

**Board of Fire Commissioners  
Meeting Agenda**

10518 – 18<sup>th</sup> Street SE, Lake Stevens, WA 98258

March 4, 2019

1730 hours

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ATTENDANCE**

**ADDITIONAL AGENDA ITEMS**

**MINUTES**

Minutes 19-02-26

**FINANCIAL REPORT**

Vouchers

Expense Reports

**CORRESPONDENCE**

**OLD BUSINESS**

**Discussion**

Fire District 7 Partnership

Fire Station 84

**Action**

MOU 2019-04 Full-time Firefighter Attending Harborview Paramedic Program

**NEW BUSINESS**

**Discussion**

**Action**

**CHIEF'S REPORT**

**GOOD OF THE ORDER**

**JOINT COMMISSIONER MEETING WITH SNOHOMISH COUNTY FIRE DISTRICT 7**

Leadership Retreat Review

Management Plan

Board Governance Policy

Next Joint Commissioner Meeting Date

**EXECUTIVE SESSION**

**ADJOURNMENT**



Phone: 425.334.3034  
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www.lsfire.org

*"Touching Lives Today ~ Planning for Tomorrow"*

Fire Commissioners:  
Troy Elmore, Paul Gagnon, Jim Steinruck  
Fire Chief Kevin K. O'Brien

1825 South Lake Stevens Road  
Lake Stevens, WA 98258

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**8. Schedule of Meetings.**

**8.1.Regular meetings.** Regular meetings of the Board of Commissioners shall be held each month, pursuant to a schedule established by resolution of the Board. Meetings of the Board will be held at the Fire District Headquarters Station, or at such other place as the Board may direct from time to time. All regular meetings shall be conducted in conformance with the laws of the state of Washington governing meetings.

**8.2.Special meeting.** The chair, or any two members of the Board may call a special meeting at any time. Not less than twenty-four hours before any special meeting, the secretary shall notify each member of the board by written notice of the time, place, and the business to be transacted at the meeting. The notice shall be distributed and posted in accordance with the laws of the state governing such meetings. The presence of a Commissioner at the meeting or the Commissioner's written waiver of notice filed with the secretary shall constitute a waiver of receiving written notice of the meeting. When the meeting is called to address an emergency involving injury or damage, or the likelihood of injury or damage, to persons or property, and the time requirements for notice provided for above would be impractical and increase the likelihood of the injury or damage, the required notice may be dispensed with and the secretary shall notify each member of the Board by the best means possible under the circumstances.

**8.3.Notice of agenda for regular meeting.** Not less than four days before any regular meeting, the secretary shall mail to each member of the Board a reminder of the regular meeting and a preliminary agenda setting forth the matters which are to be considered at the meeting.

**8.4.Addenda to the agenda at regular or special meetings.** Addenda to the agenda of either a regular or a special meeting may be permitted at the commencement of or during the meeting, except that final action shall not be taken on items added to the agenda of a special meeting unless notice, as required by applicable law, has been given.

**8.5.Quorum.** A majority of the entire Board shall be necessary to constitute a quorum at all regular meetings and special meetings.

**9. Excused Absence.** The Board of Commissioners may grant permission for a Commissioner to be absent from a scheduled meeting of the Board.

**10. Access to District Records.** Each Commissioner shall have access to District records during regular business hours of the District; provided, that the review or examination of the records shall not interfere with the normal operation of the District office personnel. Commissioners shall not remove original District records from the District station. The administration shall provide copies of records requested by Commissioners subject to the following limitations:

**10.1.No copies of confidential records will be provided without prior approval of the Board.**

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The legislative body of the Fire Protection District is the Board of Commissioners authorized and created under title 52 RCW. The Board of Commissioners has the statutory obligation to manage the affairs of the District and is responsible to establish all District policies.

1. **Statutory Power and Authority.** The Board of Commissioners possesses the powers and authority as set forth in Title 52 RCW and other applicable provisions of the Revised Code of Washington.
2. **Organization.** The Board of Commissioners, at its first regular meeting in January of each year, shall elect a chair and a vice-chair. The vice-chair shall perform the duties of the chair in the absence of the chair.
3. **Participation of Commissioners.** Each Commissioner is an elected representative of the residents of the Fire Protection District. Commissioners are entitled to vote on all matters coming before the Board of Commissioners and to make and second motions regardless of whether the Commissioner is serving as chair. Commissioners shall, however, be governed by the provisions of chapter 42.23 RCW in respect to any matter in which the Commissioner may have a conflict of interest. With a goal of presenting a unified voice to the community, commissioners shall direct citizens concerns and questions to the Chief of the District whenever possible.
4. **Actions of the Board.** RCW 52.14.010 provides that the Board of Commissioners of the Fire Protection District is the legislative body of the District. Chapter 42.30 RCW, the Open Public Meetings Act, and RCW 52.14.100 provide that actions of the Board of Commissioners may only take place at meetings authorized by statute. Individual Commissioners do not have authority to manage or direct the affairs of the District and individual commissioners shall respect the chain of command, by limiting contact and communication with District personnel, other than as specifically authorized by the Chief or the Board, to non operational matters. Administrative and managerial powers may only be exercised by those persons to whom such powers are delegated by action of the Board. The principal executive and administrative officer of the District is the Chief who has the responsibility for the management of the daily affairs of the District, for the supervision of District personnel and for the establishment of a chain of command to carry out such supervision. Commissioners are encouraged to become familiar with the District operations and to meet the paid and volunteer personnel of the District. It is a policy of the District, however, that individual Commissioners shall not supervise, direct or discipline District personnel. In the event a Commissioner shall be dissatisfied with the operation or any action of the District or its personnel, the Commissioner shall bring such dissatisfaction to the attention of the Board at a meeting of the Board.

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5. **Authority of Chair.** The Chair of the Board shall have the authority specifically granted by statute and such further authority as may be granted from time to time by action of the Board of Commissioners.
6. **Commissioner Compensation.** RCW 52.14.010 currently authorizes the payment to each Commissioner of \$104.00 for each day or portion of a day in actual attendance at official Board meetings or when performing other services or duties for the District subject to an annual maximum of \$9984.00 per year (The specified per diem and annual maximum shall be adjusted every five years in the manner specified in RCW 52.14.010 beginning July 1, 2013). It is the function of the Board to approve the services that any Commissioner is authorized to perform for the District. Commissioners of the District shall be entitled to receive the full amount of per diem compensation authorized by statute for the following activities:
- 6.1. Actual attendance at all regular and special meetings of the Board.
  - 6.2. Attendance at regular Fire Commissioners Association meetings and at meetings of the Board of Directors of the Association if the Commissioner is a member of the Board.
  - 6.3. Attendance at Washington Fire Commissioners Association meetings, conferences and seminars.
  - 6.4. Attendance at Fire District related seminars and educational classes.
  - 6.5. Attendance at Fire District open house functions.
  - 6.6. Attendance at other Fire District related activities approved by the Board of Commissioners.
  - 6.7. Travel time when a separate day of travel is required because of the location and scheduling of the activity.
7. **Commissioner Expense Reimbursement.** In addition to the allowance provided above, Commissioners shall receive reimbursement of reasonable expenses incurred in attending activities, meetings and events held outside of the District including the following:
- 7.1. Mileage reimbursement for use of personal automobiles at the District approved rate together with parking fees, ferry fees, etc.
  - 7.2. Registration fees.
  - 7.3. Overnight accommodations when required by the nature of the activity attended.
  - 7.4. Meal expense including gratuity when meals are not provided in the registration fee at an event attended.

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- 10.2. Copies will be provided promptly, provided the copying shall not unduly interfere with normal operations of the administrative personnel.
- 10.3. District records and information obtained from District records may not be used by Commissioners for non-District business nor disclosed to unauthorized persons.
11. **District Information.** Commissioners may not use District information, particularly confidential information, for individual gain or to promote the interest of any individual, group of individuals or entity. Commissioners have the duty to protect the confidentiality of privileged and private District records and information. The unauthorized disclosure of confidential records or information is a violation of this responsibility. The Board, not an individual Commissioner, has the authority to disclose information or records of the District. This restriction also applies when the District is involved in any type of contract negotiations, disciplinary procedures or other District business transactions.
12. **Personal Liability Protection.** The Commissioners shall be included as named insureds on all applicable District insurance policies. In the event a Commissioner shall be individually named as a defendant in any litigation arising out of the performance by the Commissioner of District business and the District's insurance carrier shall deny coverage and refuse to provide defense to the action, the District shall provide the Commissioner with defense coverage and liability protection subject to the following conditions:
- 12.1. The cause of action must have arisen as a result of the action or non-action of the Commissioner while acting within the scope and authority of the office of Commissioner.
- 12.2. The cause of action must not have arisen as a result of intentional, willful, or criminal conduct of the Commissioner.
13. **Liability Protection Procedure.** The following procedure shall be used to determine if the District shall provide the defense and liability coverage for a Commissioner under the District policy.
- 13.1. The matter shall be referred to the District's attorney for investigation and review.
- 13.2. The District's attorney shall fully investigate the facts and circumstances of the litigation and the actions of the defendant Commissioner.
- 13.3. The District's attorney shall report to the Board of Commissioners in writing the results of the investigation and research. A copy of the report shall be furnished to each Commissioner under the attorney-client communication privilege.

The Board of Commissioners shall make the final determination based on the report and investigation of the attorney.

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**14. Ethics:**

**14.1. Purpose.** The District and its Board of Commissioners find that the proper operation of a fire district, as a taxpayer-supported public entity, requires that public officers, and particularly elected officials primarily responsible for the lawful management of the municipal corporation, be ethical, independent, impartial and responsible to the people, as fiduciaries. This policy is limited in scope; it only applies to the elected Board of Commissioners of this fire department.

**14.2. Policy.** The policy of the District is that this Ethics Policy shall be strictly adhered to, and that it shall be interpreted liberally so as to accomplish its purpose. The goal of the District is to establish and maintain the highest ethical standards for its leaders, so that they may establish an example for all district employees and members to emulate. The expectations of the Board and the District shall be that the prohibitions contained in paragraph 4 will always be honored and that the recommendations contained in paragraph 5 will be aspired to, and achieved whenever feasible.

**14.3. Prohibited Conduct- A Commissioner Shall Not:**

- 14.3.1.** Have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature that is in conflict with the proper discharge of the commissioner's duties.
- 14.3.2.** Be beneficially interested, directly or indirectly, in a contract, sale, lease, purchase, or grant that may be made by, through, or under the supervision of the commissioner, in whole or in part, and shall not accept, directly or indirectly, any compensation, gratuity, or reward from any other person beneficially interested in any such contract, sale, lease, purchase, or grant, except as set forth below.
- 14.3.3.** Use his or her position to secure special privileges or exemptions for himself, herself, or others.
- 14.3.4.** Give or receive or agree to receive any compensation, gift, reward, or gratuity from a source other than the fire district, for a matter connected with or related to the commissioner's services unless provided for by law.
- 14.3.5.** Receive, accept, take, seek, or solicit, directly or indirectly, any thing of economic value as a gift, gratuity, or favor from a person if it could be reasonably expected that the gift, gratuity, or favor would influence the vote, action, or judgment of the commissioner, or be considered as part of a reward for action or inaction.

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- 14.3.6.** Accept employment or engage in business or professional activity that the commissioner might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position.
- 14.3.7.** Neither disclose confidential information gained by reason of the commissioner's position, nor may the commissioner otherwise use such information for his or her personal gain or benefit.
- 14.3.8.** Except in the course of official duties or incident to official duties, assist any person, directly or indirectly, in a transaction involving the district, where such commissioner's assistance is, or to a reasonable person would appear to be, enhanced or affected by the commissioner's position.
- 14.3.9.** Employ or use any district employee or other person, district funds or money, or district property under the commissioner's official control or direction, or in his or her official custody, for the private benefit or gain of the commissioner, an employee of the district, or another person, except as allowed by law. This section does not prohibit use of public resources to benefit citizens or others when such is part of district functions or official duties, or otherwise allowed by law.
- 14.3.10.** Use the facilities, personnel or resources of the district to assist or oppose a campaign for election or for the promotion or opposition to a ballot proposition, except pursuant to one of the recognized exceptions to RCW 42.17.130.
- 14.3.11.** Participate, by voting or otherwise, in any issue that comes before the Board of Commissioners, when the commissioner has any direct or indirect personal or financial stake in the outcome of the matter.
- 14.3.12.** Campaign for, or accept appointment or election to, any public office that would be incompatible with the office of fire commissioner, if concurrently serving as a fire commissioner.

**14.4. Recommended Conduct - At All times a Commissioner Should:**

- 14.4.1.** Respect and comply with the law.
- 14.4.2.** Act at all times in a manner that promotes public confidence in the office of fire commissioner.
- 14.4.3.** Participate in establishing, maintaining, and enforcing high standards of conduct and personally observe those standards.

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- 14.4.4. Exhibit unquestionable integrity and have an uprightness of character and soundness of moral principle.
- 14.4.5. Show respect for others through temperance, fairness and civility in the execution of their duties and conduct of their personal life.
- 14.4.6. Have the courage to do what is right and stand up for those without power or authority.
- 14.4.7. Have compassion that is inherent to understanding another's problems while controlling and understanding personal feelings.
- 14.4.8. Conduct political campaigns in an honest and forthright manner, without attacking others in a negative way.
- 14.4.9. Lead by example.
- 14.4.10. Never forget that public office requires public trust and confidence.

**14.5. Exceptions.**

- 14.5.1. A commissioner is allowed by state statute to be financially involved in a contract with the fire district, so long as payment to the commissioner or his/her business does not exceed \$1,500.00 in any calendar month, provided that such commissioner shall not vote on any such contract in which he/she is beneficially interested. Moreover, such interest shall be disclosed to the governing body and noted in the minutes before formation of the contract.
- 14.5.2. A commissioner may accept a gift in the form of food or beverage on infrequent occasions in the ordinary course of performance of duties, but no such gift shall exceed a value of fifty dollars (\$50.00).
- 14.5.3. A commissioner is not deemed to have an interest in a contract, as those terms are used herein, if the commissioner has only a remote interest in the contract, so long as disclosure is made. A remote interest means, for example, the interest of a nonsalaried officer of a nonprofit corporation, the interest of a mere employee of a contracting party, where the compensation of that employee (commissioner) consists entirely of fixed wages or salary, the interest of only a landlord or tenant of the contracting party, or the interest of a less than 1% shareholder of a contracting corporation or cooperative; provided that this exception does not apply to a commissioner who attempts to influence, or does influence other district officers with respect to entering into the contract.



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**14.6. Complaints.** All complaints or requests for investigation of an alleged violation of this policy shall be in writing and signed by the complainant.



## SNOHOMISH COUNTY FIRE DISTRICT NO. 7 POLICY

<b>POLICY NUMBER:</b>	<i>30</i>
<b>SECTION:</b>	<i>ADMINISTRATIVE POLICIES</i>
<b>TITLE:</b>	<i>THE BOARD OF FIRE COMMISSIONERS</i>
<b>EFFECTIVE DATE:</b>	<i>7/6/17</i>
<b>REVISION DATE(S):</b>	<i>2/22/07, 12/8/2011</i>

### REFERENCE:

RCW 52.14

### POLICY STATEMENT:

The purpose of this policy is to establish the operating policy for the Board of Fire Commissioners of Snohomish County Fire District 7.

The Board of Fire Commissioners of Snohomish County Fire District 7 is the corporate entity established by law in the state of Washington to provide fire prevention services, fire suppression services, emergency medical services, and for the protection of life and property in the district. The fire protection district, a municipal corporation within the laws of the state, possesses all the usual powers of a corporation for public purposes.

The policies of the board define the organization of the board and the manner of conducting its official business. The board's operating policies are those that the board adopts from time to time to facilitate the performance of its responsibilities.

The Board of Commissioners shall consist of five members elected by ballot by the registered voters of the fire district, except as otherwise provided by law, Commissioners shall hold office for terms of six years and until their successors are elected. Terms of Commissioners shall be staggered as provided by law.

Elected Commissioners shall take office at the first meeting in January following an election, provided election results have been certified by the county auditor and the elected Commissioner has taken and subscribed to an oath of affirmation that he/she will faithfully and impartially discharge the duties of the office to the best of his/her ability.

Elected Commissioners may take the oath of office up to ten days prior to the scheduled date of assuming office.

A Commissioner elected to less than a full term shall assume office as soon as the election results have been certified and he/she has taken and subscribed to the oath of office.

A person may become a candidate for office of Fire Commissioner by filing a declaration of candidacy with the county auditor during the filing period as prescribed by law. In the event that there are more than two candidates for any position on the board, a primary election shall be held in the manner prescribed by law. The two candidates receiving the greatest number of votes will appear on the general election ballot.

A person is legally qualified to become a Fire Commissioner if he/she is a United States citizen, a registered voter, and a resident of the fire district.

If a Commissioner's permanent residence ceases to be in the Fire District, the Commissioner shall no longer be qualified to serve as commissioner and shall resign immediately. In case of a board vacancy, the remaining commissioners shall fill such vacancy by appointment. The vacancy shall, within ninety (90) days, be filled by appointment by a vote of the remaining Fire Commissioners. The person appointed shall serve until a successor has been elected as provided by law. If the Board of Fire Commissioners fails to fill the vacancy within the ninety (90) day period, the county legislative authority shall make the appointment. If the number of vacancies is such that there are not a majority of the full number of Commissioners in office, the county council shall within thirty (30) days of the vacancies appoint the required number to create a majority to fill the vacancies on an interim basis through the next general election.



## SNOHOMISH COUNTY FIRE DISTRICT NO. 7 POLICY

POLICY NUMBER:	30
SECTION:	ADMINISTRATIVE POLICIES
TITLE:	THE BOARD OF FIRE COMMISSIONERS
EFFECTIVE DATE:	7/6/17
REVISION DATE(S):	2/22/07, 12/8/2011

In an effort to allow all interested persons the opportunity to request consideration to fill an interim vacancy on the board, an advertisement shall be placed in the local newspaper indicating that a position is open and available. The board may require a letter of interest and a brief resume' from each prospective candidate and establish an interview process.

Once the board has interviewed all prospective candidates, a vote of the board shall occur and a majority vote shall determine the selected candidate.

Each Fire Commissioner and the secretary shall take an oath to support the Constitutions of the United States and the state of Washington and to faithfully discharge the duties of his/her office to the best of his/her ability. A notary public, Board Secretary or any other method described by law will be authorized to administer oaths and must certify to this oath and the signature of the member and must file the signed oath of office in the county auditor's office.

At the first regular meeting in January of every other year, the Board of Fire Commissioners shall elect among its members, a chair and a vice chair to serve a two year term. If a Commissioner is unable to continue to serve as chair, a replacement shall be elected immediately.

The normal order of business shall be modified for the biannual organization meeting by considering the following matters after the approval of the minutes of the previous meeting:

1. Welcome and introduction of the newly elected commissioner by the chair.
2. Call for nominations for chair to serve during the ensuing year.
3. Election of a chair.
4. Assumption of office by the new chair.
5. Call for nominations for vice chair to serve during the ensuing year.
6. Election of a vice chair.

Policies shall continue from year to year and board to board until and unless the board changes them.

The chair shall appoint board members to represent the board on such committees where district representation is appropriate. Committee representation shall be limited to less than a quorum of the Board of Commissioners.

The chair shall preside at all the board meetings and sign all papers and documents as required by law and as authorized by the action of the board. The chair shall conduct the meeting in the manner prescribed by the board's policies, provided that the chair shall have the full right to participate in debate without relinquishing the chair and shall have the right to vote on all matters put to a vote. The chair shall conduct the meeting so that deliberation is clear, concise, and directed to the issue at hand; discussion and/or action is summarized before moving on to the next agenda item; and the meeting is managed so that the agenda is treated in an expeditious manner.

The vice chair shall preside at board meetings in the absence of the chair and shall perform all of the duties of the chair in case of his/her absence or disability.

The Fire Commissioners shall appoint a Secretary of the District for such term, as they shall determine. The Secretary of the District shall keep a record of the proceedings of the board, shall perform other duties as prescribed by the board or by law, and shall take and subscribe to an official oath similar to that of the Fire Commissioners which shall be filed in the same manner as that of the Commissioners.

The authority of Commissioners is limited to participating in actions taken by the board, as a whole, when legally in session. Commissioners shall not assume responsibilities of the Chief or other staff members. Except to the extent that the Board expressly delegates authority to the Chair (e.g. to interface with staff) or pursuant to other official action by the board member, neither the board nor staff shall be bound in any way by any action taken, instruction given or statement made by any individual Commissioner.



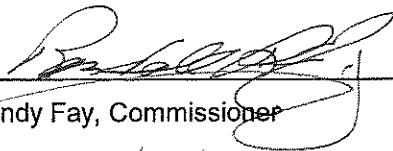
## SNOHOMISH COUNTY FIRE DISTRICT NO. 7 POLICY

POLICY NUMBER:	30
SECTION:	ADMINISTRATIVE POLICIES
TITLE:	THE BOARD OF FIRE COMMISSIONERS
EFFECTIVE DATE:	7/6/17
REVISION DATE(S):	2/22/07, 12/8/2011

Each Commissioner is obligated to attend board meetings regularly. Whenever possible, each Commissioner shall give advance notice to the chair or the Chief of his/her inability to attend a board meeting. Notification of absence prior to the next regular board meeting will constitute an excused absence. Failure to notify the chair or the Chief will constitute an unexcused absence. After two consecutive unexcused absences, a Commissioner will be sent notification to appear at the next regularly scheduled meeting or be subject to loss of his/her position. The board may declare a Commissioner's position vacant after three consecutive unexcused absences from regularly scheduled board meetings.

Board members shall be provided advance notice of board meeting agenda action items, before action items are taken to a vote of the board. Advance notice may include but is not limited to electronic notification, telephone calls, written notification, or discussion at a prior board meeting. In the event of an emergency, the advance notice may be waived by the board.

ADOPTED AND MODIFIED AT A MEETING OF THE BOARD OF FIRE COMMISSIONERS,  
SNOHOMISH COUNTY FIRE DISTRICT 7 THIS 6<sup>th</sup> DAY OF JULY, 2017.

  
\_\_\_\_\_  
Randy Fay, Commissioner

  
\_\_\_\_\_  
Marc Inman, Commissioner

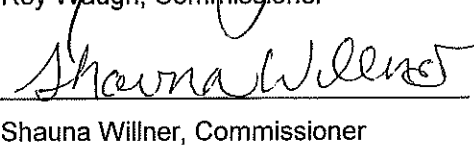
  
\_\_\_\_\_  
Jeff Schaub, Commissioner

  
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Dean Schwartz, Commissioner

  
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William Snyder, Commissioner

  
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Roy Waugh, Commissioner

  
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Leslie Wells, Commissioner

  
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Shauna Willner, Commissioner

  
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Randy Woolery, Commissioner