



BOARD OF FIRE COMMISSIONERS REGULAR MEETING

2120 N WILBUR RD, SPOKANE VALLEY, WA 99206

APRIL 25, 2022

4:00 P.M.

MINUTES

CALL TO ORDER:

Commissioner Burch called the meeting to order at 4:00 p.m.

PLEDGE OF ALLEGIANCE:

Commissioner Kester led the Board and those attending in the Pledge of Allegiance.

ROLL CALL:

Commissioners Patrick Burch, John Guarisco, Bill Anderson, Brian Asmus and Michael Kester were present. Others attending the meeting were, Fire Chief Frank Soto Jr., Nicole Castilliano (recorder), Interim Deputy Chief Jeff Bordwell, Interim Deputy Chief Andy Rorie, IS Director Joseph Yacker, Community Affairs Director Julie Happy, Finance Director Angela Golden, Deputy Fire Marshal Brett Anderson, IAFF L876 President Shawn Pichette, Firefighter Brook Brown, Division Chief Karl Cantrell, Battalion Chiefs Don Kresse and Brian Treffry, Captains Scott Crawford, Dustin Waterbly, John Nelson, Ryan Van Wey, Paul Kimball, and Matt Jorgensen, Engineers Nate Brown, and Eric Hesse, Firefighters Montana Sturges, Hunter Newmiller, Steven Wolfe and Isaac Matt, IS Systems Analyst Scott Keith, and Inspector Lee Bauder.

SPECIAL PRESENTATION:

1. Levy Lid-Lift Power Point Presentation

Fire Chief Frank Soto, Jr. presented information via PowerPoint demonstration regarding the upcoming levy lid-lift that will be placed on the August 2022 primary election ballot for voter approval.

PUBLIC COMMENT:

None.

APPROVAL OF AGENDA:



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The Consent Agenda consists of items considered routine which are approved by a single motion. A Board Member may remove any item from the Consent Agenda to be considered separately:

1. Approval of Minutes:

- Meeting of April 11, 2022

2. Approval of Vouchers:

- *Vouchers processed 04/13/22:*
37 Vouchers in the amount of \$49,986.41
29 EFTs in the amount of \$157,975.73
Premera Wire Transfer \$95,766.91 and \$4,428.26
- *Vouchers processed 04/15/22:*
8 Vouchers in the amount of \$171,045.06
17 EFTs in the amount of \$807,023.83
- *Vouchers processed 04/20/22:*
30 Vouchers in the amount of \$102,591.34
36 EFTs in the amount of \$61,406.55
Premera Wire Transfer \$57,755.18 and \$3,300.38
- *Vouchers processed 04/21/22:*
2 EFTs in the amount of \$30,048.11

3. Approval of Travel:

- National Fire Academy – Moeckel

Commissioner Burch called for a motion to approve the Consent Agenda. It was so moved by Commissioner Guarisco and seconded by Commissioner Anderson. With no further discussion the motion carried unanimously.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

1. Resolution 2022-513 Providing for the Submission of Levy Primary Election

Fire Chief Frank Soto, Jr. presented Resolution 2022-513 and recommended the Board adopt said resolution for a tax levy lid-lift to be placed on the August 2022 primary election ballot. He explained The Spokane Valley Fire Department is a junior taxing district with the authority



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to tax property at \$1.50 per \$1,000 of property value. In 2001, I-747 capped the tax at 1% per year growth on the budget. As the assessed value of property has increased, the levy rate has been reduced by \$0.45, which means our collection rate went from \$1.50 to \$1.0457 per \$1000 of assessed valuation.

SVFD currently funds roughly 61% of our daily operations and our capital replacement needs through our Maintenance & Operations (M&O) Levy. The Levy Lid Lift is for our Regular Fire Levy, which is our permanent levy and now only accounts for roughly 39% of our overall budget. This is a dangerous position to put our fire department in because SVFD is too dependent on funding from a non-permanent special levy (M&O). The Levy Lid Lift will help change this position, making us a more financially secure fire department. In short, this will allow us to be less dependent on our current M&O Levy with the goal of lowering it in the future.

The levies are the primary funding source for fire and emergency services provided in the Fire District. This means levies pay for staffing, equipment, operating expenses to provide structure and wildland fire suppression, advanced life support-paramedics, fire prevention, and other essential services to the citizens in our Fire District. Additionally, SVFD has seen significant increases in emergency responses with more than a 44% increase over the last seven years (2015-2021). The unbalance of levy funding, increase in 911 call volume, and increase in operating expenses are why we are asking our voters to consider this Fire Levy Lid Lift.

The goal of our fire district is to avoid long term indebtedness in the form of bonds and a position of fiscal conservativeness for our citizens. Additionally, we have also determined that this proposition is necessary to maintain an effective level of services, staffing, equipment, and facilities due to rising costs.

Commissioner Burch called for a motion to adopt Resolution 2022-513 for a tax levy lid-lift to be placed on the August 2022 primary election ballot. It was so moved by Commissioner Guarisco and seconded by Commissioner Kester. With no further discussion the motion carried unanimously.

2. Resolution 2022-514 Agreement Between SVFD and RACOM

Interim Deputy Chief Jeff Bordwell requested that the Board approve Resolution 2022-514 as this is the contract for the purchase and installation of the Phoenix G2 Station Alerting System. He reminded the Board that SVFD's current alerting system has been built over the years dating back to 1978 with the building of Station 4. Because of the age and variables



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within these systems we have twelve systems that are needing to be replaced and that the request for proposal (RFP) was awarded to RACOM December 2021.

Commissioner Burch called for a motion to adopt resolution 2022-514 and enter an agreement between SVFD and RACOM for the purchase and installation of the Phoenix G2 Station Alerting System. It was so moved by Commissioner Anderson and seconded by Commissioner Asmus. With no further discussion the motion carried unanimously.

ADMINISTRATION REMARKS:

None.

COMMISSIONER REMARKS:

Commissioner Asmus reported there are several construction projects started in the City of Liberty Lake 1. The new overpass and 2. Installation of a traffic light which is near Station 3 and warned to proceed with caution as the speed limit through the construction zone is 25 mph. Additionally, he reported that Central Valley School District Superintendent Ben Small is retiring and there is a recognition event planned on June 13th at 6:30 p.m., he encouraged our board to consider presenting an award at said meeting.

Commissioner Kester reported on behalf of the Facility and Maintenance committee:

Station general maintenance projects are underway with fence installation at Station 1, repair of apparatus bay door at Station 2, the remodel design and bid plans are being developed for Station 5, the L.E.D. light has commenced and the asphalt project needs to be scheduled at Station 7, roof repair at Station 8, the exterior painting to be scheduled at the Training Facility, the permits have been obtained for the new Maintenance Facility, and there will be cubicles added and installed at the Administration building.

Commissioner Kester reported on behalf of the Apparatus Committee:

Our new Mechanic Jeff Romane attended the WFC Mechanics Conference, apparatus general maintenance schedules are ongoing, and mentioned the following apparatus need significant repairs: E3 emission tank patch, E9 new a/c pump installed, E6 turbo replacement, R5 flatbed conversion, and the conversion of our used Tiller is still at True North's facility for the Ladder Quint conversion and should return by end of May.

Commissioner Kester reported on behalf of the City of Millwood Council Meeting:



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Thank you to Fire Chief Frank Soto Jr. for presenting the data for their service area to all in attendance. He reported that several members were thankful for the effort and information.

Commissioner Guarisco thanked all members who participated in the levy lid-lift committee and coming together to produce the content for marketing the levy. He attended the Chamber Awards Event and encouraged other department members to attend in the future and congratulated all those who received an award to include Ben Small.

Commissioner Burch also thanked all members who participated in levy lid-lift committee stating that it is a team effort to pull all the information together to present to our citizens. He also agreed with Commissioner Asmus and Guarisco's comments regarding Ben Small, and also highlighted Ben's ability to establish successful community partnerships to accomplish a common goal for the community.

PUBLIC COMMENT:

IAFF L876 President Shawn Pichette addressed the Board stating the local is restarting the Annual Bear Lake Fishing Trip for CVSD students which is scheduled for Memorial Weekend. The Veterans Community Response annual veterans retreat is scheduled early June with Fire Chief Frank Soto, Jr. providing a meal and visit session one of the evenings and thanked the department for including them in the levy lid-lift process.

ANNOUNCEMENT:

Commissioner Burch announced:

1. The next Regular Meeting will occur Monday, May 9, 2022, at 4:00 p.m. at the Administration Building (2120 N. Wilbur Road). If you cannot attend in person, visit www.spokanevalleyfire.com to sign up prior to the meeting to submit public comment; all comments must be received in writing by 2:00 p.m. prior to the start of the meeting.
2. The Board of Fire Commissioners may be in attendance of a Civil Service Training Session scheduled for Tuesday, April 26, 2022, at 10:00 a.m. at the Administration Building.

EXECUTIVE SESSION:

Commissioner Burch announced the Board will adjourn into an executive session for the following reasons:

1. RCW 42.30.110(1)(f) to receive and evaluate a complaint brought against a public officer or employee.



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2. pursuant to 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.

3. pursuant to RCW 42.30.140(4)(b) relating to that portion of a meeting during which the governing body is planning or adopting the strategy or position to be taken by the governing body during the course of any collective bargaining, professional negotiations, or grievance, or mediation proceeding, or reviewing the proposals made in negotiations, or proceedings while in progress.

The total time for the executive session is 30 minutes with the possibility of an extension. Upon return to public session a decision may be announced.

In accordance with the above referenced executive session announcement item #1, Firefighter Brook Brown chose to address the board publicly reading aloud the following statement:

"I'd like to sincerely apologize for my actions and regret that my actions caused problems for the department. I uphold my service, integrity, professionalism, and accountability to Valley Fire's mission as the most crucial part of my career and personal life. I had absolutely no idea the seriousness of my actions and I had no intent to harm, expose, or see any personal information whatsoever. When I opened these files, I was initially looking for training documents, PowerPoints, instant photos to practice my skills and overall support and research and education of our service. Secondly the Summer and Fall of 2021 were a time of great confusion, fear, and turmoil at Valley Fire. We'd been under covid lockdowns for 16 months and had just learned the state vaccination mandate would take our jobs if we didn't comply. There was absolutely no reassurance or communication from the former administration as to whether or not the choice of vaccination status would eliminate us from our family at Valley Fire. The anxiety level was at an all-time high for those of us unsure if we wanted to be vaccinated or not. This pressured me to look for info that directly affected my career. I just wanted to know my fate concerning the mandate. The anticipation of how the vaccination mandate was going to be handled was extremely stressful. One of the first things I did was consult our SOP Computers and Electronics #171 it reads, "employees should not assume that any emails, browsing history, or electronic information are confidential in anyway." So, it is reasonable to assume that no one would put confidential information on their desktop or in their documents. Past practice was that any personal information was to be stored on H:\drive commonly known as the "personal drive". I never entered anyone's H:\drive at any time. I had no malicious intentions. Again, I was not looking for and most importantly I did not share any information. My login credentials given to me by the department allowed access to training documents, department information concerning vaccination mandates, and general knowledge about the department. I did not attempt to enter any H:\drives, unshared files, folders or any other numerous locations where sensitive material should be stored. I did not "circumvent technological access barriers" which is the RCW definition



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of without authorization. I did not violate any RCW's. I have had an exemplary record with no blemishes throughout high school, college, and my military career as an F16 Crew Chief in the Air Force. I am also a well-respected farmer in my community in Walla Walla. I have upheld my record of excellent community service to our citizens for the totality of my career at Valley Fire. I have a 100% positive employee performance report since the inception of my employment. I believe my work ethic and values make me an asset to the department and the citizens of Spokane Valley. Valley Fire has invested much time, money, and trust in me, and I've invested my life into this job. In Article 4 section 1 of L876 collective bargaining agreement it states that all disciplinary action taken against members will be for just cause. Just cause asks was the penalty reasonably related to the seriousness of the offense and the employee's record, was there an opportunity to issue a lesser discipline that allows the employee to correct their actions before discharging them from employment, was progressive discipline implemented. I don't believe that punishment, separation, or demotion reflects my actions. It doesn't take into the account my history of service to Valley Fire or the many years of good service I have left to provide our citizens. Historically, Valley Fire has shown grace and compassion to good employees that misjudge a situation and make a mistake. I am still a valuable asset to the department. Please consider a 3 to 5 shift suspension. While a suspension would cut very deeply it would allow me the opportunity to prove again that I am a valuable and trustable employee that doesn't deserve to be thrown away. In closing I regret my actions and caused problems for the department. I also would like to say that I had wished I had gone a different way and that I have learned from this situation. I have served Valley Fire since 2014 and nothing like this has ever happened to me. I've learned from this and nothing like this will ever happen in the future. As you know discipline is meant to be corrective not punitive. Rest assured the situation has been corrected, as such I respectfully request that you allow me to continue to serve for Valley Fire. Thank you."

At 4:36 p.m. the Board adjourned into executive session.

At 5:06 p.m. an announcement was made to extend the executive session by 30 minutes.

At 5:36 p.m. an announcement was made to extend the executive session by 30 minutes, and Dustin Waterbly entered the session to make a statement on behalf of Firefighter Brook Brown.

At 5:55 p.m. Dustin Waterbly was excused from the executive session and Shawn Pichette was entered the session to make a statement on behalf of Firefighter Brook Brown.

At 6:06 p.m. an announcement was made to extend the executive session by 30 minutes.

At 6:11 p.m. Shawn Pichette was excused from the executive session.



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At 6:24 p.m. Fire Chief Frank Soto, Jr. entered the executive session.

At 6:36 p.m. an announcement was made to extend the executive session by 30 minutes.

At 7:06 p.m. the executive session ended, and the Board reconvened into public session.

In the matter of executive session announcement item number two mentioned above: Commissioner Burch called for a motion to authorize Fire Chief Frank Soto, Jr. the ability to approve the offer of employment contracts for the two Deputy Chief candidates presented. So moved by Commissioner Guarisco and seconded by Commissioner Kester. With no further discussion, the motion carried unanimously.

In the matter of executive session announcement item number one, the proposed discipline for Firefighter Brook Brown: Commissioner Asmus stated the Board had a difficult decision to make, and appreciated the testimony provided. He continued at times like this it's never an easy decision when considering discipline for a member, and that most of the executive session time was utilized for this matter. Commissioner Asmus moved the Board uphold the recommended discipline for Firefighter Brook Brown. It was seconded by Commissioner Guarisco and with no further discussion the motion carried unanimously.

In the matter of executive session announcement item number three mentioned above: no announcement was made.

Commissioner Burch called for a motion to adjourn the meeting. It was so moved by Commissioner Guarisco and seconded by Commissioner Asmus. The motion carried and Commissioner Burch adjourned the meeting at 7:07 p.m.

Patrick Burch

Patrick Burch (May 10, 2022 17:15 PDT)

Patrick Burch, Board Chair
Board of Fire Commissioners
PB/ncc