

BRIGETTE K. SMITH
Executive Secretary



STATE OF WASHINGTON

BOARD FOR VOLUNTEER FIREFIGHTERS & RESERVE OFFICERS

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June 22, 2007

The 207th regular meeting of the Board for Volunteer Firefighters and Reserve Officers was convened at 9:00 A.M. in Suite #112 in the James R. Larson Forum Building by Board Member Ronald Ayres, with Board Member Ken Boad, Board Member Jay Hughes, Chief Stan Loertscher (Mason Co. FPD #13), Chief Jake Doty (East Pierce Fire and Rescue), Commissioner Mark Watenpaugh (Cowlitz Co. FPD #6), WFCA Representative Richard Kistler, Assistant Attorney General Kyle Crews, Executive Secretary Brigitte Smith, Confidential Secretary Nicole Stauffer, and Benefit Specialist Julie Ikenberry present.

The Board reviewed the April 20, 2007 minutes. It was moved by Boad, seconded by Hughes and carried that the minutes be approved as written.

The agenda was reviewed. Secretary Smith asked to add a discussion regarding coverage of a Transportation Emergency Rescue Committee (TERC) as the first item under new business. Board Member Ayres asked that we move agenda item # 9 under new business, action to elect a new chair and introduce new members, to be the first item of business after the first hearing of the public. It was moved by Boad, seconded by Hughes, and carried that the agenda be approved with the changes noted.

FIRST HEARING OF THE PUBLIC

Member Ayres asked that everyone introduce themselves since there were some new people at the meeting.

Richard Kistler asked to address the Board. He stated that he would miss the Board position that he held for 12 years, but hoped to continue to work with the Board through the Washington State Fire Commissioner's Association (WFCA). He is a member of the Legislative Committee, so he informed the Board that they shouldn't hesitate to approach him regarding any legislative requests. Right now, the WFCA is meeting with representatives from major corporations (such as Costco, Home Depot, etc.) to try to get discount cards for volunteer firefighters. They will also be meeting with legislators and staff members to see if there are any types of tax breaks that volunteer firefighters can receive to help with recruitment and retention. Mr. Kistler stated that he hoped to be a frequent guest at future Board meetings and that he would keep the Board informed of the WFCA's progress.

Secretary Smith stated that Miland Walling, a fire commissioner from Klickitat County FPD #2, called and asked Secretary Smith to speak for him. He wanted to make the meeting, but was going to be unable to do so. He asked that Secretary Smith express his regrets and let the Board know that he had been asking around the county what kinds of benefit enhancements that firefighters in Klickitat County would like to see. So far, the majority of people that he has spoken with in his county would like to see some form of a longevity bonus. In other words, members who obtain 25 years of service before their 65th birthday could continue to volunteer and make contributions into the pension system until age 65, but would accumulate additional credit in the retirement, such as a 1% per year increase in their monthly pension amount. Commissioner Walling stated that he would continue to talk with other people in his area and hoped to prepare a written statement by the next meeting.



The Board reviewed the April 20, 2007 minutes. It was moved by Board, seconded by Hughes and carried that the minutes be approved as written.

Board Member Jay Hughes introduced himself. He stated that he is a volunteer firefighter with Spokane County FPD #4, and also a Reserve Officer with the Spokane County Sheriff's Department. He works as a Sergeant at the jail in Spokane and enjoys golfing. He's looking forward to his term on the Board and hopes to contribute more in future meetings than he does in this one, since he lost his voice last night.

Member Ayres stated that the Board needs to appoint a chair, since there is a new board member and since Richard Kistler, former Board Chair, retired. However, any chair appointed this time will only have a two month appointment, since they will have to appoint a new board chair at the next meeting when two more board members are appointed. It was moved by Board, seconded by Hughes, and carried that Ronald Ayres be appointed the interim Board Chair until the August 17, 2007 meeting.

OLD BUSINESS

The Board reviewed written advice from the Attorney General's Office that stated that the only people eligible to receive retro-active vocational rehabilitation benefits were those who had not accepted permanent partial disability awards. Secretary Smith informed the Board that, upon that advice, she and the staff reviewed case files of firefighters that were injured and unable to return to their former employment. Based on that, only one firefighter qualified for the benefits. That firefighter was Billy Young, from Snohomish Co. FPD #26. That was also the firefighter who worked hard with Representative Kristiansen to pass the bill. Secretary Smith informed the Board that Benefit Specialist Ikenberry was meeting with a representative from Labor and Industries' Vocational Rehabilitation Division to learn about how they run their program. Once the staff learns how L&I handles Vocational Rehabilitation, Secretary Smith plans on talking with the Board about establishing procedures for Vocational Rehabilitation approval and monitoring in the future. In the mean time, she asked that the Board temporarily set the following procedure in the case of Billy Young: The staff ask Mr. Young's treating physician for a statement that he was unable to return to his previous occupation as a result of the fire service injury. Once that statement is received, Secretary Smith will contact Mr. Young and ask that he submit receipts for any expenses that he incurred as a result of his retraining program (Mr. Young has already retrained as a truck driver). Ms. Smith will then bring the statement and the receipts back to the Board for their approval. Once the approval is obtained, Secretary Smith can reimburse Mr. Young's costs. The Board directed Ms. Smith to follow the procedure as outlined for Mr. Young. Once the staff is better trained in L&I procedure, the Board will establish procedures for future claims that take into account L&I procedures and the BVFF staff and Board needs.

The Board discussed the second piece of written legal advice from the Attorney General's Office that states that the proposed standards must be adopted as a WAC rather than Board Policy. Secretary Smith stated that she plans to schedule another Forum Focus Group meeting now that this advice has been received. Member Board had previously worked on a draft proposal on behalf of that group, and this was the missing component that would allow that group to finalize its recommendations. Now that that piece is complete, Secretary Smith hopes that the Focus Group can have a recommendation ready for the Board in time for the next Board Meeting.

Secretary Smith informed the Board that only one more comment on the Standards was received since the last Board Meeting. Chief Steve Vogel, from Clallam Co. FPD #3, liked the concept that Mason County put forth, but thought that it was more appropriate to require a 50% drill attendance. His department, as well as those of Jefferson #2 and Jefferson #5 submitted their adopted standards. Secretary Smith said that she's noticed a decrease in the amount of comments she's been receiving and an increase in departments submitting either their adopted standards, or their proposed standards. Chair Ayres stated that he is anxious for Secretary Smith to set a meeting with the Focus Group because he believes that this issue really needs to move forth. The Board has discussed it long enough, and it's time to see it to conclusion.

Secretary Smith stated that she spoke briefly with the staff's Assistant Attorney General, Johnna Craig regarding the requirement that a firefighter have a pension payment in the last year of active service in order to be eligible for a pension. At that time, it was Johnna's belief that a law change would not be necessary, but that it was a Board Interpretation and the Board could simply revisit that policy. The Board directed Secretary Smith to meet with the new staff Assistant Attorney General, Kyle Crews, and see if that was his assertion as well.

Secretary Smith informed the Board that she hadn't really received any more feedback regarding the potential buy back legislation, but that she referred several people to the WFCOA, since the legislation is primarily being introduced by them. Most people had called in favor and were hoping to testify for it.

Two new letters of support were received from the Joint Legislative Committee for the Kitsap Fire Chiefs and Fire Commissioners and from the Kitsap County Fire Commissioners Association regarding potential legislation to lower the retirement age. Both organizations felt that the legislation would bring the retirement age more in line with that of LEOFF and would reduce the potential liabilities for the relief fund. They thought it would make the retirement a better recruitment and retention tool.

Secretary Smith informed the Board that she did have a phone conversation with TJ Nedrow from the Washington State Fire Fighter's Association. He stated that they were really busy preparing for their upcoming conference and probably wouldn't be able to meet until after that. However, enhancements that they were thinking about were lowering the early retirement penalty from 8% to around 5%, or a longevity bonus (like the one described above). She told him that she would be happy to ask the actuary to project the costs of both changes. She suggested meeting with him once those costs came back, since they would then be better able to prioritize changes based on their affordability.

Secretary Smith provided the Board with several months' worth of data to show the amounts that departments are paying for new volunteer physicals. The costs ranged from \$25 to over \$400 per physical. The Board also reviewed a letter of support received from Jake Doty, Chief of East Pierce Fire and Rescue. In it, Chief Doty suggested reimbursing departments half the cost of physicals, up to a cap of \$125. After much discussion, it was moved by Board, seconded by Hughes, and carried, that the Board reimburse departments a maximum amount of \$100 per physical.

Secretary Smith reported that Nicole Stauffer had been hired as the new Confidential Secretary. Nicole came highly recommended from the Office of Financial Management and was already familiar with state agencies. She has been doing really well, and Ms. Smith was grateful to have Nicole. Irene Kelffer has been moved to the Fiscal Analyst 5 position, but is currently on leave following surgery. She should be returning to the office July 5th and is anxious to tackle her new position. The intern that was going to be with the office wasn't able to take the position because of a family emergency, so the Department of Personnel is conducting a search for a replacement intern.

NEW BUSINESS

The Board reviewed a request from Paul Hunsaker, Island Co. FPD #3, to provide coverage for their Transportation Emergency Rescue Committee (TERC) Team. The team travels around the country competing in technical rescue competitions. The events are structured and stress safety, however they are competitive in nature. The Board reviewed its 1991 Interpretive Statement Regarding Physical Training Activities. In that statement, the Board said "firefighters engaged in (competitive activities) shall not be deemed to be acting in the 'performance of duty' as defined in RCW 41.24.010 and will, if injured while so engaged, have no coverage under the Volunteer Firefighters' Relief and Pension Act". This statement was mailed to all fire departments in the state on January 30, 1991. The Board also reviewed SHB 2608, which expanded the performance of duty to include secondary duties such as "maintenance, public education, inspections, investigations, court testimony, and fund-raising for the benefit of the department; being on call or on standby under the orders of the chief or designated officer of the department". It was the general consensus of the Board that SHB 2608 did not impact the interpretive statement still in effect from 1991. As a result, it was moved by Hughes, seconded by Board, and carried, that the Board deny coverage for Island #3's TERC Team because it fell under the

exclusions listed in the 1991 interpretive statement. The Board also requested that Secretary Smith consult with AAG Crews and review the 1991 interpretive statement.

The Board asked Richard Kistler to come forward to be recognized for his dedicated years of service and accomplishments for the Board. While on the Board, the monthly retirement amount went from \$200 to \$300, the daily disability compensation amount increased from \$55.00 per day to \$103.00 per day, Reserve Law Enforcement Officers and EMSD EMT's were allowed to participate in the pension and relief, Line of Duty Death Benefits increased \$150,000, and the pop up provision was added to the joint survivor option. Secretary Smith thanked Chair Kistler for all of his accomplishments, and the leadership he provided over the years. She also explained that Chair Kistler was the most time conscientious board member she ever had. In fact, he requested that the staff purchase an atomic clock so that he could ensure that all board meetings started exactly on time. In recognition of all that he did through the years, Secretary Smith presented him with an atomic wrist watch, complete with the Official State Seal. The Board members thanked Chair Kistler for all of his work and Chair Ayres stated that it would be very difficult to fill Chair Kistler's shoes.

Secretary Smith discussed her trip to the National Benefit Summit in Reno, NV. She stated that she found the conference to be very informative again this year, but stated that her biggest moment of pride was when representatives from Idaho stood in front of the group and explained that they were working hard to develop a state pension system for their volunteers. They were using Washington's law as a model, and had taken most of the provisions from our law and re-written them for their law. Secretary Smith stated that it proved that the Board for Volunteer Firefighters and Reserve Officers was a model for other states to follow and reinforced that we have a great program. She also explained that she has felt that the connections she has made with the leaders of other states has been invaluable. She asked that she be pre-authorized to attend next year's event. The hotel space is limited, so all participants are being asked to book early. It was moved by Board, seconded by Hughes, and carried that Secretary Smith be authorized to attend the summit and be permitted expenses, as allowed by law.

Secretary Smith discussed the proposed IT improvements in the office. Upgrading the server and building a new database program were all included in the upcoming biennial budget. Secretary Smith stated that they were allotted the money to proceed with the server replacement and could start that soon. However, the state did something different with the database proposal. For all major technology expenditures, the state created an IT pool. Different agencies were allotted so much money out of that pool, but they would have to work closely with DIS to ensure that the money was being used judiciously. Secretary Smith stated that it would probably mean more paperwork and more meetings with DIS, but the upside was that the money for the improvement would not need to come from our fund. Rather, it would come from the state's general fund. Secretary Smith told the Board that she was in the process of scheduling a meeting with DIS to begin working on the changes.

The Board discussed Secretary Smith's performance in the last year. Chair Ayres stated that he's been really happy with Secretary Smith and thinks she's doing a great job in the office. He thinks it's been a rough year and that the few negative comments that they have heard have been more a reflection on what the Board has been doing than on her, but that some people have had a hard time separating the two. However, the office has run smoothly, and he is pleased with how much more informed he feels. Member Board stated he felt the same. He added that he thought it would be helpful if Secretary Smith would prepare something in writing for next year that outlined her accomplishments since the last evaluation and her goals for the future. Member Hughes said that he hadn't been on the Board for very long, but that he had worked with Secretary Smith from a local board level and always felt that she was doing a good job. Chair Ayres asked that Secretary Smith obtain salary cap and COLA information for the August meeting so that the Board could review her salary.

The Board reviewed Secretary Smith's leave and pay records.

The Board reviewed and approved (Board moved, Hughes seconded) the administrative expenditure vouchers numbered 1483-1506 and 1530-1551 and various travel vouchers. Vouchers 1507-1529 were unused, but accounted for.

There was a motion by Boad, seconded by Hughes, and carried that the retirement pensions and lump-sum settlements listed below be approved effective on the listed dates:

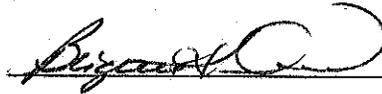
		Effective Date	Amount
Anderson, Alfred L.	Lewis #3	5/22/07 J/S	258.60
Anderson, Edward A.	Lewis #15	6/01/07 J/S	192.43 @ age 62
Auckland, Darryl L.	Oak Harbor	3/04/07 J/S	53.78 @ age 62
Bennett, Gary D.	Cowlitz #4	5/15/07 J/S	82.22 @ age 63
Brower, James W.	Walla Walla #4	4/11/07	114.00 @ age 62
Brower, JoAnn	Walla Walla #4	4/11/07 QDRO	114.00
Brown, Orville J.	Lewis #5	6/20/07	120.00
Bruner, Timothy L.	Thurston #2	5/21/07	228.00 @ age 62
Carlyle, Kenneth W.	Grays Harbor #4	4/22/07	300.00
Daniels, George	Snohomish #20	5/15/07	2,838.87 Lump
Dillard, Thomas D.	Grays Harbor #5	5/01/07	300.00
Disney, Sam	Lewis #11	4/24/07 J/S	195.40 @ age 62
Fankhauser, Jack	Monroe	5/21/07 J/S	195.40 @ age 62
Fitch, Les A.	No. Kitsap	5/17/07	3,371.15 Lump
Golding, Dale L.	Raymond	3/28/07 J/S	51.15 @ age 62
Goldsborough, Gerry	Ferry/Okanogan #14	4/01/07	160.00
Gordon, Elliott L.	Kitsap #2	11/30/06	142.50 @ age 62
Grigware, James	Ferry/Okanogan #13	3/29/07	61.18 @ age 62
Gunter, Garth	Grant #11	8/01/07 J/S	261.00
Haas, Margaret	Yakima #6	4/16/07 SURV	194.03
Harrison, Nada	Pacific #1	4/03/07 SURV	60.48
Heitstuman, Raymond	Whitman #14	2/01/07 J/S	109.20
Helm, Jean M.	Lewis #6	12/31/06	3,300.58 Lump
Hemmer, Lee G.	Douglas #3	4/27/07	300.00
Heyser, John H.	Whatcom #14	5/05/07 J/S	141.66 @ age 62
Hubbard, Michael W.	Castle Rock	2/16/07 J/S	191.52 @ age 62
Mandere, David	Spokane #9	7/07/07	300.00
Martinez, Armando	Grandview	5/13/07 QDRO	196.08 @ age 62
McClinton, Ronald	Thurston #5	5/06/07 J/S	174.00
Meath, Martin	Pierce #3	5/28/07	300.00
Mefford, Walter	Okanogan #7	3/21/07	4,180.74 Lump
Merchant, Howard	Chelan #7	8/10/07	300.00
Metcalf, Charles	Morton	7/20/07	70.00
Metcalf, Gerald	Lincoln #7	2/01/07	300.00
Morrissey, William C.	Chewelah	5/14/07	252.00 @ age 63
Negrete, Michael	Island #3	5/17/07 J/S	66.37
Pearmain, Roy	Grays Harbor #15	6/19/07	300.00
Pease, Jim	Douglas #5	4/16/07	84.00
Post, Edwin	Yakima #5	2/23/07 J/S	235.20
Rahier, Elwyn	Pierce #23	7/20/05	5,584.30 Lump
Ray, Gary	Thurston #13	6/19/07	300.00
Richardson, James C.	Stevens #1	6/02/07 J/S	261.00
Sass, Richard	Snohomish #25	6/29/07 J/S	245.40
Sciuchetti, Gary D.	Spokane #4	5/19/07 J/S	252.00
Slinger, Stewart C.	Medical Lake	6/01/07	226.80 @ age 63
Stockburger, Janet M.	Spokane #8	3/11/07	2,860.51 Lump
Swettenam, Thomas G.	Maple Valley	3/20/07	126.00 @ age 60
Timpke, Clayton	Union Gap	8/23/07 J/S	257.81
Townsend, Judy	Walla Walla #8	2/01/07	73.50

Turner, Jack W.	Skagit #4	6/26/07	270.00
Venera, Gerald A.	King #38	2/15/07	3,740.66 Lump
Warter, Bruce	Fircrest	8/24/07 J/S	198.36 @ age 62
Whitney, Theresa	Clallam #2	4/02/07	228.00 @ age 62
Williams, Mike D.	Clark #6	5/29/07 J/S	245.40
Wood, James	Chelan #1	3/26/07 J/S	258.60
Yaw, Bob R.	Walla Walla #8	6/29/07	180.00 @ age 60

SECOND HEARING OF THE PUBLIC

Richard Kistler, WFCA Legislative Committee, stated that he would love to hear from the Board any time. He and his group would be happy to support the Board in any possible way.

There was a motion by Boad, seconded by Hughes, and carried that the meeting be adjourned at 10:30 a.m.



Brigitte K. Smith, Executive Secretary