

**POLSON RURAL FIRE DISTRICT BOARD MEETING
MINUTES FEBRUARY 09, 2011**

Board trustee members present: Fred Nelson, R. Jack Clapp, Beth Hoel, Dean Sams, Steve Stanley.

Board trustee member absent: None

Staff: Fire Chief John E. Fairchild, Board Clerk Bonnie M. Manicke

Guests: Berl Tiskus, Valley Journal Reporter, Ali Bronsdon, Lake County Leader Reporter; Volunteer Fire Personnel – Karen Sargeant, Drew Hoel, Kraig Rubel, Kevin Straub, Jason Whealon, Pete Bishop, Will Woodger, Chris McGuinness; Residents - Francis Davidson, Tom Eddy, Leanna Fillman, Alan Fillman, Lester Johnson, Lee Manicke, Rory Horning.

Meeting called to order 7:00 p.m. Fairgrounds Rural Fire Station by Vice-Chairman Clapp. Chairman Nelson is on call this evening and requested Vice-Chairman Clapp chair the meeting. The Pledge of Allegiance was recited.

Minutes January 12, 2011 Rural Fire Board Meeting; Chair Clapp noted due to technical difficulty with recording system the proceedings of the meeting did not record. The proceedings were transcribed from the clerk's notes. Trustee Stanley acknowledged Tom Eddy to edit two statements on page 7 in the public input section. Mr. Eddy requested the following correction to the minutes. ~~Mr. Eddy requested an explanation for the retained revenue rationale. {Mr. Eddy suggested striking the sentence}. Mr. Eddy indicated support for reducing the debt with the excess mills levied.~~ Mr. Eddy corrected the sentence stating one of the possibilities is to reduce the debt with the excess mills levied, although he did not necessary support that specific possibility. Mr. Francis Davidson indicated the December 2010 minutes were not posted on the website. Chair Clapp replied the district does not have an assigned website manager under contract to the district. The minutes are posted voluntary on the Polson Fire Department website. Fire Chief Fairchild will contact the website manager tomorrow. Mr. Eddy suggested a target date to post the minutes ten days following approval. **Motion Trustee Stanley to approve January 12, 2011 minutes with correction by Mr. Eddy, second Trustee Nelson. Motion carried unanimously.**

Communications: Big Arm Association schedule use of Big Arm Fire Hall – Tuesday, February 8th approximately 2 hours; Thursday, February 10th 10:30 a.m. community coffee hour; Friday, February 18th 5:30 p.m. community potluck approximately 3 hours. Exercise class may be using the hall on some Wednesday mornings 10:00 a.m. Approximately 1.5 hours. Schedule submitted by Alison Meslin, Big Arm Association. Lake County Commissioners communication via the Montana Department of Revenue regarding the over mill assessment by Lake County for the Polson Rural Fire District. The Polson Rural Fire Board of Trustees requested Lake County contact the Department of Revenue for a determination to utilize the funds to retire debt on the Fairgrounds Fire Station in lieu of a refund to each taxpayer in the district. The DOR cited Article VIII, Section 12 of the Montana Constitution requires “strict accountability.” Therefore under the legal analysis, it does not appear the funds can be used to reduce debt. Lake County further inquired if a popular vote process would allow use of the funds to retire debt. The DOR is unaware of any mechanism or authority in statute that would accomplish the objective to subject the disposition of the over assessment fund balance to a popular vote. In addition, supposing that the vote would not be unanimous, this could lead to legal issues related to protecting minority rights. The conclusion stipulates the excess funds created by the over assessment for 2009 and 2010 real property tax years will be refunded to the owner of record with the 2011 real property tax mill calculation. Trustee Stanley pointed out the board will work with the commissioners, although the issue is a county error and the rural board did not create the over assessment.

Claims: **Motion Trustee Nelson to pay January 2011 claims as submitted, second Trustee Stanley. Motion carried unanimously.**

Treasury Report for month ending January 2011:

Fund balances are preliminary. January 2011 reports were not available from Lake County Treasurer.

| | |
|--|---------------------|
| Fund #7243 Voted Levy/Operating Fund Balance | \$ 95,937.42 |
| Fund #7245 Operating Fund Balance | \$ <u>45,976.22</u> |
| Total Operating Balance: | \$ 141,913.64 |
| Fund #7244 Voted Levy {Fire Apparatus} | \$ 7,664.96 |
| Fund #7246 Capital Improvement Fund Balance | \$ 26,749.94 |

Total Operating Fund Expenditures \$ 14,703.28
Check numbers 4471-4490
(paid February 09, 2011)

Motion Trustee Sams to approve treasury report, second Trustee Hoel. Motion carried unanimously.

Final Lake County Treasurer report January 2011 revenue posted following meeting.

| | |
|--|---------------------|
| Fund #7243 Voted Levy/Operating Fund Balance | \$ 96,421.97 |
| Fund #7245 Operating Fund Balance | \$ <u>47,472.79</u> |
| Total Operating Balance: | \$ 143,894.76 |
| Fund #7244 Voted Levy {Fire Apparatus} | \$ 8,461.17 |
| Fund #7246 Capital Improvement Fund Balance | \$ 26,834.47 |

Lake County Treasurer revenue reports indicate 54 percent of the 2010 real property taxes collected November and December, 2010.

Bonnie suggested the board review the FY 2010-2011 capital project line item expenditures at the March 9, 2011 meeting. Capital projects include Fairgrounds Station aprons and bollards, Big Arm Station aprons, purchase 2011 F550 engine #333 and components, Fairgrounds Station maintenance and repairs, Big Arm Station maintenance and repairs.

Chief's report: Fire Chief Fairchild reported 17 runs in January with 7 rural responses including 3 rural fires, 2 vehicle crashes, and 2 other responses. Approved application from Julie Sisler. Following physical Julie will be issued equipment. Brian Kunz will be leaving the department due to employment obligations. Trustee Sams will deliver Engine #333 to Laurel, Montana to pick up the tank. The tank will be mounted on the bed at TRM in Missoula. St. Joseph Medical Center, is providing firefighters physicals. John introduced a proposed letter of agreement between Jette Meadows Lake County Water and Sewer District and Polson Rural Fire District. The purpose of the agreement is to request Polson Rural Fire District keep a record of the amount of water used and report the usage to the water district. The agreement does not constitute a charge for the water usage. Jette Meadows resident Russ Barber provided the document. The Letter of Agreement will be in effect for a period of one year beginning January 1, 2011 and ending December 31, 2011 at which time it will be reviewed for renewal. Trustee Stanley commented to the provision in the JMLCWSD agreement states *in return for access to JMLCWSD water for fighting area fires the Polson Fire District will annually flush and test all fire hydrants within the boundaries of the Water District.* He suggested the fire department assist or work with JMLCWSD, although not assume total responsibility for the hydrants or flushing. Trustee Nelson commented in the past there was concern with the fire department utilizing a large volume of water would collapse the water lines. Fire Chief Fairchild clarified two 10,000 gallon cisterns are draft sites in the east side of the subdivision. The other lines are 10-inch mains that feed the hydrants. The new

system is installed and operable. **Motion Trustee Nelson to accept Letter of Agreement between Jette Meadows Lake County Water and Sewer District and Polson Rural Fire District with following changes: 1). correct typo beginning date January 1, 22011 to January 1, 2011 and 2). clarify the fire department will provide assistance rather than being primary responsible for fire hydrant maintenance, second Trustee Stanley. Motion carried unanimously.** Chair Clapp noted Julie Sisler will increase personnel response from the Big Arm Station. Mr. Eddy requested information regarding the crash response. Fire Chief Fairchild clarified one crash was under an hour and the other was close to one hour. Chair Clapp indicated a committee will be appointed to review the crash response. At this time, no decision has been made to bill on either response calls. Fire Chief Fairchild reported on the structure fire on Valley View Road. He felt it significant to mention in a 16 mile round trip the crew never ran out of water. A quick response limited damage to a structure fire on Haack Road. John appreciates the firefighters do diligence care of the equipment and training and the budget appropriation for training purpose by the board.

Old Business:

TYPE 3 UPDATE – Fire Chief Fairchild requested a manifold, a tower to install the reel and minor plumbing. The remaining costs will be minimal.

New Business:

PUBLIC INFORMATION OFFICER - Chair Clapp introduced Karen Sargeant to discuss her possibilities as a public information officer for the Polson Rural Fire District. Karen is a volunteer firefighter, driver operator, certified fire inspector for the city, certified public information officer for wildland fires type 3, and working toward certification as an all hazard public information officer. She recently attended a FEMA workshop for an all hazard public information officer. In order to stay current and apply technology, Karen would like to offer her services to the rural board. Completing the all hazard workshop involves public information for law enforcement activity, special events, and other criteria that require information to the public. Chair Clapp appreciates the offer on a case by case basis. If there is an emergency, Karen will be involved as public information officer immediately as a member of the department. Karen commented in the workshops provided it is better to be proactive rather than reactive. During her seven years in Polson, the media market is difficult to establish long term media relations. The local media market is constantly changing from weekly to daily newspapers and small television stations progressing to a bigger venue in Spokane or Seattle. Karen has been trying to nurture the relationships and has excellent relationships with the written media and plans to establish a relationship with the television media. Chair Clapp suggested Karen contact the chair of the board as a situation arises and then contact the media source to arrive at a course of action. Karen's contact information will be provided for the board's resource manual.

CLARIFY POLICY FOR PUBLIC AGENDA ITEM REQUESTS - Chair Clapp provided background information referring to items coming before the board for discussion. The board needs ample time for the clerk to prepare copies and review the material prior to the meeting. **Motion Trustee Hoel adopt a policy to require agenda items submitted 10 days prior to the meeting to any board member or the board clerk, second Trustee Sams. Trustees Hoel, Sams, Nelson, Clapp for motion; Trustee Stanley opposed motion. Motion carried.** Mr. Eddy suggested the board member name and contact information posted on the fire department website. Currently the rural fire information is posted on fire department website as a courtesy. Trustee Stanley questioned the fee to upgrade and maintain the website. Trustee Hoel will pursue the possibility for the rural to obtaining a website. Resident Rory Horning suggested the Lake County website may be available to the rural district. Trustee Stanley commented the rural fire district is a separate taxing district.

APPOINT COMMITTEE TO REVIEW VEHICLE ACCIDENT RESPONSE – **Motion Chair Clapp recommend Trustees Hoel and Sams to work with the fire chief to review the vehicle accident response reports, second Trustee Stanley.** The committee will review the services rendered

and determine the fee. Mr. Eddy asked if the board has established a criteria for the charges. Chair Clapp replied the party that receives the services will be billed. Trustee Hoel indicated the fees were established at the January 12, 2011 Polson Rural Fire District Board Meeting. Mr. Fillman suggested an independent person on the committee other than trustees of the rural fire board. Jack commented the committee is comprised of independent members of the fire board and the chief to make the decision at this point. If it doesn't work, the board will explore the issue further. **Motion carried unanimously.**

Public Input on Non Agenda Items: – Mr. Davidson clarified the agenda item request by stating the request can be submitted to any board member or the board clerk ten days prior to the meeting date and added to the agenda. Mr. Eddy referred to the board's action at the conclusion of the January 12, 2011 meeting. He had an issue to raise at the end of the meeting. The board proceeded with a motion to adjourn. Mr. Eddy would like to speak as a concerned citizen. The residents who take the time to attend the meeting should have an opportunity to speak. The by-laws state the board listen to input from the public. The city council routine provides for a motion, discussion among council members, input from city attorney, and public input. There is an opportunity for public input. His perception at the rural fire board meeting is motion, second, vote with no request from the board for public comment. Public comment is acknowledged when someone gets the chair's attention. Chair Clapp indicated everyone was given an opportunity to speak this evening and noted there is a time limit to speak at the city council meeting. He is hopeful residents will be respectful and eliminate the need for a time limit. Resident Mr. Horning commented the Montana open meeting law states that any item on the agenda provide for public comment and the time limit should not be an issue.

Being no further business. **Motion Trustee Nelson to adjourn, second Trustee Hoel. Motion carried unanimously.**

Polson Rural Fire District meeting adjourned 7:50 p.m.

R. Jack Clapp, Vice-Chairman

Beth Hoel, Secretary-Treasurer