

MINUTES OF TUALATIN VALLEY FIRE AND RESCUE BOARD OF DIRECTORS
MEETING ON TUESDAY, JANUARY 27, 2009, 6:30 P.M., AT THE DISTRICT
ADMINISTRATION OFFICES AT 20665 S.W. BLANTON STREET, ALOHA, OREGON

ATTENDANCE

Board Members: Clark Balfour, Brian Clopton, Carol Gearin,
Larry Goff, Bob Wyffels

Others present: Chief Johnson, Sherry Arasim, Sherri
Camarillo, Tom Clemo, Norvin Collins, Mike Duyck,
Debra Guzman, Kirk Hale, Alec Jensen, Jeff Jones,
Paul LeSage, John Lee, Jim Mooney, Dustin Morrow,
Walt Peck, Gary Wells, Bev Wilkinson – TVF&R;
Bob Blackmore – Attorney

REGULAR SESSION

CALL TO ORDER

President Wyffels called the Board meeting to order at
6:30 p.m.

CONSENT AGENDA

Approval of Board Meeting Minutes (December 16, 2008).
**Mr. Clopton moved, seconded Ms. Gearin, approval of
the Consent Agenda.**
Motion carried unanimously.

RECOGNITION

Chief Johnson acknowledged Assistant Chief LeSage for his
heroic actions to help save a citizen. While driving through
Lake Oswego, AC LeSage came up upon an accident where
a tree had fallen onto a vehicle. AC LeSage helped the
trapped victims inside the vehicle until paramedics arrived.
Chief Johnson commended AC LeSage for his actions.

Employee of the Quarter. Chief Johnson introduced Fleet
Technician II John Lee and congratulated him on being
voted by his peers as Outstanding Employee of the third
quarter for 2008. Chief Johnson said John has exceptional
customer service and technical skills at work. In addition,
John has served as an active member of the Corvallis
Mountain Rescue Unit and participated in many rescues over
the last few years. Some of the more high profile missions
he has participated in involved a group of five hikers and a
dog that were lost on Mt. Hood. John also assisted in the
search and ultimate recovery of the body of one of the three
hikers lost on Mt. Hood.

RECOGNITION (cont)

Another time, John assisted on the scene of a auto/pedestrian accident on I-5, which he encountered on his return from a search and rescue meeting. John assisted with checking the vitals of the victim, calmed the drivers, and controlled the accident scene until local fire and rescue crews arrived.

President Wyffels also congratulated and thanked John, and presented him with a plaque and gift certificate on behalf of the Board and his colleagues at TVF&R.

CITIZEN PARTICIPATION

There was no citizen participation.

STRATEGIC DISCUSSION

IRS/Volunteers – Assistant Chief Dustin Morrow and Assistant Chief Paul Lesage reported the District is currently compensating its volunteers using a 1099. The IRS is starting to require fire departments to use the W2 reporting system. Staff has worked with legal counsel to draft an opinion paper outlining the three different methods currently being used by surrounding partners.

1. The independent contractor status is the method TVF&R currently uses to report earnings on a 1099. One advantage of the independent contractor plan is that it allows for incentive payments for going on calls and participating in drills.

2. The W2 reporting system. Volunteers can claim benefits normally not affiliated with a 1099. The appropriate withholdings such as federal, state, Trimet and PERS are deducted.

3. The Fully Accountable Plan means the volunteer is issued a 1099. They are also reimbursed for all of their expenses. There is additional tracking involved for expenses using this method. The Fully Accountable Plan is a direct reimbursement for costs.

Chief Morrow has met with key leaders of the volunteer program and is very positive about using the Fully Accountable Plan. More information is needed and is being explored.

STRATEGIC DISCUSSION (cont)

Chief Johnson said there are more complexities if the W2 method is used for volunteers. He said the IAFC is making this issue a top priority to meet with legislators to have the IRS take a national position and create legislation. NAEFO is also looking into the issue.

FINANCE REPORT

Finance Report (December 31, 2008). Chief Financial Officer Debra Guzman reviewed the financial report for the period ending December 31, 2008. Benchmark is at 50% for the sixth month of the fiscal year. CFO Guzman reported staff continues to watch the daily property tax collection reports and 91.37% of the taxes have been received.

Quarterly Investment Report. Chief Financial Officer Debra Guzman reviewed pension funds, operating investments, and pension investments for the period ending December 31, 2008, as required per Board Policy.

Property Insurance Renewal. Chief Financial Officer Debra Guzman reported the District places its property and casualty insurance through the services of its Agent of Record Beecher Carlson Insurance Agency, LLC (formerly JBL&K). The proposal for the 2009-2010 premium shows a \$20,926 increase over 2008-2009, distributed over the various areas of coverage, i.e., property, general liability, auto, and excess liability.

Bond Sale Update. Chief Financial Officer Debra Guzman reported bidding for the Bond sale will begin on March 4 and close on March 17.

CORRESPONDENCE

There was no correspondence.

OLD BUSINESS

2009 Board Calendar. Assistant Chief Mike Duyck reported the 2009 Board calendar reflects the proposed Budget Committee meeting dates, and scheduled joint Board meetings for 2009.

**Ms. Gearin moved, seconded Mr. Goff, to approve the 2009 Board calendar.
Motion carried unanimously.**

OLD BUSINESS (cont)

Expense Reimbursement for Board of Directors. Assistant Chief Duyck presented an overview of Board member compensation and reimbursement of their expenses. AC Duyck reviewed the District Board Operations, Section 1.6 Reimbursement for Expenses, pertaining to participation in Board related events, mileage, and meals.

NEW BUSINESS

Board Policy (Section Six, Fire Chief's Role and Executive Functions). Assistant Chief Duyck reported that consistent with practice, staff has reviewed Board Policy Section Six and recommends changes as reflected in the draft presented tonight.

Ms. Gearin moved, seconded Mr. Balfour, approval of first reading, by title only, of Board Policy Section Six, Fire Chief's Role and Executive Functions. Motion carried unanimously.

Sherri Camarillo gave the First Reading of Board Policy Section Six by title only.

Burnham Street Property Purchase by City of Tigard. Division Chief Jeff Jones reported the City of Tigard plans to make street improvements to Burnham Street from Main Street to Hall Blvd. This project will widen the road, construct sidewalks, planter strips, parking lanes, and traffic signal improvements. The project requires the City of Tigard to acquire additional land from the businesses and occupants along Burnham Street, including a strip of land in front of Station 51. In line with the appraisal report from Arvidson & Associates, the City of Tigard is offering TVF&R \$32,958 for property for the street dedication, \$1,620 for the utility easement, \$3,375 for the temporary construction easement, and agrees to pay for the actual costs of repairs for relocating the fire sprinkler system and landscaping, redesign, and repair of the apparatus apron.

The letter of agreement also stipulates a number of improvements and conditions that will improve the response out of the station.

President Wyffels said he understood when the station was built, that everything was in place for future changes.

NEW BUSINESS (cont)

Chief Johnson said staff did their best with what information was known at the time.

Board member Balfour said creation of islands is causing the issue.

Mr. Balfour moved, seconded Mr. Clopton, to authorize the Fire Chief or his designee to execute the necessary documents, upon final approval by legal counsel, to carry out the Burnham Street property purchase by the City of Tigard.

Motion carried unanimously.

CHIEF'S REPORT

Apparatus Weight Issue. Assistant Chief Duyck reported that the District recently purchased two ladder trucks, which were delivered to the District in December. They were purchased from Pierce Manufacturing in Appleton, Wisconsin. The ladder trucks were stopped at the Idaho/Oregon border due to overweight issues. This particular ladder truck is usually considered overweight because they are All-Steer. Staff worked with ODOT to clarify the type of trucks they are, and were given permission to bring them into Oregon. AC Duyck said staff will be meeting with current regulators in the state of Oregon to explain why the current methodology does not work for All-Steer trucks.

Chief Johnson added that the manufacturer has asked to have this issue taken to the national level. He also mentioned ODOT was very cooperative and responsive.

Westside Express Grand Opening. Assistant Chief Duyck reported the Grand Opening is on January 30, 2009, at 10:15 a.m.

SDAO Conference. Assistant Chief Mike Duyck reported the SDAO conference will be held February 6-8, 2009, at the Portland Waterfront Marriott.

Budget Committee Meeting. Assistant Chief Duyck reported the Budget Committee Meeting will be held February 19, 2009, at the Administration building beginning with dinner at 6:00 p.m., meeting at 6:30 p.m.

CHIEF'S REPORT (cont)

Washington County Fire District #2 Status. Assistant Chief Mike Duyck reported staff met with the Hillsboro City Manager and their Fire Chief to explore possibilities of an annexation. There were no issues and they welcome the idea. The meeting was very positive. More information will be forthcoming in the future.

Fire Marshal Appointment. Assistant Chief Duyck announced Steve Forster has been promoted to Fire Marshal and will be assuming his new duties effective February 1, 2009.

December 2008 Snow Storm. Assistant Chief Dustin Morrow reported that just before the December holiday, a winter storm put the Fire Operations Center into place for a five day period. AC Morrow thanked the Board for their support and for the resources provided during this time. Non-Operations staff helped tremendously. Local union 1660 assisted with work schedules and volunteers joined with career staff to respond to incidents.

Legislative Update. Executive Officer Alec Jensen reported the Oregon legislative session is underway. The economic state of affairs is changing daily and the Governor's office currently has a shortfall of \$750 million. Oregon unemployment is over 9%. Some of the bills being reviewed include the Novelty Lighter Bill; 1039 PERS Exemption; Cancer Presumption; Ethics; Tort Claims; raising Gift Limits to \$100; and Urban Renewal.

Station 50 Grand Opening. Director of Community Services Walt Peck reported the Grand Opening will be held February 28, 2009, 1:00 p.m. to 4:00 p.m.

Capital Bond Project Update. Director of Capital Bonds Program Gary Wells provided the following updates:

Station 34: The Tualatin station development application has been submitted. Operation review of drawings was completed on January 14, 2009, and system review of drawings is scheduled to be completed by February 12, 2009.

CHIEF'S REPORT (cont)

Station 50: The Tigard station was completed on time and is open for business. Staff is putting the LEEDS documentation package together and will submit it with an application for tax credit. The District has initiated a survey to turn unused property into Jack Park. An IGA will formalize the process.

Station 54: The Progress station development application staff review meeting was held January 2, 2009. Minor comments were received. Final approval is expected at the end of January. The design package has been submitted for the building permit.

Station 58: The Bolton station final approval of the development application was received on December 24, 2008 with conditions. The design package is scheduled for completion by mid-February.

Station 59: The Willamette station temporary location development application was approved on January 7, 2009. The design package has been submitted for the building permit.

PRESIDENT'S REPORT

President Wyffels reported he attended the WCCCA Retreat held on January 15, 2009. Options on future funding for the 9-1-1 call center were discussed and several alternatives were reviewed. Research assignments were given to staff to complete with the assistance of an outside consultant. New Beaverton Mayor Denny Doyle has replaced outgoing Mayor Rob Drake as Chair of the WCCCA Board.

ITEMS NOT LISTED ON THE AGENDA

There were no items not on the agenda.

EXECUTIVE SESSION

**Mr. Goff moved, seconded Mr. Balfour to move out of Regular Session and into Executive Session.
Motion carried unanimously.**

President Wyffels moved the meeting into Executive Session at 8:15 p.m.

**Ms. Gearin moved, seconded Mr. Balfour, to move out of Executive Session and resume into Regular Session.
Motion carried unanimously.**

REGULAR SESSION (cont)

President Wyffels reconvened the meeting back into Regular Session at 9:36 p.m.

Mr. Goff moved, seconded Ms. Gearin, to adjourn the meeting.

Motion carried unanimously.

ADJOURN

There being no further business to come before the Board, President Wyffels adjourned the meeting at 9:37 p.m.

Approved this _____ day of _____, 2009.

Secretary/Treasurer
sdc