

**FOOTHILL FIRE PROTECTION DISTRICT
REGULAR MEETING MINUTES
3255 HELISMA ROAD, BURSON, CA 95225
February 10, 2010**

The meeting was called to order by Chairman David Sant at 7:00 p.m.

1. Pledge of Allegiance

2. Roll Call

Directors Present: Ed Anderson, Ken Glissman, Jeff Palm, Vice Chairman Ron Spradlin and Chairman David Sant.

Directors Absent: None

Staff Present: Fire Chief Mike Siligo and District Clerk Pamela Rogers.

3. Closed Session; Personnel – FLSA (Fair Labor Standards Act) Payment to Volunteers.

Chairman Sant stated that as an oversight the agenda reflected that a Closed Session was to commence at 6:00 p.m. (followed by the Regular Meeting at 7:00 p.m.), however there was never any intention to meet at 6:00 p.m., but at 7:00 p.m. as routinely scheduled. Chairman Sant suggested that the Foothill Fire Protection District (FFPD) consider a motion to move to Closed Session.

Motion: Spradlin/Glissman to move to Closed Session.

Vote: None

Motion Retracted: Spradlin/Glissman

Director Anderson questioned whether the respective section of the Ralph M. Brown Act should have been included on the agenda.

Gary Caldwell, resident of Valley Springs, stated that consequent to his review of the Ralph M. Brown Act he was unable to find anything to support that a FLSA matter could be appropriately addressed in Closed Session. He reminded the FFPD Board to be cognizant of the "intent" of the Ralph M. Brown Act, suggesting that matters always be discussed in public forum when at all possible.

Gary West, Burson resident, also voiced exception to addressing a FLSA matter in Closed Session.

Conversation ensued between the FFPD Board Members and the general public in an effort to determine/locate the specific section in the Ralph M. Brown Act to support the correctness of addressing this matter in Closed Session.

Chairman Sant took several minutes to silently review the Ralph M. Brown Act, stating that although it was with County Counsel direction that this matter be addressed in closed Session he would like to find the specific point of authority before proceeding, however, he was unable to do so.

Motion: Glissman/Palm to contact County Counsel for clarification as to the appropriateness of proceeding with a Closed Session for the purpose of addressing the respective subject matter.

Vote: Approved 5-0

4. Return to Open Session – Report of Action Taken.

For the Record: Agenda Item 3 and subsequent Item 4 were pulled from the agenda pending further research and clarification.

5. Public Comment

Gary Caldwell, Valley Springs resident, noted that he had previously spoken with the District Fire Clerk regarding housekeeping modifications need to the FFPD website. Mr. Caldwell proceeded to address various website items with Vice Chairman Spradlin as webmaster for the FFPD website.

Gary West, Burson resident, noted that the web address for the FFPD Chairman needed correcting and that his name and telephone number should be removed from the agenda footnote as the contact for “persons requesting a disability related modification or accommodation”.

Brian Alderman, Burson resident, addressed the matter of State reimbursement to the FFPD for fire related support and requested that the formula being utilized by the FFPD to make subsequent payment to the respective volunteer firefighters be provided to ensure correctness. In response, Chairman Sant requested that this matter be placed on the agenda for the next regular meeting of the FFPD Board.

6. Approval of Minutes – January 13, 2010 Regular Meeting

The subject minutes were reviewed and the following corrections (reflected in italics) were requested:

- Page 2, Last Paragraph to Read: Director Anderson suggested that in the future any FFPD consensus should *be included in the minutes as a matter of record.*

- Page 3, fourth motion pertaining to approving payment of the Cal Card Transmittal in the amount of \$452.06 to include a *Vote: Approved 5-0*.
- Page 3, 5b. Account Summary, First Sentence: End sentence after “. . . appears to be what the FFPD has received.” Delete the remainder of the sentence.
- Page 5, Third Paragraph: Nancy Pisarz is a LaContenta resident (not Wallace). This change to be reflected throughout the minutes.
- Page 6; First Motion: The word “contemplate” should be corrected to read “*contemplated*”.
- Page 6, 10a. First Responder Fee, Second Paragraph, Last Sentence: The word “by” should be corrected to read “*be*”.
- Page 7, 10c. Consideration of Adding Consent Calendar to the Agenda Format: The word “essence” should be corrected to read “*interest*”.
- Page 7, 10e Amend FFPD By-Laws Article III, 3.01 Meeting of Members of Board of Directors: All references to “Chapter 56954” should be corrected to read “*Chapter 564954*”.
- Page 8, 10g New Board and Staff E-mail Addresses, Second Sentence: Should read, “*Chairman Sant noted that County Counsel has adamantly, etc.*”

Motion: Spradlin/Glissman to approve the regular meeting minutes of January 13, 2010 including corrections as noted above.

Vote: Approved 5-0

7. Finance Report

a. Budget Transfer/s – None.

b. Monthly Transmittals/s and Account Summary

Motion: Glissman/Anderson to approve payment of the 02-10-2010 Accounts Payable Transmittal in the amount of \$1,950.12.

Vote: Approved 5-0

Valley Springs Resident, Gary Caldwell, requested that more copies of the agenda packet be made available at the meetings for the general public. Chairman Sant stated that the FFPD Board is actually considering placing the entire agenda packet on the FFPD website for the convenience of the public and that this matter would be further addressed later in the meeting.

Motion: Glissman/Palm to approve payment of the 02-10-10 Cal-Card Transmittal in the amount of \$216.38.

Vote: Approved 5-0

Motion: Glissman/Palm to approve payment of the 1/26/2010 Payroll transmittal in the amount of \$4,603.07.

Vote: Approved 5-0

In reviewing the Monthly Account Summary Prepared 02-10-2010 open conversation ensued between the public and the FFPD Board regarding line items for salary expense accounts and firefighter strike team reimbursement. Chairman Sant requested that strike team reimbursement be reflected as a separate line item.

Gary West, Burson resident, requested that the Monthly Account Summary also be modified to reflect any reserve dollar amount and Chairman Sant confirmed that as this report is refined this information would be included.

Gary Caldwell, Valley Springs resident, suggested that the FFPD Board begin looking at the Monthly Account Summary and using the current eight month activity history toward preparing future expense/revenue projections. Chairman Sant confirmed that the FFPD Board was indeed considering this information.

8. Fire Chief's Report

Fire Chief Siligo presented the Fire Chief's report dated February 10, 2010 and added:

- That a family member of a FFPD Volunteer Firefighter was attempting to establish an Alzheimer's Support Group in the Valley Springs area and had inquired as to whether the Burson Station facility might be available for a monthly meeting to be held in the evening.

Following general conversation between members of the FFPD Board it was agreed that given that there is no separation between the physical work area and the conference/meeting area the Burson Station facility was not an appropriate place for such a meeting. It was suggested that the Jenny Lind Veteran's Memorial District, the old Burson Fire Station (Lions Club) or any number of local churches might better accommodate a meeting room facility.

- That the Calaveras Power Agency was offering a \$1,000 and \$10,000 energy conservation grant relative to existing or new projects.
- That at a Fire Chief Association meeting, held this same date, he had conversed with the Division Fire Chief regarding the cost of County dispatch fees relative to what the County fire budget is actually being utilized for and whether there might be some funding in this budget that could be made available to respective Fire

Districts. Fire Chief Siligo noted that in the past he has spoke with both County Supervisor Tofanelli and Calaveras County Auditor-Controller Linda Churches in an effort to ascertain a breakdown of cost specific to County dispatch fees and has yet to receive any definitive information. Fire Chief Siligo stated that the Division Fire Chief had offered to obtain information addressing his inquiry.

- That at a recent Fire Chief Association meeting in San Joaquin County a startling topic of discussion relative to potential future requirements included discussion pertaining to a requirement that all fire agencies be held responsible for retaining and/or recycling used water in an effort to prevent any used water from entering the storm water system. Vice Chairman Spradlin was in attendance at this subject meeting in San Joaquin County and he provided additional background information regarding this matter to the general public and the FFPD Board.

9. COMMITTEE REPORTS: Finance/Personnel/Planning – None to present.

10. CORRESPONDENCE (For the Record: Correspondence is listed below under “Attachments”.)

- Referring to the letter dated January 28, 2010 from David E. Sirias, Assistant County Counsel regarding the “Legal Review of First Responder Fee Program”, Chairman Sant requested that this matter be placed on the agenda for the next regular meeting of the FFPD Board.
- Referring to the letter dated February 3, 2010 and the Floyd Norried commercial property, Director Anderson inquired as whether there were outstanding exaction fees pertaining to this property/project; Chairman Sant stated there were not and proceeded to provide background information regarding this respective property.

Fire Chief Siligo stated that there was an outstanding impact fee due from Mr. Norried and requested that this same matter be placed on the agenda for discussion/action at the next regular meeting of the FFPD Board.

- Chairman Sant listed aloud correspondence prepared and received by the FFPD during the preceding month.
- Gary West, Burson resident, referred to the letter addressed to him dated January 26, 2010 regarding “personal property items” and stated he had no interest in the subject clothes washer or the clothes dryer. Mr. West stated that the vending machine came from Outwest Tire and Repair and that the public address podium was on loan to the FFPD from the Lions Club, and that the FFPD was welcome to continue using the podium.

11. UNFINISHED BUSINESS

a. Central State Credit Union Account

Chairman Sant noted that at the January 13, 2009 FFPD Board Meeting, Vice Chairman Spradlin had voiced some concern that in the past the County of Calaveras, Auditor-Controller Linda Churches, had indicated that use of the subject checking account was not appropriate. District Fire Clerk Pamela Rogers reported that consequent to the concern voiced by Vice Chairman Spradlin she had directed an e-mail to Auditor-Controller Linda Churches and was informed that the subject checking account ("Petty Cash Account") is acceptable, but should be limited in use to urgent business.

Motion: Glissman/Palm to approve updating the authorization of "signors" pertaining to the FFPD checking account located at Central State Credit Union to include Fire Chief Siligo, District Fire Clerk Rogers and Vice Chairman Spradlin as currently reflected at Central State Credit Union.

Vote: Approved 5-0

b. Consideration of adding Consent Calendar to the agenda format.

Chairman Sant described the concept and function of an agenda Consent Calendar to the FFPD Board and the general public; recommending that the FFPD Board consider the use of a Consent Calendar item to include such matters as minutes, financial transmittals and correspondence on all future agendas in an effort to more efficiently address agenda matters.

Gary Caldwell, Valley Springs resident, voiced support of using an agenda Consent Calendar item to expedite business.

Motion: Palm/Spradlin that the FFPD Board approves including the use of a Consent Calendar item on all future agendas.

Vote: Approved 5-0

c. Timetable for Agenda Items and Board Packets

In the interest of supporting transparency and providing public convenience, Chairman Sant introduced for FFPD Board consideration the matter of placing the entire agenda packet on the FFPD website the week prior to a meeting.

In general FFPD Board conversation it was also suggested that the FFPD Board consider placing the audio recording for respective meetings on the FFPD website. It was subsequently requested that this item be placed on the next regular agenda for consideration by the FFPD.

Motion: Glissman/Palm to place entire agenda packets for respective meetings on the FFPD website commencing with the March, 2010 agenda packet.

Vote: Approved 5-0

Responding to inquiry from Gary Caldwell, Valley Springs resident, Chairman Sant confirmed that the current practice of archiving agendas and minutes would continue.

d. Mailbox for FFPD; Change of Mailing Address.

The FFPD Board generally discussed the pros, cons and cost of establishing and utilizing an actual mailbox at the Burson Fire Station rather than the Valley Springs Post Office box currently being utilized.

Motion: Spradlin/Glissman to purchase and install a "secure" mailbox for placement at the Burson Fire Station at a cost not to exceed \$200.00.

Vote: Approved 5-0

12. NEW BUSINESS

a. Fast Attack Truck Sale; WestAmerica Bank Lease.

Fire Chief Siligo presented a written memorandum dated January 26, 2010 addressing the matter of Fast Attack Vehicles E145 and E146 (both Class C) relative to the operational use, efficiency and cost of maintaining these vehicles, and consequently recommending that one of the Fast Attack vehicles be sold.

Chairman Sant noted that with the recent purchase of a Type 1 engine (E142) the "mix" of equipment currently being utilized by the FFPD has changed. He voiced support of Fire Chief Siligo with regard to operational decisions and stated that this recommendation would prove to be more economically effective considering the current needs of the FFPD.

Director Palm addressed restrictions applicable to use of a Class C vehicle and stated that he also supported eliminating the cost associated with one of the Fast Attack vehicles.

Fire Chief Siligo provided general background information regarding current vehicle usage and needs, and specific information regarding the responsibility and subsequent vehicle needs particular to the Battalion Chief.

Director Anderson addressed differences in Class C versus Type 1 vehicles and voiced support for maintaining both Class C vehicles. He stated that the loss of either vehicle would result in a diminished level of service and that he did not support the sale of either Fast Attack, Class C vehicle. Fire Chief Siligo responded to concerns voiced by Director Anderson and general FFPD Board conversation ensued relative to various options.

Gary West, Burson resident, voiced support relative to the design and use of a Fast Attack vehicle, and concern regarding the correctness of information/calculations presented in the respective January 26, 2010 memo from Fire Chief Siligo.

Gary Caldwell, resident of Valley Springs, voiced displeasure that the appropriateness of these Fast Attack vehicles has in the past been discussed and decided, and then seems to repeatedly resurface even though nothing new is presented. Mr. Caldwell urged the FFPD Board not to consider the "one time" sale of a Fast Attack vehicle as a maintenance and/or debt reduction, budget issue which may later be off-set by the need and cost to replace this vehicle.

Brian Alderman, Burson resident and an employee of Cal-Fire, agreed with the restrictions of the Fast Attack relative to wild land circumstances but voiced strong support of this vehicle as an interface unit.

Responding respectively to inquiry from Nancy Pizarz, a resident of La Contenta and Mrs. Brian Alderman, Burson resident; Fire Chief Siligo provided clarification regarding the value of the vehicle being considered for sale and stated that he was in contact with a broker who had communicated a "firm" interest in purchasing one of the Fast Attack vehicles.

Motion: Spradlin/Glissman to authorize the sale of one (1) Fast Attack vehicle at the discretion of Fire Chief Siligo, to alleviate both safety issues and debt.

Ayes: Glissman/Palm/Sant/Spradlin

Noes: Anderson

b. Schedule Planning Committee meeting.

Chairman Sant addressed the need to schedule a Planning Committee meeting and by consensus of the FFPD Board a Planning Committee meeting was scheduled for Saturday, March 6, 2010 at 10:00 a.m. to discuss the FFPD future and vision. Additionally, it was agreed that following the Planning Committee meeting scheduled for March 6, 2010 a Special Meeting of the FFPD Board would be scheduled for approximately 11:00 a.m. for the purpose of addressing a Closed Session matter involving "anticipated litigation/potential exposure to litigation".

13. Board of Director Comments

Director Palm thanked the public for their time and patience in particular to understanding the sensitivity in addressing the Fast Attack matter.

Chairman Sant reminded the FFPD Board of the need to complete the Form 700, Statement of Economic Interests. (For the Record: The District Fire Clerk has requested that the subject form be completed and returned to her attention by March 1, 2010.) Chairman Sant also requested that at the next regular meeting of the FFPD

Board consideration be given to adding an agenda item which would incorporate a moment of silence for the safety of the troops overseas and public safety personnel; he suggested that this item follow the Pledge of Allegiance.

Fire Chief Siligo stated that in closing the meeting he wished to note that over the years he had received comments such that the FFPD personnel are "just volunteers". He added that the FFPD personnel are professionals bound by all the rules and regulations applicable to all fire departments. Fire Chief Siligo stated that he did not want the public to ever think that the necessity for budget or cost cuts was in any way the effect of "volunteer" status. Fire Chief Siligo also stated that the community should be ever mindful and appreciative of the FFPD personnel given the number of staff hours worked in comparison to compensation.

14. Adjournment

Motion: Glissman/Palm to adjourn at approximately 9:55 p.m.

Vote: Approved 5-0

Approved By:

Submitted By:

David Sant, Chairman

Pamela R. Rogers, District Clerk

Attachments

1. Draft Minutes January 13, 2010 Regular Meeting. (Agenda Item 6.)
2. Transmittal; 02-10-2010 Accounts Payable in the amount of \$1,950.12. (Agenda Item 7b.)
3. Transmittal; 02-10-10 Cal Card in the amount of \$216.38. (Agenda Item 7b.)
4. Transmittal; 1/26/2010 Payroll in the amount of \$4,603.07. (Agenda Item 7b.)
5. Monthly Account Summary Prepared 02-10-2010. (Agenda Item 7b.)
6. Fire Chief's Report dated February 10, 2010. (Agenda Item 8.)

Correspondence (Agenda Item 10.):

7. Letter dated January 19, 2010 to Calaveras County Building Department re Jenny Lind Veterans District.
8. Letter dated January 19, 2010 to David Sirias, Assistant County Counsel, re Legal Review of First Responder Fee Program.
9. Letter dated January 20, 2020 to Valley Springs Home Center re authorized signers/purchasers for account.
10. Letter dated January 26, 2010 to Mr. Gary West re Personal Property Items.

11. Letter dated January 28, 2010 from David E. Sirias, Assistant County Counsel re Legal Review of First Responder Fee Program.
12. Letter dated February 3, 2010 to Calaveras County Building Department re Floyd Norried Commercial Property.
13. Letter dated February 3, 2010 re Cosgrove Creek Flood Management Project to Honorable Dan Lungren/Honorable Dianne Feinstein/Honorable Barbara Boxer.
14. Memorandum dated January 26, 2010 from Fire Chief Siligo to Board of Directors re Fast Attack E145/E146.