

**EL DORADO COUNTY FIRE PROTECTION DISTRICT
BOARD MEETING**

**MINUTES
June 17, 2010**

2850 Fair Lane Ct. Building "C"
Placerville, CA 95667
2:00 P.M. Closed Session
3:00 P.M. Open Session

2:00 P.M. CLOSED SESSION

A. Meeting with designated representatives of the El Dorado County Fire Protection District regarding employee salaries, salary schedules, and/or other compensation in the form of fringe benefits pursuant to Government Code Section 54957.6. The El Dorado County Fire Protection District's designated representatives are Fire Chief Bruce Lacher, Director Tom Mahach, Director Dennis Edwards and David Mackowiak.

B. Conference with Legal Counsel – Anticipated Litigation Significant Exposure to litigation pursuant to subdivision (b) of Section 54956.9 in one potential case.

C. Govt. Code 54956.9 Conference with and receive advice from legal counsel regarding existing litigation. Subdivision (a.). Case: Diamond Springs/El Dorado Fire Protection District v. El Dorado County Fire Protection District, et al.

3:00 P.M. OPEN SESSION

1. CALL TO ORDER: 3:35 P.M.

2. ROLL CALL: Mahach, Johnson, Rose, Courtial, Edwards

3. PLEDGE OF ALLEGIANCE: Pledge of Allegiance was Recited

4. APPROVE AGENDA:

It was moved by Director Mahach and seconded by Director Johnson to adopt the Agenda as presented. The motion was passed by the following vote:

Ayes: Mahach, Johnson, Rose, Courtial, Edwards

Noes: None

Absent: None

5. CONSENT CALENDAR:

(All items approved on a single vote except those pulled for individual discussion and action).

A. Minutes: May 20, 2010 Regular Board Meeting

B. Claim Payments/Deposits

District Claims:

\$128,786.29

\$97,017.19

\$126,862.49

JPA Claims:

\$6,551.48

\$3,112.56

Deposits:

\$2,988.82

\$1,641.09

\$349,681.41

It was moved by Director Mahach and seconded by Director Johnson to approve the consent calendar. The motion was passed by the following vote:

Ayes: Mahach, Johnson, Rose, Courtial, Edwards

Noes: None

Absent: None

6. PUBLIC COMMENT:

(Any person wishing to address the Board on any item that is not on the agenda may do so at this time. Public comments are limited to five minutes per person).

No public comment

7. REPORT OF ACTION TAKEN IN CLOSED SESSION:

A. Meeting with designated representatives of the El Dorado County Fire Protection District regarding employee salaries, salary schedules, and/or other compensation in the form of fringe benefits pursuant to Government Code Section 54957.6. The El Dorado County Fire Protection District's designated representatives are Fire Chief Bruce Lacher, Director Tom Mahach, Director Dennis Edwards and David Mackowiak.

No action taken

B. Conference with Legal Counsel – Anticipated Litigation Significant Exposure to litigation pursuant to subdivision (b) of Section 54956.9 in one potential case.

No action taken

- C. Govt. Code 54956.9 Conference with and receive advice from legal counsel regarding existing litigation. Subdivision (a.). Case: Diamond Springs/El Dorado Fire Protection District v. El Dorado County Fire Protection District, et al.

Chair Rose reported the board received and discussed a report from the fire districts attorneys regarding existing litigation with Diamond Springs/El Dorado Fire Protection District, regarding the Red Hawk Casino matter. Diamond Springs has appealed its loss of trial court to the appellate court and has also filed an application for detachment of the Tribal lands through LAFCO. Board took action to direct the districts attorneys to seek recovery for attorney fees and costs for the lawsuit brought by Diamond Springs to our Fire District.

It was moved by Director Edwards and seconded by Director Mahach to seek recovery for attorney fees and costs. The motion was passed by the following vote:

Ayes: Mahach, Johnson, Courtial, Edwards

Noes: None

Absent: Rose (arrived at closed session at 2:45 P.M.)

8. DEPARTMENTAL MATTERS:

A. Badge Pinning and Oath for Newly Promoted Fire Captain

Chief Lacher announced the appointments of Fire Captain Shayne Harris and Firefighter Rob Sime. Badge pinning and swearing in followed.

B. 2010-2011 Financial Audit Report

Auditor Craig Fechter presented his findings on El Dorado County Fire Districts 2010-2011 financial audit. The Board raised questions on the reserve funds and GASB 45.

C. Resolution 2010-08, Preliminary Operations Budget

It was moved by Director Mahach and seconded by Director Courtial to approve Resolution 2010-08, approving the budget in the amount of \$11,121,659.28. The motion was amended and moved by Director Mahach and Director Courtial to pull \$10,000 out of the \$1.9 million undesignated/unrestricted reserves and allocate it to account 4021 safety equipment to reinstate the category for turnouts to \$50,000. The motion was passed by the following vote:

Ayes: Mahach, Johnson, Rose, Courtial, Edwards

Noes: None

Absent: None

D. Resolution 2010-09, Consolidated General Election

Chief Lacher reported a draft resolution from the elections department is enclosed in the board packet. There are two terms that will expire at the end of the calendar year

for divisions 2 (Director Rose) & 3 (Director Johnson). The resolution authorizes a consolidation with other districts requesting election services.

It was moved by Director Edwards and seconded by Director Courtial to approve Resolution 2010-09, Consolidated General Election. The motion was passed by the following vote:

Ayes: Mahach, Johnson, Rose, Courtial, Edwards

Noes: None

Absent: None

9. COMMITTEE REPORTS:

A. Facilities & Equipment (Courtial/Johnson)

Chief Lacher reported the station 28 building committee met last week to go over the cost per date. They will be meeting monthly to review the status of the project. The building has been demolished, grating work as started and the retaining walls are up. Next week the asphalt will be torn out and the site for the building will begin. There was a 28 day delay due to rain. That set the project back, but we are still on target to have the building completed by March 2011. Chief Lacher also reported on the funding with I-Bank. The process has been difficult. The district is scheduled to go to I-Banks Board July 27, 2010. We have been approved at several reviews. Current to date we have spent \$180,000 on the project, pulled out of reserves. After discussing financing options B & C the board recommends staying on course with I-Bank.

B. Fire Prevention (Mahach/Johnson)

Director Mahach reported Vicki Yorti's husband passed away, she wanted to thank station 17 crews for getting her husband home before he passed. The State Clearing House grant request was rejected. Monday night will be the first meeting of the resource committee. Director Johnson thanked Chief Hardy and staff for keeping up on the sign boards.

C. El Dorado County Emergency Services Authority (JPA) (Rose)

Chief Lacher reported on medic 19 and policy 403. Chief Hardy delivered a proposal to the Systems Status Committee to hold medic 19 in quarters longer, before moving the unit into the core. Chief Hardy was successful with the Systems Status Committee and it was moved to the JPA Board meeting where it the proposal was approved. Field trail study starts next week for utilizing the electronic PCR's. Response time stats were in compliance 20 months in a row. Chief Lacher reported on the Aid to Fire. County board of Supervisors voted to allocate \$600,000 a year for the next two years to fund the program from Service Area 7 (SA7) reserves. Many believe that it is un-ethical and may be illegal to use funds from SA7 to fund fire protection. We will continue to pursue legal direction.

D. Human Resources (Mahach/Edwards) (Alternate-Courtial)

No report

E. Budget and Finance (Courtial/Edwards)

Director Edwards commends staff on doing a fine job putting the preliminary budget together.

10. CORRESPONDENCE AND COMMUNICATION:

- Letter from Georgetown Divide-Public Utility District
- Engine Statistics
- Appreciation Letter from Community Economic Development Association of Pollock Pines
- Agenda for El Dorado County Emergency Services Authority Board of Directors
- Agenda for El Dorado County Emergency Services Authority Finance Committee

11. FIRE CHIEF'S REPORT:

Chief Lacher reported that the Type III Fire Engine went out to bid. Bids due on July 8th. Four employees of the district went to Wisconsin to the Pierce Manufacturing plant. The district has been out doing swift water training, new equipment has been purchased and placed into service for the engine companies. County has had two drownings over the passed weekend, both on the Cosumnes River. Four new firefighters started this week. The district received a check from Red Hawk Casino for \$496,125.00 for fiscal year 2010-2011.

12. BOARD COMMENTS:

Edwards: No Comment
Courtial: No Comment
Machach: No Comment
Rose: No Comment
Johnson Nice Graduation Ceremony at Crest Theater. Chief Hardy did a great job.

13. FUTURE AGENDA ITEMS:

Next regularly scheduled Board Meeting, July 15, 2010
2850 Fair Lane Court, Building C, Placerville, CA

14. ADJOURNMENT: 5:55 P.M.

It was motioned by Direct Edwards and seconded by Director Johnson to adjourn the meeting.