

JANUARY 12, 2011
BOARD OF DIRECTORS' MEETING
DIAMOND SPRINGS / EL DORADO FIRE PROTECTION DISTRICT

PLACE: DIAMOND SPRINGS FIRE STATION
501 MAIN STREET
DIAMOND SPRINGS, CA 95667

Board of Directors' Meeting called to order at 7:00 P.M. by President Charles Hoff.

ROLL CALL: PRESENT:

Bill Flynn
Ed Cunha
Pat Williams
Jackye Phillips
Asst. Chief Erik Peterson
Chief Cunningham
Charles Hoff

ABSENT

Asst. Chief Robert Combs – excused absence

A quorum is present.

FLAG SALUTE:

Flag salute was lead by Asst. Chief Peterson

ADOPT AGENDA:

Addition: CHIEF'S REPORT: El Dorado County Fire Chief Assoc workshop. Chief Cunningham requesting post Special Meeting 1/24/11 at 7:00 PM at the Fireman's Hall. Motion made by Jackye Phillips to notice and agendize the Fire Chief's Meeting scheduled for 1/24/11 at 7:00 PM. Motion seconded by Bill Flynn. Chief Cunningham, Bill Flynn and Ed Cunha to attend the Special Meeting. Motion made by Jackye Phillips to adopt the Agenda as amended. Motion seconded by Pat Williams. Motion carried.

MINUTES:

Minutes of the December 08, 2010 Board of Directors' Meeting read. Motion made by Bill Flynn to approve the minutes as submitted with the stated corrections. Motion seconded by Pat Williams. Motion carried.

OPEN FORUM: For public testimony

No public comment.

CORRESPONDENCE:

- › Letter from Fred Smith, General Manager of Cameron Park Community Service District thanking Sean Farrelle for his assistance and the use of Truck 48 in the installation of the Christmas tree lights.
- › Letter from Marty Hackett, ex-Director of the EMS Authority thanking Rich Todd, JPA regarding the ALS Ambulance.
- › The Lions are requesting a waiver of the permit fee for installation of a new hood system at the Lions Hall. Chief Cunningham advised he will waive the fee as the State is requiring the replacement in businesses.

DISTRICT BILLS:

District bills in the amount of \$314,930.17 read into the record. Discussion held on the following bills:

- › **Dawson Oil:** \$1730.00 fuel bill discussed

- › **Amerigas:** Chief Cunningham stated our contract closes in March for the District, Association and Association Members.
 - › **HSBC Business Solutions:** partial bill back to the Association
 - › **LN Curtis & Son:** Requesting matching journal transfer to Development Fees for this.
 - › **Riverview International Truck:** Commendation made by Chief Cunningham to Asst. Chief Erik Peterson for negotiating the over \$10,000.00 bill down to \$5,187.96 over the last 3 months
 - › **Bed, Bath & Beyond:** Chief Cunningham commended Linda Blair on the \$21.63 bill as she shopped for excellent deals on household expenses cutting cost by 1/3'd
 - › **US Bank Corp / Amazon:** small tools
 - › **EID:** Sewer/Commodity charge for the Main Station and Hall, bills are quarterly. Did have a broken line and received credit for a portion of this
 - › **RJ Ricciardi Inc:** the new auditor; we are paying installments and Chief Cunningham stated he has put additions on the contract, i.e. Gatsby – retirement benefits. He stated the past auditor is not complying with his request and a portion of the audit may have to be redone which is the portion of work Vaughn failed to report / do. They are having problems with the new auditor for the JPA also and may have to hire the Ricciardi firm to review the JPA audit. We also may need to retain a bookkeeper to come in to reconcile the books with the County as the County is not reporting correctly.
 - › **US Bank Corp / International Assoc:** Fire Chiefs' Association memberships
- Motion made by Ed Cunha to approve payment of the bills as submitted. Motion seconded by Bill Flynn. Motion carried

CHIEF'S REPORT: Asst. Chief Combs provided the report

- › **Fire Chief's Assoc Meeting:** Previously discussed.
- › **Revenues and Expenditures:** Chief Cunningham went over revenues and expenditures spreadsheet report. \$1.2 million was expended by the end of November 2010 which put us \$600,000.00 in the red and we borrowed from the bank. There were \$199,000.00 reserves in the bank at the end of November, 2010. Right now there is \$198,000.00 in the bank. Tax revenues will start coming in December and restoring the funds in the bank. Chief Cunningham went over the report further and stated there will a report monthly in the Board packets.
- › **Variance Report:** There will an operations meeting Thursday next week and will come back with a written proposal immediately.
- › **JPA Budget:** Workers Comp was the largest hit; the other accounts should be on the money.
- › **Class 40-District Budget:** Projects and Vehicle Maintenance hit hard along with Professional Services and Litigation. Litigation discussed in more detail. Chief Cunningham stated we have been blocked from de-annexation by the tribe and El Dorado County Fire. The Tribe remains mute and are not responding to communications. The Appellate Court has gone forward, will go before the Judge and Clerks for review. Will then set until June 2011 then to oral arguments. We are asking Chief Hatcher to have it just go away. We have offered to drop it or settle with no response. Jackye Phillips proposed 2 board members to their Board Meeting and speak at the Public Forum. Chief Cunningham stated no opposition to this. Charles Hoff agreed if no response, to go to their Board, we do not want to be responsible for the Rancheria while under contract to El Dorado County Fire. The question arose, can we do this while under litigation? What is the time line? LAFCO discussed regarding this issue. We either stay the course or settle. We may possibly submit 2 settlement offers in writing. Charles Hoff recommended that if there is no response after their Board Meeting we then appear at the next Board Meeting under Public Forum and present verbal and written offers. They cannot deny a presentation under Public forum. Chief Cunningham will have William Ross prepare a settlement agreement.

ASST. CHIEF ERIK PETERSON'S REPORT: Report presented in the Board Packet and accepted as submitted.

- › **Stats:** Numbers are low due to a computer problem.
- › **Riverview International:** Negotiations and payment discussed.
- › **M48 Failsafe Anti-theft kit:** The starter device trials discussed; cost of each device is \$450.00 installed.
- › **Pump Testing:** Pump testing to commence in this month at Station 86.
- › **Personnel:** Volunteer FF Recruit Academy Orientation Night is 1/5/11 at 7 PM at the FF Hall; 5 new recruits. Tyson Brazelton is due back in March from a back injury; Alex Grundy had an appendectomy.

ASST. CHIEF ROBERT COMB'S REPORT: Report presented in the Board Packet and accepted as submitted in his absence.

- › **Annexation:** Chief Cunningham stated we are coming into Annexation 3 and will start receiving updates.

TIME SENSITIVE MATTER:

1. **Administration of Oath of Office:** Charles Hoff administered the Oath of Office to Incumbent Directors William Flynn and Pat Williams.
2. **Closed Session for Personnel Evaluation:** Item moved as the last item on the Agenda.

OLD BUSINESS: Public comment closed – no comment from the public.

1. **Transfer of Development Funds:** Transfer of \$28,229.00 from Development Funds to the General Operating Fund to support the funding match for the AFG Grant Project discussed. This is consistent with the District budget and Long Rant Plan. Motion made by Jackye Phillips to approve and authorize Chief Cunningham to transfer of Development Funds to the General Operating Fund in the amount of \$28,229.00. Motion seconded by Pat Williams. Motion carried.

NEW BUSINESS:

1. **Leave Conversion: A.** Chief Cunningham provided staff report in advance to Board Members, this affects Chief Cunningham and Asst. Chief Erik Peterson. Chief Cunningham stated this is to correct the prior reduction of leave as Section 925 was never intended to be used with an employee not retiring and also affects retirement credit. This should also be changed in the personnel policies and corrected. No one else is affected by this. **B.** Chief Cunningham recommended Debbie do the audit and produce language in Article 4 and 6 to prevent future incorrect figures. This pertains to sick leave only, to convert sick leave to prior status. Motion made by Bill Flynn to accept Chief Cunningham's recommendation for A & B. Motion seconded by Jackye Phillips. Motion carried.
2. **Resolution 2011-01:** Chief Cunningham explained this is not a worker's comp disability but strictly a disability rising out of employment and is covered under HPA. There will be no additional cost to the District, will only be a retirement tax benefit. Motion made by Bill Flynn to adopt Resolution 2011-01 approving the resolution determining an industrial disability retirement to the California Public Employee's Retirement System for Asst. Chief Erik Peterson. Motion seconded by Jackye Phillips. Roll call vote as follows:

| | |
|-----------------|-----|
| Bill Flynn | Aye |
| Pat Williams | Aye |
| Ed Cunha | Aye |
| Jackye Phillips | Aye |
| Charles Hoff | Aye |

Motion carried unanimously.

3. **Disposal of Surplus Property:** Chief Cunningham discussed and explained problems; will retain a large portion of the equipment salvage, some will be surplus over the next several months. Discussed the proposal to purchase of a Type 1 Engine coming from David Phillips and Jack Daniels. Chief Cunningham wants members to be aware of the need for the next year in the following fiscal year. Lori will probably start working with Capital Finance and option include encumbering debts which may give us protection from the State coming after some of our money; or installment system which we normally do. States budget and reorganization discussed which may affect revenues. Fire Season strike teams discussed and the State responsibility – will there be mutual aid agreements after March; unknown if there will be a Mutual Aid System in California. Motion made by Bill Flynn to approve the disposal of surplus property. Motion seconded by Jackye Phillips. Motion carried.

NEW PURCHASES:

None

EMPLOYEE/VOLUNTEER INPUT:

None.

TIME SENSITIVE MATTER: Commenced at 8:52.

2. **Closed Session for Personnel Evaluation:** Item moved as the last item on the Agenda.

Meeting adjourned,
Respectfully submitted

Caroline Falconer
Board Secretary