

**NEHALEM BAY FIRE AND RESCUE DISTRICT  
BOARD OF DIRECTORS MEETING**

**DECEMBER 14, 2023 3:00 PM**

**36375 Highway 101 N.  
Nehalem, OR 97131**

**Zoom Meeting ID 898 73292 1736 Passcode: 284300**

**I. CALL TO ORDER**

President John Handler called the meeting to order at 3:00 p.m. In addition to Handler, Board members present for the roll call were Vice President Mike Sims and Treasurer John Steele. Secretary Charles Bridge joined the meeting at 3:19 p.m., and Director Bob Forster was absent and excused. Other district personnel present were Fire Chief Frank Knight III and Executive Assistant Kristen Coyle. There was one visitor attending in person; two visitors attended via Zoom, including Kori Sarrett CPA with Accuity LLC.

**II. ANNUAL AUDIT PRESENTATION** *(Shown as New Business in published agenda).*

Ms. Sarrett informed the board that the Financial Audit for the fiscal year ended June 30, 2023 went smoothly. There were no adjusting journal entries. The only deficiency noted was the repeat comment that segregation of duties is comprised due to the small staff size. Sarrett reminded the board that each member plays a critical role in mitigating the deficiency by reviewing financial reports and asking questions. Sarrett noted the District's Net Position was just over \$5 Million; of which \$1M was in cash and \$380K debt for the Timberwolf Lease/Purchase. The General Fund's ending balance was \$930K representing 71% of annual operating needs. The Board had no questions and it thanked Sarrett.

**III. WELCOME TO VISITORS**

**A. PUBLIC COMMENT**

No visitor comments were offered.

**B. READING AND APPROVAL OF BOARD MEETING MINUTES FOR NOVEMBER 9th, 2023**

Handler asked the Board members if they had any corrections or comments after reviewing the minutes from the November 9, 2023 Board Meeting.

*Sims made a motion to approve the minutes for November 9, 2023 as presented; Steele seconded the motion. Handler called for the question; motion passed unanimously 3-0 (Bridge absent for vote).*

**IV. FINANCIAL REPORTS**

The Board reviewed the Bills Paid, Visa Charges, and the YTD Profit & Loss vs. Budget reports for the month of November. Staff responded to board questions regarding payments for wastewater service, fire alarm system monitoring and permits, and the monthly Visa bill.

*Steele made a motion to approve the November 2023 financial reports as presented; Sims seconded. Handler called for the question; motion passed unanimously 3-0. (Bridge absent for vote)*

#### **IV. STAFF REPORTS**

##### **A. FIRE CHIEF'S REPORT**

Knight provided a district volunteer head count update: the agency roster contains 19 volunteer responders and has remained consistent the past few months. Knight noted a few members are on a leave of absence; he noted reasons a member may take a LOA. He noted five potential recruits for the upcoming Spring academy are in various stages of the enrollment process. Knight noted there are five staff positions.

Knight presented November's call volume; there were 65 calls for the month, which was a decrease from prior months due to seasonality. Knight's report presented transport ambulance response times to in-district medical calls; he noted the ambulance response times are continuing to improve. Discussion ensued regarding the challenge of having a one-person QRT (Quick Response Team) ambulance first on-scene and thus increasing patient transport time. Knight noted no Tillamook County fire department has its members drive ambulances in such cases due to liability concerns. Knight noted Adventist has begun to hire non-EMS employee ambulance drivers as a means to mitigate the situation.

Knight provided an apparatus update: all units are in service, and the fleet will soon undergo its annual preventative maintenance. He noted the District recently passed the annual hose inspection.

Knight provided a recap of recruiting and retention. A "discovery day" was recently held in which members of the public interested in volunteer firefighting can tour Station 13 and undergo the CPAT (candidate physical agility test). Eight individuals participated in the course, four of which submitted volunteer applications. Knight noted the Period of Performance for the SAFER grant has begun; the grant-funded full-time recruiting and retention coordinator position was filled by Lt. Mizze-Riggert effective December 1, 2023. The district is in the process of backfilling her vacated position with a new Firefighter/EMT position. Knight noted a financial incentive is available to paramedics at any staff level.

Knight noted FEMA did not award the District an AFG Grant for supply hose replacement. Knight explained the current inventory is ample; the grant would have replaced all 3" hose with 4-5" hose. Knight stated the District's budget should allow for the gradual replacement over the next several years.

Knight noted the ISO Survey is almost completed. He explained the results depend on District dependent variables: response time, apparatus age and condition, training hours, pre-planning, and hydrant-testing, and training, as well as those out of the District's control: dispatch operations and water system operations. Knight re-capped the ISO rating criteria.

Knight noted the director's board packet contains the District's annual letter to the Secretary of State's Division of Audits in response to the internal control deficiency noted in the FY 2022-23 Audit.

Knight concluded his report by noting some details regarding the annual awards banquet to be held January 27, 2024.

## **B. TRAINING REPORT**

The board packet contained Division Chief Jesse Walsh's November Training Activity Report. Handler noted the training activities were numerous. Knight noted drill was not held the day before Thanksgiving in order to allow the volunteers to spend time with their families.

## **V. UNFINISHED BUSINESS**

### **A. LOSAP POLICY UPDATE (Length of Service Award Plan)**

Staff noted the District has submitted all OFDDA plan documents and investment provider documents; the District is awaiting notification of execution. Coyle noted the District is striving to make its first contribution by December 31, 2023. Knight noted he will speak with the members upon notification of execution.

### **B. SURPLUS OF 1997 E-ONE ENGINE**

Knight provided a history of the engine sale efforts. The engine sold via the Oregon State Surplus program; the District will net \$5,893.00 for the engine.

### **C. RESILIENT SOLAR POWER PROJECT**

Handler noted he has been part of the project's development starting in 2019. He noted the public procurement requirements for the project are complex, and he highlighted there is an issue between the District's contracting policies and that allowed by the State (for ESPCs – Energy Savings Performance Contracts).

Staff explained although OARs contain a provision that may exempt ESPCs (Energy Savings Performance Contracts) from the competitive bidding requirements, the District's Policy 1.16 Public Contracting Rules requires ESPC projects to undergo an RFP Process. Through communication with staff and Handler, counsel noted the District's Policy 1.16 could use some adjustments in other areas besides ESPC contracting procedures. Counsel noted that it has tailored contracting rules, currently in use by other Tillamook County Fire Agencies, that adhere to state rules that could be a replacement to district's policy. Counsel ultimately provided three options to resolve the ESPC issue at hand. Staff distributed a matrix outlining the pros and cons of each option. It was noted that each option will require two future board meetings, separated by at least 14 days, to implement. Handler and Knight noted they support option 2.

Discussion ensued; topics discussed included the annual audit's review of expenditures subject to public contracting rules, counsel's annual update requirements for tailored-contracting rules, and status of project's commencement. Also noted were uncertain time frames for design work versus build as well unknown need for capital improvements to 10+ year old roof in order to support solar panels.

*Bridge made a motion proceed with Option 2 – adopt new counsel-tailored rules opting out of Attorney General rules for District Policy 1.16 Public Contracting Rules. Steele seconded the motion. Handler called for the question; motion passed unanimously 4-0.*

## VI. NEW BUSINESS

### A. RESOLUTION 23-07 – A RESOLUTION TO DESIGNATE 2023 WILDFIRE COST REIMBURSEMENT

Knight noted the District has received reimbursement from the State for its response to the Lookout Wildfire. As these funds were not part of the FY 2023-24 budget, Resolution 23-07 designates, within the General Fund, \$46,667.35 as Revenue – Wildfire Reimbursement, \$30,022.60 as Expenditure - Personnel Services, and \$16,644.75 as Expenditure - Materials and Services.

*Bridge made a motion to adopt Resolution 23-07 – A Resolution to Designated 2023 Wildfire Cost Reimbursement, as presented; Sims seconded the motion. Handler called for the question; motion passed unanimously 4-0.*

Knight noted the wildfire reimbursement funds received this year cover the cost of this year's annual lease/purchase payment. He added that as long as the District has adequate staffing, he would support continuing to send personnel to State Wildfire Conflagrations.

### B. ANNUAL FIRE CHIEF EVALUATION

Handler noted a blank evaluation form was provided in each director's board packet; he requested each director complete an evaluation and return it to him for compilation and summarization. Knight noted he completed a self-evaluation and distributed a copy to each board member.

## VII. OTHER BUSINESS / ANNOUNCEMENTS / COMMENTS

Coyle noted the annual SDAO Conference will be held in Seaside February 8-10; a conference schedule was distributed. Directors wishing to attend should work with Coyle to enroll.

## VIII. REVIEW / SET NEXT MEETING DATE

A meeting for a first reading of the amended Board Policy 1.16 was scheduled for Thursday, December 28, 2023 at 3:00 PM, pending receipt of the counsel-tailored Public Contracting Rules template. The next regular board meeting was set for Thursday, January 11, 2024 at 3:00 PM.

## X. ADJOURNMENT

*Handler adjourned the meeting at 4:08 PM.*

MINUTES APPROVED BY BOARD  
January 11, 2024

ATTEST

*Charles Bridge*  
Charles Bridge, Secretary

*John Handler*  
John Handler, President