

**MICA KIDD ISLAND FIRE PROTECTION DISTRICT  
BOARD OF COMMISSIONERS REGULAR MEETING  
September 27, 2016 6:00 PM**

**PRESENT:**

Chairman Mundt - Larrysub3mki@aol.com  
Commissioner Arhutick - marhutick@gmail.com  
Commissioner Hauser - gretchensub2mki@frontier.com  
Chief Blubaum - chief@mkifire.com  
Treasurer Swendig – treasurer@mkifire.com  
Admin Asst. Saranto - admin@mkifire.com

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

CHIEF BLUBAUM: Actually Mr. Chairman, before we move on if you don't mind we need to add one thing to the agenda. We need to have a motion and a second to amend the agenda. I'm requesting an executive session pursuant to 74-206 (1)(b) to discuss personnel and the good faith reason why this was not on the agenda was I just received some information today at 3:00 and there was no way that we could have posted it in a timely manner.

COMMISSIONER ARHUTICK moved to add under New Business a "C" Executive Session for personnel 74-206 (1)(b) CHAIRMAN MUNDT 2<sup>nd</sup> the motion: **Motion Carried**

**PUBLIC COMMENTARY**

None

**MINUTES OF PREVIOUS MEETING**

CHAIRMAN MUNDT moved to approve August 23, 2016 minutes, COMMISSIONER ARHUTICK 2<sup>nd</sup> the motion: **Motion Carried**

**TREASURER'S REPORT**

**Check Detail Report:**

CHAIRMAN MUNDT: There was a last minute change; I called Carmen today. I went over to L&M Truck sales and looked at the truck. It is finished and I have some pictures here. Since we are on the bills the issue is we have an invoice here #54176 that has been voided because they double charged us for the painting. They made the correction; I have the original invoice that was voided and signed by them for Carmen and a new invoice #54197. Carmen has the corrections on the check detail but the stuff you were sent earlier may not have that correction on it. The stuff that's here in front of us is correct. The reason there is a second invoice from L&M Truck sales is I got a call from them and we were going down the punch list and there was a couple items they hadn't completed. One of them was they didn't make an allowance for tank to pump when drafting. If we were going to draw out of a pond or pool there was no way to put the water back in the tank; so that needed to be changed. And the second thing was they thought we would be climbing the ladder to the top of the tank and removing the lid if in fact we were using the rear fill. I told them that would be really inconvenient what I'd rather is have the hole in the lid so nobody has to think about it, so that's another modification they needed to make and then they needed to touch up the paint; that's why there is a second invoice on that. COMMISSIONER HAUSER:

How much is that one? CHAIRMAN MUNDT: \$600.00. COMMISSONER HAUSER: So that's not on here? CHAIRMAN MUNDT: It is; very last one. ADMIN. ASST. SARANTO: It's on the current check detail report. COMMISSONER HAUSER: I see it now, why were there two checks? Is this the painting? ADMIN. ASST. SARANTO: What I did was void out the first check and printed another one. COMMISSONER HAUSER: Ok. COMMISSONER HAUSER: Can I ask why there are different amounts on the checks for you guys? How does that happen? Carmen I know in the past you've said that you work more. But full-time wages on the first amount is \$1,964 and the second one is \$1,178. CHIEF BLUBAUM: It's because we get our insurance stipend once a month. COMMISSONER HAUSER: Ok, so that's what the difference is. Thank you. And I see you have pet stickers. What kind did you get? Dog or cat? ADMIN. ASST. SARANTO: Yes, we do. COMMISSONER HAUSER: Did you get both? You were saying you had only seen one or the other. ADMIN. ASST. SARANTO: I was able to find a sticker with both dog and cat on it. COMMISSONER HAUSER: Ok, cool.

CHAIRMAN MUNDT moved to approve the Check Detail Report, COMMISSIONER ARHUTICK 2<sup>nd</sup> the motion: **Motion Carried**

### **Profit and Loss Budget vs. Actual:**

COMMISSIONER ARHUTICK: Is the new vehicle included in this one? CHIEF BLUBAUM: Yes, if you look at line 6810 Fleet YTD is \$90,780.80. When you look at it we're right around \$28,000 under budget for the year, actually more than that. CHAIRMAN MUNDT: Do you anticipate anything coming in? CHIEF BLUBAUM: You never know, you just never ever know. We actually will be ordering a couple things but they will go on next fiscal year because we will receive them after the first of October. There might be some minor stuff here and there maybe. ADMIN. ASST. SARANTO: I don't anticipate anything. CHIEF BLUBAUM: Nothing big; a couple thousand bucks at most. TREASURER SWENDIG: One of the reasons I waited till the last minute for these reports is because this is year end. CHIEF BLUBAUM: Exactly. CHAIRMAN MUNDT: Does this reflect that sudden change? ADMIN. ASST. SARANTO: Yes, not the one I mailed out but the one that was in your packet. CHAIRMAN MUNDT: Excellent. Thank you.

CHAIRMAN MUNDT moved to approve the Profit & Loss Budget vs. Actual, COMMISSIONER ARHUTICK 2<sup>nd</sup> the motion: **Motion Carried**

### **Balance Sheet:**

CHAIRMAN MUNDT moved to approve the Balance Sheet, COMMISSIONER ARHUTICK 2<sup>nd</sup> the motion: **Motion Carried**

### **CHIEF'S REPORT**

CHIEF BLUBAUM: I'm going to give you a verbal and everything will be in the email to you tomorrow; trying to do a little catch up. Since the last meeting we've only had 9 runs, out of those nine runs 7 were mutual aid responses. One of them was a prescribed burn that got away from the tribe down in Worley. We sent a crew down there for a while and I covered district while they were gone. YTD we're at 132 calls. Also just finished the Firefighter I class for our newest members and we've taken on two new folks in the last, excuse me three new folks in the last two weeks. So we're sitting pretty well for membership. We are back to open burning with permits and if the weather continues to hold like this around October 20<sup>th</sup> they'll remove the permit requirement and it will be open burning again. That's where we're at right now. Other than that I enjoyed my vacation, spent a lot of quality time with the kids. I know Carmen enjoyed her vacation. We both kind of had a hard time getting back in the mojo on Monday. I'll get you guys a written report tomorrow. CHAIRMAN MUNDT: Ok.

## OLD BUSINESS

### **a. Insurance Quotes**

Glen Potter with McNeil and Co. presented his insurance plan and quote for review.

COMMISSONER HAUSER: (asked Chief) the other guys aren't coming? CHIEF BLUBAUM: They were unavailable. I just got the stuff from VFIS this morning and forwarded it on to you all, he will be available next meeting if you would like him here and ICRIMP the same way. COMMISSIONER ARHUTICK: Since we're on the subject of insurance I would like to propose for our minutes that we just do a very simple statement for the insurance presentation, is everybody agreeable to that? CHAIRMAN MUNDT: Yes, we can just state that we had an insurance presentation.

### **b. New tender**

CHAIRMAN MUNDT: The truck is finished, it looks very good and I'm very pleased with it. They did anticipate some things that I did not have on my punch list that I think are important. Access issues, they put in some steps where they thought was appropriate and I agree with it. They also put an access ladder which is something I did not ask for but I do think it's important. The reel is accessible from both sides. They did also include a manifold so the outlet pressure from the pump can be directed wherever we need it to go. It will be real simple for us in the future if we want to add a front spray; the manifold is there so all we have to do is tap into it put a valve and run a hose. They have the dump tank in a separate tray with a tie down for it and they have three spots in the back to put the suction hoses. They pretty well thought of everything. I told him a big issue with the truck is being hit from the back so they went to extra effort to put more lights in the back because the truck will be parked someplace on a smoky road and somebody might run into the back of it because they didn't see it. We approved the check tonight and so sometime later this week or next I'll go get it. I thought that they would build fenders but in fact they just bought them out it's a standard replaceable item so if one is damaged we don't have to manufacture a new one we can just order it. They have ball valves, fittings and have already been tested.

## NEW BUSINESS

### **a. Policy 211 - Chain of Command regarding the Admin Assistant**

CHAIRMAN MUNDT: This was discussed at our last meeting and we didn't act on it because we were missing some paperwork; I have that now. COMMISSONER HAUSER: I attach the email from Mr. Cafferty with a suggested language to modify Policy 211(g) from the Administrative Assistant being under the direct supervision/subordinate of the Fire Chief and answer directly to the Fire Chief to the District Board Secretary/Administrative Assistant will be under the direct supervision/subordinate of the Board of Commissioners and answer directly to the Board of Commissioners. That was the suggested language. I did talk to the attorney about Mr. Dawson's comments that we should not be doing this without going through the volunteers and he said "no, there is no legal reason for that" we have the ultimate authority to make changes to policy so there's not a problem with that.

COMMISSONER HAUSER moved to change Policy 211 as I just read to go along with Policy 204 that we changed last month. CHAIRMAN MUNDT 2<sup>nd</sup> the motion: **Motion Carried**

COMMISSIONER ARHUTICK: I'm just going to make a comment before I vote. I have a problem, what if the chief needs to direct her to do something; he can't do it? COMMISSONER HAUSER: Yes, he can. COMMISSIONER ARHUTICK: This says she works solely for us. COMMISSONER HAUSER: No it doesn't say solely. COMMISSIONER ARHUTICK: It does say it, it says direct supervision. COMMISSONER HAUSER: Policy 204 put it primarily under the Board and secondarily under the Chief. COMMISSIONER ARHUTICK: Well this needs to have the same wording in it. COMMISSONER HAUSER: Ok, well I have no problem with that. COMMISSIONER ARHUTICK: I have a problem with the

way this reads. COMMISSONER HAUSER: Well I talked to a.... COMMISSIONER ARHUTICK: And I'm not talking to the attorney. COMMISSONER HAUSER: I didn't ask you to. COMMISSONER HAUSER: Policy 204 reads primarily the board and secondarily the chief. COMMISSIONER ARHUTICK: This should read the same. COMMISSONER HAUSER: Ok.

COMMISSONER HAUSER moved to change Policy 211(g) the District Board Secretary/Administrative Assistant will be under the direct supervision/subordinate of the Board of Commissioners and secondarily the Fire Chief and answer directly to the Board of Commissioners and secondarily to the Fire Chief.

CHIEF BLUBAUM: If you want my two cents from someone who has to administer policies. It doesn't really matter either way you word it, because if she primarily works for you then she does not have to listen to the fire chief; either way you worded that. I could tell her to do something and she could say no and go to the commissioners and do something else. COMMISSIONER ARHUTICK: That's why I have a problem with that. COMMISSONER HAUSER: Most of the things in this policy say over and over again say to use common sense and I'm pretty confident that is what would happen here. COMMISSIONER ARHUTICK: You are making this extremely black-and-white there is no gray, there is no room for error, and you can't do anything it's black or white. You have left no wiggle room in this at all, zero. COMMISSONER HAUSER: What do you suggest? COMMISSIONER ARHUTICK: I suggest you let the policy committee take care of this. COMMISSONER HAUSER: Oh is that what this is about. COMMISSIONER ARHUTICK: No it's not. What this is all about is this makes absolutely no sense. None; you have made this extremely black-and-white and he is 100% correct once you put this in she can say I will not do anything that you asked me to do period. COMMISSONER HAUSER: I don't believe she's going to do that. COMMISSIONER ARHUTICK: Whether you believe it or not you are giving her 100% authority to do it. COMMISSONER HAUSER: No. COMMISSIONER ARHUTICK: Yes you are. COMMISSONER HAUSER: No, she doesn't have authority to do it she has to answer to us. COMMISSIONER ARHUTICK: To us yes. So if he asked her to do something she has every right because we as a board gave her the right to refuse to do anything for the chief. That's exactly what you have put in black and white. COMMISSONER HAUSER: It doesn't say that she shouldn't talk to the chief it says she is not under his control. COMMISSIONER ARHUTICK: I understand and what I'm saying is she doesn't have to respond to him at all. COMMISSONER HAUSER: (Talking to the Chief) has she ever not responded to you? COMMISSIONER ARHUTICK: Because up to this point she works under him. COMMISSONER HAUSER: Well Policy 204 is already changed. COMMISSIONER ARHUTICK: You didn't do your homework before you started this whole process. CHAIRMAN MUNDT: Actually she did, she went to the attorney and got an opinion and that's why we have legal representation. COMMISSIONER ARHUTICK: It is what I'm saying is the way this is written she only has to answers to the three of us period. She doesn't have to answer to anyone of us she'll have to answer to the board. So none of us can actually go in and direct her to do anything. Because it's the Board not the Commissioners; it's not one of us individually. COMMISSONER HAUSER: We still have the right to go ask her for something individually. COMMISSIONER ARHUTICK: No you don't. You can't tell her to do anything. COMMISSONER HAUSER: We changed it based on the lawyer's recommendation. COMMISSIONER ARHUTICK: That's fine you deal with your lawyer. CHAIRMAN MUNDT: We had a vote and it was approved and so what I would suggest... COMMISSIONER ARHUTICK: I vote no against this. CHAIRMAN MUNDT: Ok very well. If the policy committee wants to meet and make a recommendation back to the Board you certainly have the opportunity to do that. And if a problem develops then we'll deal with that as the problem develops. Personally I would like to move on. COMMISSONER HAUSER: Well, there's a motion. COMMISSIONER ARHUTICK: And I vote no on the motion. COMMISSONER HAUSER: And I voted yes. CHIEF BLUBAUM: You guys already voted. CHAIRMAN MUNDT: The point is before this we've already voted on the initial submission Mike hadn't voted and so in effect it's approved. Let's move on. COMMISSONER HAUSER: Well did we change it or not? CHAIRMAN MUNDT: We did not. The vote was on what was originally submitted. COMMISSONER HAUSER: Ok. CHAIRMAN MUNDT: I don't see that it's going to be a problem but if it's a problem we can address it later. COMMISSONER HAUSER: Ok.

## a. Policy

COMMISSONER HAUSER: One of the things that I just found out and had questions about was over time and comp time policy; which we do not have. By December 1 of this year we're supposed to have one; it has to do with the fair labor standards act. Any employees under \$47,475 (Carmen) who is hourly would either get over time for any time over 40 hours a week or comp time. CHIEF BLUBAUM: That's not for hourly employees it's for exempt employees. Hourly employees if they work over 40 hours a week the law already states we have to provide them over time. That's for exempt employees only and it does change in December. COMMISSONER HAUSER: The comp time? CHIEF BLUBAUM: That's for exempt employees and it would not apply here because my wages are higher. COMMISSONER HAUSER: Right, I know yours are but I was talking about Carmen. CHIEF BLUBAUM: Carmen is an hourly employee she is not an exempt employee. COMMISSONER HAUSER: Ok again I talked to Mr. Cafferty about it and he said if we don't have a policy that says if you wanted comp time you could get comp time you have to be paid overtime and because there's a December 1<sup>st</sup> deadline I wanted to know more about it because you do have a choice according to this of flex time (which is basically comp time) or if you wanted comp time we would have to have a comp time policy so that's my question. Carmen have you had a choice in the past? Do you want to have comp time vs overtime? Whatever it is it's 1.5 times your pay? You don't have to decide right now but it's something to think about because in the past I did ask you if you've gotten any overtime and you said yes. If that's your preference it's fine. It's just something that was brought to my attention and I wanted to bring it up. TREASURER SWENDIG: In my experience with other government agencies I'd look really closely at comp time because that's something that has become quite regulated. I'm not a lawyer by any stretch of imagination but I know when I was with the school district comp time was an issue and they can't do it anymore. CHIEF BLUBAUM: It will affect us from the aspect of our annual audits. And you know this just as well as I do one of the questions they ask us every year by October 1 is how many vacation days did you carry over or is it use it or lose it. And if you didn't use it did they pay you for it? We have to answer those questions every year. TREASURER SWENDIG: It's a retained liability; it's something that has to be reflected in our financial statements so there should be a policy for everybody and not specific to Carmen; if Carmen leaves and somebody else comes. I would caution us to look at comp time. School districts cannot do it anymore they have determined that it's illegal to offer comp time. I don't know how it would affect us. CHIEF BLUBAUM: Since we do not have a policy on it the way we have been operating is she gets paid overtime. It's simple and following the statutes. CHAIRMAN MUNDT: And we don't incur a debt which I'm opposed to. COMMISSONER HAUSER: Ok well that brings me to something that does incur as a debt vacation policy. I think that's something we need to look at sooner than later. I have looked at the Federal policy, NIC's, Northern Lakes, Worley's and my own company's policy. I put together a draft vacation policy for consideration. I'm not asking for a vote tonight I'm just asking to think about it. I have spoken to the attorney about this and he thinks we're on the right track. He says you should have it in writing so that it's clear. Write it down. Different people remember what has been said differently. We need to keep track of vacation time because it is a liability on the books. Chief you have told us over and over that we do not have a vacation policy. We had a BOC meeting on August 23 and you never mentioned that you were taking a vacation and then 8 days later you sent us an email on August 31 one day before leaving for three weeks saying you had been told in the past to use it or lose it and that you and Carmen were taking all of your vacation now. She has 5 days and you have 10 days. I don't know who said use it or lose it but I think that needs to be addressed along with some other issues surrounding the recent vacation time taken. Practically all this month you were off Chief and Carmen was off for a week as well. I don't feel that we can have the fire chief going off on vacation during high fire danger for three weeks at a time with only one days' notice about your plans. I think we need a policy to address all of these concerns; when time of vacation, notice of vacation and length of vacation. There's also an issue with weeks vs days vs hours of vacation. Carmen works 10 hour days not sure about the Chief but if she gets five 10 hour days that's 50 hours of vacation not the intended one week or 40 hours a vacation. Same applies for the Chief who has taken 10 days when the office is only open four days a week. It appears he does not work on Fridays I don't know that hasn't been made clear to me. I am not sure how that shakes out at this point but by making it 40 hours or 80 hours instead of five days or 10 days or one week or two weeks that issue was addressed. I tried to do that with this draft policy; I tried to touch on all those subjects. And sick time the same thing. There is not a sick time policy;

employees were told they get five days that also needs to be in writing. CHIEF BLUBAUM: There is no sick time. We've been told multiple times over multiple boards. COMMISSONER HAUSER: By whom? CHIEF BLUBAUM: Larry Mundt and every board here in front of me. We've been told we do not get sick leave we do not accrue sick leave, if you're sick you're sick you just don't come in. ADMIN. ASST. SARANTO: I get five days for either sick or vacation time. CHIEF BLUBAUM: And if you turn and look at Commissioner Mundt He'll shake his head yes that's what we've been told. CHAIRMAN MUNDT: That's right. That's what we've done. COMMISSONER HAUSER: Okay, there's a medical leave policy but I don't think that's the same thing a sick time. CHIEF BLUBAUM: Nope, that is different. COMMISSONER HAUSER: Okay what is that based on? CHIEF BLUBAUM: Surgeries, Workman's Comp related issues; that's what that policy is about. COMMISSONER HAUSER: Ok, that's another one that's not real clear. TREASURER SWENDIG: In my other positions for both vacation and sick leave it's programmed into QuickBooks based on the number of hours you work you earned X number of minutes; there's a formula. COMMISSONER HAUSER: You must have a different QuickBooks than I do because I have to do it manually. CHIEF BLUBAUM: Our QuickBooks tracks us. COMMISSONER HAUSER: It tracks the time but you have to put it in under the employee template. CHIEF BLUBAUM: Past practice has been (because we're on the fiscal year) you're getting it preloaded up front and then you have the whole year to do whatever you're going to do with it. TREASURER SWENDIG: It can be 1.27 days per month.... COMMISSONER HAUSER: Exactly and I even said here "vacation is based on the assumption of a 40 hour work week in a 52 week year vacation may be used in quarter hour increments". So you could take an hour of one day of vacation or you could take a day. CHIEF BLUBAUM: I'm not disagreeing with you. COMMISSONER HAUSER: My thought is; there is carryover time you earn and accrue vacation time which is the right thing to do. You can carry over some of it and you get paid if you leave before you've used it and you've accrued it you get paid for it. But there's no use it or lose it. You get to carry over 20 hours anything else you don't. That's based on all the policies that I looked at and what I have seen work for my company and what we've done to tweak the policy to make it fair and reasonable for everybody. In here also is addresses the notice of it so that you don't get "surprise I'm going on vacation" that sort of a thing. Those are things that were issues for me. I just think this needs to be addressed. TREASURER SWENDIG: May I make a comment? With the audit coming up; our fiscal year end is what Thursday? CHIEF BLUBAUM: Yes. . TREASURER SWENDIG: So this is going to affect the upcoming audit. It's all the vacation and sick time handled to September 30; we're okay but before the audit next year we're going to need a policy in place because the auditors will require it. That's a question they ask us every year. Do you have any potential liabilities for sick or vacation time? CHAIRMAN MUNDT: And that's why we've maintained what we have, we don't want to have carryover.

## **PUBLIC INPUT**

NANCY KING: I know the chief said that they got two new volunteers; I'm curious as to whether they live within the district or are they out of the district? CHIEF BLUBAUM: I think one them is in and one is out. NANCY KING: But you don't know. CHIEF BLUBAUM: I'm not exactly sure what their address is but I think one is in district and one is out.

## **EXECUTIVE SESSION**

CHAIRMAN MUNDT moved to go into executive session to discuss personnel Pursuant to the Provisions of Idaho Code 74-206, subsection (1) (b). COMMISSONER HAUSER 2<sup>nd</sup> the motion:

CHAIRMAN MUNDT called for roll call vote:

ROLL CALL VOTE:	
Chairman Mundt:	Yes
Commissioner Arhutick:	Yes
Commissioner Hauser:	Yes

Entered Executive Session at 7:40 p.m.

CHAIRMAN MUNDT moved to end the Executive Session at 7:57 p.m. COMMISSONER HAUSER 2<sup>nd</sup> the motion:

CHAIRMAN MUNDT called for roll call vote:

ROLL CALL VOTE:

Chairman Mundt:	Yes
Commissioner Arhutick:	Yes
Commissioner Hauser:	Yes

**Motion Carried**

**COMMISSIONERS COMMENTS AND/OR CORRESPONDENCE**

None

**MOTION TO ADJOURN**

CHAIRMAN MUNDT moved to adjourn the meeting, COMMISSIONER ARHUTICK 2<sup>nd</sup> the motion.

**Motion Carried 07:58 p.m.**

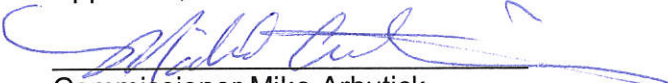
Respectfully Submitted,

  
Board Sec./Admin. Asst. Saranto

Approved,

  
Chairman Larry Mundt

Approved,

  
Commissioner Mike Arhutick

Approved,

  
Commissioner Gretchen Hauser