

**FIRE DISTRICT 38
REGULAR MEETING MINUTES
September 16, 2021**

The Regular Meeting of the Fire District 38 Commissioners was held virtually at 1600 hrs on Thursday, September 16, 2021. In attendance were:

Chairman Ron Pedee
Commissioner Chris Dahline
Commissioner Matt Talbot
EFR Fire Chief Jeff Clark
Secretary Trina Wilson

The meeting was called to order by Chairman Pedee at 1600 hrs. Commissioner Talbot made a motion to accept the July 14, 2021 minutes. Commissioner Dahline seconded. Motion carried. The Secretary read the Treasurer's Report. Chairman Pedee made a motion to accept the Treasurer's Report and the August Blanket Voucher with vouchers 6747- 6753 totaling \$152,969.60 and the September Blanket Voucher with vouchers 6754- 6759 totaling \$150,697.59. Motion carried.

PROCLAMATIONS & PRESENTATIONS- None

OLD BUSINESS- The Secretary advised the Auditors office stated our audit should be completed by the end of the month.

NEW BUSINESS-

Woodinville Contract- The new contract with Woodinville will go into effect in two weeks, adding 61 new employees into EF&R. The two locals are working on details that should be resolved in the near future. Station visits will take place next week.

Chase Bank- Chase Bank, which is where the Travel Account/Petty Cash are maintained, advised they are changing the current accounts to a Chase Business Complete Checking account requiring a \$2000 balance each day or there will be a monthly fee. The Secretary advised there were two options: raise the petty cash account or attempt to find another bank that will not charge a monthly fee. Commissioner Talbot suggested the Secretary research and transfer our accounts to a bank that will not impose monthly fees. Commissioner Dahline and Chairman Pedee agreed.

Vaccine Mandates- Chairman Pedee advised he had requested this be added to the agenda as he would like to know the perspective of Eastside Fire & Rescue on the issue. Is the vaccine a condition of employment? Chief Clark advised this is a very difficult subject to address but ultimately there is very little leeway once the Governor has issued a mandate. The Chief has reviewed many rulings including those from the Attorney General, the Department of Health and attorneys. A meeting was requested with the Department of Health but that was denied. The issue is regarded as a "jurisdictional issue" and no other department in the area will even entertain retaining unvaccinated employees. Once the mandate was declared, agencies with federal funding are risking that funding if they do not follow the mandate. It is perceived that the Governor will not be budging on this issue.

The EOI states there can be medical and religious exemptions of which EF&R has 25 pending exemptions based on religious beliefs. Chairman Pedee asked if First Responders were granted exemptions could they still work. Chief Clark stated they could not participate in the patient setting. There will be a few day assignments opening up in the near future but those positions would be open to anyone applying and the Union does not support bumping individuals currently in day positions. Those not meeting the stipulations of the mandate will be allowed to participate in Article 26, the RIF Program, for layoffs. This is a Leave of Absence that would allow an individual to return to the organization within five years providing they now meet the requirements and there is an open position.

Some Unions are very vocal about this issue. Some are submitting votes of no confidence of their Fire Chiefs. But every agency has the task of protecting their people, both in the service area and in the fire station. Chief Clark reiterated he did not want any employees to leave but ultimately what is best for the department has to take precedence. When the time comes that he can allow accommodations he absolutely will.

Chief Clark continued by addressing the subject of Liability, which is a huge factor for any Fire Department. The concern is if Covid-19 is linked to a First Responder, vaccinated or not, what are the long term implications and liability. The Department needs to be able to show they have done everything possible to protect the workers, the patients and the community. If employees are not vaccinated then EF&R increases its liability. The safest route for the organization is to adhere to the intent of the mandate until such time the mandate is amended or lifted.

Commissioner Talbot asked how many of the 25 are from Woodinville. There are three. He also asked about exemptions versus accommodations. Chief advised there will be a detailed report at the FAC meeting on Wednesday. There could be changes in staffing, vacation/sick leave buyouts, new employee costs, etc. At this time, if you are unemployed because you won't get the vaccine, you are not eligible for unemployment benefits. EEOC guidelines state accommodations cannot be shared with others so it becomes difficult to enforce.

Chairman Pedee stated this is a complicated problem being addressed in an organized way. He then asked about a specific study done in Israel with 700,000 test subjects. Chief Clark stated he was aware of the study, but the King County Medical Director and Washington State are not yet accepting antibodies as a substitute for a vaccine as this study supports.

There will be further discussion about this issue at the FAC meeting next Wednesday. All Commissioners are invited to attend virtually but the entity is only allowed one vote. If firefighters choose a LOA over vaccination there will be adjustments to staffing that could be made. There could be over \$400,000 in vacation payout. There can be new employee costs. In addition unemployment benefits will not be available for those who chose to leave.

Most people assume all firefighters are vaccinated. Commissioner Talbot asked why last year it was appropriate for firefighters to suit up in PPE, etc and respond to calls and now those same preparations are not enough. Chief Clark acknowledged the comment but also feels we do want vaccinations if possible. Nevertheless it doesn't change the fact that liability is huge now that vaccinations are mandated. He further stated he doesn't receive comments saying "please don't vaccinate" but he has received numerous emails stating firefighters should be vaccinated. EMT's must be vaccinated to retain their license. There have already been two instances at EF&R where an unvaccinated firefighter has

gotten Covid, which then led to the whole crew needing to be isolated. Unvaccinated firefighters providing patient care is just a cost that EF&R cannot justify.

BOARD REPORTS

EF&R- Commissioner Talbot reported most of the meeting was addressing the issue just discussed. There was also some discussion regarding Northshore looking for an opportunity to contract with another department and have requested information from both EF&R and Shoreline. The Tribal Ancestral Lands Movement Proclamation was approved as was the 2021 Operation Budget amendment. PFAS grant period is supposed to be completed by July 2022. Also discussed was the format for public meetings and meetings will remain virtual until the first of the year and then the issue will be readdressed.

North Bend Safety Committee- The meeting discussion centered on increased jail costs in Yakima and the MOU for emergency ham radios.

CHIEFS REPORT-

Chief Clark advised he had already covered the majority of his report in the discussion of the Vaccine mandate. As for Northshore they have asked for a contract proposal from EF&R and from Shoreline. They currently have 2 stations and 41 firefighters. Chief is preparing a bid comprised of many different options for review.

GOOD OF THE ORDER-

The Secretary advised there will be a Long Term Care tax that will be in effect in Jan. This will also be in effect for Commissioners per Brian Snure. There is an initial opportunity to opt out if a person gets approved by the State with their individual policy. Chairman Pedee stated he actually has LTC coverage through LEOFF1. Chief Clark will give Chairman Pedee the appropriate form to apply for exemption.

Commissioner Talbot stated he was unable to attend next months EFR meeting. Commissioner Dahline will attend instead. All three Commissioners stated they would be attending the FAC meeting.

The next Fire District 38 meeting will be held virtually on October 18 at 1600 hrs. There being no further business before the Board, the meeting was adjourned at 1701 hrs.

Chairman Ron Pedee

Secretary Trina Wilson

Commissioner Matt Talbot

Commissioner Chris Dahline