

ALBION-LITTLE RIVER FIRE PROTECTION DISTRICT

MEETING MINUTES

BOARD OF DIRECTORS BUSINESS MEETING

Wednesday, July 25, 2007, 7:30 p.m.

Location: Station 810, 32601 Albion Ridge Road, Albion, California

- 1. Call to order and determination of a quorum:** at 7:30 p.m.; attending were Shock, Taeger, Vogelgesang, Latkin and Levine; Bruce Jenkins, Chief Seeler, Stacey Weil-Dye, and Ed Petrykowski were also present.
- 2. Public communication to the Board:** none
- 3. Fire Chief's Report, including operational needs:**
 - A) Incident reports.** Chief Seeler reported incidents, and noted that he is investigating the possibility of an EMT at The Woods in light of the increasing call volume from The Woods; Laura Vogelgesang remarked that the Fire Protection District Law of 1987 allows a district to create service zones, and will investigate and report to the Board. Chief Seeler noted that there is a part of the Navarro Grade which is "dead" to the Department's radio communications and said he is looking into remedying this situation.
 - B) Fund raising, gifts and service fees.** Chief Seeler reported that the final figures on revenue from the barbecue are not in yet, and that attendance was moderate; he noted that Josh Latkin is reviewing service fees.
 - C) Fire Department report.** Chief Seeler announced that he would not seek or accept the position of Chief of the Albion-Little River Volunteer Fire Department, Inc., for 2008. Chief Seeler also announced that he would also not be an Assistant Chief, but would take a different role and would not be going away. Chief Seeler noted further that the Department has a new intern, Diana Garcia, who lives on Albion Ridge.
 - D) Fire Department operational needs.** Chief Seeler reported that all equipment is working and that he is pleased in general with morale in the Department.
- 4. Brown Act Compliance.** The Board discussed the fact that e-mail communications among a majority of the members of the Board may constitute a "meeting" within the meaning of the Brown Act, so that other than communications which are permitted (such as adding items to a proposed agenda) the members of the Board should exercise caution.

Chief Seeler delivered a letter to the Board stating "the Department's concern regarding potential Brown Act violations by the District Board. The presence of a board majority (three members) at the July business meeting of the Department presented the appearance of such a violation." The letter states that "no more than two members of the Board will be allowed to attend any business meeting of the department." The Board noted that Department members who are members of the Board must be in a position to attend Department meetings, and that interruption of

communication between the members of the Department and the members of the Board which was intended to be fostered by attendance of a Board member at Department meetings was also of concern. After noting that this issue had been considered in connection with appointment of a second Department member as a member of the District Board and that the Board had concluded that there would be no violation of the Brown Act so long as Board members in attendance at a Department meeting did not communicate with one another, the Board determined that it must request guidance from County Counsel and resolve this issue in order to avoid any appearance of impropriety. There will not be three Board members in attendance at the August business meeting of the Department.

5. **Treasurer's Report:** The budget report was distributed for Carolyn Latkin in her absence, and it was accepted. Alan Taeger noted that an annual investment report had been received from the County; the District's funds are all in cash funds, which earn approximately 5% annually.

6. Secretary's Report:

A) Communications to the Board. Laura Vogelgesang reported that she had received a memorandum from County Counsel offering training on the Brown Act and ethics, among other topics, free of charge, and she was asked to work on arranging a date and time for this training.

B) Minutes.

i. Minutes of the June 27, 2007 meeting were approved without revision.

ii. The Board heard comments with respect to paragraph numbered 12 in the minutes of the May 30, 2007 meeting and with respect to some of its actions. The Board determined that the minutes of this July meeting should reflect that the Board addressed the issue which had been raised (that is, the tone and statements in the paragraph in question), that the Board thinks that the newsletter which was mailed to District residents was excellent, and that it thanks Stacey Weil-Dye for all of her work which was really well done.

Laura Vogelgesang noted that she had received from Sam Levine the certification of his completion of ethics training as required by AB 1234.

7. Update on Station 811 Project: Laura Vogelgesang reported that WRA Environmental Consultants have requested approval of a change order in connection with the scope of their work on the station site, in response to a request from the Planning Department. Alan Taeger noted that the Board has been invoiced for fees of approximately \$7,000 by WRA at this point in connection with the original estimate of \$5,700, and that changes and increased scrutiny were to be expected. The Board agreed unanimously to pay the current invoice and to approve payment of additional invoices in connection with the change order up to \$5,000 (the amount estimated for the additional services described in the change order) and to authorize Laura Vogelgesang as Secretary to sign the change order and to secure a fully-executed copy for the District's records and to request that WRA amend its records to reflect that its work is for the District rather than for the Department.

8. Items for Consideration and possible action:

A) Emergency Response Services Fees. Josh Latkin distributed copies of the District's 2005 resolution and fee schedule, Anderson Valley CSD Fire Department's salary schedule and billing ordinance, Long Valley Fire Protection District's 2007 fee and billing resolutions, and Mendocino Fire Protection District's 2007 resolution to increase the schedule of fees for services which includes the increased fees. The Board determined that the District's charges should be in line with those charged by Mendocino and perhaps should be higher, and should be determined based upon an hourly charge and any portion of an hour. Chief Seeler was asked to be prepared to make a recommendation at the August Board meeting with respect to fees. Laura Vogelgesang was asked to get a copy of the ordinance referred to in the District's 2005 resolution, so that at the August meeting the Board may adopt a new schedule

and taken any further necessary action to implement the new schedule.

B) Disposal of Obsolete Equipment. Laura Vogelgesang reported on her telephone conversation with the manager of General Services for Mendocino County, and the Board determined that if the Department wishes to dispose of any equipment, the appropriate Department personnel should make and deliver to the Board a list of any items which had an initial acquisition cost equal to or greater than \$500 and specifying with respect to each item the manner in which the Department proposes to dispose of the item, whereupon the Board will approve or disapprove the disposition in accordance with the list. The Board determined that Items with an initial acquisition cost of less than \$500 may be disposed of without further ado in the discretion of the Department, bearing in mind its responsibilities imposed by law.

C) Newsletter. Stacey Weil-Dye indicated the Department's plan to publish a newsletter twice a year, and distributed a breakdown of the costs known to her of the initial newsletter. The Board agreed to participate in the writing and reviewing of any future newsletter, agreed to pay no more than \$1,500 of the cost of the next newsletter, and

determined that it would assign responsibility for involvement in this process by a member of the Board at its August meeting.

9. Land, buildings and equipment:

A) Power to 815: Chief Seeler reported that Jonathan Peakall continues to work on this. PG&E had, two to three months ago, indicated that the process would take two to three months.

B) Roof of 810: There was nothing to report..

C) Fuel Storage at Station 812: There was nothing to report.

10. Committee Reports:

A) Insurance. Alan Taeger reported that he has in hand a duplicate title document for the vehicle for which the title document was missing. He reported that the insurance company wants information on the value and other details with respect to the property insured, and distributed a list of vehicles owned by the District and used by the Department. He solicited the assistance of Chief Seeler in filling in information which is missing from this list, and in determining values of the real estate including the one piece of real property and its improvements owned by the District, and improvements owned by the District which are located on real property owned by others. Chief Seeler said that he would get the information with respect to real property and improvements to Alan Taeger within the next week or so in order to accommodate the insurance company's time requirement, and Alan Taeger stated he would obtain the information required with respect to the value of vehicles from Mike Kitahara.

B) Real Estate. There is no report.

C) Grants. There is nothing to report.

D) Bylaws. There is no committee yet formed, so there is no report.
E) Equipment. The secretary was advised that there is no such committee.
F) Website. There is no report.
G) Benefits for Firefighters. With respect to the Board's determination to provide family memberships for firefighters in the air and ground ambulance services, Chief Seeler advised the Board that firefighters have questioned why they had not been consulted about what benefits they might like to receive. The Board noted that provision of membership in the ambulance service has been under discussion by the Board for some time and that the possibility of provision of that benefit, and membership in the air ambulance services, had been raised by Department members both at and outside Department meetings.

11. Board Directors' Reports: Josh Latkin, on behalf of Carolyn Latkin as the District's bookkeeper, distributed a list of vehicles owned by the District. Jim Shock noted that he will not be at the August meeting and will be away most of the month of August and requested that Alan Taeger act as chair in his absence, and Alan Taeger agreed to do so. Jim Shock further reported that Dean Watson, the Zone 4 Battalion Chief, is working on a training for District boards. Finally, Jim Shock reported that Mendocino Rotary is now in a grant-making period and needs to be advised by the Department of a specific item for the purchase of which it would like to receive a grant.

At this point because of the lateness of the hour the Board determined by consensus that the meeting should conclude.

12. Long Range Planning: Deferred until the August 2007 meeting.

13. Next meeting date and agenda: The next meeting will be the regular meeting, scheduled for Wednesday, August 29, 2007 at 7:30 p.m. at Station 810.

14. Adjournment: at 10:20 p.m.

Laura J. Vogelgesang, Secretary

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