randy White asked can anybody on

the webcast answer that question? Can you let the public record know that they are refusing to answer questions? This isn't leadership kids.

Okay, my name is Katie Snyder I am the wife of Lieutenant Chad Snyder, so I am going to be speaking as not only a family that will be affected by these mandates coming on the 18th but also as a doctorate prepared nurse practitioner. I currently work as a nurse practitioner at MultiCare hospitals. Multiple sites in the neonatal ICU. Being a doctorate prepared professional, I am part of the highest percentage of people who are refusing the vaccination for religious, moral or medical reason. So this is not coming from an uneducated person. In many cases, currently at the hospitals, about 25% of nurses, doctors and support staff are unvaccinated and have entered exemptions; most of those have been accepted, mine included. That means I will be continuing to work just as I have the last 18 months with accommodations as you've spoke of. So my question is why? We can all do that at the hospital with known cases of Covid with the same or lesser PPE than you guys have had and you're not allowing the firefighters to continue to working. There has been currently, a 25-week premature baby, that's in our unit that was saved because of one of your crews of people who were unvaccinated on it. If you would take them out of service, whose saying that the same situation won't happen and those same people won't do as amazing of a job as they did last time. That family is extremely happy, and I think it would be sad if they were taken off the line just for a personal choice. That might be for legal reasons, it might be for your own opinion that you think it can't be done, but I want you to know that MultiCare and many other hospital systems are making accommodations as they are allowed to in this state, and I would encourage you to do the same. Thank you.

Ryleigh Carr, I've been with South King for 3 years. I'm at 62A. I served in the greatest army in the world. Furthermore, I have operated with Navy Seals and counterintelligence all to mitigate a threat to national security and the American people. I wore that uniform so many didn't have to. Freedom of choice is a loaded statement for me, I can comprehend its meaning at so many levels and have immense respect for it. I've chosen to uphold an oath to those that we serve here at South King Fire & Rescue. An oath that makes me beam with pride, blood, sweat and tears are shed because my heart and soul belongs to my patients. Love, loss, hurt, we have all seen it. We bear the ownership, responsibility and accountability in all that we do, we chose this. Duty to my country and my citizens is all I have ever done. Board of Commissioners, you have stripped me from the choice to do what's best for me and my family. You are ending my livelihood, as well as my purpose with South King Fire & Rescue. It's unbelievable, it's unbearable, and furthermore it's disappointing. Thank you.

Hi I'm James Hampson. Been a firefighter here at South King for 6 years now. And I'm assigned at Station 61. And I'm on the HazMat team and I'm also the Covid Test Site Supervisor at the Aquatic Center. I'm joining here tonight with my wife and daughter here beside me. And as of right now, my wife and I are both looking at losing out jobs. Not looking for a debate, I just want to point out that we have some very real concerns about this vaccine that we feel are very legitimate. We're not denying that Covid is serious, and we're glad that a vaccine is available. It's a great choice for many people out there. We aren't saying we'll never get the vaccine either, it's just the choice that we feel is not right for us right now and the choice that we feel we should be able to make for ourselves without our livelihood being threatened. For the last year and a half, we have as a department, have been working safely around this virus and I'm confident we can continue doing so. Masking and testing is a safe option. Arguments can be made that its safer than our current policies, and it's been approved by the

Department of Health as an option for employees with exemptions and other fire departments are implementing the same policy for their unvaccinated employees. Why are we so against providing this as an option for our exempted employees? My wife and I have unfortunately come to terms that she will more than likely lose her job next month, but I believe our jobs with this department can be saved with some strong leadership. You can have whatever opinion you want on this vaccine and that's your right, but this mandate is just plain wrong. You can stand for us and set the tone for the rest of the zone, and many other departments in the area by allowing us to continue working the line with the very reasonable accommodations of masking and testing. Please be the leaders that we need you to be for us and our community. Thank you for your time.

I just want to take a second to thank everybody who has spoken so far. Your words of support do mean a lot, and it's hard not getting emotional listening to everyone standing up for what they believe in. Good evening, Board of Commissioners, my name is Chad Van Berkum I work at Station 62 on C shift. Myself and others will be <inaudible> from this job October 18th, <inaudible> perspective <inaudible> this topic. I would argue that even though I am in the position that I am, that difference of opinion is a good thing. Difference of opinion, perspectives, backgrounds they ultimately make up a team that is diverse and is therefore stronger. Reality of this also is there is going to be differing opinions and common ground needs to be found. Not necessarily you must do this or be terminated. I can't help but feel out in the dark when we don't get any reasoning from your stance. As of last night, the Board of Commissioners has not gotten back to our Union President when all he wants to do is represent his membership and ask questions and get answers. For people who have their livelihoods on the line that affects them and their families I believe that's unacceptable. We need to hear from you and why you choose to go above and beyond what the State is asking. Keeping the safety of our community as a priority, I believe that we can make it even safer with adding testing and continuing to wear the PPE we have, that has been shown to be very effective. Recently Dr. Rea wrote, our medical director wrote, an article showing the low risk of exposure to first responders. In over the last 18 months and 30,000 plus calls we have, to my knowledge not had a positive Covid case resulting from either exposure from responder to patient or patient to first responder. All exposures that I know of at the fire department have come from people taking it from outside in, vaccinated and unvaccinated. Also, recently mandatories have been on the rise as of late, it's evident that morale has taken a hit over the last 18 months. And maybe this is over simplifying it but is a fire department with good morale and good staffing safer for a community or less safe again keeping safety as our primary goal. Probably what I believe brings the highest risk to the community as far as safety goes is losing the years and years of on the job experience, we will be losing if you do not change the stance on this mandate. Officers with 10 plus years gone this cannot be replaced with just new hires. Those with years of experience gone are the ones who make time sensitive incident critical calls, those type of decisions alongside that experience are what keeps the community safe and in emergency incidents. I understand you're in a difficult position but what is so special about the fire department is the family bond it creates amongst each other. <Time Warning> I believe that can be done with testing and PPE, I'm asking you to rescind your policy on the mandate and reach common ground with PPE and regular testing which will ultimately keep the community safe. As safe as possible as well as allow us to provide the professional service that we want to give and the community deserves and not terminating us individuals for the personal choice.

Brooks Werner I would just simply to like to ask the board to go to executive session and discuss our concerns and either give an answer tonight or rescind the motion, thank you.

Good evening Commissioners, Chief Pennington, Ryan Herrera President of the nearly 160 men and women who serve the communities of South King Fire & Rescue. And you've heard them speak tonight, you've heard their families speak tonight. You know I've sent a couple of letters to the Fire District and to the Fire Commissioners. I am extremely disappointed we have not received a response. I've given the importance of this topic and the impact that it has on the families. I believe an opportunity to be on the right side of history and you know I'm shocked, I'm disappointed, but I urge you and as Lieutenant Brooks mentioned, I think it's extremely important that you go in and you discuss this as a Board, your legal counsel is present, the only answer that you've been able to provide is that you're not in the position to answer that right now. The clock is ticking. The State, the Governor's office and the Department of Health have clarified the information that I believe drove you to the decision you made. I don't envy your position to make that decision, but I believe that things have changed. Clarifying documents have been released. These documents do suggest that unvaccinated healthcare providers, who qualify for religious and/or medical exemptions can be retained as employees in operational positions where they can treat patients. The impact that this is going to have to lose the men and women is going to be devastating on our communities, and on our response times. I think it's going to be impossible to get back that knowledge and experience that all of these firefighters have. You've heard many of them speak tonight about what they had been doing for the last 18 months. They come to work, and they dawn their PPE understanding the risk before them and they do their job, the job that they are sworn to do, and they do it pretty damn well. I think the decision you made, defies logic. I think it's very simple to see we have policies and practices in place. We have a member, that as today, as a family has a child with Covid, and for that person to come to work, all he needs is a negative test. This is a known exposure, this isn't a possible exposure with a patient in the streets this is a known exposure he's exposing himself to everyday and he can come back to work, after he gets a negative test. I simply don't understand the logic, in telling folks that a reasonable accommodation for mandatory masking and/or mandatory testing is not possible, but we do it right now. So, I don't understand what changes on October 19th. So again, I don't envy your position I do sympathize with you. I want to thank Chief Pennington for all the late hour phone calls we've had many of them. I know we're working to resolve this, but Commissioners I absolutely urge you. Go into executive session, talk about this, do the right thing for our members, for our community. That like one of the members spoke on earlier, that is leadership. It's a difficult position to take, but I think it's important for you to take it. So, thank you all very much, and if you have any questions for me, I'd be happy to answer them.

Commissioner Gates responded to the public comments. Thank you all for sharing your thoughts and concerns. I believe I'm speaking for the Board in saying we hear you. The only thing I can say at this point is the Fire Chief is doing a good job, he continues to keep the Board informed regarding the impacts of this mandate and at that point that's about all we are going to be able to say tonight. We are adjourned, thank you.

Meeting adjourned at 1811 hours.

COMMISSIONER (CHAIR)

COMMISSIONER (VICE CHAIR)

COMMISSIONER

COMMISSIONER

COMMISSIONER

BOARD SECRETARY

SOUTH KING FIRE & RESCUE IS AN EQUAL OPPORTUNITY EMPLOYER

DRAFT

SOUTH KING FIRE & RESCUE
Special Meeting
October 19, 2021
Virtual - Station 68

Commissioner Gates called the special meeting to order at 0830 hours with Commissioners Rickert, Berger, Fuller and Thompson in attendance. Board Secretary Lauri Perry recording.

Commissioner Gates added this is a special meeting and any public comments must be specific to the topic of the meeting, which is to discuss the bids for Station 65.

The Pledge of Allegiance was led by HR Director Mary Stevens.

PUBLIC COMMENTS
Commissioner Gates mentioned that if anyone has a public comment it needs to be regarding the bids for Station 65.

COMMISSIONER COMMITTEE REPORT
Commissioner Gates noted that the Finance Committee met and discussed the bids received for Station 65. He asked Commissioner Rickert if he wanted to give the committee report. Commissioner Rickert added that we received five (5) bids for the Station 65 remodel. The lowest bid was from BFC Construction for $1,190,000.00. Commissioner Rickert made a Motion that we accept that bid. Motion was seconded by Commissioner Thompson.

AC Mataftin added that BFC Construction has been vetted by both our architect and also by Kelsey Barrett. They are in good standings with the State in regards to everything that they have to provide. The architect has checked into two (2) of their last public works jobs and the owners were very satisfied and in fact would hire them again if the need were to arise. Today we are going to have a planning meeting to determine the schedule of the start and how we are going to move crews, but tentatively the construction will start on or about December 1st. We have renewed the building permit with King County, it is good until December of 2022 the project is scoped to take about 10 months. The contractor feels that he could probably complete the project in 7 – 8 months.

Motion carried unanimously.

Meeting adjourned at 0841 hours.

COMMISSIONER (CHAIR)

COMMISSIONER (VICE CHAIR)

COMMISSIONER

COMMISSIONER

DRAFT

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COMMISSIONER

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BOARD SECRETARY

SOUTH KING FIRE & RESCUE IS AN EQUAL OPPORTUNITY EMPLOYER

DRAFT

SOUTH KING FIRE & RESCUE

KING COUNTY, WASHINGTON

RESOLUTION NO. 600

A RESOLUTION of the Board of Fire Commissioners of South King Fire & Rescue (aka KCFPD #39), King County, Washington, Delegating Authority to the Fire Chief and Executive Director to Enter into Contracts and Other Obligations

WHEREAS, Resolution 600 rescinds Resolution 569 which was adopted by the Board of Fire Commissioners on December 27, 2019;

WHEREAS, RCW 52.14.010 provides that the affairs of the District shall be managed by the Board of Commissioners, and heretofore the Board has delegated some authority to the Fire Chief of the District to obligate the District subject to ratification by the Board of any such actions; and

WHEREAS, The Board of Commissioners now wishes to delegate specific authority to the Fire Chief and Executive Director to enter into agreements and contracts, whether for purchase of equipment, materials, or supplies, or for small public works projects, and/or for services of various kinds needed by the District, up to an amount certain and under specified limitations;

NOW THEREFORE BE IT RESOLVED:

1. The Board of Commissioners finds it would be appropriate to delegate a certain amount of contracting authority to the Fire Chief and Executive Director in the interest of efficiency and to further effective day to day governing of the District.

2. The Board therefore delegates to the Fire Chief and Executive Director the full authority to enter into agreements, contracts and other binding obligations, (not including any such legal agreements or instruments that by statute or law can only be executed by the Board itself), including contracts for the purchase of equipment, materials, or supplies, small public works contracts and agreements for services such as professional service. Any agreement, contract or other binding obligation over $50,000 will require a co-signature by the Fire Chief, Executive Director, or an Assistant Chief.

3. The District's Fire Chief and his administrative staff are hereby authorized and directed to report any such contracts, agreements, or obligations to the Board of Commissioners, entered into under this resolution during the previous month.

ADOPTED by the Board of Fire Commissioners of South King Fire & Rescue, King County, Washington, at a regular meeting this 26th day of October 2021, with the following Commissioners being present and voting.

_____ _____

CHAIR/COMMISSIONER VICE CHAIR/COMMISSIONER

DRAFT

COMMISSIONER

COMMISSIONER

COMMISSIONER

ATTEST:

Board Secretary

DRAFT

Resolution No. 600