

Wasatch County Fire Board of Directors Meeting

Tuesday May 14, 2019

Meeting held at the Wasatch County Administration Building located at 25 N Main, Heber City.

Those in Attendance:

Spencer Park

Jeff Wade Excused

Steve Farrell

Marilyn Crittenden

Kendall Crittenden

Danny Goode

Mark Nelson

Chief Ernie Giles

BC Jason Provost

BC Gary Sessions

BC Ben Fitzgerald

Fire Marshal Clint Neerings

Fire Warden Troy Morgan

EMS Director Clair Provost

Items of Business to address:

Minutes

The minutes of the April 9, 2019 board meeting were presented to the board for their review and approval.

A motion was made by Councilman Crittenden to approve the minutes of the April 9, 2019 fire board meeting. The motion was seconded by Councilman Parks and the motion passed all in favor.

Warrants

The listing of warrants totaled \$252,327.92. This total included the added warrants and the payroll transmittals.

Councilman Farrell – what is the landscape bond for Ibuild UT?

Chief Giles- there should be 3 of them there. If it is winter, they cannot do their landscaping, so they post the bond. When their landscaping is complete, we release the money back to them.

Councilman Farrell- Oh so you put that bond money into your general budget.

A motion was made by Councilman Goode to approve the warrants as presented. The motion was seconded by Councilwoman Crittenden and the motion passed all in favor.

Chief report

Chief Giles- There are some, that if you actually look at the percentages, they are higher than the first quarter. A lot of those are a one-time fee, legal is up a little still because they are trying to close out the lawsuits. It was only about \$200 so I think we are getting to the end of that. If you look at the right-side column on page 4 of the report, that gives you the percentages on where we are at with our salaries, benefits and other expenditures. Second from the bottom on capital outlay is the fire truck, once we get all of the equipment bought for it, we will probably transfer some of that out.

Councilman Farrell- Are there any questions on the financial statements?

Councilman Goode- Is there anything that alarms you with these financials? Is there anything you want to address?

Chief Giles- The legal fees just wear on me. Once we get it closed out, we won't have much in that category. The truck, I knew we would be a little short, we will get all of our equipment for it and then try to make a transfer next month.

A motion was made by Councilman Crittenden to approve the first quarter financials. The motion was seconded by Councilwoman Crittenden and the motion passed all in favor.

Chief Giles - You see there are more checks than we normally have in the warrants. In the past we have attached unpaid assessment payments to the property taxes and then upon sale of a property the title company would send us the amount as well as part of the closing costs. This resulted in some double payments. So, on this warrant list there are a few refunds.

Councilman Farrell- What were we attaching?

Chief Giles- it was on the assessment.

Councilman Farrell- That has gone away now though.

Chief Giles- Yes. We had attached unpaid assessments to taxes. The properties would sell, and the title companies would collect past due amounts and cut a check to us. At the same time, we would collect on tax attachments ending in double payment.

Councilman Farrell- So over the next few years we will see that decrease as well. It has been 3 years, and those that haven't paid in 5 years and we sell it.

Chief Giles - If we can't track the person down, we will send the money to the state in their name. We have to make an effort to find them though. Some of them are hard to find because they have changed addresses and mailing addresses. I just wanted you to be aware that was happening, and we are working on it. We are looking at combining fire and ems at the first of the year, we do have a contract draft that we are working on. My budget cycle will be here before we know it and at that time I am going to have to go out after a tax increase. I am just wondering what the councils feeling is on that. The increase will probably be around 1.3 million, a little over 900k is what the county is currently billing for ems. That 900k may or may not transfer over along with ems.

Councilman Goode - I don't know if we will be able to make a January 1st date. I don't know if we will have enough time.

Councilman Farrell- If we go for a tax increase, it will be a year behind (before the money comes in).

Councilman Goode – Right. So, we won't have enough revenue in 2020 to cover the cost of EMS being merged with Fire. The money to make that happen would be available in 2021.

Chief Giles- With the EMS budget that the county now holds...

Councilman Goode - I don't think mike is looking to transfer money...

Councilman Farrell- We would cover the 900k for 3 years. That is one of the options, we haven't gotten the plan all the way laid out.

Councilman Crittenden- The 900k is the cost to move the employees over.

EMS Director Clair Provost- EMS brought in about 900k in revenue last year and the county pays 900k therefor my budget is 1.8 million. So, we are covering our budgets.

Councilman Goode - Can we get all of that done by January 1st? Everything that we need to do to make sure that when the revenue that EMS is generating and that its being generated from the district and not the county.

Councilman Farrell – We can make the transfer in January 1 if we want to do it, but we won't be able to close out the financial end of it for 3 years. We were going to take 3 years to phase it out of the County and bring it into the Fire District.

Councilman Goode – One of the things that was big in the lawsuit was that the county and district are separate entities and no money transferred between the two, that is how we were able to protect the County.

Councilman Farrell - We can contract though.

Chief Giles – It will be an MOU or something to that effect. With this draft that we have coming up, we will probably have it by the next fireboard meeting.

Councilman Farrell- Lets have it presented at the June council work meeting.

Councilman Crittenden- It would be the second Wednesday, the Wednesday after Fire Board meeting. (12th)

Councilman Goode - Steve will put it on the work meeting agenda.

Councilman Goode - I am in favor in spirit, I want to see the details of this agreement.

Chief Giles- There is a draft and I want to have the councils input on it.

Councilman Goode- I ask the rest of the council if they have any alarm bells with this? That say we are not going down the right path?

Councilman Farrell – I think this draft will go through a lot of details which will probably bring up some questions from us when it comes out. it won't be simple to do.

Councilman Goode – This will be a complex thing, basically what you are asking is if the council is on board correct? If the council doesn't want to do the merger then we have to let the fire dept know now. I think we are on board; I am good with it.

Chief Giles - The committee that you created several months ago seems to be all on board for the merger. We have had several meetings and talked about it, as well as get the county attorney involved.

Councilman Farrell – It is not a done deal and we have to work out the details.

Chief Giles - Months are going to go by quick and I need to start prepping for an increase now and notify the public now.

Councilman Goode- Do you know what percent that would be?

Chief Giles- If I were to guess, probably around 30-35% of the fire tax. The last one was 900k and it was around there.

Councilman Parks- In theory that 900k would need to drop off of the general fund.

Councilman Farrell- In practicality it won't be completely equal.

Councilman Goode - It is not just the growth of the internal people because we are taking care of that. It would wipe us out for months county wide. Not only financially because we can recoup it, it is taxing on people. The fireman, EMS and everyone, it is too small. We need to hire more people or cut down on the number of events that we have. We can cover it with the dollars, but we can't cover it with the time, the peoples time. That is the resource that we are really starting to run out of.

Councilman Farrell- We can deal with that in two ways, we can look at the quality of the events and see if they are actually beneficial to the County.

Councilman Goode- If the cost is high enough, if it is one of these really thin margin events and they are depending on us to have low costs in order for them to put the event on, then we are taking on the burden and subsidizing their event. Those low value events will drop off because they can't afford to do it.

Chief Giles- I think Marylin made a good point when Tom was here, very little ends up going to the charity and a lot goes to the cost to run them.

EMS Director Clair Provost - In reference to what you said Danny, we have to look at the quality of events. Some of these below the dam really tax our resources and our people. The community is

growing and fire and ems have to keep up with the demand. It's not just the events but the growth of the community.

Councilman Goode- Correct, the people pay their way through taxes. The events don't seem to be carrying their load, it seems like we end up subsidizing the events.

Chief Giles- We will try to have some open houses for the public, but I don't want to get a head of myself if I don't have support.

Councilman Farrell- We have until June to look at this, at the work meeting and have further discussion there.

Councilman Goode – When it comes to push back from the public. We will have to address the questions that Spencer (Parks) just asked. “So, you are raising our taxes over here (fire dept) because your moving people over, so we should see the other taxes (from the County) decrease.” That is going to be the battle. We have to be able to communicate what we are doing. In the past the county was doing the right thing and for whatever reason we weren't able to communicate it to the public better so, they fought us on tax increases. We need to be able to tell them this is the reason why we are going to increase and decrease taxes in the county but not the exact same amount. People will want to know why, and we are going to have to be able to explain that.

Councilman Farrell – It is not going to be dollar for dollar.

Chief Giles- Well if you are holding your mill levy even steady it is probably going to generate that much money in a 3-year period.

Councilman Goode- Do you know if you are going to need to increase or if you are going to just hold?

Councilman Farrell- If we go for the full 900k in one year we will have to increase the tax rate, now if we hold, dependent on the growth, we may be able to cover 3 years.

Councilman Goode- I was hoping that we can do something, get to the point that we have our mill levy at the right spot that we can hold every other year.

Chief Giles- Dave brings that up in our committee all the time, if you can finally get to the point to where the impact fees are where they need to be, and hold your mill levy, with the growth it will actually work where....

Councilman Goode- That was another part of the economics discussion was to have the events pay for it and then we don't put as much burden on the taxpayers for these events. It all works together.

EMS Director Clair Provost – In reference to your comment of “How do we explain it to the public?” If we continue down the road that we are on of separate fire and ems, we have two different agencies we are trying to fund. If we merge, we can utilize resources together. In my mind we are combining resources so that we will save the taxpayers money in the long run. If we do a standalone fire and standalone ems group, you are paying for two whole separate departments. I think this plan will be a savings.

Chief Giles – The ESCI report recommended it too, so that is something we can use to explain to the public as well. One last thing, I believe all of you RSVP'd for Saturday night, it is going to be quite an event. We had a meeting on it this morning and I think that it will be great to honor our workers.

Councilman Crittenden - Good job on the wildland presentation the other day. I was talking to a gentleman from Timberlakes and he said he hadn't been able to make it, but they are all talking about it. I told him that I wanted those that were able to attend will share the information with the rest of the community.

Chief Giles- That meeting turned out awesome. The people were there to learn and ask questions.

Chief Giles- The school is editing the video so we can have it on our web.

Councilman Goode - That was a really good event. I was surprised by how long people stayed and asked questions and I thought the answers were great.

Councilman Farrell - We should look into doing it regionally. Do one in Midway, Heber/ Red ledges, Wallsburg, Jordanelle, Strawberry etc..

Councilman Goode - If we brought it out to those communities like Steve was saying, that would be good. It looks like it was mostly Timberlakes people there.

Chief Giles- Mostly Timberlakes but there were a few people from Strawberry as well.

Councilman Farrell - After that dollar ridge fire out there in Duchesne and that part of Wasatch County there is a lot of interest.

Councilman Goode - I didn't get there until 7 and it seemed like the questions were very basic. That tells me we need to have better outreach. When the community was smaller it was easier to get a message out, now it is much harder. We have the system we just need to educate the people, so they know how it works and aren't panicked.

Chief Giles - The notification system is huge. We need to get everyone on that. That way we can keep them informed as well as target smaller groups.

Councilman Goode – Maybe we can shorten the power point, it was a bit long.

Chief Giles- The questions that they were asking were positive and great.

Councilman Goode- You guys up there answered the questions very well, we feel that we were represented very well, and we were very proud. I walked out of that meeting thinking "they made me look very good tonight"

Fire Marshal Report

Fire Marshal Neerings- I wanted to keep you in the loop with what is going on, as we have talked about in previous meetings, we been working with Hideout a lot lately. Epic engineering has reached out to us and requested that we start performing all of their sprinkler review inspections and approvals for all of Hideout. Just a heads up, we were recently contacted to provide insurance information as to whether or not we are able to respond to a residence up Lake Creek. It is a 27,000 plus sq foot house, we don't have any water on site, and it is a considerable distance away. We have told them we cannot provide

adequate fire response because we are at least 37 minutes in response if we use Lake Creek Road, if it is maintained during the summer. Timberlakes is even longer than that. We have been contacted by 2 insurance adjusters wanting to know what we can do. We are working with them and Midway Construction Company (that built the home) to see what we can do to solve the problem. It was started in 2015, like I said it is a 27,000 plus square foot house valued at a little over \$8 million. It is called Moose Springs, if you go all the way to the top of Timberlakes it sits between the very top road in Timberlakes and Lake Creek at the very top.

Councilman Farrell - The owner bought a lot in Timberlakes to access the property.

Fire Marshal Neerings- That is correct, he did install a road there, but we didn't have anything to do with the approval or inspection of it.

Councilman Farrell- Could we require him to put a fire hydrant down the road?

Fire Marshal Neerings - We did meet with Midway Construction and the latest insurance adjuster about the concerns we have regarding protection, not only fire but for medical response.

Councilman Parks - It is above Timberlakes? You wouldn't have great flow, but would you have some.

Fire Marshal Neerings – It is level with the top hydrant. You would have some flow; I don't know how good the flow is at the furthest hydrant. He bought one maybe two lots and his road drops down into a gully and then comes back up. Installing water over could be problematic but it is an option.

Councilwoman Crittenden - In the permit process isn't this something that is already discussed? Is this not part of the permitting process?

Councilman Farrell - This is probably one of those houses that we were having issues between the fire department and the building department regarding who was approving what.

Councilman Parks- This one was done in 2015, this was done a while ago.

Fire Marshal Neerings - We did review it; we worked with Midway Construction Company and spoke with the owner. At that point for a reduction in fire flow we were allowing fire sprinklers but anything in excess of 10,000 sq feet we didn't feel like, as a fire district, and especially with the response time and distance to that area, that sprinklers were adequate (at a 37 min response time). Sprinklers are designed to run for 10 minutes and that's all. Anything over 10,000 sq feet we required onsite fire protection whether they brought it from culinary and provided it via tanks and pumps or an elevated tank. They did submit plans to us for a 38,000-gallon tank at elevation that would bring pressure to a hydrant at 26 psi, which is the minimum pressure required by the state water. Things transpired and when we went up to meet them the beginning of last week that was the only time I had ever been up.

Councilman Crittenden- How long until completion of this?

Fire Marshal Neerings- They have occupancy and can't get insurance.

Councilman Parks – Did they build the 38,000-gallon tank?

Fire Marshal Neerings- No

Chief Giles – At that time I had gone up and met with them and talked about this. The very next year is when the transition took place and we were taken off. Apparently, the building department didn't require it.

Councilwoman Crittenden —Why were they given occupancy without having taken care of this? In my opinion that shouldn't have happened.

Councilman Farrell – The argument was that they probably mitigated it by the type of materials they used in the house. That is how building would look at it.

Fire Marshal Neerings – They mentioned fire flow per NFPA 1142 (unconfirmed by WCFD) the way they installed it only goes halfway through their moat that runs around their observatory. It is hooked to a 2 ½ inch outlet, which we don't carry 2 ½ inch hard suction for our pumpers that we use to fight structure fires. They were somehow going down that road, but we have never approved a static water source because they are very difficult to verify. During the winter months will that supply be accessible and not frozen, in summer will it get dried up and rendered inoperable. That is what your NFPA 1142 is geared towards, they were moving down a path, I don't know where that path came from? That is what was conveyed to us at our onsite meeting with the builder, insurance and owner representative.

Councilwoman Crittenden - Is this a liability for us? We gave them occupancy without having this done. Have we closed the loop on this, so it doesn't happen again? We need to close the loop.

Fire Marshal Neerings- That is why I am bringing it up.

Councilman Farrell - No

Councilman Parks - The insurance company is going to require the 37,000-gallon tank at a1000 gallons a minute?

Fire Marshal Neerings – In talking with them we had done 1,000 for 30. One insurance came in and said they refuse to insure it; the next company came in and wanted the meeting. We gave them some options and they were going to meet and discuss it and try to come up with a plan. I told them they need to give us a plan, we want to know what the plan is to provide fire flow.

Councilman Parks - They are in that process right now? It sounds like they didn't do what they were said they were going to do.

Councilman Farrell —I think the problem is that we didn't coordinate between the building dept and fire department all the way through this process and now we are to the point that it is an issue.

Councilwoman Crittenden -I agree that they didn't keep their end of it but never-the-less, there should not have been occupancy given without them doing what they said they would.

Councilman Farrell - There is no way water could be provided from Timberlakes?

Fire Marshal Neerings – That is the plan that we told them we would entertain. We just need a plan presented to us.

Councilman Farrell – I think that the elevation of the upper tank ...

Fire Marshal Neerings - I could get a pressure and a flow out of the top hydrant to see what we have. It is a pretty significant ravine that they dive down into where the road they built is and comes back up. Then with friction loss it depends on the elevation of the top tank which I am not 100% familiar with.

Councilman Crittenden – So you would lose your pressure.

Chief Giles – I'm not sure Timberlakes will let him hook on.

Councilman Farrell - What are they using for culinary water?

Chief Giles- He has drilled a well, that is what he was going to fill the tank with at the time.

Councilman Farrell- So he is not hooked on to Timberlakes at all.

Fire Marshal Neerings – No, he just bought the lots, so he has winter access because the road is not maintained through lake creek.

Councilman Farrell - The two lots he owns that are Timberlakes should have water right.

Councilman Parks – He needs an 8-inch connection

Councilwoman Crittenden - Before permits were given, did we even look at this plan and did this plan look like it was feasible? Did we think we really would be able to get water to this house and give it protection?

Fire Marshal Neerings – We held it up for a while, they provided hydraulic engineers calculations of the 38,000-gallon tank at elevation where it would be, the pressure loss, the friction loss, through it and to a hydrant.

Councilwoman Crittenden – So, it was determined that it would work, but did we have the water availability? Because now we are talking about bringing water from somewhere else.

Fire Marshal Neerings – If they have the pressure of the tank, at elevation, with the pressure that was submitted it would work.

Councilwoman Crittenden- Did they have the ability to put water into that tank?

Fire Marshal Neerings- Yes, by drilling a well. So, they would have 38,000 gallons sitting there for fire suppression.

Councilwoman Crittenden- It sounds like that process was done correctly and that it was looked at and told what would be needed to make it work. It is just that they haven't put it in right? I need to know the answer. I am going to be very honest here, I am very unhappy with this.

Fire Marshal Neerings- To be frank, we didn't approve it. We started the process of review and were removed from it. We didn't perform any inspections.

Councilwoman Crittenden- Why were you removed from the process of review? Who removed you?

Chief Giles -The building department, the council voted to put the building official as the fire code official on residential units back in January 18, two years ago.

Fire Marshal Neerings - We didn't see the occupancy or approve it.

Councilman Crittenden - It seems like if they want to have insurance that they need to do what they were told to do to get it.

Councilman Farrell- They were probably told that they could get this built without all that.

Councilman Crittenden- Yes, if the building department said they could mitigate the need for water with certain building materials, apparently the insurance companies aren't buying that.

Councilman Parks - This still has fire sprinklers, right?

Fire Marshal Neerings – Yes

Councilman Parks- its over the 10,000 so it did have sprinklers required.

Councilman Crittenden – The fire sprinklers wont cover long enough for them to get there though.

Fire Marshal Neerings – When we were reviewing it, the sprinklers were required because of the area, granted that area has changed. Back when we were reviewing them, anything over 10,000 Sq feet, myself and Chief Giles, felt like we needed additional fire flow to protect the occupants, the firefighters, the structure and in this case the surrounding wildland area. We didn't mean to open up a big issue, but it should be noted.

Councilman Farrell - This isn't the only one that will be coming up.

Chief Giles – No, this is a big one, but it is just the start of many.

Fire Marshal Neerings - We have a few around the county that are not this size, but they are over the 10,000 that would require additional fire flow.

Councilman Crittenden – This guy owns 246 acres, right? Moose Springs and then he bought the Timberlakes lots.

Councilman Farrell- Clint, please keep us updated on this.

Fire Warden Report

Fire Warden Morgan- Thank you for attending the meeting last week, we appreciate the support. I told you last time that I would have our 3-month outlook, it is looking like it will be wetter/warmer for the next 3 months. This will postpone the start of fire season, however our grass crop will be high and susceptible to fire when it does dry out. They are predicting that our biggest fire elevation will be at 6,000-7,000 feet, which is a big concern for us because that is where Wasatch is. It will be a concern when things start to dry out. Other than that, I have been teaching an advanced wildland fire class to our full-time firefighters. We have initiated four new task books for the Battalion Chiefs and the Fire Marshal. Our goal is, once we get those task books finished, we can start opening it up to the Captains and then to the crews. It is a good way to start getting our full-time folks more qualifications in the wildland setting.

Councilman Farrell - We have a meeting Thursday on the Dollar Ridge Fire; I think it is Thurs the 16th.

Fire Warden Morgan –I wasn't aware of it, is this something I need to be too?

Councilman Farrell - I got an invite from mitigation commission, maybe they are looking at funding, I am not sure.

Fire Warden Morgan- I will be happy to attend if you need me to, just let me know.

Councilman Farrell - Anything else we need to address?

Battalion Chief Jason Provost- We just finished a flow study at the port today. They are putting the numbers together on what hazardous materials are coming into the valley, there are a lot that come through. We should have that report by next meeting.

Councilman Crittenden – Did anyone see the thing that came out about how they reduced the cost of the railroad line into Price by \$3 billion dollars. That 7 County committee out there, this one said it will go through Duchesne and Helper (through Indian Canyon) the original price was \$4 billion but they changed some things and dropped it to around \$1 billion. In the future it may have an impact for us and reduce the number of trucks that come through. It is a real economic thing; they could generate a lot more oil out of the basin if they could do something with it. The Bountiful refineries can't take anymore so they are looking at an economic boom if they could get it out of there.

A motion was made by Councilwoman Crittenden to adjourn. The motion was seconded by Councilman Nelson and the motion passed all in favor.