

**YAKIMA COUNTY FIRE DISTRICT 4
BOARD OF COMMISSIONERS
REGULAR MEETING
August 23rd, 2021**

The meeting convened at 4:00 pm at East Valley Fire Station 40. Those present via Zoom were Admin Director Jenifer Huitt and; at Station 40 were Commissioner David Ramynke, Commissioner Les Riel, Commissioner Ben St. Mary, Fire Chief Dale Hille and District Secretary Katelynn Hogan.

Chairman Ramynke called the meeting to order.

APPROVAL OF AGENDA

The agenda was approved as amended. Seconded and carried.

LIMITED OPEN PUBLIC INPUT for items NOT on the Agenda – Public comment for items that are on the agenda are allowed as the item comes up for discussion during the meeting.

Commissioner Riel noted no public attended the meeting.

CONSENT AGENDA

- a. **SECRETARY'S REPORT**
 - Fund Balances as of July 30th, 2021
- b. **APPROVAL OF PREVIOUS MINUTES**
 - August 9th, 2021 Regular Meeting Minutes
 - August 17th, 2021 Special Meeting Minutes
- c. **CLAIMS REQUESTS FOR APPROVAL**

Claims Requests Fire	\$ 34,509.33
Claims Requests EMS	\$ <u>964.18</u>
Total Claims	\$ 35,473.51
- d. **CORRESPONDENCE**
 - Snure Seminars – Annual Conference laws Update October 20, 2021
 - Apples For Firefighters Article – Alan Taylor
- e. **CHIEF'S REPORT** - None

Consent Agenda item b. August 9th, 2021 BVFF Meeting Minutes was removed as requested. The agenda was approved as amended. Seconded and carried. The Board approved the consent agenda items a, b, c and d as amended and the meeting continued.

Commissioner Riel wants to make sure that August 17th Special Meeting Minutes reflect that there was a motion and a second of a two to one vote. Commissioner St. Mary was not in favor. Commissioner Riel pulled August 17th Special Meeting Minutes approval was postponed to the next Regular BOC Meeting on September 13th, 2021.

Commissioner Ramynke would like to move the flexibility of the Vaccination Mandate to unfinished business for further discussion from the August 17th Special Meeting minutes.

Commissioner Riel stated BVFF Meeting Minutes do not need to be Approved and should be removed from the agenda.

Commissioner Riel made a motion to approve August 9th Regular Meeting minutes. Motion seconded and approved.

UNFINISHED BUSINESS

Commissioner Ramynke explained last meeting we discussed the governor's proclamation and during the Yakima County Fire Commissioners Meeting last Thursday August 19th. Rodger Ferris reiterated the legality of the mandate and the responsibility as commissioners to impose and follow the mandate. During the last Regular BOC meeting which was mentioned in minutes the board discussed if someone who did get the vaccination and wasn't vaccinated by October 18th that we would be flexible with that. Commissioner Ramynke suggested the board go back

YAKIMA COUNTY FIRE DISTRICT 4
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August 23rd, 2021

and recommend we follow the mandate as written and not deviate because of how the mandate is worded and Snure Laws recommendation October 4th is the deadline to have the second Vaccination shot or receive the Johnson & Johnson shot which will make full vaccination status as of October 18th like the proclamation states. Commissioner St. Mary asked what the liability would be if we loose career firefighters and we cannot fulfill our districts needs before we can get the positions filled? FC Hille stated that we have to fully vaccinated shifts. One shift has two career members who are not vaccinated. If they decided to not get vaccinated, we would brown out Station 42 for that shift. FC Hille stated we will never loose what our minimum staffing was which was two people. The mandate includes any state supported board like the Board of Volunteer Firefighters which all Volunteers are under and us a state supported board so all volunteers are required to be vaccinated. FC Hille suggested to other Fire Chiefs to start a Fire brigade; they do no medical they do nothing more than go on fires. The Fire Chiefs brought that to their attorneys and the attorneys stated in the mandate it says any state supported board of which a Fire brigade would still fall under BVFF which again is a state supported board. FC also included that it would be no more than six months because he doesn't see how it could be extended any further. Commissioner Ramynke stated if we make reasonable accommodations for the Volunteers, we should have to make them for the career personnel as well. Commissioner Riel asked to table any discussion for a Leave of Absence due to the mandate so that it can be open for discussion in the further. FC elaborated that if we were to do a Leave of Absence then those volunteers who were on one could pick up where they left off after the fact and we wouldn't have to reissue any gear or start over that way they are just on hold. AD Huitt stated that anyone on a leave of absence gets no retirement benefit and any leave that's not associated with on-the-job injury there is no waiver, they get no type of credit for it at all. FC Hille mentioned he was asked by a few volunteers to ask the board if they would consider doing a Leave of Absence

FC Hille informed the board that Sophia from Summit Law advised not to sign the resolution 2021-04 Establishing Vaccination Requirement for Health Care Providers because that is a carbon copy of the governor's proclamation and once we sign that resolution we become liable for the repercussions. Sophia advised to just live under the governor's proclamation and don't sign your own because that would be bad business; it would be us imposing our own law and when you do that you are liable. FC Hille stated we were clear on our intent in the last meeting on August 09th, 2021. Commissioner Riel restated that our employment attorney (Sophia) from Summit Law has recommended not to pass the resolution. The board agreed.

FC Hille stated his doctor in Wenatchee mentioned 4% of the people admitted in the Wenatchee hospital are unvaccinated. Commissioner Ramynke stated that there are somewhere around 70 Memorial Hospital employees that are out because of Covid and in Wenatchee Hospital there are around 100 Hospital employees out for the same reason.

Commissioner St. Mary wanted to make sure it was noted again that he did not approve with the mandate.

NEW BUSINESS

FC Hille stated that Sophia sent him forms for both a medical and religious exemption for anyone who requests one. The process FC Hille stated is he gives them that form and they fill it out to completion and they bring it back to us from there we discuss it in the next regular BOC meeting. He stated if you have ever received a voluntarily vaccination your exemptions go out the window. The other part specifically for a fire department is even if they send us the exemption form and we say we will grant you the exemption we have to come up with reasonable accommodations. Sophia said there are no reasonable accommodations in the fire service so you can deny them reasonable accommodations because of undue hardship. FC Hill informed the

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board that he has a potential Volunteer that hasn't even gone through our process yet that wants to apply for the Religious Vaccination exemption. Which is what has prompted me to contact Sophia about this issue. FC Hille stated he will send said potential Volunteer the form to fill out but the bottom line is we don't have any accommodations for that. AD Huitt stated we have less than fifty employees were not required by law to make accommodations as far as FLSA is concerned because it presents an undue hardship for our district. We don't have enough people to back fill all those people when things like this come up.

COMMISSIONER'S REPORT

Commissioner Riel stated he has nothing. He had his Yakima County Fire Commissioners Association dinner; everyone was there it was lengthy and it was a good meeting. Lots of things were discussed. Commissioner Ramynke asked with the approval of the consent with going to the lower Valley Dispatch if now district 5 will put together a plan, contracts and things like that? Commissioner Riel agreed, and stated he didn't know if that was wrong right or indifferent but felt like that was the only way to handle it. We needed the consensus of that group and there was no one who was opposed so we had consensus.

ANNOUNCEMENTS

FC Hille announced he will be on vacation for two weeks in September the 2nd through the 7th out of town and then the rest of the time we will be home.

GENERAL DISCUSSION

AD Huitt asked if we had heard from the state auditor yet about the approved time frame for the state audit yet. DS Hogan responded no we have not.

FC Hille stated that the gentleman interested in the Rescue is still interested. With that being said FC Hille asked for clarification if the man who is interested swings in and says yes ill take it does he have the authority to just sell it. Commissioner Riel commented absolutely just make sure it's a certified check

SIGNING OF DISTRICT DOCUMENTS

DS Hogan presented the board members in attendance with the documents for signing.

NEXT REGULAR MEETING – Monday, September 27th, 2021 at 4:00 pm.

ADJOURNMENT

Commissioner Ramynke made a motion to adjourn. There being no other business Commissioner Ramynke adjourned the meeting at 4:43 pm.


Chairman David Ramynke


Commissioner Les Riel

Attest:

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Vice-Chairman Ben St. Mary



District Secretary Katelynn M Hogan