

TAHOE DOUGLAS FIRE PROTECTION DISTRICT
BOARD OF TRUSTEES MEETING
October 27, 2008
Regular Meeting

Those Present:

Bob Cook	Battalion Chief Ben Sharit
Frank Forvilly	Battalion Chief Dennis McLaughlin
Steve Seibel	Battalion Chief Dave Hekhuis
Roy Clason	Battalion Chief Mark Novak
Patrick Atherton	Captain Rich Nalder
Chief LeFever	Engineer Larry Schussel
Wayne Omel, Edward Jones	Paramedic Chris Lucas
R.J. Clason	Paramedic Chris Peterson
Brad Dorton	Paramedic Brain Zabel
Assistant Chief Van Ogami	Paramedic Chris Vetromile
Assistant Chief Rick Nicholson	Inspector Leo Horton

1. Action Item: Call to order.

The meeting was called to order at 4:30 by Chairman Bob Cook.

2. Action Item: Pledge of Allegiance.

3. Action Item: Roll call.

All board members were present.

4. Action Item: Public comment.

There was none.

5. Action Item: Discussion and possible action: Approval of consent calendar:

Items on the consent calendar will be approved without discussion unless an item is specifically “moved forward” for discussion.

Item:

- a. Approval of agenda 10-27-08.
- b. Approval of minutes 9-22-08.
- c. Approval of expenditures.
- d. Approval of financial statements 8-31-08 & 9-30-08.

Motion by Trustee Steve Seibel to approve the consent calendar as presented. The agenda of 10-27-08, the approval of the minutes of 9-22-08, the expenditures from 9-25-08 through 10-9-08, check numbers 48999 through 49071, 49070 was voided and 49034 was never issued, and the financial statements of August 31, 2008 (the financials for 9-30-08 were not available), and payroll check numbers 31101 through 31239; 9-30-08 and 10-15-08.

Trustee Clason seconded the motion.

Trustee Patrick Atherton abstained. Motion carried by a vote of 4-0.

Action Item #6: Discussion and possible action: Consent Items moved forward.

There were none.

Action Item #7: Discussion and possible action: Presentation by Wayne Omel of Edward Jones on the fire districts investments.

Motion by Trustee Roy Clason to invest up to one million over the next 6-8 months.

Motion seconded by Trustee Patrick Atherton.

Motion carried with a vote of 5-0.

Action Item #8: Discussion and possible action: Approval of commitment letter for FEMA Pre-Disaster Mitigation Grant.

Chief Novak applied for this FEMA Grant. We need approval from this board to match a 25% of the \$1.3 million. The way the process works is, we commit first then go through the process. The chance of us not getting the grant is not good. We have to put our best foot forward and approve the \$335,000 commitment to go along with the \$1.3 million. It is a three year grant.

Trustee Patrick Atherton asked for clarification. Looking at the conditions it states you are seeking it now because funds will be substantially reduced after 2009. Based on that, let's assume a grant is awarded, we are matching it 25% is that a correct statement. Is that the maximum exposure we have?

Chief LeFever stated it was. He continued to say he would like to be voting on this next month but we don't have that luxury. As Chief Novak advised, we have until November 13th to get it in.

Trustee Roy Clason moved that we move forward and are request the grant.

Motion seconded by Steve Seibel.

Motion carried with a vote of 5-0.

Action Item #9: Discussion and possible action: Approve 6,774 sq. ft. of easement rights for construction and maintenance of a drainage facility for the total sum of \$40,000. Easement is located in front of Station #1, 702 Kingsbury Grade.

Chief LeFever said he took the liberty to put this in the board books. He has been working with George Echan. This may be a bit pre-mature putting it on the agenda for a vote but discussion wise, they want to do drainage work on Kingsbury. For our part, they want to use the easement right in front of Station #1. They have offered us \$40,000. Steven Johnson was the appraiser (local), he went over the project. Where the wood barrier is now, they will make a concrete barrier we would like them to continue the concrete barrier to the gas pumps along with \$40,000. George is working with our insurance company. With permission he wants to bring it back at the next board meeting for a vote.

Chairman Bob Cook said George has a couple of legitimate concerns. Does NDOT waive their contract at all or is it standard language they use for everyone.

It is standard language, but in talking with George, NDOT sticks with the standard contract and do not deviate much at all. We have to look out for our concerns first.

Chairman Bob Cook said he felt it was imperative that we have a non exclusive with them.

Trustee Steve Seibel said they should have all T's crossed and the I's dotted before going forward.

Chairman Bob Cook asked what happened to the concept of trying to acquire the property at Logging Road.

Chief LeFever stated he did not want to confuse the issue with this issue. After discussions with Robert Martin, he researched it found out that the property was given to them by the County and they tried to give it back to the County about four years ago. The County failed to respond and the Chief will let that go for about two months. There is a possibility that we can acquire the piece we are using now and in all likability get the above piece of the DOT piece. We were going to try and connect the easement and the property after we found out they don't even want that property we decided to go this direction.

Action Item #10: Discussion and possible action: Extension of Fire Chief's contract.

Chairman Bob Cook said everyone has a copy of the contract, old contract and new contract.

Chief LeFever offered to give a brief summary as to why he brought this forward at this time. He is in the last year of his contract. He felt it was prudent to go forward with this. He has worked with this board for the last four years as the Fire Chief. He felt it prudent that this board evaluate the extension of that contract with no disrespect to the two new board members in the audience. This is no different than the existing contract, he is just taking his existing year, adding the previous three years and going forward.

Trustee Roy Clason said he was concerned about the public perception making this move when two fifths of the board are lame ducks. He took it upon himself to talk to one of the incoming board members, (he hasn't talked to Brad) but he sees no reason why this issue wouldn't pass with the three remaining board members voting for it. What he is saying is if it is seen that we are rushing the Chiefs desire to possibly preclude a turn down next year when the board changes complexion and he does not see that coming. R.J. has no problem.

Chief LeFever replied it was from his perspective going with the five board members he has worked with it was prudent for the Chief to do this at this time.

Trustee Roy Clason stated there are dissidents within the district that may raise another flag and say it is not clean.

Chief LeFever said he appreciates that and he can't please everyone. Given his situation he feels it is the time for him and his family and security to go forward. Is it fair for the outgoing board not to have the opportunity to extend my contract since they worked with me. It would not be prudent for them being on the board for six months to give an individual a long term contract.

Trustee Patrick Atherton addressed Trustee Clason and asked, if he understood Mr. Clason correctly, from his point of view, Roy is concerned there may be some individuals out there, since Patrick asked if he meant it would be imprudent for him to vote on this contract since he is going off the board?

Trustee Roy Clason said no. It does not expire until next year so to do it this year, it may be viewed by some as a rush to judgment with a known board vote. I thought about asking for roll call vote where Patrick and Bob would vote last so there could be no criticism about the Chiefs motives or any of the other board members. He then asked Patrick if he followed that.

Trustee Patrick Atherton replied he did follow that but, with that being said, and he could be very narrow in his focus, and yes he is affectionately called a lame duck but, the way he looks at it is officially his term of office ends December 31st. All action that comes before this board before December 31st he has the right to vote on and he is going to. If someone wants to take issue with him that he is jumping the gun, he will be more than happy to engage in a discussion with them. As long as he is on the board, he will exercise his right to vote on it.

Trustee Steve Seibel said as the newest member of the board, he appreciates the value of Patrick Atherton and Bob Cook with this board and the history with the Chief. He personally has no problem going forward with this.

Chairman Bob Cook added he feels it is important to the future of the fire district to know they have a Chief that will be around for awhile. It will help everyone with their futures and careers here.

Trustee Frank Forvilly said he had talked to the Chief and he was concerned when he received the contract. He wanted to make sure the Chief was in agreement with this too. He had been pushing the Chief to give us three more years. He had a couple of concerns with the County funds. The Fuel Reduction program is going great. We are starting to make money off of it. He said he felt very comfortable with it.

Brad Dorton asked what the expiration date of this contract and why there was not information in the guest books regarding the contract.

Chairman Bob Cook said it expires September 30, 2009.

Trustee Roy Clason moved to extend the Fire Chiefs contract as presented.

Motion was seconded by Trustee Steve Seibel.

Motion carried with a vote of 5-0.

Item #11: *Presentation: Fire Chiefs report of previous months activities.*

Chief LeFever wished to recognize the following employees for their service:

- Administrative Assistant Barbara Riboli – 12 years of service
- Captain Tim Allison – 13 years of service
- Captain Scott Stice – 23 years of service
- Engineer Bob Child – 23 years of service
- Engineer Greg Peterson – 23 years of service
- Paramedic Fred Parson – 13 years of service

The month of September was normal month for alarms. We had a significant alarm for a structure fire where it was sprinklered. The people got out of the house and there was minor damage to the kitchen. On the flip side of that, there was a fully involved structure fire on the backside of Kingsbury. The people got out of the house with the clothes on their backs.

The ambulance account has gotten over the hump. We are at 61.8%. Ben Sharit was responsible for the upswing, he has worked diligently. It has been a while since we have been over 60%. It was 2005. Ben is looking at a new lockbox and also a new collection company.

The political action committee will have its last meeting this Wednesday night. In the last few days we are working through some damage control with one letter to the editor and one pamphlet that went out last Friday. There will be some research done on that. Apparently there have been no laws violated at this time but there is a lot of misinformation that we need to counteract. The good side is there have already been 2,500 to 2,600 votes already been cast in the Tahoe Township. The committee has worked very hard. There are a lot of signs out and a lot of support in this community. If we get that passed it will really help out going forward.

Trustee Patrick Atherton said via the Rotary, it has been very positive.

The negative that Roy Clason has heard was concerning the thirty years.

Chief LeFever said the counter to that is entirely up to this board and the projects that we go forward with.

Trustee Clason said, the people see the thirty years in the initiative.

Chief LeFever stated there will be recognition of that group. We don't know how or when we will do it.

I will be adding another section in the Chiefs report for Accounts Receivables. We have never had that but thought we needed to put that in there. If you try to digest the General Fund and Special Services Fund, the salaries, wages and benefits they are substantially out of balance. This is the second year in a row that we have had a high participation in strike teams. Just got a new figure today that puts it over \$500,000.00 that the State of California owes. That number is what puts us back in balance.

Trustee Patrick Atherton asked, considering California's financial status, is that money in danger?

Chief LeFever said we have always been paid. A lot of these are underwritten by FMAG, a federal government group. We are small fish in the big pond of what California owes. I can only trust that we will get this back.

The EOD grant of \$292,000, you will notice in the check register there were two voided checks. One was an error by our accountant; the other was an error on our side. We needed to divide the check in half. We have received a grant for \$300,000 that was in Chief Nicholson's report last month. We went to bid and accepted the bid for \$325,000. In order to get this moving forward we needed to cut two separate checks. One we give to the County and they send it to the State for reimbursement. This gets the chassis rolling. As soon as we get this reimbursement, then the company submits the second invoice. Thirty to sixty days after that, we get the second reimbursement. The balance will be paid out of the remaining amount when we accept delivery. The Bomb Squad has since received another \$468,000 grant for equipment. That is

how we are going to balance the vehicle and the equipment. Next month there will be a complete presentation on grants, where the money is coming from and what they are buying. The Fuels outstanding amount is at the bottom of the page. They are still working at 15 guys on a daily basis. They are trying to capture as much revenue before the season ends.

Investments, we have borrowed one million dollars out of this to keep operations going. Up to this point we have paid \$100,000 back into that account. Cash flow is very good right now going forward. The reason we have not paid more back is the \$292,000 going out to the vehicle. As soon as our accounts receivables start coming in within the next three to five months, it will all go back into the Edward Jones account.

Legal issues, unless there are any questions, we will see what happens in January.

Trustee Steve Siebel said he had a question on Tahoe Basin Fire Chiefs letter to Lahontan Water. He was viewing Lahontan Water as uncooperative.

Chief LeFever said that Lahontan Water has more or less taken the forefront for the environmental concerns in the basin for the fire district. It is basically the same power struggle in California that we have here with TRPA.

Congratulations to Captain Nalder, Firefighter/Paramedic Ben Pratt and Firefighter/Paramedic Chris Peterson for winning the "2008 Wildland Progressive Hose-Lay" competition at the Fire Fest.

Thanks to B/C Hekhuis for administering the Engineers Exam. Congratulations to Paramedic Steve Prather, Paramedic Bryce Cranch, Paramedic Justin Rossi and Paramedic Chris Lucas for successfully passing the exam. There were nine applicants to begin with. It will be a three year list.

Action Item #10: Discussion and possible action: Set date for next meeting and possible agenda items.

The next meeting will be November 24, 2008.

- ◆ Presentation by Kara Griffith of Grant Thornton of the annual audit.
- ◆ Approval of NDOT easement agreement.
- ◆ EOD presentation on grants and equipment.

Action Item #13: Adjourn.

Motion by Trustee Steve Siebel to adjourn.

Seconded by Trustee Frank Forvilly.

Motion carried with a vote of 5-0.

The meeting adjourned at 5:32 p.m.

This meeting was recorded on audio tape.