

Whatcom County Fire District 4

Meeting Minutes of the Board of Commissioners

June 07, 2010

The regular meeting of the Board of Commissioners was held on the above date at the district office. Those who attended were as follows: Commissioners Mary Beth Neal and Harry Andrews; Fire Chief Bill McLaughlin and Board Secretary Kris Parks, staff and members of the district. Commissioner Ness was excused.

Commissioner Neal called the meeting to order at 12:00 p.m.

PUBLIC COMMENT

Payments to Verizon and Nick Longstreth were explained to Captain Ahrenholz and payments to Guardian Security Systems were explained to Firefighter Paige by Board Secretary Kris Parks and Chief Bill McLaughlin.

CONSENT AGENDA

A: Meeting Minutes

Approval of Minutes of the May 04, 2010 Board Meeting
Approval of Minutes of the May 14, 2010 Special Meeting
Approval of Minutes of the May 18, 2010 Special Meeting
Approval of Minutes of the May 28, 2010 Special Meeting

Commissioner Neal moved to approve the meeting minutes. Commissioner Andrews seconded; motion passed.

B: Vouchers

Payments to Howell Rescue Systems Inc., North Shore Catering, Opportunity Council, West Coast Fire & Rescue and the Bellingham Herald were explained to the Board by Chief McLaughlin.

Commissioner Neal moved to approve the vouchers. Commissioner Andrews seconded; motion passed.

MONITORING FIRE CHIEF'S PERFORMANCE

ENDS POLICY 1.5 MONITORING REPORT

The Chief presented the monitoring report on the Ends policy 1.5 "Codes and Ordinances" in accordance with the monitoring schedule set forth in the Board policy.

BROADEST POLICY PROVISION:

Codes and ordinances ensure safe community development.

CEO'S INTERPRETATION:

The Chief submits that this policy would be met if the subsequent provisions are met. His interpretations and reporting data are presented with those provisions below.

1. All new buildings and substantial modifications are built in accordance with Chapter 19.27 RCW State Building Code.
2. All existing Group A, B, E, F, H, I, M, R-1, 2 & 4 and S occupancies (assembly, business, educational, factory, hazardous, manufacturing, multi-family of four or more residences, transient and assisted care residential facilities and storage facilities are inspected regularly for compliance with the International Fire Code (IFC).
3. All new roads are built in compliance with the International Fire Codes, including regulations for height, width, access gates and grade.
4. All subdivisions of six or more lots having an average size of five acres or less shall have adequate fire flow.

REPORT:

1. All new buildings and substantial modifications are built in accordance with Chapter 19.27 RCW State Building Code., which incorporates the International Residential Code and International Building Code.
 - The County Department of Planning and Development Services oversees the administration of the building and fire codes. They comply with the State Building Code, which implements all aspects of the IBC and IRC, except road access and water supply, which the State has left for Counties to decide on. A review of the road and water supply sections of the County Code indicates that IBC and IRC requirements for road access for fire apparatus are being met, and that the County has adopted the International Fire Code (IFC) Fire Flow appendix.
 - **The Chief reports full compliance on this item.**
2. All existing Group A, B, E, F, H, I, M, R-1, 2 & 4 and S occupancies (assembly, business, educational, factory, hazardous, manufacturing, multi-family of four or more residences, transient and assisted care residential facilities and storage facilities are inspected regularly for compliance with the International Fire Code (IFC).
 - The County Fire Marshal has legal responsibility to inspect business and to enforce the International Fire Code. The County has adopted an ordinance that allows it to inspect businesses “periodically”.
 - **The Chief reports compliance on this item.** The fire marshal’s office inspects all high-hazard occupancies annually, and low hazard occupancies every 2 to 3 years.
3. All new roads are built in compliance with the International Fire Codes, including regulations for height, width, access gates and grade.
 - Whatcom County DPS regulates road construction. All new roads are required to meet the IFC standards.
 - **The Chief reports compliance on this item.**
4. All subdivisions of six or more lots having an average size of five acres or less shall have adequate fire flow.
 - Whatcom County DPS regulates subdivisions. All new subdivisions are required to have water supply, and the IFC requirements for hydrant spacing and flow are adopted.
 - **The Chief reports compliance on this item.**

One significant issue that may impact these provisions in the future is the trend among water districts not to allow installation of hydrants and not to guarantee fire flow. This has been initiated by a number of court cases, including the court case Lane v. City of Seattle. In this case, it was ruled that the City of Seattle had the right to charge the City of Lake Forest Park for fire hydrant provision, as fire hydrants are considered a “general government function”. In trial court, it was ruled that the City could not charge fire districts, however that decision was not tested by the state Supreme Court, as the Lake Forest Park decision was. The exception for the fire district was based on the provision that the Fire District was not a “general government.”

In other case law, water districts have been found liable for inoperable fire hydrants, thus encouraging water districts NOT to provide fire hydrants.

This in part, is why the fire district has opted to utilize onsite water storage at Station 13 in lieu of fire flow from the Wahl Water Association. Other water districts in the county have begun to refuse any requests for new hydrants, or have allowed hydrants, but refusing to guarantee fire flow.

Commissioner Neal moved to approve the motion to accept and approve the monitoring report 1.5. Commissioner Andrews seconded; motion passed.

ENDS

Nothing at this time.

GOVERNANCE PROCESS

Nothing at this time.

BOARD SCHEDULE

The next board meeting is scheduled for July 6th at 06:00 p.m.

BOARD MEETING EVALUATION

Nothing at this time.

FIRE CHIEF’S OPERATIONAL UPDATE

The use for the Rescue vehicle will be discussed at the Officer’s Meeting on June 7th.

The meeting was adjourned at 12:28 p.m.

Mary E. Neal, Commissioner

Kris Parks, Board Secretary

Motions and Directives:

Commissioner Neal moved to approve the meeting minutes. Commissioner Andrews seconded; motion passed.

Commissioner Neal moved to approve the vouchers. Commissioner Andrews seconded; motion passed.

Commissioner Neal moved to approve the motion to accept and approve the monitoring report 1.5. Commissioner Andrews seconded; motion passed.