

**NOVEMBER 10, 2009
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 7:02 P.M. by Chairman, Robert Larsen.

ROLL CALL: PRESENT:
Ed Cunha
Bill Flynn
Charles Hoff
Asst. Chief Erik Peterson
Lori Tuthill in place of Asst. Chief Combs
Chief Cunningham
Robert Larsen
District Counsel, William Ross
District Auditor, Vaughn Johnson, CPA, MBA

ABSENT:
Jackye Phillips
Asst. Chief Robert Combs

FLAG SALUTE:
Flag salute lead by Asst. Chief Erik Peterson.

ADOPT AGENDA:
Motion made by Charles Hoff to approve the agenda as submitted. Motion seconded by Bill Flynn. Motion Carried

MINUTES:
Minutes of the October 14, 2009 Board of Directors' Meeting read. Motion made by Bill Flynn to approve the minutes with stated correction. Motion seconded by Charles Hoff. Motion Carried

OPEN FORUM: For public testimony
No public comment stated.

TIME SENSITIVE MATTER: 1910 hours

1. **PUBLIC HEARING: OPEN FORUM: For public testimony**
Chief Cunningham stated that The District Auditor, Vaughn Johnson has not completed the District Audit yet, year ending 2009. Chief Cunningham touched on the audit regarding General Fund \$358,637.00; Development Fees \$276,591.00; Reserves, Retiree's Health Insurance Fund and other funds discussed. Timing discussed, the County does have several phantom funds for the District. To correct

this, we will bank elsewhere. Will plan to increase the General Fund to \$600,000.00 by the end of the year. Audit should be finished by the end of the week hopefully. Chief Cunningham gave examples of what the County is doing with the District's fund and refusals to transfer funds on our requests. The County is moving money around in our accounts and not telling us, is an accounting nightmare. Also money is being collected but not deposited into the Districts accounts, found the County is holding the money in another account for several months to collect interest on the District's funds for the County. The 1st step is completing the 2009 audit. We are in better shape than thought by approximately \$500,000.00. We are also getting recommendations on RFP for a new auditor.

CORRESPONDENCE:

- › LAFCO communication – appointed Harry Norris to a 4 year term with LAFCO.
- › Thank you from Greg, Dorothy and Brian Hicks regarding a vehicle accident involving their son, Michael who lost his life.
- › Photos from public Safety Day.

DISTRICT BILLS:

District bills in the amount of \$46,024.39 read. Discussion held on the following bills:

Dawson's Oil › fuel for the month

Maaco › signs – trying for grant reimbursement money to come in

Sierra Nevada Tire › 349

Law Offices of Wm Ross › our attorney

WalMart › \$215.37 painting supplies

Lee's Feed › Chief Cunningham will pull the individual bill and review

Cal Fire Chiefs Assoc › should read California State Firefighter's Assoc.

Nationwide Financial › touched on Volunteer Length of Service Award(s)

Motion made by Charles Hoff to pay the bills as stated. Motion seconded by Bill Flynn/Carried.

CHIEF'S REPORT: presented in the Board Packet: Discussion held on the following:

- › **Seasonal Resident Firefighters Training Program:** a lot of positions, feedback being received, if enough in savings achieved, will come back in December/January to request 2nd round. This is to be an action item in January, 2010.
- › Staying on tract with the **JPA and District budget expenditures**, will probably end on target. Want to start on next years budget early.
- › Chief Cunningham appointed to the **Planning/Land Use Committee**, this will be good for the District.
- › Closed out **CFAA** and the annual agreements for the year and came out ahead. We were 1 of 13 forcing the issue of State reimbursement. The law states the State must pay within 180 days. They should not be holding out on payments anymore. We are back in the mutual aid business again.
- › **Citygate Consulting touched on.** Ed Cunha addressed alignment of services, discussing meetings – put on the table to essentially begin talks. Ed Cunha requested a “4 District Study”. Other districts are being allowed in, Ed received negative response. Ed's motives are based on growth and the good of the community. He stated his opinions and suggestions regarding employees. El

Dorado Hills, Rescue, Diamond Springs, etc. discussed the politics of consolidation and what would happen if consolidation went through. Diamond Springs wants to keep their identity. Sean Wilson had questions regarding consolidation. Talking about Joint Powers, separate Boards, etc. The benefits were touched on along with huge risks. Need to establish specifics before anyone moves forward. Chief Cunningham also explained processes, may be able to keep tax areas separate. Needs to be equitable for our District. El Dorado Hills and Latrobe are already aligning services to save money. Charles Hoff discussed aligning, being pro-active now. Growth areas touched upon. The bulk of the revenue, growth and 4 Supervisors will be West of Webber Creek by 2012/2013. The next meeting to be held 12/16/09 at 4 PM at the Rescue RSL Hall. This is separate from the County's efforts, will be an open meeting to brainstorm and discuss opportunities. Encouraged employees to pass the word among each other and attend the meeting. The 3 Chiefs will sit down and discuss options and bring ideas to the meeting (to form a JPA with separate Boards). The Chiefs will get together to work on a Mission Statement. The downside is unknown at the present time. This needs to be looked at. The County wants a City Fire Department which would lower wages/benefits package. They would start taking in the lowest districts and consolidate other Districts into that District. By our District, El Dorado Hills and Rescue Districts forming a JPA, we can keep wages/benefits at the higher levels as now. Economics also play into this, including potential for development. Ed Cunha feels this would be beneficial to us. LAFCO also wants to see Special Districts consolidated so they don't have too manage so many Special Districts. The City of Placerville discussed with no fire department. LAFCO can consolidate if no one protests. Other districts discussed with regards to consolidation. This is a deep discussion but needs to be started. Suggestions – ideas – etc. need to go to the Chief. Looking at things that are financially sound. Special Districts were established for a higher level of service.

ASST. CHIEF ROBERT COMBS' REPORT: Provided by Lori Tuthill. Report presented in the Board Packet: Discussion held on the following:

- › **Impact Fee Reconciliation:** Received payment from **Walgreen's**, \$5,674.13. September/October reports received and again the County shorted us. Watching FAMIS to make sure we receive the money. **Eskaton** is now under contract and will be billed beginning of the year. **Gold Country** pays weekly.
- › **Community Facilities District:** Ron Regan pulled permits but no construction has been started. He still owes the District \$11,000.00 plus. Several projects are ready to go into annexation.
- › **Staff Report:** 24 business inspections complete. Rob did a presentation at Gold Country.
- › **Grants Submitted:** The 1st round of grants awarded; **Title III Grant** money not distributed yet. Undecided as to how it will be distributed. **SAFER Grant** – unknown if we want to submit for it.
- › **Fire Prevention Officer's Association Meeting:** Touched on.
- › **New Tenant Improvements:** Touched on.

ASST. CHIEF ERIK PETERSON'S REPORT:

- › **Operations:** Doing good work.

- › **Training:** Drills discussed, Volunteer training touched on; November topics touched on; Joint Volunteer Firefighter Recruit Academy with the Divide will occur, no volunteer recruits from the District.
- › **Systems Status Management Committee:** Asst. Chief Erik Peterson will be overseeing the committee.
- › **Equipment and Apparatus:** 349 is back in service after being serviced at Hi-Tech.
- › **Resignation:** Strabel's resignation discussed with regarding as to whether or not we will hire another paramedic.

OLD BUSINESS:

1. **EL DORADO COUNTY FIRE PROTECTION DISTRICT:** Hearing scheduled in Sacramento County Superior Court for November 20th. This may be delayed a couple of days.
2. **RESOLUTION 2009-13:** Staff request adoption of a Resolution of Appreciation for the employees of the Diamond Springs/El Dorado Fire Protection District. This item was brought before the Board in September. Motion made by Charles Hoff to approve the resolution as stated. Motion seconded by Bill Flynn/Carried.
3. **AUTHORIZATION FOR STAFF CONVERSION:** Staff requests authorization to convert two existing career positions of Firefighter to Engineer title and rank. It was stated that the District had 3 Engineer positions of which 2 were allowed to remain at Firefighter level. It has been requested to upgrade the 2 Firefighter positions to Engineer II level. This has been a long drawn out issue. Chief Cunningham discussed further. At this time, cost is neutral. They are bound to 3 separate shifts. Still subject to weighted rotation. Issues discuss. Robert Larsen discussed issues regarding rotation. They will be representing engineers as well as firefighters. Sean Wilson gave his opinion regarding the 2 Engineer positions and conversions; stated the benefits vs downside and reality. Advocating for some type of balance. Firefighters will fulfill the same duties as the Engineers. "A" service inspection discussed. Ed Cunha is concerned with creating the positions and the person finding themselves in another position. Situation discussed, pros and cons. Issues discussed and how to resolve/handle them. Is not the most ideal of circumstances. Rotation schedule touched on, will be difficult to schedule. Makes for a more concentrated rotation. When we have 2 engines staffed, makes for problems. More responsibility will be added to the positions, will be working at a Firefighter grade but paid at the Engineer grade. We have entry level Engineer I and II, II includes fleet mechanics. The 2 personnel being discussed are currently at the apprentice level. Ed Cunha made a motion to authorized the conversion in lieu of additional pay. Motion seconded by Charles Hoff/Carried.

NEW BUSINESS:

1. **HIRING LIST EXTENSION:** Staff requests the procedural one year extension of the Engineers list under Policy 104 V.L.C. Original Test October 2007. Motion made by Ed Cunha to approve the one year extension of the list. Motion seconded by Charles Hoff/Carried.
2. **CFD TAX APPEAL REQUEST:** Staff requests review of an appeal request on CFD Parcel 054-431-23-100 Diamond Springs, OOC as construction has been delayed, despite issuance of building permits; recommending waiver of Special Tax for this fiscal year 2009-10 on the CFD tax only; fee is \$21,000.00 which would be waived for tax year 2009-10 if approved; would go on for 2010/2011. The

original intent of the CFD was not to burden the developer. Chief Cunningham concurred. Plan check and development fees are still owed. Motion made by Ed Cunha to waive Special Tax for fiscal year 2009-10 with regards to Mr. Regan's request. Motion seconded by Bill Flynn/Carried.

3. **EMPLOYMENT AGREEMENT:** Bill Flynn made motion to hire Chief Cunningham under the present agreement. Robert Larsen disagreed stating we should not go into a contract with anyone, need to review the contract 1st. Chief Cunningham is the only "at will employee" Item 3 moved to Closed Session with #1.
4. **PERSONNEL EVALUATION:** Charles Hoff has not yet selected a committee. Typically performance based evaluations are done in December. This is to be a December/January process. Selection of a committee needed. Bill Flynn volunteered to be on the committee with Robert Larsen.

NEW PURCHASES:

None

EMPLOYEE/VOLUNTEER INPUT:

None

CLOSED SESSION: commenced at 9:14 PM

1. **CONFERENCE WITH UNREPRESENT NEGOTIATOR:**
2. **PERFORMANCE EVALUATION:**

Meeting adjourned,
Respectfully submitted

Caroline Falconer
Board Secretary