

Kuna Rural Fire District

PO Box 607, Kuna, ID 83634

Phone (208) 922-1144 Fax (208) 922-1135

Minutes of Commissioners Regular Meeting

August 12, 2020

APPROVED: _____ **REVISED:** _____ (see revised version)

Acting Chairman Greg McPherson called the meeting to order at 1:00 pm in the meeting room of Kuna Fire Station #1.

Present were Commissioners: Greg McPherson, Mike Smith, Tim Crawford and Randall Feaster. Commissioner Bud Beatty was absent. Also present were Fire Chief Phil Roberts, White Peterson Attorney William Gigray, and Officer of Administration-Secretary-Bookkeeper Krystal Hinkle.

Agenda Approval:

Comm. Smith moved to accept the agenda as printed and posted. Comm. Feaster seconded the motion, motion passed with a unanimous voice vote.

Approval of Minutes: Comm. Feaster moved to approve the Regular Meeting Minutes of July 8, 2020 and the Special Meeting Minutes of July 22, 2020. Comm. McPherson seconded the motion, motion passed with a unanimous voice vote.

Public Input/Special Presentations: None

Financial Reports Presented by Hinkle: Comm. Smith moved to accept the financial reports and report of fund investments, and to approve disbursement of funds in the amount of \$241,111.59 for the District for payment of bills and payroll as presented. A disbursement of \$0 for the Association for payment of bills. Comm. Feaster seconded the motion, motion passed with a unanimous voice vote.

Purchase Orders over \$1,000: None

Summary of Correspondence: None

Public Hearing – Adoption of Budget for Fiscal Year 2021

Commissioner Smith made a motion to open the hearing at 1:05pm, Comm. Crawford seconded the motion, motion passed with a unanimous voice vote.

Sec. Hinkle reported the legal notice was published in the Kuna Melba News on August 5, 2020.

Commissioner Feaster is concerned with the current 2021 proposed budget. He indicated we don't have levy money, cares act funding, a potential legislative change that could impact the district over 100k per year, a pending lawsuit and a 10 year plan that is showing us bankrupt in 2023. The district is potentially going to bring on 3 more firefighters when our call volume only shows the district on calls 12.74% of the day. We are getting into the rent to own business when we start leasing out equipment and that indicates a cash flow problem and leaves thousands of taxpayers dollars on the table.

The district is proposing a 2 million dollar remodel after the voters in May told the district know. The appearance to the public indicates we really do not need the money.

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Commissioner Smith is not in favor of leasing equipment. As a taxpayer, he doesn't like seeing millions of taxpayer's money sitting in savings when we are behind due to growth. Just because it is in the budget, does not mean we are going to spend it. We cannot have people sleeping in the same rooms together and need to remodel.

Chief mentioned that the 3 new hires would only take place if we get the Safer Grant. We aren't trying to spend 2 million dollars, but we also budgeted high so we don't have to reopen the budget. We still need to send out the RFP to get actual pricing to know what we can really do for our needs. We are trying to be self sufficient and not use so much mutual aid. We cover over 110 sq miles between 2 pieces of apparatus.

Rebekah Luther from the public asked if the district meets NFPA standards. She would hate to see a catastrophic event take out all of our personnel because we didn't have enough back up. You need to do more PR and person to person contact so the public understands our true needs.

TJ Lawrence, Captain at KRFD, indicated that when the district is down to 3-4 members, we can only go on one call at a time. Depending on mutual aid for simultaneous calls. Also, we can't provide mutual aid to other departments without a minimum of 3 personnel.

Chief mentioned that structure fires in all departments are 1% of our calls, but if that is the case, we should be a part time or volunteer department, but they do not work. We exist because of the risk. We have cancelled more mutual and automatic aid than ever before. Most of our mutual aid is medical with Ada Co. because we always try and keep one unit available if the ambulance is out. We are here to provide a service when needed and we do not know when and if we are needed until the emergency occurs.

Commissioner Feaster stated we can't plan for the one offs, it wouldn't be economical.

Commissioner Crawford made a motion to close the hearing at 1:41pm, Comm. Smith seconded the motion, motion passed with a unanimous voice vote.

Commissioner Smith made a motion to adopt Resolution 2020-27 adopting the budget for fiscal year 2021. Comm. Feaster seconded the motion, motion passed with a 3-1 voice vote.

Commissioner Feaster voted nay.

Staff Reports:

Chief Report – by Phil Roberts: Chief Roberts reported we are 50.2% spent in our budget. 985 total calls for the year, 610 calls were medical. Asphalt repair and restriping is coming, the crews are participating in a 3 day car seat training and road construction is a huge issue in the town. We have had 2 positive cases of COVID in the department. Timothy Ekk is donating 1.86 acres to the district for a future station.

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Local 4165 - Full Time Firefighter Report: Item for discussion is on the agenda per Matt Coffelt

Association Report: None

Attorney Report: Gigray reported that the Inter. Gov. Agreement has been sent to Ax with Ada Co. for approval from the County Commissioners. Worked on language for annexations and also language for RFP. Cloverdale property is closed, but we are waiting on title insurance. The legislature is working on a property tax committee and we need to make sure they understand that fire district relies heavily on property taxes.

Officer of Administration Report by Krystal Hinkle: Hinkle reported everything is on the agenda. The district administrators have moved over to our new space and appreciate the board approving the move.

Administrator of Impact Fees by Krystal Hinkle: Hinkle reported that the current fund totals \$1,158,915.76 thru July.

Old Business:

State Fire Commissioners Report: Hinkle reported the associations annual conference will be online due COVID. The association sent out a Membership Certificate and an informational sheet.

Ada County City EMS System (ACCESS) Update:

Board to Authorize the Chief to Approve and Implement the ACCESS Policy for Patient Transport – Chief reported there was a lot of discussion about numbers and Media Coverage.

RFP for Station 1 Design: Chief provided a draft RFP to the board for review.

Commissioner Smith made a motion to move forward with an RFP for the remodel of Station #1. Commissioner Feaster seconded the motion, motion passed with a unanimous voice vote.

New Business:

Discuss the Use of Sick Leave: The concern is the definition of sick leave. It currently states in the CLA that it is for “sudden sickness or injury”. We need to have a clear definition so there is no ambiguity.

The Chief indicated that in the government sector, sick leave should be used for planned surgeries, paternity leave and such. Commissioner Smith that is not how it is in the real world and should be in negotiations.

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Hinkle indicated that it needs to be clear, so it is questioned while processing payroll.

Matt Coffelt indicated that the Chief has full discretion according to the CLA and any other opinion does not matter.

Commissioner Feaster indicated that in the government sector, if you are unable to do your job, it is sick leave. He would like to see it expanded to be other family members outside of a child or spouse.

Commissioner Smith said he is all in favor of allowing the Chief to make the decision on how sick leave is used and if he abuses the system, he can be fired.

Hinkle stated, if you have a Chief that abuses the system, how will you know. It is unfair to put the Office of Administration in the middle and having to babysit instead of just making it clear in the language.

Chief stated that Hinkle does not work for him, but for the board and the Chief works for the board and we are supposed to tattle tale on one another. By doing that, you are creating a contentious relationship between the two positions.

Attorney Gigray indicated that it is common in Fire Districts to have the secretary/treasurer to report to the board for checks and balances.

Commissioner Crawford asked the board if they want the Chief to say yes or no to payroll items, whether right or wrong and Hinkle is supposed to keep her mouth shut.

The board agreed that the Chief will have full discretion over how sick leave is used under the CLA.

The Chief and Hinkle will propose language changes to the benefit section to the policy code for non CLA employees by the next commissioner meeting.

Discuss the Removal of Stipend Pay for Part Time Employees: Hinkle indicated that we have two different types of pay, hourly and stipend. The stipend pay is lower than the hourly rate of pay. Hinkle asked the board if we can get rid of stipend pay and just pay hourly.

Commissioner Smith made a motion removing stipend pay for part-time employees and it will be retroactive to July 1st. Commissioner Feaster seconded the motion, motion passed with a unanimous voice vote.

Discuss and Consider MOU – Local 4165 – Covid Leave: Commissioner Smith made a motion approving the MOU giving the firefighters 96 hours of Covid Sick Leave. Commissioner Crawford seconded the motion, motion passed with a unanimous voice vote.

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Discuss and Consider Resolution Amending District Policy Code Title 3. Chapter 1 Meeting Time and Agenda Approval:

The board changed the meeting time in January and needed to update the policy code to reflect the new meeting time.

Commissioner Smith made a motion approving Resolution 2020-28 modifying the Board of Commissioners meeting time in Title 3. Commissioner Feaster seconded the motion, motion passed with a unanimous voice vote.

Executive Session of the Board of Commissioners: Acting Chairman McPherson made a motion to go into executive session. Commissioner Crawford seconded the motion. The Commissioners, upon a unanimous roll call vote, went into the Executive Session, pursuant to Idaho Code Section 74-206 (1) (b) and (f) to consider the evaluation, dismissal, or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent and to communicate with legal counsel for the Fire District to discuss the legal ramifications of and legal options for pending litigation. The executive session commenced at 3:08 p.m. In attendance were all the members of the Board of Commissioners, legal counsel Wm. F. Gigray, III, Chief Roberts and Sec. Hinkle. Information was then exchanged among the Commissioners in attendance, Wm. F. Gigray, III, Chief Roberts and Sec. Hinkle regarding the subject matters of the executive session. At 3:24 p.m. a motion was then made by Commissioner Beatty and seconded by Commissioner McPherson, to come out of executive session which motion passed unanimously.

Open session resumed at 3:28 p.m, and Acting Chairman McPherson reported that information was received in relation to the announced purposes for going into executive session and no action was taken by the Commissioners.

Commissioner Open Discussion –. None

Commissioner Smith moved to adjourn the meeting. Commissioner Crawford seconded the motion, motion passed with a unanimous voice vote.

Meeting adjourned at 3:29 p.m.

Respectfully submitted,

Krystal Hinkle, District Secretary

M.G. Bud Beatty, Chairman