

Spokane County Fire Protection District 8
Minutes of Regular Commissioners Meeting
July 18, 2007
6:00 p.m.

CALL TO ORDER

The regular meeting of the Board of Fire Commissioners was called to order by Board Chair Hesse at 6:00 p.m. Present were: Commissioner Hesse, Commissioner Boling, Commissioner Ferraiuolo, Chief Walkup, Deputy Chief Blystone, Deputy Chief Nielsen, Deputy Chief Rash, Administrative Assistant Carol Trescott, members of the district and the public.

INTRODUCTIONS

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

Chief Walkup requested the following changes to the meeting agenda:

- Unfinished Business – Add Item 5B, Bid Acceptance
- New Business – Item 6B, Capital Replacement Plan - move to August's meeting
- Executive Report – Add Item 7D, Update on work at Station 85
- Executive Report – Add Item 7E, FTE Hiring
- Executive Report – Add Item 7F, Hazard Assessment
- Executive Report – Add Item 7G, Public Records Request to the City of Spokane

Motion: Boling/Hesse to approve the meeting agenda as amended. The motion carried unanimously.

APPROVAL OF CONSENT AGENDA

Motion: Boling/Hesse to approve the consent agenda. The motion carried unanimously.

UNFINISHED BUSINESS

A. Ponderosa Community Request – At the June 25th meeting, Chief Walkup was directed to consult with legal counsel on options relating to requests made by the Ponderosa community. Since that time, Walkup has also spent extensive time reviewing files and visiting the Ponderosa area. Chief Walkup and Deputy Chief Blystone presented a satellite map of the Ponderosa which outlined evacuation routes and the slope of that area. Walkup said that while fuel and wind is a major contributor to the severity of a fire, one of the major components is the slope. Because the Ponderosa sits in a bowl, the severity of a fire should generally be driven away unless it is a wind driven fire. He pointed out the location of the leading edge of the fire in 1991 where homes were lost, and the area affected by fire in 1987. Chief Walkup noted two primary public access routes on Sands and Bowdish, and Schafer and Dishman-Mica. He also said there was an emergency access put in as a result of Mica View Estates on 47th Ave & Sands and Dishman-Mica. The Chief said he and staff spent considerable time in the area and in researching additional alternatives to getting people out and getting apparatus in. Redeemer Lutheran Church could be used as an area of refuge off Sundown Drive where it meets Basetta Lane. In addition, west on Basetta a more primitive emergency access could connect to 28th. There is also a private lane next to 39th and Woodruff that

could be used in the event of an emergency. Chief Walkup said all of the mentioned access roads would be used if needed for ingress or evacuation depending on where the emergency was and what the needs of the event dictated. He noted it was helpful to know there are these additional alternatives.

In his investigation Chief Walkup discovered the reference to a 30-minute time frame in the evacuation study came from District 8 staff. He said staff did not feel all residents in the Ponderosa neighborhood could be notified in 30 minutes nor evacuated in that time. Deputy Chief Blystone clarified that the fire in 1991 had progressed from point A to point B in 30 minutes. When asked by Whipple Consulting what a reasonable evacuation time would be for the area, Blystone responded that the threatening fire took 30 minutes to go from Point A to Point B and then asked Whipple how much traffic could be evacuated in 30 minutes. It was an arbitrary figure since the question to Whipple was how much traffic could be moved in 30 minutes.

Chief Walkup shared information with the commissioners that he received from Janice Cooperstein via e-mail which stated the water supply in the Ponderosa is “insufficient, inadequate, and unreliable”. She also referenced an attached letter written by Ty Wick from Water District 3.

Upon receipt of Ms. Cooperstein’s e-mail, Chief Walkup contacted Mr. Wick regarding the water system in the Ponderosa. In their conversation Mr. Wick told Chief Walkup the water system in the Ponderosa area is reliable and has three times the storage capacity that it is required to have. Wick said there are some areas which were built before the tank was built that are on booster pumps and the pressure is not what they would like it to be. Mr. Wick indicated to Chief Walkup that the Water District and his board were not going to get involved in determining if there was enough water flow for fire in the area.

Chief Walkup plans to meet with Commissioner Richard in the near future in an effort to formalize use of emergency access roads with area land owners.

Requests received by the board from Ponderosa residents in June 2007 were very similar to requests received in August 2006. In 2006, Janice Cooperstein asked for withdrawal of the DNS and that no further development be allowed in the Ponderosa. Chief Walkup spoke with legal counsel who reaffirmed his reluctance for the fire district to get involved in, or do the bidding of, the community or the developer. He said it would not be appropriate to issue a new opinion or position while the issue is proceeding through an appeal in Spokane Valley and in the Court of Appeals. He also articulated that no new evidence or any additional evidence could be brought into current proceedings. In addition, he indicated if the board absolutely felt they had to take action he would prefer the district secure good counsel and that the file be reviewed in order to put the district in the best possible position. If the board were to take action, he indicated the district would have to substantiate opinion, have specific reasons for taking a position, and complete its own homework to prove why it is taking a stance and why the developer, the county, and city are wrong and the “activists” are right.

Jim Pantelli asked if the district felt there was a problem evacuating people from the Ponderosa area should there be a situation similar to that of 1991. In response, Chief Walkup said much has been learned since 1991. People would be moved to areas of refuge and the district would evacuate those areas that are in front of the fire or threatened, as opposed to trying to evacuate the entire area at one time. He added the previous evacuation caused a lot of the confusion. Walkup felt there would be issues in the event of a large scale event but the Ponderosa is not at greater risk than are other areas

of the district such as Painted Hills or Belle Vista. The chief said if he thought it was an undo or significant risk he would not have moved his family there, and added there is always some risk but he feels the district will handle things differently and better than it did in 1991. Emergency agencies are more coordinated, currently work under a unified command, and share information. Agencies now have a joint field operations guide with law enforcement that did not previously exist which tells responders what their roles and functions are as far as evacuation, fire suppression and support. Walkup said he is confident that agencies are better prepared to deal with such events today and emergency incidents will be dealt with in a much more effective manner.

Mr. Pantelli then asked if this information could be shared with the community so there is an awareness of what can be done and what the community can expect in the event of an emergency. Commissioner Boling suggested posting information on the district's website. Chief Walkup also mentioned having a conversation with Commissioner Richard to formalize the plan. Walkup was in favor of sharing information with the community but did not want people to think evacuation routes are current access roads and could be used at this time as alternate routes through private property.

Commissioner Boling said three things were promised to the community at the previous meeting: 1) that the Chief would speak to legal counsel to disseminate what the district could and couldn't legally do; 2) that the issue would be taken to the Spokane County Fire Commissioners Association - which was discussed in great detail at their July 12th meeting; 3) that the issue be taken to the state level via Joe Dawson, President of the Washington State Fire Commissioners Association.

Boling said he understands the community is concerned but there is a need to work on the problem wisely and not simply react. Commissioner Boling noted similar building and developing situations exist in other areas of the county and throughout the state and the Fire Commissioners Association is very interested in the issue. The Association has agreed to follow through on its commitment to research and secure opinions from legal counsel and will work together with the Fire Chiefs Association.

Commissioner Hesse noted incorrect statements have been made suggesting Fire District 8 does not support additional ingress/egress in the Ponderosa area. He said the district cannot legally require the developer to add additional ingress/egress roads. Hesse added Spokane County, not Fire District 8, is the permitting agency for this development and that code development starts at the state level. Washington State sets requirements and counties must adopt those codes at a minimum, followed by cities and fire districts, etc. He referred to a flyer which was circulated in the Ponderosa neighborhood with an erroneous statement saying Fire District 8 will request there be no further development in the area. Hesse said morally the district can ask that a development not be allowed without addition of ingress/egress and the fire district did write a letter in 2005 to Spokane County Building and Planning Department and another was sent by Chief Blystone. He added the district is doing what it can both legally and morally in attempt to get more ingress/egress roads to the Ponderosa neighborhood. He was in agreement that information be shared regarding current access roads and their availability in an emergency situation. Hesse said the fire district fully supports any safety feature it can. He added that since Firestorm '91 additional firefighters have been added, interlocal and auto-aid agreements are in place, and equipment is improved. Hesse said when they took an oath as commissioners they agreed to uphold the law and are now bound by that oath. Commissioner Hesse stated he has a very strong concern for the safety of the community and for the district's firefighters and as commissioners they are doing what they can within legal confines.

Rick Vellitegi said he was living in the Ponderosa in 1991. He stated the area could not be evacuated at that time and if a similar situation were to happen again he did not feel the community could be evacuated. He felt posting information on a website would not be adequate. Vellitegi referred to the evacuation study and the 30-minute time frame as in error. Chief Walkup said when the analysis was done it was not under emergency situations but done under normal traffic flow which was a flaw in the study and one pointed out in a letter written by the district. Walkup said the district has met with county engineers who have said they ran the study and the analysis and found the level of service did not degrade to a level requiring additional turn lanes and turn signals for additional access. The City of Spokane Valley has had an independent study conducted by Trans Pro and came to the same conclusion that the analysis done by the developer was conservative in nature but that levels of service did not degrade to unacceptable levels. Because he is not a traffic engineer, Chief Walkup said he has no reason to refute any of the information provided by the two government agencies who are experts in that field. He understood trying to evacuate in an emergency situation is different from normal traffic flow, and for that reason, Commissioner Boling specifically asked to note that point in the letter written by the fire district.

Mr. Vellitegi said he depends on the fire district to keep his family safe, and although he hears the fire district stating they do not have legal authority, he stressed the district needed to find a way to “make them safe”. He said if a fire breaks out and his family is not able to evacuate it would be not only his responsibility but the district’s as well. It was his understanding that the fire district had said 184 houses would be able to evacuate on 44th Avenue. Commissioner Hesse and Chief Walkup said that was incorrect information. Commissioner Hesse stated Spokane County Planning Development approved the new development. He said the fire district cannot stop a development but can show its concern, which it has done by every legal means.

As a member of the Disaster Services and Local Emergency Planning Committee, Commissioner Boling said he knows how area agencies work together to learn from past mistakes. At one time neighborhoods were evacuated on the same roads that emergency personnel were bringing equipment and personnel in on. The district now has an access road in the Ponderosa specifically for emergency entrance which could also possibly be used for evacuation. He added it is the role of the Incident Commander to assess the situation and decide where or if to evacuate a neighborhood and added there are times when people should “shelter-in-place”. Commissioner Boling noted lessons learned from the past are used to educate the public as well as our legislators. If a change in the law is needed, the commissioners work through the Washington State Fire Commissioner’s Association to enact new legislation. Any changes in the law will affect communities statewide, and while citizens in neighborhoods similar to the Ponderosa may want certain legislation, there are others who may not want it. Commissioner Boling said when misinformation is spread the cause we all share is hampered. He personally does not agree with the study.

Mr. Vellitegi stated he did not have water during Firestorm ‘91 and asked if emergency responders had water. Chief Walkup said he had spoke with the manager of Water District 3 and was informed that the water district did not run out of water during Firestorm ‘91. Chief Walkup asked Mr. Vellitegi what he was asking the board to do. Mr. Vellitegi asked the board how they planned on evacuating the Ponderosa neighborhood in the event of another emergency. Commissioner Boling said the board was looking at the problem as a community. The Chiefs are working to formulate an evacuation plan so when they have hard facts, those efforts will be supported by all the fire chiefs, supported by all the commissioners, and they can then go forward to the legislature and request law be changed. Mr. Vellitegi said that is what he is asking both District 8 and county commissioners to

do. He asked if the current new development should be approved immediately and allowed to go through, or should the county require further study for the safety of its citizens.

Commissioner Hesse said the board has done everything the community has asked of them that they are allowed to do within the law. District 8 commissioners have taken their concern to the Spokane County Fire Commissioners Association and the president of the Washington State Fire Commissioners Association. Mr. Hesse shared advancements emergency responders have made with communications since 1991 and the formation of the Combined Communications Center. All radios now have emergency channels which enable districts to talk to one another.

Deputy Chief Blystone said if a law is not in place by now, it will not effect the specific development in question. A development cannot be stopped with laws that are enacted after a development has gone through the planning process.

Commissioner Ferraiuolo said since June's meeting, and at the request of the Ponderosa citizens, the district has devoted many hours and revisited every decision regarding the issue. He noted the Sheriff's Department is responsible for the evacuation plan during a disaster, and the fire district's job is to fight fires. The planning, zoning and permitting organization's job is to approve or disapprove a development. He said the district has sent very direct letters expressing strong concerns. He also reiterated that since Firestorm '91 a myriad of changes have taken place that were not in affect at that time such as additional access roads, improved communications between agencies, mutual aid agreements that will automatically deploy other agencies as backup in the event of a catastrophic event, more and advanced equipment, and a larger firefighting force in our career, volunteer and resident firefighters. Ferraiuolo said the board empathizes with the neighborhood's frustration with the new development but is pushing the legal limits of its authority to help. The issue has been taken to the next level in an attempt to obtain the attention of the planning and permitting department. He also pointed out that because the issue is in litigation and in the appeal process, no new information can be introduced into the courts in effort to make a decision change. He expressed concern over the flyer that has been distributed in the Ponderosa neighborhood citing misinformation and a statement that SCFD8 would take action which was never promised.

Commissioner Hesse said he was disappointed in people who are disseminating information that is absolutely incorrect. He addressed misinformation regarding the water system, which he said is one of the best water systems in the valley. Commissioner Ferraiuolo said essential services did have water and that water was cut off in some instances to residents so emergency personnel could have water. Chief Walkup said some residents receive water from a booster pump that comes from the tank and when the power went out they lost water but it doesn't mean firefighters did not have water at the hydrants.

Commissioner Hesse does not want to put the district and its citizens in a liability situation with the developer. He said the district has written two fairly aggressive letters to the county stating it does not think the development is in the best interest of the neighborhood.

Chief Walkup said he understood the community would like the fire district to be able to do more and he is aware that Commissioner Richard has also had similar requests. Walkup noted the fire district is a political subdivision of the State of Washington and county commissioners have the authority to approve or deny a development. Walkup shared a portion of an e-mail from Commissioner Richard where he states the current projects are in compliance with the laws as

indicated by the recent Superior Court finding. Richard fought unsuccessfully for limited use of one acre zoning to prevent inconsistent zones such as this from being imposed. The GMA which was passed by state legislature encourages more dense development close to existing housing. Chief Walkup concurred with Richard's statement that he is "left to uphold the laws by the oath we took". Walkup said he lives in the Ponderosa neighborhood and, from a personal perspective, not that of the fire chief, would like any new development to be in character with the existing neighborhood as well. He said the area where impact can be made is in a zoning change. The chief said new zoning changes may not affect the current development but it could have an effect on any future developments.

Commissioner Hesse asked the public to contact the board if they receive any information or have questions regarding information they receive and expressed his commitment and that of the board and district staff to respond to all questions in a timely manner. Commissioner Boling said he welcomes inquiries by the community and affirmed his commitment to respond to any questions he receives. He said laws pass that we may not like, and although they try to influence change, it is a long process to pass or change a law. Commissioner Hesse said most fire districts send commissioners and chief officers to Olympia during the legislative session each year. As a district, as a county, and as a state board, they strongly try to influence legislation that would make improvements. The State Fire Commissioners currently have two people working full-time with legislators trying to get laws changed, enacted, or improved.

Chief Walkup said the district has been actively involved in the Ponderosa neighborhood and he personally has worked on the county-wide evacuation plan with the sheriff's staff. A community event was held which involved the Sheriff's Department, Red Cross, DNR, Fire Safe Spokane, Spokane Valley Fire, and Fire District 8. He said the district has been engaged in the Ponderosa more than anywhere else in our jurisdiction in terms of communicating and educating the community on ways to help themselves and protect their homes. In addition, the district has done hazard assessments on homes in the Ponderosa that are most at-risk, and is currently working to assess homes the remainder of the area.

Mr. Vellitegi said he felt District 8 firefighters were doing a great job. His concern is for what the county commissioners and District 8 commissioners are doing to ensure that overall laws and development do not raise the neighborhood's risk.

Commissioner Ferraiuolo said he hopes those in attendance can see that the district is trying to do what it can to help the community and that as commissioners they will continue to put forth that effort. He said as a board and as a fire district they are unified in doing the best they can within legal limits for its citizens. He encouraged the public to access the district website at www.scf8.org, read meeting minutes, and obtain accurate information on the fire district's position. Spokane County Fire District 8's Board of Fire Commissioner meetings are held the third Wednesday of each month with few exceptions; meeting information and minutes are posted on the district's website.

B. Bid Acceptance – Chief Walkup asked the board to clarify their direction on bid acceptance at the previous meeting and asked if their intent was to accept the lowest most responsive bid for all items bid. He said one vendor submitted a low bid for the thermal imaging cameras, however, that bid had only a 55% compliance rate for technical specifications, and from staff perspective was a non-responsive bid. As such, staff would like to accept the next lowest most responsive bid with a compliance score of 94.4% at \$21,125 from LN Curtis.

Motion: Hesse/Ferraiuolo to authorize the fire chief to move forward with the lowest, most responsive bid received for the purchase of two new thermal imaging cameras. The motion carried unanimously.

Commissioner Hesse called for a recess 7:08 pm.

The meeting was called back to order at 7:14 pm.

NEW BUSINESS

A. County-wide Ambulance Agreement – Chief Walkup informed the board that the district and other area fire agencies are moving forward in the development a County-wide Ambulance Ground Transport Agreement. He provided the board with a draft copy of the agreement and encouraged them to review it and share their comments with him. The document will be finalized in the next few months. Once an agreement is complete the group will develop an interlocal agreement, select a contract administrator and establish an Ambulance Service Board. The Ambulance Service Board will develop a RFP to go out in attempt to secure a vendor to provide those services. Chief Walkup said conceptually he feels this agreement will be good for the district and very good for its citizens. The draft agreement is also being circulated to the other county governing bodies involved. Walkup said the City of Spokane is participating and engaged in discussions and his understanding is that they have presented the draft agreement to their Public Safety Committee for review.

B. Capital Replacement Plan – Commissioner Ferraiuolo and Chief Walkup asked to have this item tabled and placed on the agenda in August.

EXECUTIVE REPORT

A. 60th Anniversary Update – Chief Walkup reminded the board that the district's 60th anniversary celebration is Saturday, August 11th and each of the commissioners has a role in the event. The planning committee met the previous Monday to finalize activities. Carol Trescott reported that the signage Commissioner Hesse requested was not available and an alternate option will be chosen. The Firefighters Association will assist in that area. Trescott asked the commissioners which open house they would be attending. Commissioner Hesse will be at 81s from 10:00 – 12:00; Commissioner Ferraiuolo will be at 84s from 10:00 – 12:00; Commissioner Boling will be at 85s 10:00 – 12:00; and Chief Walkup will be at 82s. All commissioners will meet at 82 at 12:00 for the barbecue and afternoon activities. Commissioner Hesse is scheduled as a guest on KXLY Radio, August 8th, 7:10 am, to share activity information with the public. Approximately 100 flyers were mailed to former members, area agencies, retirees, and elected officials. Commissioner Hesse expressed his thanks to the committee for organizing this event.

B. Firefighter Association Golf Tournament – Chief Walkup informed the board the Firefighters Association is planning a golf tournament in September. Tournament proceeds will support member scholarships and assist district members and their families in need. The association will request donations from area business using an association letter which will include their name and tax ID number and will clearly state that the event is being sponsored by the Firefighters Association. Marty Long confirmed the tournament date as Friday, September 14th at Hangman Valley Golf Course. A gunshot start is scheduled for 1:30 pm with a barbecue to follow.

C. Salary vs. Hourly for Non-Represented Staff – Chief Walkup reminded the board that as a result of the recent bargaining unit contract, represented personnel's pay will now be calculated on a

salary basis rather than an hourly basis with any exception hours to be paid at the hourly rate. It became apparent that non-represented staff may want to receive their pay in the same manner. There is no additional cost to the district with this method of pay and will allow non-represented staff to balance their pay. All commissioners were in agreement with the change.

D. Work at Station 85 – Members from Station 85s area donated many hours recently to paint the exterior trim at that station and have also been very active in station improvements. Chief Walkup acknowledged their dedication and thanked all those who were involved. All three commissioners expressed their thanks as well.

E. FTE Hiring – Kris Cress has accepted a position with the district as a full-time firefighter. Cress was previously a temporary-hourly employee with both District 8 and District 9. Chief Walkup said the process for filling the remaining two vacant FTE positions is close to completion and expects to make those additional offers in the coming weeks.

F. Hazard Assessment – Chief Walkup said at the previous meeting he stated hazard assessments had been completed for the entire Ponderosa neighborhood. He was subsequently been informed by staff that those assessments have been completed for homes in the hazard target zones and personnel are in the process of completing the balance of the area. Commissioner Ferraiuolo asked if this assessment was being done for the entire district. Chief Walkup responded that they have started in the Ponderosa neighborhood and he felt the district needed to be conducting assessments in the remainder of the community so that all of the district’s citizens are given the same hazard awareness.

G. Public Records Request with the City of Spokane – Chief Walkup addressed correspondence with the City of Spokane regarding the district’s request for information relating to city annexation efforts. Chief Walkup received an e-mail the previous day showing a comprehensive analysis and strategy being formed for a large portion in the Station 81 area. He planned on sharing further information with the board as his study progresses. The documents he has reviewed thus far appear to support generating additional tax revenue for the city in effort to assist them with their financial situation.

CORRESPONDENCE

1) Letter to City of Spokane 2) E-mail received from Ponderosa residents 3) E-mail received from Char Russell pertaining to the Mica Gun Range 4) E-mail from Don Malone representing the Fire fighters Association 5) Spokesman Review news article 6) E-mail from Janice Cooperstein and Water District 3 7) The Ponderosa neighborhood event of July 19th.

PUBLIC COMMENTS

None

ANNOUNCEMENTS

- The Spokane County Board of Fire Commissioners meeting will be September 13, 2007, at District 9, 7:00 pm, scheduled speaker is Sheriff Ozzie Knezovich
- Fire District 9 Open House is July 25th
- The next regular meeting of the Board of Fire Commissioners is scheduled for August 15, 2007, 6:00 pm at Station 82.

EXECUTIVE SESSION

None

ADJOURNMENT

With no further business, Commissioner Hesse adjourned the meeting at 7:35 pm.

Gregory A. Hesse, Chair
Fire District 8 Commissioner

ATTEST:

William A. Walkup
District Secretary