

**Board of Directors
Minutes**

Regular Meeting

December 18, 2012

Pursuant to the proper public notice, a regular meeting of the Board of Directors of Klamath County Fire District No. 1 was held at the Central Fire Station, 143 N Broad Street, Klamath Falls, OR 97601.

Members Present: Gloria Storey, President
Bill Gourley, Vice President
Rod Green, Secretary-Treasurer
Tom Ludlow, Director

Members Absent: Mike Jones, Director

1. Call Meeting to Order

President Storey called the meeting to order at 7:01pm.

2. Pledge of Allegiance

President Storey led the Board and attendees in the Pledge of Allegiance. She then called for a moment of silence for all of those who were lost this year.

3. Approval of the Agenda

Fire Chief Wenzel removed the Contract Review Board, but left 6a as a regular item. Vice President Gourley made a motion to approve the revised agenda, seconded by Secretary-Treasurer Green, carried unanimously.

4. Public Comment

President Storey presented Chief Wenzel with his five-year service pin.

5. Financial Reports

a. November 2012 Report

Phil Hull presented the November financial reports. He reported that the General Fund is at 42.2% expended, at 42% of the way through the year. Revenue is at 76.5%. He pointed out that the Operations Division is at 43.5% expended, Prevention is at 47.8%, Administration is at 40.1%, Training is at 16.5%, and Hazardous Materials is at 26.2%. The Board did not have any questions on the report. Secretary-Treasurer Green made a motion to accept the November 2012 Financial Report, seconded by Vice President Gourley, carried unanimously.

6. Action Items

a. Extension of Employment Agreement with Jim Kenworthy

Chief Wenzel reported that the Employment Agreement for Jim Kenworthy as Project Manager for the Station 3 project expires on December 31, 2012. He indicated that the Board could issue a new agreement for the remainder of the project, or they could review a different proposal from Jim Kenworthy. Attorney Hedlund read the following proposal from Jim Kenworthy:

“My current employment agreement with Klamath County Fire District No. 1 (the District) will expire on December 31, 2012. It is my desire to conditionally terminate my employment with the District on December 31, 2012 when the current agreement expires.

The conditions I am requesting are as follows:

- *District will cash out employee's unused vacation and sick leave by payroll check on December 31, 2012 (Valued at approximately \$13,900 before taxes). **Please Note:** The District is obligated to pay out the unused paid leave balance regardless of whether the amount is paid to employee or paid into PERS and HRA VEBA on employee's behalf.*
- *Kenworthy will then volunteer, without further compensation, to continue to provide Project Manager services to the District until the completion of Fire Station 3.*

The advantage to Kenworthy, in lieu of extending the current employment agreement, is the avoidance of taxable earned income in the calendar year of 2013 which would likely exceed the maximum earned income allowed under Social Security limitations.

The advantage to the District under the above proposal is a total savings in excess of \$20,000 as broken down below:

- *An estimated wage savings of approximately \$12,420. And,*
- *Avoidance of the \$5,000 HRA VEBA contribution due on behalf of Kenworthy on January 1, 2013. And,*
- *Avoidance of making employer contributions to PERS, Social Security and Medical Insurance premiums on Kenworthy's behalf. And,*
- *Avoidance of an additional \$2,208 of paid leave accrual by Kenworthy during January and February of 2013."*

Director Gourley raised his concerns regarding Worker's Compensation and liability insurance requirements for volunteer employees. President Storey asked Jim when he thought the project would be complete. He indicated that the grant extension is through March 11th. The current schedule has the crews moving back into the station on February 18th. There was much more discussion regarding the benefits of Jim's proposal

At this time, the Board did go into Contract Review Board and discussed the matter of renewing Jim Kenworthy's present agreement. After much discussion, Vice President Gourley made a motion to not renew Jim Kenworthy's contract when it expires December 31, 2012, seconded by Secretary-Treasurer Green, carried unanimously.

At this time, the Board was longer acting as the Contract Review Board. Vice President Gourley made a motion to make a single exception to Board Policy 8.3 to allow for Jim Kenworthy's proposal, as it's in the best interest of the Fire District, seconded by Secretary-Treasurer Green, carried unanimously. Vice President Gourley made a motion for Chief Wenzel to have the authority to accept Jim Kenworthy as a volunteer, seconded by Secretary-Treasurer Green, carried unanimously.

b. Approval of Proposal to Provide Annual Financial Auditing Services from TKW

The Board reviewed a proposal from Talbot, Korvola & Warwick, LLP (TKW) to provide annual financial auditing services to the Fire District for the next five years. Vice President Gourley made a motion to accept the proposal from TKW, seconded by Secretary-Treasurer Green, carried unanimously.

c. Approval of the October 16th Regular Meeting Minutes

Director Ludlow made a motion to approve the minutes, seconded by Secretary-Treasurer Green, carried unanimously.

d. Approval of the November 20th Regular Meeting Minutes

Tabled due to lack of a quorum from the November 20th meeting

e. Ratification of the November 2012 Bills

President Storey reviewed a few of the charges on the VISA bills. Vice President Gourley made a motion to ratify the November 2012 bills, seconded by Secretary-Treasurer Green, carried unanimously

7. Informational Reports

Administration

a. Update on the A.R.R.A. Fire Station Construction Grant

Jim Kenworthy gave an update on the project. He reported that everything is coming along. Like any project, small things are discovered as they go, but they are making some adjustments. President Storey requested that Jim be present at the official open house for the station.

b. November Web Site Statistics

The Board reviewed the November web site statistics.

c. Thank You Letter(s) Received

The District received a thank you letter from Kingsley Field for allowing Chief Spradley to assist in their Deputy Chief hiring assessment center.

d. December Fire Chief's Community Activity Memo

Chief Wenzel reviewed his monthly activity report.

e. Other reports of the Fire Chief

Chief Wenzel had no other reports.

Operations

a. Incident Activity through November 30, 2012

Chief Spradley was not present at the meeting. Chief Wenzel reviewed the Incident Activity report.

b. December Operations Chief Community Activity Memo

The Board reviewed Chief Spradley's report.

Training/Ambulance

a. December Training Calendar

The Board reviewed the training calendar for the month of December.

b. November 2012 Training Statistics

Chief Keady reported that the rope rescue training took a large part of the November training.

c. December Training Chief Community Activity Memo

President Storey asked about the status of the Ambulance Billing Specialist position. Chief Keady reported that the hiring process is moving along, but may be delayed due to the holiday season.

d. November 2012 EMS Billing Reports

President Storey had some questions on the November report. Phil reported that he would check on these questions.

Prevention

a. December Fire Marshal Community Activity Memo

Chief Rice reported that there has been an increase of CO alarms. He indicated this may be caused by woodstove inserts not being installed properly. The Board had no questions on his monthly report.

8. Adjourn

The Board adjourned to Executive Session at 8:10pm.

- 9. Executive Session:** *Under section 192.660 (2) (d) to conduct deliberations with the persons designated by the governing body to carry on labor negotiation and 192.660 (2) (e) to deliberate with persons designated by the governing body to negotiate real property transactions.*

The Board did not reconvene to Regular Session.

The next regularly scheduled meeting of the Klamath County Fire District No. 1 Board of Directors will be at the Central Fire Station, 143 N. Broad Street, Klamath Falls, OR 97601 on Tuesday, January 15, 2013 at 7:00 PM.

BOARD MEMBERS SIGNATURES

PRESIDENT

VICE-PRESIDENT

SECRETARY / TREASURER

DIRECTOR

DIRECTOR