

**POLSON RURAL FIRE BOARD MEETING  
MINUTES AUGUST 12, 2009**

Board trustee members present: Alison Meslin, Paul Laisy, R. Jack Clapp, Jim Manley.

Board trustee member absent: Fred Nelson, excused.

Staff Present: Fire Chief John Fairchild, Assistant Fire Chief Pete Bishop

Guests: Roger Rogers, Lester Johnson, Frank and Kate Jones, Valley Journal Reporter Berl Tiskus, Lake County Leader News Reporter Jenna Cederberg, Volunteer Fire personnel Jane Clapp, Dean Sams, Ron Friez, Chris McGuinness.

Meeting called to order at Big Arm Fire Hall upstairs meeting room by Chairperson Alison Meslin at 7:00 p.m.

**Minutes July 8, 2009 Rural Fire Board Meeting; Motion Trustee Laisy to approve minutes of July 8, 2009 as presented, second Trustee Clapp. Motion carried unanimously.**

**Minutes July 20, 2009 Rural Fire Board Special Meeting For Budget Fiscal Year 2009-2010; Motion Trustee Clapp to approve minutes of July 20, 2009 fiscal year budget 2009-2010 as presented, second Trustee Laisy. Motion carried unanimously.**

**Claims:** Review check #4027 payable to Montana State Fund \$1,239.22 is for workers' comp which represents installment payment 3 of 4 January 1, 2009 – January 1, 2010. The policy coverage is through Bishop Insurance Service, Polson. Pete Bishop, representative of Bishop Insurance informed the board of an error in the calculation and Montana State Fund will provide a clarification. The payment will be held for clarification. Check #4020 payable to Draggin' Wagon \$425.00 is for assistance at Albert Lane near Polson regarding the septic system incident with Engine #318. The rural insurance policy paid the claim in the amount of \$425.00 which was deposited with Lake County Treasurer August 6, 2009. Fire Chief Fairchild noted the payment to G & M Auto Tech \$117.21 is for replacing a front end differential on Engine #314. The charge should be \$200. Martin Glasson, proprietor of G & M. Auto Tech and a volunteer fireman donated a portion of the charges. Fire Chief Fairchild suggested the board thank Martin for the contribution. Trustee Laisy and board members noted appreciation for the contribution **Motion Trustee Manley to approve claims, second Trustee Laisy. Motion carried unanimously.**

**Communications:** Chairperson Meslin reviewed the letter from VFIS Insurance Company regarding a claim by Richard A. and Derinda May Peterson for damage of an old septic system on their property located at Albert Lane on July 2, 2009. Following the response, Engine #318 entered the Peterson's driveway to turn around and sank into the septic system. The insurance company has rejected the claim indicating the property owner has responsibility for any hidden hazard on the property and no warning sign or fence to barricade the old septic system area was evident. The property records indicate no wastewater treatment system permit is of record for the property. The fire department has an immunity when responding to or returning from an emergency. The insurance company also advised the fire department has no legal obligation and highly recommends the district does not reimburse the Petersons and strongly advises against physically repairing the broken septic system or providing fill. If Mr. & Mrs. Peterson take further legal action, any action by the district board would hinder VFIS ability to resolve the legal suit. The board should advise Mr. and Mrs. Peterson to discuss the matter with a VFIS representative or their own legal or insurance representative.

**Treasury Report:**

|                                  |    |                 |
|----------------------------------|----|-----------------|
| Operating Fund Balance           | \$ | 59,230.87*      |
| Capital Improvement Fund Balance | \$ | 48,051.91       |
| Voted Levy                       | \$ | 678.58          |
|                                  |    |                 |
| Paid bills in the amount of      | \$ | 8,309.07**      |
| LESS Check #4027                 | \$ | <u>1,239.22</u> |
| Revised amount of bills:         | \$ | 7,069.85        |

Check numbers 4017 – 4035, both inclusive.  
(paid August 12, 2009)

\*Adjusted balance for canceled check #4027.

\*\*Check #4027 to Montana State Fund for Workers Comp. \$1,239.22 canceled following meeting. Error in previous submitted reports, therefore, a credit balance in the account.

Included in the August bills is check #4017 issued to the City of Polson \$4,148.00 for building permit #5142 for new fairgrounds fire station located at 25 Regatta Road. Fees itemized - building permit \$1,446.00; plan review \$940.00; zoning conformance \$100.00; water permit \$696.00; sewer permit \$316.00; and sale of material - meter \$650.00.

Note checks issued following July 8, 2009 Rural Fire Board Meeting.

July 10, 2009 check # 4015 issued to Mission Valley Power \$ 2,254.10 to move a pole at the fairgrounds fire station and check #4016 issued to JoAnn Swope \$30.00 to replace clothing allowance check issued January 7, 2009. Trustee Laisy questioned the Mission Valley Power charge since the pole and transformer will be used when the pole is relocated. Chairperson Meslin indicated the charge is for labor to move the pole.

Voted levy for fire apparatuses collections on properties annexed by the city are obligated to pay the voted levy taxes. To date \$3,281.31 was collected. The collection was initiated by Trustee Meslin with \$960.05 collected. Forty-three parcels have been annexed, including the most recent north east area of Hillcrest. Collections per parcel range from \$8.22 to \$522.40.

**Staff Report:** Fire Chief Fairchild reported 46 runs in July. Volunteer staff update - two new applicants will begin training in September; volunteer Chad Morgan resigned. Equipment report - Engine #314 replaced air bags and replaced front end differential following lightning strike at Big Am State Park ; installed foam eductor on Engine #318; Engine #327 watered area at new fairgrounds station. Fire Chief Fairchild will be out of town August 12-19; Assistant Fire Chief Pete Bishop will be in charge. Met with Trustees Laisy and Meslin regarding recruitment and retention. Upcoming events include fire chief's convention in September.

**Old Business**

**UPDATE ON FAIRGROUNDS FIRE STATION – BUILDING PERMIT STATUS – WATER LINE CONSIDERATIONS – RESPONSE TO OFFER TO INSTALL SPRINKERS FOR COST –**  
Chairperson Meslin presented an analysis of potential costs, requested changes, other equipment requests and annual loan payments with additional items for consideration. Building progress - Concrete foundation poured, insulated stem walls constructed, under floor plumbing and electrical has been completed including preparation for County additions, EPA box and floor drains installed, the inside ground has been prepared and compacted, in floor heat has been plumbed. The concrete slab should be poured August 13th. The building kit is expected on August 24<sup>th</sup>. In the mean time, the contractor will begin preparing the ground, slab etc. for the wings. Mission Valley Power has removed the temporary

poles, the contractor is working with them to complete the work. Building permit - Building permit #5142 was issued by the City of Polson at a cost of \$4,148, based on a 2" water line. Fees itemized - building permit \$1,446.00; plan review \$940.00; zoning conformance \$100.00; water permit \$696.00; sewer permit \$316.00; and sale of material - meter \$650.00.

Impact Fees The cost for impact fees on a 2" water line is \$27,669. The city contacted the board through Bonnie to involve the Lake County Commissioners in the impact review process. Trustee Laisy indicated it seems unusual to borrow money to pay impact fees of which part are fire impact fees. Trustee Manley replied a petition to waive the impact fees could not be filed until a building permit was issued. He has the forms to request a waiver, while the request must be filed within 90 days following the issuance of a building permit. Recently City Manager Todd Crossett and Building Inspector Ron Melvin suggested the Rural Fire Board petition Lake County Commissioners to rescind their request the city pay the county \$20,000 for the building occupied by Lake County Office of Emergency Management and in return the city would waive the impact fees on the fire station. In the 1990's Lake County Office of Emergency Management constructed a building on city property at the current city shops located on First Street East. The OEM plans to move the department's operations to the new fairgrounds structure, a wing attached to the fire station, on Regatta Road. Additionally the board is concerned regarding the increased monthly costs related to a 2" water line. In some instances water users with low volume access a 2" service line and are charged for a 3/4" service line; which is most likely the water use in the fire station. The impact review board has also been reformed with new members. Trustee Laisy noted in effect the proposal is to take Lake County funds to pay the impact fees instead of Polson Rural Fire District funds. Trustee Manley plans to request a meeting with the city manager to resolve the impact fees and water service to the fire station. Chairperson Meslin presented an analysis of revised building cost and loan payments \$193,000 loan with annual payment \$17,900; \$200,000 loan with annual payment \$18,324 (noting maximum loan request \$200,00).

Review Water line Options:

- 1) 2" line impact fee cost \$27,669, plus monthly fees with potential increase of \$300 to \$400 per month.
- 2) 3/4" line impact fee cost approx \$5,000, plus monthly fees.
- 3) Seek permission to drill own well and also obtain 3/4" waterline and sewer access.
- 4) 3/4" install water storage tanks to quickly fill trucks.
- 5) Use fire hydrants to refill trucks.
- 6) Bury line and pump water from the lake.

Review sprinkler system - Chairperson Meslin contacted AFSS Fire Sprinklers who are offering a sprinkler system for material costs approximately \$7,628. Normally a 4" water line is required for commercial properties but because of square footage the station is not required to have a system. A 2" water line for the sprinkler system could be installed if approved by the local fire marshal.

**REPORT OF RESULTS OF BOARD INVESTIGATION** – Trustee Meslin reported during the July meeting the Board concluded its executive session relating to the alleged interference in the recent bidding process for the Fairgrounds Fire Station. Two Trustees have each written a formal statement which we will call "A" and "B". I ask the Board to review each of these statements and ask each of you to write down your selection as to which statement should become the board statement for public record. **Motion Trustee Laisy the whole of statement "A" plus statement "B" 4<sup>th</sup> paragraph, second Trustee Manley.** Trustee Clapp suggested paragraphs 1,2,3,5. Trustee Laisy commented it is very important to get this over and behind us; the people that receive this need to know the results. Eliminating the 4th paragraph in part "B" is important and indicates what the board expects in the future. **Trustees Laisy, Manley, Meslin Aye; Trustee Clapp Nay. Motion carried.** The following is the board's statement upon conclusion of investigation.

*The Board appreciates and supports the important work of our volunteer firefighters, and hopes their positive contributions continue.*

*Based on concerns the Board had, an independent investigation was conducted to determine whether threats had been made to potential bidders. The Board was pleased that the investigation did not produce evidence of threats of harm to the businesses of individual bidders.*

*However, the actions of one or more firefighters remain a serious concern to the Board.*

*The investigation did confirm that one or more firefighters actively tried to discourage positive contributions to the station project. Such conduct involved false allegations of illegal conduct by the Board, false accusations of irresponsible conduct by the Board, an offensive verbal confrontation with a former Board member over his work on the project, and unprofessional and unacceptable behavior at Board meetings. Following the bid award, there was also an inappropriate verbal confrontation with a current Board member and with the Fire Chief.*

*The Board will take appropriate personnel action. There must be no recurrence of this kind of behavior.*

*Having said that, the Board is also concerned about actions taken and statements made during the pendency of the project for the new fire station.*

*While the Board recognizes the rights of others to disagree with their decisions, such disagreement needs to take place in a professional and positive manner. The Board would point out that while individuals may attend meetings as private citizens, they never cease being firefighters. Their actions and deportment not only reflects upon them personally, but upon the department as a whole. Accordingly confrontational behavior, such as occurred, is not only unprofessional but is unacceptable behavior at Board meetings. This type of conduct will not be tolerated in the future and appropriate action will be taken against those involved.*

#### ***Polson Rural Fire District Board of Trustees***

Fire Chief Fairchild sent an email to the board requesting the board consider making the investigation report available to the fire chief and the public. Trustee Clapp indicated the report was paid by taxpayer funds and since the fire chief is head of the department he should have access to the report to facilitate management of the department in a way that reflects the best interest to the community. Chairperson Meslin indicated during the executive session attended by Fire Chief Fairchild the discussion in the session was to be kept in the meeting. Trustee Manley indicated the people mentioned in the report have a right to privacy. **Motion Trustee Clapp to release a copy of the investigation report to Fire Chief Fairchild, second Trustee Manley. Chairperson Meslin clarified the motion to state the report is for the Fire Chief's information only. Motion carried unanimously. Motion Trustee Manley to table decision to release the investigation report to the public additional research is needed regarding privacy rights of individuals mentioned in the report, second Trustee Laisy. Motion carried unanimously.**

**FEMA GRANT APPLICATION FOR NEW TRUCK** – Trustee Clapp reported the grant review process for trucks are delayed. Fire station grant applications have review priority since stimulus funds may also be applied to the station project.

**NEW FEMA GRANT APPLICATION FOR RECRUITMENT AND RETENTION** – The grant application is due in the fall.

**REVIEW FIRE DEPARTMENT POLICIES AND PROCEDURES** – Trustee Laisy indicated it is the fire chief's right and duty to implement guidelines for the safety of firefighters. During the review, it was confirmed adequate insurance coverage is available for the junior firefighters program. He indicated nationally 20 percent of firefighters deaths occurred while traveling to and from responses. While having young fire fighters on the trucks could be a danger and liability. Ability to make assignment modifications for incoming apparatus should also be reviewed. Trustees Clapp and Laisy reviewed the standard operating guidelines to be implement for the Polson Rural Fire District. Trustee Manley questioned the lengthy guidelines. The guideline are broken down into functions and tasks. Firefighters generally review several chapters per month. **Motion Trustee Clapp adopt standard operating guidelines drafted by the chief noting the guidelines are a work in progress with changes overtime, second Trustee Laisy.** Chairperson Meslin questioned the process for changes. Fire officers and fire chief will propose changes and present to rural board committee for approval. **Motion carried unanimously.** The guidelines will be available on the website.

**RURAL FIRE CHIEF'S JOB DESCRIPTION AND REVIEW PROCEEDURE** - Trustees Laisy and Nelson provided a draft job description for the district fire chief. The board suggested modifying duties and responsibilities items 1, 2, 3, and 9; job requirements - ability to manage a combination department; accountability - board set objectives, strike managers of the City of Polson. The committee will meet with Fire Chief Fairchild and bring the description back to the board.

#### **BOARD POLICY ON FIRE DEPARTMENT'S & COMPANY'S**

**REPRESENTATION AT BOARD MEETINGS** – Tabled to September meeting.

#### **COMMITTEE UPDATE TO REVIEW RECRUITMENT AND EQUIPMENT NEEDS**

**FOR FAIRGROUNDS FIRE STATION** – An informative discussion was held with the Fire Chief and it was decided that Trustees Laisy and Meslin will devise creative ways to recruit new firefighters for the Fairground Fire Station. Use of current tax lists, targeted letters, personal contact, local advertising through newspapers and local social groups will be among ideas to be considered. When potential recruits are located, the Chief, Paul and Alison will conduct an orientation interview. Trustee Clapp questioned the orientation interview. Alison indicated it is an initial interview the Chief is involved and is comfortable with the process. Big Arm has been actively recruiting volunteers with two recruits this year and a potential for two additional recruits. A reserve fund has been established to provide equipment for the new recruits. Assistant Fire Chief Pete Bishop indicated the new recruits will need two years of training to accomplish effective firefighting. Firefighters from various companies responding to the new station will be effective. Alison indicated approximately eight firefighters live north of the bridge and could be part of a first response team along with new recruits. Trustee Laisy indicated all local fire companies need additional firefighters and the process should begin now. The retirement rolls indicate another company should be formed noting a company is limited to 28 volunteers. The board is relying on the fire chief and the officers to implement the response process. Also discussed during this meeting was current training, special training for new recruits and possible incentives to be considered later. The sub-committee will meet again to formulate the recruitment plan.

Equipment needs: The fire chief provided a list broken down "must have" and "can get by" categories. The subcommittee has further broken this down in phase #1 to be purchased soon with suggestions of buying used, checking special sales etc. We also suggest that Trustees might offer to help with finding the best price for these items. Phase #2 items we are suggesting to be reviewed again when the station becomes an active station with assigned firefighters. Other items are ones considered that there are alternatives or not essential or already included in the building.

**New Business**

**REVIEW VARIOUS INSURANCE COVERAGES PROVIDED FOR FIREFIGHTERS** – Fire Chief Fairchild reported a supplemental accident insurance policy which pays for loss of wages in the event a volunteer is injured on a fire response is in effect. Bishop Insurance Representative Pete Bishop reviewed the VFIS insurance policy regarding accident and disability policy. The workers' compensation policy and the VFIS insurance policy work very well together. The work comp. policy is calculated on two-thirds of a maximum computed wage for firefighters and pays benefits 32 hours following a claim. The maximum computed wage for firefighters is \$900. The supplemental policy pays benefits immediately for medical expenses, loss of wages, along with permanent or partial disability payment. The work comp policy pays all the medical bills, a monthly payment, and a disability payment. Work comp does not consider a heart attack as an injury for medical payment unless certain conditions are met. Trustee Laisy served on a committee to securing work comp benefits for volunteer firefighters. He indicated the board needs to provide adequate coverage for the volunteers. In another matter, Mr. Bishop discovered an error in the payroll calculations submitted to Montana State Fund, workers' compensation insurance. The account currently has a \$287.60 credit balance and no payment is due at this time.

**VFCA ANNUAL PENSION CERTIFICATION AND RELATED ISSUES** – Trustee Manley completed a list of tasks to standardize creation of companies, role of fire companies, application for firefighters, assign volunteers to fire companies, appoint officers, adopt by-laws, discipline or terminate firefighters along with an appeal process, and clarify guidelines. According to statute it is the board's responsibility to appoint and determine the firefighters. Trustee Laisy considers the appointment a formality to introduce the new firefighter to the board. Currently Irvine Flats firefighters are listed on the Polson membership; while by resolution an Irvine Flats Fire Company was formed. The Irvine Flats Fire Company formally adopted the by-laws of the Polson Fire Company. The board has not adopted the Polson Fire Company by-laws. There is set criteria in the pension guidelines for formation of companies and annual reports. Chairperson Meslin spoke factually the Big Arm Fire Station was closed. While Assistant Fire Chief Pete Bishop expressed the sole purpose was to bring the Polson and Big Arm firefighters together for working and training purposes at the Polson station. It was noted the end result accomplished a goal. The two companies are working well together.

**FIRE DISTRICT CONTRACTS AND COUNTY REPORTS** – The DNRC incident rental agreement signed April 14, 2009 by Chairman Fred J. Nelson was not presented at a board meeting for a matter of public record. The agreement was signed between monthly meetings. The annual report listing the volunteer firefighters will be submitted to the Lake County Clerk and Recorder for certification. The interlocal agreement requires the board to review all fire district documents. Annual report will be reviewed annually. Furthermore the interlocal agreement states: *All communications and correspondence received by any City employee, which refers or relates to the Rural Fire District, shall be promptly directed to the Rural Fire District Board. The District Board shall receive copies of any regular documents filed by the City, or City employees, with the county, state or other governments, relating to Rural Fire District companies, members, financial affairs and equipment, before the filing of such documents.*

**PUBLIC INPUT ON NON AGENDA ITEMS** – None.

**Motion Trustee Manley to adjourn, second Trustee Clapp. Motion carried unanimously.**

Meeting adjourned 9:35 p.m.

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**Alison W. Meslin Chairperson**

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**Jack Clapp Secretary-Treasurer**



