

AUMSVILLE FIRE DISTRICT

Knight Property (4th Street Property) discussion at Board Meetings

November 14, 2019, Board Meeting Notes: Old Business:

Director Smith asked about the demolition and if we had a bid. Chief Hari responded with the intent was to utilize the house for academy, so we do not have a bid. We will need to remove the foundation for both the house and the barn, so we will get bids for that when the time comes. We could roll that into the future bid. Trish informed the board that she had budgeted extra in this budget cycle for any potential demolition, so we would not need to wait for the build. Chief informed the board that the property pins have never been set, so that will need to occur and filed with the county. Chief Hari stated that the neighbor has informed us that the fence is ours; however, we don't want to remove the fence until the pins have been set.

January 9, 2020, Board Meeting Notes: Old Business:

1. Knight Property: The pole barn has sold and will be removed by March 31st. We are now looking to get an artist rendition. Chief Hari informed the Board that someone called today regarding the Bradley property as they were interested in purchasing it. The Knight house is slated to be burned in April. Chief needs a board member or two for a committee to establish a timeline. Director Phillis and President Garrison will be on the timeline committee.

February 13, 2020, Board Meeting Notes: Old Business:

Knight Property: The burn-to-learn is scheduled for April 19th. The pole barn will be removed by the end of the month.

April 9, 2020, Board Meeting Notes: Old Business:

Knight Property: The burn-to-learn has been delayed in order to maintain social distancing between firefighters as well as the public. We are unable to give a date at this time.

June 11, 2020, Board Meeting Notes: Old Business:

1. Knight Property: We are planning to burn down the house on June 27th if we move into Phase II of the COVID-19 plan. If we do not get to Phase II, we will burn down the house in the fall.

July 9, 2020, Board Meeting Notes: Old Business:

Knight Property: The building is gone, the burn-to-learn went great. The site is being leveled. Chief wanted to thank everyone publicly for all the work they were putting in on clearing the property. Director Smith asked what the next steps were going to be for the property.

August 8, 2020 Board Meeting Notes: Old Business:

1. Knight Property: The property has been cleared and leveled. It's not a nuisance of any kind. It's waiting for a "future site" sign to go up. Director Smith stated that he had people tell him that they were happy we cleaned up the property so quickly.

September 17, 2020 Board Meeting notes: Old Business:

1. Knight Property: The sign has been placed on the property. There has been nothing but positive comments.

April 14, 2022, Board Meeting Notes: Old Business:

2. Knight Property: No discussion occurred. The item is tabled until the results from the Bradley Property are received.

September 26, 2022, Board Meeting Notes:

Knight Property: Chief Hari informed the Board that Treva Gambs from G3 is interested in purchasing the Knight property or at least leasing some parking. It might behoove the district to look at a shared parking agreement. Ron Harding stated that the city has a shared parking agreement. Chief Hari asked Ron Harding if there is any chance the city would abandon 4th street. Ron Harding stated that their typical answer is "No"; however, it's ultimately the City Council's decision. Ron Harding stated that he would support some sort of shared parking.

No further notes until June 13 2024.

June 13, 2024, Board Meeting notes: Chief's Report:

"4th street property. The neighbor of the property has been telling Chief Garrison that the previous administration had agreed to replace the fence between the two properties. It has been determined that the fence that was removed was on our property to begin with. The discussion was that we do not need to rebuild the fence at this time and to maybe open to splitting the cost with the homeowner. Chief Garrison was informed by the city of Aumsville that the neighbor had also attended the city council meeting and complained. He was informed at that time that the fire department is not part of the city, and the decision was up to the fire department."

July 11, 2024, Board Meeting notes: Public Comment (Agenda):

4th street property neighbor, Jim Wallace and Jaime Pickering spoke to the Board regarding the replacement of the fence between Mr. Wallace's property and the vacant 4th street property. Mr. Wallace said that he was told when the fence between the two properties was removed by the previous administration, he was told that the fire district would replace the fence. He had nothing in writing; it was verbal communication only. Mr. Pickering spoke to the effect that he would like to have the fence replaced as well because in the wintertime when the volunteers are "running their vehicles to warm them up, their headlights shine in his window." After some discussion, the Board said

that they would get measurements for a quote to see how much it would cost to replace the fence with either wood or chain link fence. Mr. Pickering suggested that if the District purchased the materials, he would be responsible for getting the fence put up. Discussion was tabled until quotes could be obtained.

August 8, 2024, Board Meeting Notes: Old Business:

Fence update: Chief Garrison said that Jim (neighbor) got a quote for \$5100 for a chain link fence with privacy slats. He stated that Drake Long (volunteer) said we should be able to get the materials for a cedar fence for \$1000-1500. Chief Garrison is still in the process of getting quotes. It was tabled until the next meeting.

December 12, 2024, Board Meeting Notes: Old Business:

Director Coleman asked about the fence replacement for the neighbor. We have not heard anything since this summer.

January 9, 2025, Board Meeting Notes: Old Business:

Director Coleman asked about the fence replacement for the neighbor. The neighbor had a heart attack last summer and we had not seen him for a while. We finally saw him standing outside his house a couple of weeks ago. He has not approached us again about the fence. We are in a holding pattern now.

March 13, 2025, Board Meeting Notes: Public Comments:

Jim Wallace (neighbor) returned to inquire about his fence. He reiterated that he was told by the previous administration that when the district acquired the property and removed the fence, that it would be replaced. Discussion ensued as to the best feasible way to accommodate him. Director Higgins asked about the other neighbor that said he would build the fence if the district provided the materials. Mr. Wallace said that that neighbor was a “talker”, and he did not figure on him following through. Mr. Wallace had a quote from Home Depot for a black chain-link fence with slats for \$5500. Chief Garrison reminded Jim that we run on taxpayer dollars and how would taxpayers feel about us spending their money on his fence? Director Coleman offered to have his shop guys build the fence if the district would purchase the materials. The Board asked Mr. Wallace to excuse himself and that the District would contact him in a few days and let him know what was decided. After Mr. Wallace left, the board decided that Director Coleman would donate the money to purchase the materials for a cedar fence and have a volunteer crew put the fence up.

April 10, 2025 Board Meeting Notes: Old Business:

Fence Update: Director Coleman had his crew drop off the materials to put up the cedar fence. Jim (neighbor) has come in a couple of times and said that he would like it to be a “good neighbor” fence with slats on both sides. The fence is going to be on his property with slats on his side of the fence. If he wants to pay for the slats for the

other side, the district will put them up. Director Fellis asked that the district let the board know when the fence was going to be put up. Waiting for a bit drier weekend

May 15, 2025 Board Meeting Notes: Old Business:

Fence Update: Waiting for a nice sunny day to build the fence.

City Council meeting notes June 9, 2025

1. Jim Wallace at 305 Main Street discussed his concern about getting his fence replaced that was removed by the Aumsville Fire Department years ago. He explained that he had been having ongoing discussions with the Fire Department and asked for clarification on the type of fence to be installed, and asked for Council's support. Mayor Ceja called on CA Ron Harding to further explain the requirements. CA Ron Harding informed the Council that he had a scheduled meeting with the Fire Chief to discuss multiple items, including the topic of the fence between their property and Mr. Wallace's. Council stated their support of Mr. Wallace in the replacement of the fence.

June 12, 2025 Board Meeting Notes: Public Comments:

Jim Wallace and Nick Crapser were here to discuss the fence. Jim read a letter to the board expressing his dissatisfaction with how things are being handled. The letter is attached to the minutes. Director Coleman stated that he would like to go to the next city council meeting to ask for a variance to allow us to put in a cedar fence versus a chain link fence. Chief Garrison stated that the City Director had already paid him a visit and said that a variance would not be considered. Everyone within the commercial property limits must have a black chain link fence. The cost of the chain link fence is going to be much higher than cedar. Directors Fellis, Higgins and Coleman, all made it very clear that Director Coleman had bought the cedar fence out of his own pocket. It is not a good idea to spend taxpayer dollars to build a fence for a neighbor as well as the fact that it is not in the budget for that kind of money. It was agreed that Chief Garrison would get 3 quotes for building the fence and 3 quotes for materials only to determine how the board was going to proceed. Discussion was tabled until the July 10 meeting

July 10, 2025 Board Meeting Notes: Old Business:

Chief Garrison got three fence quotes for building a 4-foot or 6-foot black chain link fence for the 4th street property neighbor Jim Wallace. Discussion ensued after reviewing the quotes of between \$3200 and \$3800 that it just is not in the budget nor is it in the best interest of the fire district to spend that kind of money on a word of mouth "promise" to the neighbor. Mr. Wallace also presented a quote for a 6-foot chain link fence for \$2695. Chief Garrison said that the original fence was a 4-foot fence. Mr. Wallace insisted that it was a 6-foot fence although google maps obviously shows a shorter fence. At this point, Mr. Wallace asked for either a yes or no answer from the board. When Director Swenson asked if Mr. Wallace would be willing to split the cost. He said absolutely not and left. Director Fellis asked if she could get a

timeline for the entire fence process. Jamie will dig up records from previous board meetings.

September 11, 2025, Board Meeting Notes: Old Business:

Letter from James Wallace regarding the fence. Director Kuhl initially stated “no.” Director Fellis found minutes from November 2019 board meeting that the Knight property was discussed and it was highlighted in those minutes when the neighbor stated the fence was not his. Discussion ensued about where the property pins are. Director Coleman asked if anyone had reached out to legal to see what they feel we should do. All directors agreed that that should be the next step. Jamie will reach out to legal tomorrow and get back to the board when she has answers.

November 13, 2025, Board Meeting Notes: Old Business:

Another letter from James Wallace regarding the fence. Jamie had reached out to our law team and they drafted a letter to send to Mr. Wallace offering to pay $\frac{1}{2}$ the cost of the chain link fence quote. Mr. Wallace came into the office last month and stated that the quote had gone up by \$100 and he wanted the difference as well. He was told that it would have to go to the board before a check could be written and signed. Two weeks later, Mr. Wallace came in with another demand letter stating he wanted to be paid in full. After some discussion, a motion was made by Director Coleman to pay the $\frac{1}{2}$ plus \$50 for a total of \$1397.50. Director Swenson seconded. All directors voted to pay half of the quote plus \$50. The board asked Jamie to make sure the letter to Mr. Wallace had a spot for him to sign as well as getting a check signed immediately for no hold ups. Jamie agreed to contact Mr. Wallace on Friday November 14.

December 11, 2025, Board Meeting Notes: Old Business:

4th Street fence. Chief Garrison stated that nothing has changed. After the November meeting, Jamie had notified Mr. Wallace of the board’s decision to increase the offer by \$50. At that point, Mr. Wallace said that he wanted the fence paid in full by the district or nothing. He stated that he will contact a lawyer and hung up. Mr. Harding from the city of Aumsville spoke with Chief Garrison and asked if the board could offer up to \$1800 to appease Mr. Wallace. It was agreed that the Board felt they had offered everything they could and to leave it alone. No further discussion on the matter.

January 8, 2026, Meeting notes: Old Business:

4th Street fence: Chief Garrison informed the board that Mr. Wallace has filed a claim in small claims court for full payment of the fence plus fees. The district responded asking for a hearing and will keep the board informed as to when the hearing will be.

February 19, 2026, Meeting notes: Old Business:

4th Street fence: The Mediator meeting was held February 4, 2026. Chief Garrison and Director Fellis attended the zoom meeting. The mediator asked Mr. Wallace if he

would accept half the quoted amount. Mr. Wallace refused. The mediator closed the meeting and sent the claim to court. Court date is March 3, 2026, at the courthouse. Chief Garrison and Director Fellis will attend.

March 3, 2026 – Marion County Circuit Court

Marion County Circuit Court ruled that per ORS Chapter 30, Mr. Wallace had to file within 180 days of the time of the fence removal. As he did not do that, the case was dismissed.

March 19, 2026 – Board Meeting Notes: Old Business:

4th Street fence: Director Fellis and Chief Garrison spoke on the litigation procedure. The Judge asked Mr. Wallace if he had been offered ½ of the quoted value of replacing the fence, Mr. Wallace stated he did. The Judge then asked if he would accept the \$1800 that was discussed in mediation. Mr. Wallace refused. The Judge then asked if the Fire district was a Rural Fire Protection District. Chief Garrison said it was. The Judge then ruled that process must be requested within 180 days of the date that the fence was taken down. Since Mr. Wallace did not request recompense for the fence within that time frame, the Judge dismissed the case.

After further discussion, Director Schrock made the motion that the board would pay Mr. Wallace \$0. The motion was seconded by Director Swenson. **In favor.** Directors Fellis, Kuhl, Coleman, Swenson and Schrock. **Opposed:** None.

Director Coleman also asked if we could have a uniformed police officer on site in case the April 9 meeting got heated.

April 9, 2026 – Board Meeting Notes – Public Comment:

Public Comment: Henry Bartle asked if the district was going to give Mr. Wallace a check. President Fellis stated that the board would not be answering questions but if anyone wanted to speak the board would listen. Mr. Bartle sat down and Mr. Wallace got up to ask the question if the board was going to pay for the fence. Once again President Fellis stated that the board would not be answering questions. Mr. Wallace sat down. After determining that there were no more public comment President Fellis read the board message.

President Fellis read the message from the board to Mr. Wallace. Print is attached. At the conclusion of the message, she stated that the regular meeting agenda items would be followed.

