

THURSTON COUNTY FIRE DISTRICT THREE**BOARD OF FIRE COMMISSIONERS****MINUTES OF THE MEETING****September 19th, 2024**

The meeting was conducted remotely via Zoom and with in-person attendance at Station 31.
1231 Franz St SE, Lacey, WA 98516

Present:	Present (Virtual):	Excused:
Commissioner Kirkbride Commissioner Roberts Commissioner Gamble Commissioner Kelling	Commissioner Hetzler	

I. CALL TO ORDER

Commissioner Kelling called the meeting to order at 5:30 PM, followed with a salute to our Nation's Flag.

II. APPROVAL OF THE AGENDA

Commissioner Kelling proposed to move Item 7B, Training Division Briefing, from New Business to just before the committee reports.

MOTION: To approve the agenda as published.

Motion: Commissioner Kirkbride

Second: Commissioner Gamble

Carried: Unanimous

III. HEARING OF THE PUBLIC /MEMBERS PRESENT

None.

IV. APPROVAL OF THE CONSENT AGENDA

A. Draft minutes of the September 5th, 2024, meeting of the Board of Fire Commissioners.

B. Warrants (AP 10A 2023):

- General Fund 001 (Acct #6630) EFTs numbered 5429 through 5437; checks numbered 24090 through 24109; and draft numbers 1413 through 1425 for a total amount of \$1,232,556.87.
- Equipment Repair and Replacement Fund 103: EFT number 5438; check number 24110 for a total amount of \$68,379.63.

- Capital Projects Fund 301: Check number 24111 for a total amount of \$36,263.68.
- 2017B Capital Improvement Project Fund 3017: EFT number 5439 for a total amount of \$294.44.

C. Payroll 8A-2024 in the amount of \$1,663,531.54.

MOTION: To approve the consent agenda as published.

Motion: Commissioner Kelling

Second: Commissioner Gamble

Carried: Unanimous

Staff received an inquiry about a warrant. This was regarding Chief Frost's purchase card. There were two purchases approaching \$60,000 in total, which were to Motorola Solutions. Those are related to the hardware for the radio system, for additional or new units into the system. There is one of the new battalion chief vehicle, which is actually two radios because the battalion chiefs have two separate radios in their vehicles. There is also a dual head radio, which is required for any transport-capable units, for one of the new aid units which is on order.

V. NEW BUSINESS

B. Training Division Briefing:

- EV Responses
- JATC Program

Chief Brooks invited Chief Hunter up for a presentation about Electric Vehicles and Energy Storage Systems. There are concerns with the failure of lithium ion batteries. The batteries can create their own sustained combustion, with the production of hydrogen and carbon dioxide. A traditional car fire can be extinguished with between 200 and 500 gallons of water. For electric vehicle fires, it takes 10,000 to 40,000 gallons of water to extinguish.

Emergency services is now asking, when there are calls about vehicle fires, whether the vehicle is an EV or alternative fuel vehicle. Chemical exposure (hydrogen and carbon dioxide) is also a concern. The Department of Ecology also has to be involved because of the hazardous chemical runoff and hazardous smoke. There is also a concern for the tow companies that remove the vehicles because the batteries have a very high possibility of rekindling later (as much as three weeks later).

Regarding Energy Storage Systems: these are lithium-ion energy storage, used for peak hour usage and backup power. It is difficult for responders to know where they are. Off gassing can create an explosive hazard. There is also risk of toxic gas exposure and heavy metal exposure.

In response, LFD3 is undergoing changes in hazmat training. Hazmat kits are being added to engines, as well as thermal blankets. There will be hazmat training in SSRA Academy. To protect the members, there will need to be a CO2 extractor and heavy metal testing. There will be outsourcing of PPE extraction companies. There will also be documentation of exposure.

Following the discussion of electric vehicles, there was a training division update with a recap of 2024 and a look forward at 2025.

2024 In Review:

- Truck Academy – twelve new members on TK31
- Welcomed 35 new firefighters to the county
- RERS Training and ushered in 4 new rescue swimmers
- TCERN upgrade
- New Hazmat approach
- Six-week lateral academy
- 3 Pump Academies

2025 Looking Forward:

- SSRA Academy
- 4 Pump Academies
- MCO with partnering agencies
- Hazmat and Chemical of the month rollout

Joint Apprenticeship and Training Committee (JATC):

- A program partnership with WA State and Bates Technical College
- 3 year program to gain 6,000 hours:
 - Year 1: Fire Academy and probationary benchmarks
 - Year 2: Apparatus Operator and 3 college courses
 - Year 3: PDP and 2 college courses
- Eligible for GI benefits and college credits.

VI. COMMITTEE REPORTS

A. Thurston County Medic One

- No report; the next meeting will take place on September 26th.

B. Thurston 9-1-1 Communications (TCOMM)

- No report; the next meeting will take place on October 2nd

C. City/District Liaison

- No report; the meeting scheduled for this morning was canceled at the request of the city. The next meeting is scheduled for November 21st. Chief Brooks intends to reach back to the staff if there is a request from the board to meet sooner.

D. Thurston County Fire Commissioners Association

Commissioner Gamble attended the most recent meeting in Commissioner Kelling's stead and reported:

- There was a discussion of the Narcan protocol. The protocol has been approved. The goal is to submit the protocol to the state by October for approval. From there, training is set to start 1st of the year, with the goal of putting the protocol into action in April of

2025. This protocol will allow BLS to have Narcan and Suboxone and also leave behind Narcan. There was a discussion about the idea of leaving behind Narcan; there is a 10% mortality rate for individuals who receive Narcan on scene, because they will often reuse at higher amounts. Having Narcan left behind will allow them to re-treat. This will hopefully reduce the mortality rates.

- The protocol behind the Suboxone is that the individual has to be coherent. This is not an emergency drug. An individual can request to receive Suboxone but they have to be willing to go to a Suboxone clinic for further management.
- There was a TCOMM update.
- South Pierce annexation passed. South Pierce is also sending two fire trucks to Guatemala.
- There was a discussion of the Comprehensive Plan, and Commissioner Kirkbride got a shoutout for all the hard work he has done on that.
- There is an EMT class currently running. There were 30 applicants, now down to 28.
- The next meeting will take place on October 15th.

E. Thurston Regional Planning Council

Commissioner Hetzler reported from the most recent meeting:

- The State Offices Facilities Plan presenter came and discussed how many empty facilities and offices there are for state employees due to working from home. Inventory has been reduced by 20% in the last two years, mostly with leases expiring, with an additional 30% reduction anticipated in the next few years.
- There was a committee that got together to discuss TRPC's IT infrastructure needs. They have immediate needs for computer servers, etc., and it sounds likely that there will be a five-year assessment. The proposal is for an additional \$1000 a year assessment.
- Commissioner Hetzler will send the notes to the commissioners, along with a link to the State Offices Facilities presentation.

F. Community Outreach

Chief Brooks shared:

- LFD3 provides standby at each of the football games that are being held at North Thurston.
- There is planning and coordination underway for the October Fire Prevention Month activities.

G. Capital Facilities and Equipment Activities

Chief Cerovski shared:

- The TEC emergency generator project is complete with a certificate of occupancy.
- LFD3 hosted Rice Fergus Miller, the architect of record, this week to discuss a review and verification of Station 33's tentative plans and cost estimation for that remodel, as well as a review of Station 32 and a few other projects that are anticipated for the future. It was a very productive meeting.

VII. OLD BUSINESS

A. Station 34 Stormwater Retention Pond Easement

Chief Brooks reported:

- For historical context: this relates to the Station 34 development at 8447 Steilacoom Road. It was purchased in 2016 as part of the Capital Facilities plan. When going through the process of building the new station, it was required that there be submitted a stormwater management retention system plan.
- Unfortunately, during the final stages of the project, it was known that there were issues in the county right-of-way at the intersection just to the east of the property.
- When it came time to get the final CO, the county came back to the district and insisted on additional mitigation strategies to include an expansion of the retention ponds, new drainage systems, sidewalk modifications, and the like. It was a significant financial investment by the district. It was required at the time to get the certificate of occupancy, and so the district complied and moved forward. This issue was raised at the time about the long-term implications of who owns or has responsibility for that runoff that now is being diverted into the district's stormwater.
- There was a request to continue to pursue discussion. The county asserted that they were holding LFD3 to city standards. The agreement was to talk to the city. LFD3 approached the city as directed. The city had a planned project for expansion upgrades of the Regional Athletic Complex. The board then asked staff to go back and revisit the issue.
- Chief Cerovski has contacted city staff and had multiple conversations with the new director of Community and Economic Development. This has resulted in the memorandum that Chief Brooks presented to the commissioners.
- Commissioner Kirkbride reached out relaying some concerns and requesting this to be brought forward for discussion.

Commissioner Kirkbride stated that he would like to entertain a motion and then present the argument for that motion, which will give more background information.

Commissioner Kirkbride moves to authorize the fire chief to secure an agreement, such an easement or other legal document establishing that the City of Lacey is responsible for the facility management and hazardous material stormwater on Steilacoom Road right-of-way that is directed into Lacey Fire District Station 34 property.

Following the statement of the motion, Commissioner Kelling reported that he would like to hear the argument for this proposal before it can be seconded.

Commissioner Kirkbride then made the following arguments: the Washington State Department of Ecology Stormwater Manual does not allow stormwater to exit a property. The rules apply to all private and public entities. There are no exceptions. If there is no practical way to manage the stormwater on site of the city or county facility, then the stormwater may be sent offsite, provided that the responsibility for the management of the offsite facility remains with the stormwater owner. This is generally accomplished with an easement allowing access for facility management and cleanup. US EPA and many court cases have determined that the responsibility for hazardous material

cleanup rests with the land owner where the waste is located. There could be some recourse against the source provider if known. This is the crux of the problem. When buying land, specifically large parcels of commercial and industrial property, an environmental site assessment (an ESA) is required to determine if hazardous materials are on, under, or nearby the property. If the materials are found, they must be removed prior to closing the sale.

Commissioner Hetzler inquired about the language of “securing an agreement” and the lack of clarity on the next step, as well as whether there needs to be further discussion with an attorney.

Commissioner Kirkbride replied that there should not need to be a discussion with an attorney, if the City will agree to the easement, which they routinely do.

Commissioner Hetzler further inquired if there could be an additional opportunity to engage with the City about this topic, perhaps bringing it up at the next City District Liaison meeting.

Commissioner Roberts commented that it seemed there have been discussions with the City in the past and they have not been open to this idea.

Chief Brooks responded that in 2021, when there were amendments made to the stormwater retention, LFD3 approached the City, and at that time, they requested to defer the conversation until after annexation and the completion of the Regional Athletic Complex. When the discussion or concept of an easement was posed to staff, their reaction was that this is not a common practice to them or at least was not known to be a process that could be undertaken. This may be because it is usually done pre-construction.

Commissioner Kirkbride referred back to the Department of Ecology guideline that the owner of the stormwater must manage it. When guidance was obtained from an attorney in 2022, it was decided to wait until the new city manager was in place before further pursuing this. The new city manager does understand this process and it should be possible to now engage with the city manager and have the conversations needed to solve this situation.

Commissioner Roberts commented that it is understandable to desire to engage with the city again, given that there is new personnel. However, there should be a great deal of caution to avoid ending up in a bad relationship with the city.

Commissioner Kirkbride commented in return that there is no reason for this situation to sour the relationship with the city. As representatives of the citizens of the district, the district must be protected. With the city water on LFD3 property, the district is not protected, and some kind of action must be taken to get that protection in place. There is no reason to think that the city will have any problem with the solution proposed. This is simply an effort to solve the problem at hand.

Commissioner Gamble asked for clarification regarding the information read by Commissioner Kirkbride from the Department of Ecology Stormwater Manual and whether this is reflective of common practice or law.

Commissioner Kirkbride reported that it is Washington administrative code from the Department of Ecology. There is an update to the Stormwater Manual every couple of years. The City is aware of what is in the manual.

Commissioner Roberts inquired about what will arise if the City is not amenable to the request of LFD3 regarding this situation. If this does not work, then litigation would be complex and expensive.

Commissioner Kirkbride reported that he has conversations with attorneys about this scenario. It would need to be communicated to the originator of the stormwater regarding no longer accepting the responsibility for the stormwater.

Chief Cerovski commented regarding the conversation he experienced with Mr. Stiles. The water and any other products that flow from the roadway go to the street sewer drainage system, and the water from the LFD3 property (rooflines, irrigation system, etc.) go to the LFD3 pond. The question from Mr. Stiles was, if there was an easement, how would it be discerned what belongs to the LFD3 2.24 acres of water percolation or runoff into the retention, versus the city's frontage on the LFD3 property of the lanes of highway? When the improvements are done on the north side of Steilacoom with the mushroom farm property, it is likely that there will be new curbing and drainage systems into the street sewer, which may provide some resolve or some assurance that the LFD3 property is protected, as well as the city.

Commissioner Kirkbride offered a further clarification that LFD3 will continue to be responsible for stormwater management on LFD3 property. The goal of this discussion is to ensure that the city takes responsibility for the management of their own stormwater and that LFD3 is not held responsible for city stormwater that drains into LFD3 stormwater drainage ponds.

Chief Brooks reported that he has an upcoming meeting with the city manager in the upcoming week and would be happy to broach this topic with him in an informal manner and then report back to the board.

Commissioner Kirkbride stated that he would accept this course of action and avoid a motion tonight in order to allow the chief to have a conversation with the city manager informing him of the problem and determining his willingness to correct it.

The commissioners were all in agreement with the plan for the chief to discuss the topic with the city manager at their upcoming meeting.

B. Department of Commerce EV Grant

Chief Brooks requested that Chief Cerovski present to the commissioners about the work that has been done over the past months since this issue was originally brought forward. The goal of bringing up this topic tonight is to seek authorization for Chief Brooks to sign an agreement to move forward with the grant process.

Chief Cerovski reported that there is a finalized proposed contract between the Washington Department of Commerce and the district outlining the process for adding Level 2 charging stations to Station 31, 33, 34, and 35. There will be an agreement between PSE and LFD3 if the grant is awarded and signed, that they will provide additional funds that will essentially cover the cost of the meter upgrades for the charging stations. It will be a single charging pedestal that provides dual service. Essentially, if there were two vehicles parked, if the primary vehicle is fully charged, then 100% goes to the secondary vehicle. Otherwise, they would be running at 50/50. This is strictly for LFD3 employees. The price of the project is around \$76,000, of which a conservative estimate is that 35% of that cost would be the burden of the district, with the balance coming from the grants from PSE and the Department of Commerce. If it goes exactly as predicted, it will probably be more like 30% of cost to the district and 70% coming from grants. Best case scenario, it will be an approximately \$23,000 investment on the part of LFD3, with a recovery of about \$52,500 from the Department of Commerce.

Staff has reviewed the contract, as well as legal representation, and they feel that the contract is satisfactory and ready for signatures if the board so approves.

MOTION: To appoint the chief to sign the interagency agreement between Thurston County Fire District 3 through Washington Electric Vehicle Charging Program Contract Number 24-92802-049.

Motion: Commissioner Roberts
Second: Commissioner Kirkbride
Carried: Unanimous

VIII. NEW BUSINESS

A. Labor Agreement with Local #2903

MOTION: To approve the labor agreement between Lacey Fire District 3 and the International Association of Firefighters Local #2903.

Motion: Commissioner Kirkbride
Second: Commissioner Roberts
Carried: Unanimous

IX. ADMINISTRATIVE REPORT

A. District Monthly Financial Report – Director Kirkwood

- The summarized statement of activities was shared. The total expenditures thus far are 57% of the budget.

- There was also specific information shared for Donation Fund 101 (at 14% of budget), Reserve Fund 102 (at 15% of budget), Equipment Repair and Replacement Fund 103 (at 9% of budget).
- The general fund summary indicates that there is \$8.6 million right now in surplus overall.
- Bond Fund 201 is what is used to pay off debt. About \$10,000 has been spent on interest for the year. Principle is paid at the end of the year on the bonds that are owed.
- Bond 2017 Fund – 202 has received \$677,000 in property taxes thus far. This is used to pay debt for the 2019A bond and the 2017 bond. Interest has been paid thus far with the principle to be paid later on this year.
- Capital Projects Fund 301 has spent \$383,000 this year on various projects.
- Capital Projects CFEP Fund 3017 has been mostly related to the VRF. \$1.1 million has been spent thus far for 2024. There is \$874,000 in surplus at this time.
- General tax fund revenue was also shared, as well as Medic 1 revenue, Nisqually Tribe revenue, bond fund tax revenue, and disability revenue.
- Financial information for Bond Funded Capital Projects to date was shared.

Chief Brooks shared:

- On Tuesday night, made a presentation to City Council at the request of the mayor and the manager for district updates. They were updated on the Survey & Rating Bureau situation. Six of seven councilmembers were present, and the mayor was there virtually.
- Today received the second notice of the environmental evaluation for the Nisqually Tribes application for the secondary project (the commercial mixed-use development). The comment period for that opens at the end of this month and will go through October. Staff's recommendation is to provide similar comment to what was provided for the first project.
- Thanks to staff for all the work over the last two weeks with 105 potential interested candidates to become entry level firefighters with the district. There were four panels in total. The top 16 were brought back from the initial screen. The deputy chiefs and Chief Brooks are working through chiefs' interviews with them and will be wrapping those up tomorrow with the hope of being able to make offers to the top 8 (at least) of those candidates for positions in the academy after the 1st of the year.

X. COMMISSIONER COMMENTS

Commissioner Roberts – would it be possible to have the PowerPoint from the EV presentation? Chief Brooks responded that he can send it out as a PDF.

Commissioner Roberts gave a shoutout to the Local association. Thank you for all the interviews that have been done.

Commissioner Kirkbride – agrees with all of Commissioner Roberts' comments. Proud of the membership and of the administrative staff for getting the job done positively for everyone. The financial report was outstanding. Everything that has been accomplished is a testament to the kind of organization that Lacey Fire District is. Thanks for everyone's efforts and dedication.

Commissioner Gamble – nothing more to add.

Commissioner Kelling – attended the District’s 9/11 remembrance ceremony and really appreciated Director Gorman’s speech. Also attended the American Legion Post 94 recognition of first responders in the county, and that was wonderful.

There will hopefully be a work session agenda available in the next couple of weeks. All of the commissioners should have a calendar invite for October 19th’s work session which will begin at 8:00 sharp. The audit exit conference is taking place on September 23rd at 10:00 a.m. This will be available virtually as well.

Commissioner Kirkbride printed off the proxy authorities for the commissioners’ votes for the annual conference. Commissioner Kelling inquired who the proxy authority will be given to and whether anybody is attending. Commissioner Kirkbride will look into this. The forms will be brought to the next meeting with the plan of completing them at that time.

Chief Cerovski mentioned that in the audit review, a set of minutes from May 2022 that was not signed was found. It was approved in the consent agenda in the following meeting, so it was accepted. That will be coming to the commissioners for signatures.

XI. CORRESPONDENCE

Chief Schmidt shared an email from the school district regarding Meadows Elementary regarding a follow up CPR training after the pediatric cardiac arrest that took place earlier this year. It was very well attended, and it is possible that there will be requests for CPR training at other schools, as well.

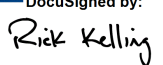
XII. HEARING OF THE PUBLIC / MEMBERS PRESENT

None.

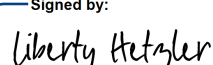
XIII. ADJOURNMENT

The meeting adjourned as of 7:38 PM.

***Next Regular Meeting: October 3, 2024– 5:30 p.m.
Available via remote meeting.***

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Vice Chair
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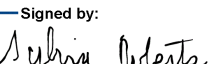
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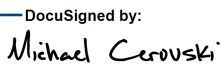
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