

# Kuna Rural Fire District

PO Box 607, Kuna, ID 83634

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

## Minutes of Commissioners Regular Meeting

April 08, 2020

**APPROVED:** \_\_\_\_\_ **REVISED:** \_\_\_\_\_ (see revised version)

Chairman Bud Beatty called the meeting to order at 1:00 pm in the meeting room of Kuna Fire Station #1.

Present were Commissioners: Bud Beatty, Mike Smith and Greg McPherson. Commissioner McPherson 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. Beatty moved to accept the amended agenda as printed and posted. Comm. Smith seconded the motion, motion passed with a unanimous voice vote.

**Approval of Minutes:** Comm. Beatty moved to approve the Regular Meeting Minutes of March 11, 2020. Comm. Smith seconded the motion, motion passed with a unanimous voice vote.

Comm. Beatty made a motion to approve the destruction of the audio recordings from the Regular Meeting Minutes of March 11, 2020. Comm. Smith seconded the motion, motion passed with a unanimous voice vote.

**Public Input/Special Presentations:** None

### **Public Hearing – Adoption of Plan Review and Standby Fees**

Commissioner Beatty made a motion to open the hearing at 1:03pm, Comm. Smith seconded the motion, motion passed with a unanimous voice vote.

Sec. Hinkle reported the legal notice was published in the Kuna Melba News on March 25, 2020.

Public Input: None

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

Commissioner Beatty made a motion to approve Resolution 2020-010 approving the suggested increase of the Plan Review and Standby Fees. Comm. Smith seconded the motion, motion passed with a unanimous voice vote.

### **Public Hearing – Petition of Annexation for Dale Gust**

Commissioner Beatty made a motion to open the hearing at 1:07pm, Comm. Smith seconded the motion, motion passed with a unanimous voice vote.

Sec. Hinkle reported the legal notice was published in the Kuna Melba News on April 1, 2020.

Chief Input: No objection to annexation

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Commissioner Smith asked how many acres were in the annexation. Sec. Hinkle stated there was over 120 acres with an air strip. Attorney Gigray mentioned it was two properties owned by Dale Gust.

Public Input: None

Commissioner Beatty made a motion to close the hearing at 1:10pm, Comm. Smith seconded the motion, motion passed with a unanimous voice vote.

Commissioner Beatty made a motion to approve the petition of annexation for Dale Gust. Comm. McPherson seconded the motion, motion passed with a vote of 2-1. Commissioner Smith voted nay.

Commissioner Beatty made a motion to move forward with the Findings, Conclusion of Law and Order of Annexation and to add it to the May agenda. Comm. Smith seconded the motion, motion passed with a unanimous voice vote.

**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 \$207,669.26 for the District for payment of bills and payroll as presented. A disbursement of \$0 for the Association for payment of bills. Comm. McPherson seconded the motion, motion passed with a unanimous voice vote.

**Purchase Orders over \$1,000:** None

**Summary of Correspondence:** None

### Staff Reports:

**Chief Report – by Phil Roberts:** Chief Roberts reported that everything we are doing is to make sure we are disinfecting and keeping separation. We have one member who is being tested right now for COVID-19. We bought sprayers to decontaminate our ambulances and living quarters.

**Local 4165 - Full Time Firefighter Report:** President Coffelt said they don't have any major needs.

**Association Report:** No one in attendance

**Attorney Report:** Gigray reported that he sent the Final 2020 Legislative Report. Policy Code changes will be coming with the new legislative changes.

Canyon County has stopped the process in regards to Impact Fees and an email was sent to see where we are at in the process.

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**Officer of Administration Report by Krystal Hinkle:** Hinkle reported everything is on the agenda.

**Administrator of Impact Fees by Krystal Hinkle:** Hinkle reported that the current fund totals \$924,431.13 thru February.

### **Old Business:**

**State Fire Commissioners Report:** Hinkle reported that the quarterly newsletter will be going out and the Assoc. has been working with the other state agencies to gather information to be sent out to our members.

### **Ada County City EMS System (ACCESS) Update:**

**Board to Authorize the Chief to Approve and Implement the ACCESS Policy for Patient Transport** – Chief reported that there is a draft policy being produced that allows patients that don't need transport immediately to use their own private vehicles or private ambulance. It would be up to each ambulance provider to use their own discretion to transport or not to transport. The draft will be sent to Attorney Gigray for review before a recommendation to implement at the district.

Commissioner Beatty made a motion to authorize the Chief to approve and implement the ACCESS Policy for Patient Transport after reviewed by the attorney and provide an update to the board at the May meeting. Commissioner Smith seconded the motion, motion passed with a unanimous voice vote.

**RFP for Station 1 Design:** Chief asked to table until May due to the pandemic

**Discuss the Use of Donated Funds from CS Beef:** The Chief would like to purchase Class A Uniforms in the amount of \$8,639.45. The members felt this is one of the top of the list items to help with a moral boost and help with professionalism. Each quarter CS Beef plans to donate \$12,500 to the district.

Commissioner Smith didn't feel that this is 100% a donation given to the Chief. The previous Chief and Commissioner Smith went to CS Beef last year trying to obtain money for a ladder truck. He doesn't feel that this is the best time to be throwing away money, donated or not. He also expressed that he didn't know that we had a moral issue again and that these are uniforms for only special occasions. We also need to make sure that if we ask for donations, that more than one person from the district is there.

Chief expressed that he went to give the money back because we weren't going to purchase a ladder truck. The board allowed the Chief to do so. However, Steve Cherry with CS Beef asked if we could use the money somewhere else. Chief indicated that we have other needs such as PPE and floatation devices for the river.

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Commissioner Smith asked why we aren't buying the river rescue materials and decided on the uniforms?

Chief stated it was a request from the membership.

Commissioner McPherson understands both sides. We have always shown up in subpar uniforms compared to other districts for special events or training. Torn if we should buy the river rescue materials before the uniforms. However, it would be nice to see our men and women up to the same standards as everyone else. He could go either way.

Chief expressed the other reason to get the uniforms is for the 25<sup>th</sup> anniversary for the memorial of our two fallen firefighters.

Commissioner Beatty made a motion to approve the \$8,639.45 to purchase the Class A uniforms with the donation from CS Beef. Comm. McPherson seconded the motion, motion passed with a vote of 2-1. Commissioner Smith voted nay.

### **New Business:**

#### **Sub District No. 2 and No. 4 – Appointment**

**Staff Report** – Sec. Hinkle reported the Public Notice was published in the Kuna Melba News on March 25, 2020.

Consider Written Requests for Appointment – Sec. Hinkle reported that we received one application for Sub. District No. 2, applicant was Randall Feaster.

Randall Feaster addressed the commission by stating, “he has lived in the district since 2008 and he has spent a life time in EMS. Kuna is a community that I live in and would be very pleased to continue to serve the community by serving on the commission.”

Applicants for Sub. District No. 4 were Tim Crawford, Julie Cornell, Patrick Rigly.

Tim Crawford addressed the commission by stating, “he would like to honor his commitment to the community and district. I can offer an unbiased opinion being a local business owner and not of the fire and ems community and it would go along way.”

Julie Cornell addressed the commission by stating, “she is excited to apply once again for a commissioner spot. I have some experience in EMS and the fire side. I would like to give back to my community more than I have in the past and this would be a great opportunity for me to have that ability to serve my community that I have been a member of for over 30 years.”

Patrick Rigly addressed the commission by stating, “his goal to being a fire commissioner is to give a voice to the member of subdistrict No. 4. As I put on my application, I studied inner personal

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public communication at the University of Idaho and successfully utilize those skills in the state government on a day to day basis for my employment with the state already. I think this would be a great opportunity to give back to the community that I grew up in and reside in currently.”

Commissioner Beatty thanked all the applicant for applying.

Commissioner Beatty made a motion to accept Randall Feaster for Sub. District No. 2 and Tim Crawford for Sub. District No. 4. Commissioner Smith seconded the motion, motion passed with a unanimous voice vote.

Commissioner Beatty made a motion to approve Resolution 2020-11, appointing Randall Feaster as Commissioner for Sub. District No. 2 and Tim Crawford for Sub. District No. 4. Commissioner Smith seconded the motion, motion passed with a unanimous voice vote.

Oath of Office has to be in person or over video within 10 days of appointment before the can exercise the appointment as Commissioners.

**Discuss and Consider Resolution Approving the Idaho Code Corrections in Title 14 and Title 21:** Commissioner Beatty made a motion to approve Resolution 2020-12, dealing with error in the policy code. Commissioner Smith seconded the motion, motion passed with a unanimous voice vote.

**Discuss and Consider Resolution Approving the Surplus of Extrication Equipment:** Chief expressed that the equipment is under \$5,000.00 and sold to Meridian Fire Department. We will still have 2 sets after we sell this set.

Commissioner Beatty made a motion to approve Resolution 2020-13, dealing with the surplus of personal property with the value of \$5,000.00. Commissioner Smith seconded the motion, motion passed with a unanimous voice vote.

**Discuss and Consider Resolution Approving the Amendment to Title 20- Records Policy:** Attorney Gigray stated there were so many changes that it was easier to repeal Title 20 and reinstate the Title with the new language. The biggest change is how we define records and include language for impact fees.

Commissioner Beatty made a motion to approve Resolution 2020-14, repealing Title 20 and reinstating new language for Title20 – Records Policy. Commissioner Smith seconded the motion, motion passed with a unanimous voice vote.

**Discuss and Consider Resolution Authoring the Chairman to sign all necessary closing documents and authorizes the Treasurer to write the check for the closing for Cloverdale Road Property:**

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Commissioner Beatty made a motion to approve Resolution 2020-15, authorizing the chairman to sign the closing documents and the secretary to write the final check for the Cloverdale property. Commissioner Smith seconded the motion, motion passed with a unanimous voice vote.

### **Brett Hatfield and Andrew McClain Joint Petition for Annexation – Public Hearing:**

Commissioner Beatty made a motion to schedule the public hearing for the annexation of Brett Hatfield and Andrew McClain for Annexation. Commissioner Smith seconded the motion, motion passed with a unanimous voice vote.

### **Discuss and Consider 2020 Pay for Fire Chief:**

Commissioner Beatty stated that in January the board approved a 5% increase for the Chief. However, there were 5 things that the board wanted him to complete in the first quarter to receive another 5% increase. He has completed 4 of the 5 items and has had trouble with Tenziga and the computer system. Chief has stated it will be taken care of in the next 30-45 days.

Commissioner Beatty made a motion to approve the increase of the Chiefs salary by 5% starting April 1<sup>st</sup>. Commissioner Smith seconded the motion, motion passed with a unanimous voice vote.

**Executive Session of the Board of Commissioners:** Chairman Beatty made a motion to go into executive session. Commissioner Smith 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) (c) 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, or public school student, to consider acquiring an interest in real property not owned by the Fire District 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 2:09 p.m. In attendance were all the members of the Board of Commissioners, legal counsel Wm. F. Gigray, III, Kirk Houston, Fire Chief Phil Roberts, District Sec. Krystal Hinkle, Tim Crawford and Randall Feaster. Krystal Hinkle was appointed as secretary to take the minutes of this executive session. Information was then exchanged among the Commissioners in attendance, Wm. F. Gigray, III, Kirk Houston, Chief, District Secretary, Tim Crawford and Randall Feaster regarding the subject matter of the executive session. At 3:01 p.m. a motion was then made by Commissioner Greg McPherson and seconded by Commissioner Mike Smith, to come out of executive session which motion passed unanimously at 3:01 p.m.

**Open session resumed** at 3:07pm and Chairman Beatty reported that information was received in relation to the announced purposes for going into executive session and no action was taken by the Commissioners.

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### Resume New Business:

#### Consider Authorization to District Legal Counsel on how to proceed on PERSI appeal:

Attorney Gigray stated that information was given to the board about findings from our legal counsel. There were two options given. One would be to dismiss our claims and the other would be to move forward with the appeal if we could obtain more information in relation to Eric Maus and the district.

Commissioner Smith feels we should move forward with the appeal if we can get additional information from Eric Maus.

Commissioner McPherson feels we should proceed once we make contact with Eric Maus.

Commissioner Beatty made a motion to proceed to stipulate some facts and investigate further on our appeal and appoint Chief and Krystal to investigate further into Eric Maus. Commissioner Smith seconded the motion, motion passed with a unanimous voice vote.

**Commissioner Open Discussion** – Chairman Beatty wanted to thank those that applied for the open positions and to those that have been appointed.

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

Meeting adjourned at 3:13 p.m.

Respectfully submitted,

Krystal Hinkle, District Secretary

M.G. Bud Beatty, Chairman