



Vashon Island Fire and Rescue
10019 SW Bank Road PO Box 1150
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www.vifr.org administration@vifr.org

BOARD MEETING MINUTES

Date: 26 August 2021

Time: 18:30

REGULAR MEETING

Present: Andy Johnson, Chair (Webinar)
Candy McCullough, Vice-Chair (Webinar)
Dave Hoffmann, Position 05 (Webinar)
Brigitte Schran-Brown, Position 03 (Webinar)
Camille Staczek, Position 02 (Webinar)
Charles Krimmert, Fire Chief (Webinar)
Rebecca Pollock, District Secretary (Webinar)
Raechel Ehlers, HR Administrator (Webinar)
Joseph Quinn, Legal Counsel (Webinar)

Absent: Robert Larsen, Assistant Chief of Operations (Webinar)

Welcome & Call to Order

Statement of the Chair

- Chair Johnson states that we will be taking public comment tonight and would like to set the groundwork before we begin:

Before we begin this evening, I would like to make a statement as Chair of the Board of Fire Commissioners of Vashon Island Fire and Rescue. The purpose of this special meeting is to discuss opinions which have been expressed to the media and to the District pertaining to the vaccination status of Fire Chief Charles Krimmert as well as to conduct our regular business. These opinions have been expressed both by Chief Krimmert and the public. The district will not voice whether it agrees or disagrees with those opinions.

Instead, the District wishes to make the following clear: The District will not be taking adverse employment action against Fire Chief Krimmert at this time due to his present vaccination status. However, the District is subject to Proclamation 21-14, which has not been struck down or even questioned by a court of competent jurisdiction. With respect to all those that have expressed opinions pertaining to the vaccination status of the Fire Chief, the District must follow the mandates of Proclamation 21-14 until it is struck down by a court of competent jurisdiction or is otherwise terminated. And the mandates of Proclamation 21-14 are very clear:

As of October 19, 2021, if any health care provider or person that works in a health care setting is not fully vaccinated and has not received an exemption from the vaccine mandate due to a disability or a sincerely held religious belief, that person cannot, in any way, provide health care services or work in a health care setting owned or operated by the District. The consequences of the District failing to follow this mandate are much greater than the impacts to any one person. If the District fails to follow this mandate, it is in danger of losing its ambulance license and is even subject to criminal sanction. And the District will follow all guidelines of the Department of Labor and Industries and any other agency with jurisdiction when monitoring the job functions and performance of all employees and volunteers of the District.



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With all of the above in mind, the District is willing to entertain public comment, this evening, subject to the following guidelines:

- 1. The total time for public comment shall not exceed 30 minutes;*
- 2. Everyone shall mute their microphone until they are formally recognized by our District Secretary, Rebecca Pollock, who is managing the Zoom platform this evening. And this guideline is applicable both during and after the public comment period, in order that the District may conduct the business of the people in an efficient and uninterrupted manner;*
- 3. You will not be recognized for public comment unless you "raise your hand" via the Zoom platform;*
- 4. Any individual wishing to comment on their own behalf shall be limited to two minutes of comment, and no individual will be recognized for comment more than once;*
- 5. Any individual wishing to comment on behalf of a group of individuals that are present at this meeting shall be limited to three minutes of comment and only one person from that group will be recognized;*
- 6. Your comments must be germane to one issue only: The vaccination status of Fire Chief Charles Krimmert. To the extent that your comments relate to extemporaneous issues that do not pertain to the vaccination status of the Chief, you are subject to having your comment time suspended and reserved for others wishing to comment;*
- 7. All those not presently recognized and making comment will mute their microphones, and the District Secretary has the ability to mute participants that do not comply with this guideline;*
- 8. We will not interrupt others when they are recognized for comment, and the District Secretary will disable the "chat function" during public comment in order that one or more persons are not given the equivalent or greater than the time allotted to make their comments or the opportunity to distract others from the comments being made;*
- 9. We will be courteous and respectful in making comments and will not make threats, or be vulgar, disrespectful or hostile in any manner, and any person not adhering to this guideline will be removed from the Zoom platform.*

With all of the above in mind, we will now begin public comment. I ask that we all mute our microphones and lower our hands if they are raised, then raise our hands if we wish to be recognized.

Public Comment

- Dale Greenfeld
 - Candy, you mentioned that this was a very polarizing issue and if you're thinking of the people being affected by this, I don't think it is a polarizing issue when if you combine those that are fully vaccinated and those who have received at least one shot of a two shot vaccine, the island is almost 90% vaccinated. That is not a polarizing number, so I think perhaps it is emotionally polarizing to some of you on the Board, but if you take into account Vashonites, almost 90% of us are semi- or fully- vaccinated against COVID at this time.

- If Chief Krimmert doesn't have a religious or medical objection, its his choice not to be vaccinated, but I don't think he has the right then to treat anybody as an EMT. Its too much of a risk.
- Ron Smothermon
 - I want to thank the Board for their service to the community and I have voiced my opinion through emails to the Board. As a Fire District leader, Chief Krimmert, we have worked together in the past, and I appreciate everything he has done for the District and the Island, but I have to agree with Ms. Greenfeld about this. To relinquish his EMT standing would mean that we'd be down one EMT on the island which we'd have to hire another one and I don't know where the money would come from for that. 93% of the island or so has been vaccinated at least one shot and so its up to the Commission what to do with it, but I don't see how a leader of the community without a religious or medical exemption can lead a department like that.
- Jo Ann Herbert
 - I just want to support Chief Krimmert. It's my understanding that he is basically the CEO of the District and does all that work, he doesn't go on calls. Its not like Chief Krimmert is going out and pulling someone out of a bathtub. I appreciate his character and the relationship he has with the community. His character is rare and I want to say that I believe he should be retained and perhaps allowed to drive his own car and not use the car there. Yes, its important to keep him and I believe in his perspective, and it would be a travesty if he were fired.
 - I am a retired nurse, I've lived here on the island for 26 years and I am 70 years old.
- Alice Larson
 - I'm appalled that the individual that's been leading the effort on this island to trace and vaccinate individuals and keep more people from dying from COVID-19 is not vaccinated. I don't know how he does this function and supporting vaccinations without himself being vaccinated and setting a model for the department and the community. COVID is not a game, we just lost an individual to on this island to COVID-19 who is not vaccinated. If I recall correctly the Fire District has already had two incidents where someone in their membership has tested positive for COVID.
 - The governor issued a proclamation, and we are required to follow it and I think our Fire Chief is setting an extremely bad example for anyone on the island who is not vaccinated why should they get vaccinated if the Fire Chief hasn't been vaccinated. And it's just flat dangerous. If we have a real emergency on the island, we have a Fire Chief who will not be able to respond because it would be against what the Governor has mandated. I don't know how you settle this.
 - I don't want to see Chief's job get split in two where one half is a business manager, and he gets to stay and keep that role.
- April Wilkinson
 - I wasn't even sure that I was going to say anything. I'll say since all of this started I've been really grateful for the leadership on this island by everybody involved and doing everything possible to keep folks safe, to get tested, to push the vaccine effort when it started... and I have been really really grateful for that for 18 months or however long its been. I was really shocked to see the news about Chief Krimmert knowing what a pivotal role he played in all of that. For me, the challenge becomes how to have faith in our public health system and in all of our emergency response folks on the island. My spouse is immune compromised and my child is too young to get vaccinated and so if something happens where I actually have to call 911 I am now going to



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- be worried that it might be more dangerous to have those folks in my home than not calling. That for me is a real challenge.
- My other major concern: I think that there are reasonable accommodations to make for folks in employment, and I think that that is important to do, but I am troubled by the Chief's request to be relieved from a large portion of his job. Anybody can ask that, I guess, but I know very few employers that would approve such a major change without a compensation change as well. And I am also troubled by the statement "if they want to fire me, they'll fire me, if they want to keep me, they'll keep me." That to me doesn't give the sense of someone who is particularly committed to their role or to their work: maybe that comes from a place of frustration.
- Mike Dawson
 - The most important part, I think, of the Chief's position is one of leadership. We should be able to look to the Chief for leadership and a good deal of leadership comes from example not what someone says, but what someone does and I believe although it hurts me to do so, I have talked to Chief on several occasions and been involved in my local emergency preparedness group and he has come out to our meetings and so forth. This is really beyond the pale. I think that he has shown a lack of leadership that cannot be excused and I would urge you not to make accommodations. If the accommodations were requested for religious or medical reasons, I can perhaps understand this, but I cannot understand what the basis of this is or why the Commissioners would make such an accommodation.

Executive Session: RCW 42.30.110(1)(g)

Public Meeting moved into Executive Session at 18:53 pursuant to 42.30.110(1)(g) for 20 minutes in order to evaluate the qualifications of an applicant for public employment or to review the performance of a public employee.

Extended at 19:14 for 10 more minutes by Chair Johnson.

Executive Session ended at 19:26.

Decision

Motion by Chair Johnson:

"I make a motion that effective October 19, 2021, Charles Krimmert is not to perform health care services on behalf of the district in any capacity unless he has been fully vaccinated against COVID-19 or has received an exemption from vaccination pursuant to Proclamation 21-14."

Seconded.

**MOTION APPROVED, 4-0
COMMISSIONER SCHRAN-BROWN DENIED, 1-0**

Executive Session: RCW 42.30.110(1)(i)(iii)

1. Chair Johnson states that this Executive Session will be held pursuant to RCW 42.30.110 (1)(i) and we wish to make clear that this executive session does not pertain in any manner to the vaccination status of



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any employee or volunteer of the District but relates to separate allegations of misconduct which the District believes may not be discussed in an open meeting without adverse legal or financial consequences to the District.

Public Meeting moved into Executive Session at 19:30 pursuant to 42.30.140(1)(i) for 30 minutes in order to discuss with legal counsel representing the agency the legal risks of a proposed action or current practice that the District has identified when public discussion of the legal risks is likely to result in an adverse legal or financial consequence to the District.

Executive Session ended at 20:01.

Decision

- No Decision was made.

Approval of 7/28/2021 Regular Meeting Minutes

Motion by Chair Johnson:

"I make a motion that we approve the regular meeting minutes of July 28, 2021."

MINUTES APPROVED, 5-0

Approval of 8/20/2021 Special Meeting Minutes

Motion by Chair Johnson:

"I make a motion that we approve the special meeting minutes of August 20, 2021."

**MINUTES APPROVED, 4-0
VICE-CHAIR MCCULLOUGH ABSTAINED, 1-0**

Voucher Approval

Motion by Commissioner Staczek:

"I move we approve the referenced vouchers and transfers as detailed in Administrative Memorandum 08.26.2021-1."

MEMORANDUM APPROVED, 5-0

Assistant Chief Larsen Report:

- *See Assistant Chief's Report*



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- The District is required to see live fire training for suppression staff every three years at a minimum.
- There is a delay in receiving the chassis for the new Aid car so we were hoping to see the vehicle in the last quarter of the year we may not see it until 2022.

Chief Krimmert Report:

- *See Chief's Report*
- We have yet to come to terms with Washington State Ferries on our Fire Protection Agreement as we are challenging them on rates and the square footage of docks.
- Chief Krimmert met with the consortium to collaborate on retooling our Training Division.
- Ron Smothermon states that Firefighter Overtime is up over 193%
- Chief Krimmert explains that a large portion of the 193% is for the COVID Testing Site at which our Firefighters are working. Fortunately, FEMA is reimbursing those costs.
- Ron Smothermon asks about attorneys' fees and why we are 213% over our budget.
- Chief Krimmert explains that a majority of those expenses are from negotiations for our new Collective Bargaining Agreement that began in 2020 but extended into early 2021.
- Chair Johnson asks about King County Housing Authority (KCHA) and the pending Interlocal Agreement (ILA).
- Chief Krimmert states that we have discussed the issue with legal counsel and we could bring them to court, but the cost-benefit-analysis suggests that it is not a favorable option at this time. Chief is attempting to have other conversations to see if he can get some assistance in finding resolution with KCHA.
- Commissioner Schran-Brown asks if the tribal and/or parks ILAs have been resolved.
- Chief Krimmert confirms that Tribal has no obligation and Parks has already paid the District.

Approval of July Financial Report

Motion by Chair Johnson:

"I make a motion that we approve the July 2021 financial report as presented."

FINANCIAL REPORT APPROVED, 5-0

New Business

Article 1001 Review and Approval (*motion required*)

- Tabled

Proclamation 21-14

- Chair Johnson asks as to whether our Firefighter only volunteers are subject to the Proclamation.
- Chief Krimmert believes that only six individuals in the organization are not yet vaccinated. One of which believe may be vaccinated we just do not have verification. Only one of those individuals is a FF/EMT. We don't know their status at this time. It is likely to be one of the exemption requests the District will see. There are obligations of our volunteers, but at this time we don't see any additional exposures.



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- Vice-Chair McCullough requests that the Chief communicate with members interested in requesting an exemption so that they have time to meet the requirement(s) and fill out the appropriate paperwork.
- Chief Krimmert states that given the current “health care setting” language in the Proclamation, he would like to request a better/clearer definition of whether fire apparatus are considered health care settings from legal. The District doesn’t dispatch fire apparatus to aid calls.
- Chair Johnson looks forward to clarification on that definition given fire apparatus’ attendance at calls like motor vehicle accidents.

Volunteer Group Status Update

- None at this time.

General Comments

- Vice-Chair McCullough looks forward to hearing legal’s clarification/answer on that question in order to ensure we do not lose personnel: specifically support volunteers. Vice-Chair McCullough wishes that Chief Krimmert was vaccinated and this situation wasn’t occurring, but wants to say that the things Chief Krimmert does well are much appreciated and he has straightened out a lot of the District’s messes over the years.
- Chief Krimmert states that over this evening he has heard the concerns from those he protects. And continues:

“One of the reasons I got into this situation is it’s been a hard time and I’m frankly exhausted. So I am not going to wing it, or spitball it as I’m famous for: I have tried to write down my thoughts here and I will go through that. I am not an “anti-vaxxer,” however, I do take exception to the Governor making medical decisions for me. And standing up and being heard on that matter is leadership. April, yes, the quote in the paper was very much out of frustration. I love my job and I am good at it. Before the vaccinations, no one thought twice about calling us, and we never questioned going to help. We developed strong practices to prevent further spreading of the virus. Why are we now to believe that these efforts are any less effective or not still in play? Yes, April, I was frustrated. I have been working to protect this community and this Fire district through a pandemic for 17 months – 17 long, hard, trying months. The paper caught me worn down and tired and I made the mistake of allowing my frustration to replace my calm. I have presented no ultimatum to the Board and I have made no effort or suggestion that this District break the law. Since August 10th, I have been working to understand and address the Proclamation’s impact on the whole of the District. The fact that these discussions are being held now, well in advance of the deadlines, by many would be considered great leadership. I am the District’s CEO. Being an EMT is an insignificant component of my role in that job. Since becoming the Chief, I have been lead EMT five times. The last time October 24, 2019. It’s not my job, and I hate saying it’s not my job, because I have kept my EMT status so that I can do that job. My average response to aid calls over the last four-and-a-half (4.5) years is less than 2% of the annual volume. The responsibility wasn’t even a component of the Chief’s position for the majority of my predecessors and was only added to the job in December 2016 – I think because I had the credential. I was hired to administrate the organization and I have done that with great success: expanding the career staff, updating and improving the fleet, and stabilizing the financials. To finish on the question of my leadership, I am a good leader, it’s been difficult and hard. I would suggest that though I did not do the heavy lifting, I was ultimately responsible

for the volunteer corps that got this island's vaccination percentage to 90-something and who maintained the low positive counts on this island. I was able to do that through personal dedication with very dedicated corps and I tried to express that in the 2020 Annual Report. I am sorry I have upset so many of you. I'm sorry and I understand the perception that it's poor leadership. But I think the personal decision is of tremendous value and representative of my commitment to this island and my District."

For the Good of the Order

- Vice-Chair McCullough thanks community members for attending this evening and expressing their beliefs and opinions on both sides of this issue. She also thanks Chief Krimmert for speaking his mind and sharing his beliefs with the Board and the Community.
- Chair Johnson agrees and acknowledges and welcomes the letters sent to the Board stating that they have all been read and will continue to be if members of the public would like to continue to send them.
- Ron Smothermon thanks Chief Krimmert for sharing his feelings and thoughts on this issue and that Chief has done a great job over the years. Ron Smothermon states that Chief Krimmert's decision isn't based on what the Governor said, but rather on Chief Krimmert's personal preference because it has been months through which Chief Krimmert declined to get vaccinated. Ron Smothermon states that this island doesn't have a lot of EMTs and Chief Krimmert's services as an EMT are needed.

Documents Signed

Adjourned at 20:39

Motion by Chair Johnson:

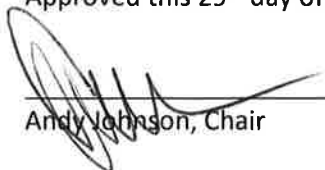
"I make a motion to adjourn."

Seconded by Commissioner Schran-Brown

MOTION APPROVED, 5-0

The next Regular Meeting will be on Wednesday, 29 September 2021, at 18:30

Approved this 29th day of September 2021



Andy Johnson, Chair



Rebecca Nason, District Secretary