

**YAKIMA COUNTY FIRE DISTRICT 4  
BOARD OF COMMISSIONERS  
SPECIAL MEETING  
August 17th, 2021**

The meeting convened at 3:00 pm at East Valley Fire Station 40. Those present via Zoom were Administrative Director Jennifer Huitt; Station 40 were Commissioner David Ramynke, Commissioner Les Riel, Commissioner Ben St. Mary, Chief Dale Hille and District Secretary Katelynn Hogan. No public attended the meeting.

**OPENING OF MEETING**

Commissioner Ramynke called the meeting to order and the agenda was approved as circulated.

**EXECUTIVE SESSION** - RCW 42.30.110 (1) (g) To evaluate the qualifications of an applicant for public employment or to review the performance of a public employee.

Chairman Ramynke announced at 3:05 pm that Chief Hille and the board would go into Executive Session until 3:15. Chairman Ramynke then announced at 3:15 pm to extend executive session to 3:20. Chairman Ramynke announced at 3:20 pm to extend executive session to 3:25 pm. Chairman Ramynke reconvened the meeting at 3:25 pm and announced that Chief Hille was given an exceptional performance review and the Special meeting continued.

**GOVERNOR'S PROCLAMATION 21-14**

Chairman Ramynke opened the discussion stating several opinions were received on the Governor's Proclamation including Attorney Brian Snure and Summit Law. Commissioner Riel included IAFF, WFOA and WFC. And FC Hille mentioned the Department of Health (DOH) also included an opinion. Chairman Ramynke stated he wanted to make sure the board and FC Hille were all on the same page as to what this is, what our approach should be, what the requirements are and how we manage this issue and gave the floor to FC Hille.

FC Hille stated all the opinions released state that there is no option and we must follow what Proclamation 21-14 states, unless member has an exemption. IAFF's opinion before this proclamation was released stated that it is impossible for union members to receive an exemption regarding mandatory vaccinations. We as district leaders are sworn to uphold the law and are obligated to follow the laws. All the Fire Chiefs in the area are in agreement that this not only applies to the Career members but also all Volunteer staff. As it stands, only four of our career personnel are unvaccinated and one is in the process of getting the second shot. Only four Volunteers have come in with their Vaccination cards but assured the board there are more that have complied because they work in health care settings, we just need to keep pushing for them to come in with their proof of vaccination.

Commissioner Riel asked if those that just have their Basic or Advanced First Aid card would need to be vaccinated? FC Hille said anyone who is providing health care or patient care as part of their job description is included in the mandate. District Secretary and Administrative Director are not included because they are not required to perform any patient care in their job descriptions. Chairman Ramynke stated our district reduced the standard for volunteers as they no longer have to have their EMT but they must still have their Advanced First Aid so the expectation remains that Volunteers need to be vaccinated due to providing patient care while responding to incidents.

FC Hille stated there are quite a few petitions asking for mandatory testing to replace mandatory vaccinations.

Commissioner Riel asked for clarification if it is our duty to police our employees to comply with this mandate by the deadline or if the DOH is going to do this? FC Hille said DOH released guidelines stating that the onus is on the districts to enforce the proclamation guidelines. The DOH also stated it is a gross misdemeanor to falsify any documentation saying you are vaccinated.

Chairman Ramynke stated there is no choice due to the oaths we have all taken but uphold the laws. Our district needs to be clear with the staff on what the direction of the board is and what we are expecting based off of today's current information. If something changes our district is in a position to change as well and our path is clear based on all of the information discussed today.

FC Hille informed that the DOH guidelines released asked "Will employees who quit or are terminated related to vaccine status be eligible for unemployment benefits?" and does not give a clear answer but instead expounds that the benefits will be based off specific factors... when the employer adopted the requirement etc. It sounds like as a board that the district must adopt the requirement formally.

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Chairman Ramynke explained to his knowledge and according to Summit Law we are required to impose the proclamation and formalize that as a board. Commissioner Riel stated because it is a significant policy change, we need to do this based on adopting a resolution. And need to have Summit Law write a resolution so that is done correctly. Vice-Chairman St. Mary stated it would be a two to one vote. He explained the district could get sued if a Firefighter cannot have kids or if an employee's heart collapses, etc. Chairman Ramynke stated that we are more at risk of being sued if we don't impose the mandate. Commissioner Riel stated the members have a choice; they can choose not to get the shot but then they don't qualify for employment. Chairman Ramynke stated we have to agree as a board or at least as majority to impose and adopt a resolution to uphold and comply with the governor's proclamation. He stated he feels like he is in violation of his oath if he doesn't enforce the law. AD Huitt stated that if anyone was going to be sued it should be the state. If the state changes their position, we can too.

FC Hille stated that we may lose 2 or 3 members. Selah has already lost their top four Volunteer responders. Vice-Chairman St. Mary and FC Hille listed agencies that have already stated they have people confirmed that are walking including YPD, YSO, doctors and nurses too. FC Hille stated what this all boils down to is that we have to follow the letter of the law and like AD Huitt stated if the law changes, we can change too.

AD Huitt stated that she doesn't understand how they can do a religious exemption but not an ethical one. FC Hille stated it's already been released that you have to be a well-established member in a church for the religious exemption. Vice-Chairman St. Mary stated he has an RN friend that applied for the religious exemption and was denied because they had taken the flu shot in the past. Commissioner Riel stated that you can have the antibodies inside and those are doing better fighting off the virus than the vaccine and that doesn't count for anything then made a motion to move forward with the governor's proclamation that mandates people who are in the medical field to get a vaccination and to have Summit Law write the resolution for our next board meeting. Chairman Ramynke seconded the preparation of the resolution in directly acknowledging the Governor's Proclamation 21-14. Commissioner Riel called for the vote. Commissioner Riel and Chairman Ramynke were in favor Vice-Chairman St. Mary was opposed. Motion Seconded and Carried with a 2 to 1 vote.

Chairman Ramynke stated the second part of this that at some point when we adopt this, we will need to do some preparation and planning to fill shifts from loss of members. FC Hille stated we are in process of updating the hiring list which should be done and ready by November 1<sup>st</sup>. Chairman Ramynke asked that the Vaccination List be updated and to the Commissioners by Monday. FC Hille stated that anyone who is considered fully vaccinated isn't till after a two-week window of their second shot and he will verify what and when members need to be fully vaccinated. Commissioner Riel and Chairman Ramynke stated that any staff that gets vaccinated and feels sick afterward will be able to take time off, if they get vaccinated on shift the district will pay them for their time.

Vice-Chairman St. Mary asked if a Firefighter of the district fails to comply and losses their job that it does not come back on the union? Commissioner Riel stated with this mandate if they fail to comply, they fail to meet their job requirements. FC Hille stated it is a non-disciplinary termination. He explained that he has talked to each career member one on one to clarify that they know what is expected of them and they are fully aware of the consequences. The district could put something into policy if we need to do an emergency hire from our volunteer staff. Chairman Ramynke stated that if nothing changes, assuming we adopt the resolution regarding the proclamation by the 18<sup>th</sup> of October then its termination. FC Hille mentioned being flexible if they're waiting on their second shot. The board agreed on hope something shakes loose and all of this changes before it comes down to terminating members.

#### **CLOSED SESSION**

Chairman Ramynke noted the closed session will be held after the Special Meeting is adjourned.

#### **GENERAL DISCUSSION - Limited to between the Board and Staff only – NO PUBLIC INPUT**

#### **ADJOURNMENT**

There being no other business the meeting adjourned at 4:11 pm.

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Chairman David Ramynke

  
Commissioner Les Riel

  
Vice-Chairman Ben St. Mary

Attest:

  
District Secretary Katelynn M Hogan