

JANUARY 14, 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 7:00 P.M. by Chairperson, Jackye Phillips.

ROLL CALL: **PRESENT:**
 Ed Cunha
 Robert Larsen
 Bill Flynn
 Charles Hoff
 Asst. Chief Erik Peterson
 Asst. Chief Robert Combs
 Chief Cunningham
 Jackye Phillips

ABSENT:
 None

FLAG SALUTE:

Flag salute lead by Steve Nicolls.

ADOPT AGENDA:

Closed session to trail after MSR session.

Motion made by Robert Larsen to accept the agenda as submitted. Motion seconded by Bill Flynn/CARRIED.

TIME SENSITIVE MATTERS:

1. **CERTIFICATE OF ELECTION AND OATH OF OFFICE:**
 - A. The Oath of Office given by Chief Cunningham to Edward Cunha, Jackye Phillips and Charles Hoff. All repeated the Oath of Office as stated.
 - B. FPPC Form 700 for entry of office completed by Edward Cunha, Jackye Phillips and Charles Hoff.
2. **ELECTION OF BOARD OFFICERS:** Former Board Member, Bud Baker honored. Consistent with Article 2.1, Chairperson, Jackye Phillips opened up nominations for President / Chairperson by nominating Robert Larsen. Motion seconded by Ed Cunha. Robert Larsen nominated Ed Cunha as Vice President / Vice Chairperson. Motion seconded by Bill Flynn

Roll call votes as follows for Robert Larsen as the President / Chairman:

Ed Cunha	Aye
Robert Larsen	Aye
Bill Flynn	Aye
Charles Hoff	Aye
Jackye Phillips	Aye

Carried.

Roll call votes as follows for Ed Cunha as the Vice President / Vice Chairman:

Ed Cunha	Aye
Robert Larsen	Aye
Bill Flynn	Aye
Charles Hoff	Aye
Jackye Phillips	Aye

Carried

Meeting now lead by Chairman Robert Larsen.

MINUTES:

Minutes of the December 10, 2008 Board of Directors' Meeting read. Motion made by Jackye Phillips to approve the minutes as read with stated corrections. Motion seconded by Bill Flynn/CARRIED

OPEN FORUM: For public testimony

Former Board Member, Bud Baker stated it was a pleasure working with all. No other public comment at this time.

CORRESPONDENCE:

To be covered in the Chief's Report.

DISTRICT BILLS:

District bills for the amount of \$49,539.71 read. Discussion held on the following items:

- US Bank Corp» Sac Val Uniforms – some items charged
- US Bank Corp» South River Lavender – asphalt purchase
- Central States Fire» - parts
- CJ's Bobcat» - this was the last transaction prior to Charles Hoff being sworn into Office
- Enterprise Investigations» - includes ground work and personal interviews, provides characterizations on each individual, and a complete interview with the subject; the investigator is Steven Clifford
- P G & E» - The District recovers a portion of the bills each month
- Dawsons» - \$397.00 is cost recovered.

Motion made by Bill Flynn to pay the bills as submitted. Motion seconded by Jackye Phillips/CARRIED

CHIEF'S REPORT:

1. **AUDIT:** Vaughn Johnson was happy with the audit performance. Management report is due in soon.
2. **PERSONNEL:** Currently going through changes with front office personnel; including duty changes. Currently putting together a marketing plan to put us in favorable light. Chief Cunningham discussed in more detail. Outreach will be done. Will make sure the Board Members have clerical support.
3. **PHI:** Have had news regarding P G & E re PHI; has reviewed the helicopter issue and totally supports having helicopters. PHI still wants to come up to El Dorado County.
4. **RESCUE FIRE BOARD:** There is a Rescue Fire Board Meeting tonight to consider unification of some items with the Diamond Springs/El Dorado Fire Protection District. Chief Cunningham discusses this in more detail.
5. **FIRE CLAIMS:** We are still battling the issue of fire claims. All US Forest Service Claims paid but the County rejected payments. \$131,000.00 to be re-transferred the bank account next week. Cal Fire claims, \$32,000.00 to be processed, but Cal Fire now rejecting our claims. Chief Cunningham has been active with the legislatures regarding outstanding claims; trying to protect claims from becoming part of the registered warrants.
6. **ECHO LANE:** The property on Echo Lane used for training is being discussed with the BLM (40 acres) and the use of the acreage. Chief Cunningham has doubts about the use of the property as they want to see full use of all 40 acres (land grant). The location is not ideal for a new station (proposed to go up Sundance Trail).
7. **BUDGET:** Calls are flat from last year. Concern expressed as to how the County is collecting the Development Fees. The budget is in decent order, at 43%.
8. **COST RECOVERY:** \$614.00 Escaton; \$1,400.00 Gold Country; and \$360.00 from the Reservation. Escaton is to meet with the District regarding the bill. Gold Country is starting to pay; nothing from the Reservation or Escaton yet.

ASST. CHIEF ERIK PETERSON'S REPORT:

1. **STAFFING:** Staffing went well.
2. **RESPONSES:** Responses went well including volunteer responses.
3. **OFFICERS:** Currently building new relationships with the Officers.
4. **KAILEY STRABEL:** Currently off due, SDI with having a baby. She is due mid April. We are utilizing part-time list for filling in.
5. **MAINTENANCE:** Engine 49 down. The water-tender is temporarily at Station 49.
6. **COMPLIANCE:** In contract compliance with the ambulance. 4 new units coming in February.
7. **EMS ISSUES:** Trying to re-cultivate communications.
8. **SYSTEMS STATUS MANAGEMENT:** IT discussed good relationship with Rich Todd.

9. **CALSTAR 6:** A CalStar pilot was found deceased yesterday. CalStar 3 and 10 are covering They do not have permanent facilities. Dispatching touched on.

ASST. CHIEF ROBERT COMB'S REPORT:

1. **FIRE PREVENTION:** Staff is working on the Districts calendaring plan including outreach in Fire Prevention. Started Title III grants presentation, obtaining bids on Hazards and Risk Management for the District. Examples given. Develop District wide @ CWPP. Recognizing a lot of phones calls from insurance companies re: starting propane inspections, clearing, etc., and defensible space requirements have changed. The State law is now modified, insurance companies can require additional defensible space. Cal Fire is to take on additional defensible space inspections. There will be significant fall out regarding this. A lot of this is driven by All State who is trying to leave the state.
2. **COST RECOVERY:** Asst. Chief Robert Combs provided Fire Prevention Cost Recovery package in each board members packet regarding codes, etc.
4. **NEXSUS STUDIES:** The final draft to be presented to the Board at the February meeting and to be acted upon as an action item.

Break 8:33 PM to 8:40 PM

NEW BUSINESS:

4. **POLICY REVISION 407c OVERTIME ADMINISTRATION:** Chief Cunningham presented as an action item w/Sean Wilson requested a run thru regarding the policy tracking over-time for equal distribution and later consideration. Requesting to implement a pilot version of the draft. This is a very complex policy. Want to put it into affect to work the bugs out. Motion made by Robert Larsen to approve Policy Revision 407c Overtime Administration, implementing a pilot version as stated. Motion seconded by Jackye PhillipsCARRIED.

OLD BUSINESS:

1. **JPA AMBULANCE CONTRACT – DISPATCHING SERVICES:** Last months meeting was cancelled, not noticed properly. No auditor has been retained yet. Chief Cunningham spoke to the County regarding an auditor; has an auditor who is interested in auditing for a 4 year contract period. 4 more ambulances being ordered on Dodge chassis's. Ford Chassis issues arise constantly. Dave Phillips tracking this repair issue and doing a great job. Chief Cunningham discussed the issues of breach of contract with Wheeled Coach; performance issues, etc. We do not have a lot of control with what is going on with the JPA. Chief Cunningham voiced concerns. The systems is much better but still out of control. There is no Board presence there other than the JPA.
2. **BOARD POLICY REVISION DRAFTS:** A) Article 3 – Board Meetings and B) Article 4 – Meeting Agendas. Chief Cunningham still needs comments from the Board Members.
3. **POLICY 417 DRAFT:** Policy 417 “Standing Awards”. Chief Cunningham received a lot of comments, corrections made. Requesting the draft be adopted

- tonight. Wording discussed. Motion made by Charles Hoff to adopt Policy 417 "Standing Awards" as corrected. Motion seconded by Jackye Phillips/CARRIED.
4. **STRATEGIC PLANNING:** Chief Cunningham stated a log is going on, 3 groups are participating. Ed Cunha is to help with this item as it is becoming more complex. 2 projects left to Chief Cunningham to lead; Values and Mission Statement; i.e., the Diamond Attitude. He went into more detail on the Diamond Attitude. Concept ideas stated. Chief Cunningham requesting thought and comments on this by the next meeting.

NEW BUSINESS:

1. **LAFCO MUNICIPAL SERVICE REVIEWS:** MSR requested by LAFCO to be completed by a certain date. They will stagger MSR's. Chief Cunningham stated they need to be really accurate. There are some things he cannot answer on the MSR, i.e. regarding the Shingle Springs Rancheria and Shingle Springs contracting with El Dorado County Fire District. We also have a statute issue as the land is in our District and our jurisdiction. Per LAFCO another government entity cannot contract into another jurisdiction, will bring this issue to Closed Session.
2. **CASH LOANS TO DISTRICTS:** Chief Cunningham provided a Staff Report to the Board stating this will happen. The county will suspend the ability to borrow commencing next September. Cameron Park and El Dorado Hills have already opted out of the county. We need to do what is right to protect the District, CFD, etc. Requesting authorization to 1) explore leaving the County banking and investment pool, going into the States program. 2) look into private banking, i.e. El Dorado Savings. Chief Cunningham needs direction to investigate options, authority to direct legal counsel and the auditor. This concerns about 14% of the Counties revenues if all the districts were to pull out. The County can't touch our revenue but the State can. If we leave the County we would have to approach a bonded treasurer, do our own payroll. Would rather look into a local partner. We do not really have a choice. The County will give us 60 days notice come July. A lengthy discussion was held on possibilities, issues arising, etc. The Board directed Chief Cunningham to pursue information as requested. All agreed he needs to do whatever necessary to get needed information.
3. **VFIS GENERAL LIABILITY INSURANCE COVERAGE:** Chief Cunningham stated our insurance will not pay full replacement value of vehicles. We need to decide how much more to carry in the bank, etc, and adjust the value of insurance needed. He requested authorization to reduce the value of \$2,428,000.00 down to \$2,120,500.00. Discussion held on funded/unfunded liability. Motion made by Jackye Phillips that we reduce specific values at a minimum. Motion seconded by Bill Flynn/CARRIED.

NEW PURCHASES:

None

EMPLOYEE/VOLUNTEER INPUT:

None

CLOSED SESSION: commenced at 9:48 PM

The Board of Director's requested Bob Thatcher remain to speak to the history of annexation and the Rancheria. The Board then directed Special Counsel, William Ross to obtain copies of all documentation regarding the Rancheria contracting with El Dorado County Fire Protection District through the Public Records Act; to format his legal opinion regarding the District's liability as to the existing relationship with the Rancheria; requested counsel's legal opinion pertaining to El Dorado County Fire Protection District's legal ability to contract services with in the Diamond Springs/El Dorado Fire Protection District.

Meeting adjourned,
Respectfully submitted

Caroline Falconer
Board Secretary