



# NEWCASTLE FIRE PROTECTION DISTRICT

## NOTICE OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

**August 17, 2016 @ 6:00 P.M.**  
at: 461 Main St. Newcastle, CA 95658

### AGENDA

1. **CALL MEETING TO ORDER: Pledge of Allegiance**
2. **APPROVAL OF AGENDA:**
3. **Executive Session: (CLOSED)**
  - (A) **Conference with Labor Negotiator (Gov. C. sec. 54957.6): Meeting with District's Labor Negotiator J. Elder and Kristianne Seargeant to discuss bargaining with NPFA re successor MOU.**
  - (B) **Fire Chief Recruitment (Gov. C. sec. 54957(b)(1)); Discuss Fire Chief recruitment and negotiations.**
4. **Reconvene Open Session:**
5. **APPROVAL OF MINUTES:**
  - (A) Month of June 15<sup>th</sup> Regular Meeting; July 1<sup>st</sup> Special Meeting & July 20<sup>th</sup>, 2016 Regular Meeting
6. **BILL APPROVAL:**
  - (A) Monthly Expense Report, FINANCIAL REPORT: Email Copy Available on Request. [info@newcastlefire.org](mailto:info@newcastlefire.org)
7. **CORRESPONDENCE:**
  - (A) Email to Eric Sprouse re City Gate Report and Board of Supervisor action
8. **Newcastle Professional Firefighter Association:**
9. **PUBLIC COMMENT:**

(The Newcastle Fire Protection District Board of Directors has provided this period for members of the public to be given the opportunity to address the board on items of interest to the public, which are applicable to the district. No action may be taken on any matter, which is not already on the agenda for consideration. The reasonable time frame for public comment will be limited to three (3) minutes per person, unless specifically authorized otherwise by the Chair.)
10. **Informational / Non-Action Items:**
  - (A) New Fire Station Update
    1. What are the next steps needed to be taken?
  - (B) Ad Hoc Committee Report, to provide Alternatives/Options to the Canceled Agreement for Fire Chief and Administrative Services
    1. Update Board on discussions with Placer Hills Fire Protection District for Services.
11. **Action Items:**
  - (A) Elect Officers of the Board
  - (B) Appoint Directors to Ad Hoc committees as needed, i.e., Personnel, Facilities and Administrative and Finance.
  - (C) FY 2016-2017 Final Budget Proposal for Approval; Res#2016\_6
12. **Board of Director Reports:**
13. **Meeting Adjourned:**

**NEXT REGULAR MEETING:** Wednesday September 21, 2016

Accommodating those individuals with Special Needs:

In compliance with the Americans with Disabilities Act, the Newcastle Fire Protection District encourages those with disabilities to participate fully in the public meeting process. If you have a special need in order to allow you to attend or participate in our public meetings, please contact our office at (916) 663-3323, well in advance of the regular meeting you wish to attend so that we may make every reasonable effort to accommodate you.

# NEWCASTLE FIRE PROTECTION DISTRICT

**June 15, 2016, 6:00 P.M.**

at 461 Main Street, Newcastle, CA 95658, Newcastle, CA 95658

## MEETING MINUTES

Board Present: Jim Jordan, Chairman  
Eric Sprouse, Vice Chairman  
Jonita Elder, Secretary  
Rocky Robinson, Director

Absent: Robin Enos, Director

### **1. CALL MEETING TO ORDER:**

- (A) Chairman called meeting to order at 6:00 pm.
- (B) All Board members present with the exception of Director Robin Enos
- (C) Chief Higgins was also in attendance.
- (D) Pledge of Allegiance.

### **2. APPROVAL OF AGENDA:**

- (A) June 15, 2016 Meeting Agenda.
  - Secretary Elder asked if we received a letter from the Labor Union to request negotiations. Per Chairman Jordan, we received a letter after last meeting.
  - Secretary Elder asked about Action Item #11 (F), preliminary budgets. She noticed the wording of “Final” on one of the sheets. Per Chairman Jordan, budgets are only *preliminary*.
  - Director Robinson made the motion to approve the agenda; seconded by Vice Chairman Sprouse. Motion carried out unanimously with Board members present.

### **3. Executive Session (CLOSED) (6:04 pm – 6:24pm)**

- (A) Conference with Labor Negotiator (Gov. C. sec. 54957.6): Meeting with District’s Labor Negotiator M. Higgins to discuss bargaining with NPFA re successor MOU.

### **4. Reconvene Open Session:**

- (A) Per Chairman Jordan, the report on closed session is relating to the letter from the Association. Established an ad hoc committee to bargain for a successor MOU. Provided some guidelines for the group. The bargaining unit will be Kristianne (Attorney), Joni, Eric, and Chief Higgins.

### **5. APPROVAL OF MINUTES:**

- (A) Month of May 18, 2016, Regular Meeting
  - Two corrections: correct spelling on Item 7. (G) Arthur Berliner; and Item 9. (B), 5th bullet point...brown out days for Penryn: 0.

- Director Robinson made the motion to approve the minutes for the regular Board Meeting of May 18, 2016, with corrections noted; seconded by Secretary Elder. Motion carried out unanimously with Board members present.

## 6. BILL APPROVAL:

- (A) Monthly Expense Report – Month of June, 2016. Spreadsheet presented and reviewed by the Board.
- One clarification on District Financials item 21, FY 14/15.
  - Director Robinson made the motion to approve the monthly expense report as submitted; seconded by Vice Chairman Sprouse. Motion carried out unanimously with Board members present.
  - Financial Report: Email copy available upon request [info@newcastlefire.org](mailto:info@newcastlefire.org)

## 7. CORRESPONDENCE:

- (A) Chairman Jordan received several items of correspondence. First item was from Reed & Assoc., bargaining consultant for NPFA asking to reconvene on bargaining for their new MOU which would be retroactive to July 1, 2016. They want to discuss salary, MOU language, benefits, retirement, etc. He has assigned the committee to work with them and they will start that process.
- (B) Email received after the agenda was published. It was copied to all Board members. Sent to County Council who responded that the email that Secretary Elder forwarded violates Brown Act. She copied all members of the Board. She attempted to discuss an item that was being presented to the Board at the next meeting. As such, the Email should be disclosed to the public to make sure we are as transparent as possible.
- Chairman Jordan read the email out loud ...she asked to remove item (F) of the Action Items (Preliminary Budget). As an independent contractor, Mitch is allowed to make budget recommendations, not prepare our budget. Budget preparation is a function of the Board, etc. Also mentioned Mitch as labor negotiator and asks that at least one Board member be included in negotiations. Per Chairman Jordan, agenda corrections are to take place during the Board meeting.
  - Per Secretary Elder, she did not realize it violated the Brown Act. Spoke with County Council, and apologized.
- (C) Email from Mr. Monahan regarding issues with resolutions. Those were followed up with several people, and he's told we are okay with our current language.
- (D) Letter from Newcastle Community Association regarding...widespread concern within the community about the day-to-day administration of the fire district...complaints about repeated closures, emergency services being delayed, and resources the community provides for the district's operations are not being applied to support Newcastle. Appreciates the presentation from Board Member Sprouse provided on May 18<sup>th</sup> meeting. ... Terms of contract with Penryn have been breached. Public safety of Newcastle is at greater risk ...because of closures. The Association would like to recommend to the Newcastle Fire Protection District to ...consider terminating contract with Penryn, and take all necessary and immediate steps to make sure our fire station remains open every day. Signed William Karl, President of the Association.
- (E) Letter to the Penryn Fire Board. We were copied on the letter. Newcastle residents...read the Auburn Journal of June 7, 2016. Concerned about local fire protection. One too many closures. ...contract with Penryn not being honored to help with fire protection. Stan and Susie Brown.
- (F) Per Chairman Jordan, the letters stating the contract or agreement with Penryn is not being followed, but no one is being specific about the exact points. The contract is not being dishonored from how he sees it. Sees what is being done is bashing a Chief ...who has bent over backwards to help. Would like to see specific points in the contract that can help us understand how we're not being covered. Per Neil Anderson, he will send email that covers this.
- (G) Note regarding posting Newcastle's wage information on public website and that perhaps it is not posted. The information has been posted for the past 4 months, per Chief Higgins. It is also on Transparent California. And on State Controllers Compensation website also.
- (H) Director Enos comments about the contract between Newcastle and Penryn stating several things ...stating as part of contract. One of the things being that Penryn will supply staff when we are short. Per Chairman Jordan, the contract states that we as a unit will fill one engine/company with staff. Typically, whichever station is short-staffed on days (where they don't have two people) ...that individual will fill the needs at other station. Robin's comments about filling/coverage from Penryn for our station, etc, does not make sense. Publically published. Not truthful. And he is not present three meetings in a row to defend those actions.
- (I) Resident asked about Penryn contracts - two documents – Contract with the Chief, and a letter of understanding. Are they running subsequent? Per Chairman Jordan, they are two different items. Per resident,

in the contract. Penryn will supply help to Newcastle. Per Chief, it does not state that...it says 'may'. Normal chief duties to assign staff, but unfortunately we don't have the staff.

#### **8. Newcastle Professional Firefighter Association:**

(A) Statement from the Association: There are a lot of statements in the Auburn Journal article from Board member Enos. He invites everyone to voice their opinion. Newcastle fire station has been closed about 10 times in the last month.

Other points:

- Putting Penryn firefighters in the spots to fill. We can't be replaced by just anybody.
- Passed out a flyer "What Does It Cost to be a Newcastle Firefighter?"
- More effort to go to hiring for Newcastle, and ...what is a fair wage.
- Newcastle is not a second-rate fire department...we have to stop breeding that term. There is a high level of training.
- Relating to the Auburn Journal Article...Board member running amok? Did Board members not know what was being negotiated?
- Per Chairman Jordan, Mr. Enos was in the same meeting that did approve negotiations.

#### **9. PUBLIC COMMENT:**

(A) Reporter asks Chairman Jordan regarding his support on consolidation. Chairman Jordan did not want to respond and can't at this time respond to the question.

(B) Director Robinson's view on budget ...in favor of consolidation.

(C) Council (Kristianne) advised the Board on not engaging in the back and forth with public comment. People are allowed to provide comment, but no discussion should be taking place at this time. Issues can be requested to be placed on the agenda. Board needs to remember Brown Act on avoiding discussion.

(D) Resident asks... Seems like we are hurting for money, so why are we sending \$6000 from this fire Board to Penryn Fire Board?

(E) Penryn Firefighter Edgar started as volunteer 4 years, then took a part time position, and has been there 6.5 yrs. Comments about article...wanted to address "stealing firefighters". We are not an object; we are human beings. Trying to better ourselves. There are many reasons – benefits, location/commute, etc. When Brown applied to an opening, he did it out of his own will. He was one of many that applied, and he was the most qualified candidate. Roberto applied to Newcastle because he liked the benefits. He moved from Penryn. Another erroneous comment that was made was that Brown was offered more money and benefits – that was incorrect. Brown took a pay cut in Penryn. "We didn't steal him." Roberto is now working in Marysville. Firefighters love working here, but can't afford to. All firefighters have applications at other departments because they don't have livable wage. They are just looking for better opportunities for their families.

(F) Art Berliner concerns on public comment over 3 minutes.

(G) Bill Karl. (On letters from NCA) The most positive comments he's heard tonight are from the firefighter from Penryn. We don't need to settle every legality to realize this contract with Penryn is not working out as well as we had hoped. ...Because the station is closed all the time, and that is not what we are paying our taxes for. On the Letter from the Newcastle Community Association, it says for the next meeting, can you please include a vote on whether to continue with the contract with Penryn or not.

(H) Resident heard about a firefighter being asked not to eat at a restaurant. Hopes that isn't the case. Community supports firefighters...important job.

#### **10. INFORMATIONAL/NON-ACTION ITEMS:**

(A) New Fire Station Update (Chairman Jordan)

- Received a call from the County Treasury, so we have suspended all activity for the continuation of the process to get the station started. The activity is suspended until the final approval by the County is completed. Will be based on the continued activities of the district and stability. There are concerns about the Board's activity at this time. Articles...various issues, the fact we are discussing terminating our agreement with Penryn are all factors.
- Vice Chairman Sprouse was surprised...was under the impression there would be a bid package coming out. The County is now putting all on hold? For what reasons?

- Jordan: it's all on hold because of the activities that are going on within the community, with the Board (this Board as well as Penryn Board). Our financing is on hold.
- Sprouse: asks who to talk with... Per Chair, it's the Treasurer of the County. Said their portion is on hold.
- Sprouse: They are probably uneasy that we are having internal issues. Issue with stability.
- We got a Yes vote from the Placer County Board.
- The news came post-Auburn Journal article
- Elder: ...not understanding this based on her conversations with the County.
- Members and residents need to fill Supervisor's Board meeting and ask same questions.
- Bid package is done. Cannot be published yet. Don't have the money. This is from Jeanine...until she finds out what's going on she's not completing her signature. Verbal.
- Elder: We need a letter from her explaining why.
- Resident also says everyone should go to the Board of Supervisors and ask/complain.
- Jordan: he will be following up. Does not have an answer today.
- Neil asks about if they are unhappy with the funding or the finances of the District.
- Jordan: They are unhappy with the circumstances surrounding the process...and the management structure. They want stability.

#### (B) Chief's Report (Mitch Higgins)

- Training for the month of May consisted of 119 hours
- Emergency Responses for the months of May:  
EMS: 36 Auto: 5 Fire: 6 Public Assist: 10. Total of 57 responses.
- General information:
  - Verbal highlight of achievements and accomplishments while under contract with Penryn Fire
  - First tasks of Chief and staff was ISO audits. One of the factors that made it complicated for the ISO process was the records keeping at the time. ...went over training records, other records, programs, etc. Newcastle was a 6 and 9 ISO rating... it's related to how rated for insurance. They brought it down to a 5. With all the work that went into this, it was a great achievement in the first month.
  - He got approval from the Board to do a 5 year CIP plan. Didn't find previous.
  - Approved and implemented 90 days later. Then the rates per sq ft went up 67%.
  - Improved all the rolling stock fleet of the district. Figured out the labor cost, mechanics fees, they were spending \$66K/year. They replaced with type 3 ff engine. New Type 1, used, but low miles.
  - They instituted electronic file keeping. All prior was paper. They've updated all computers, and networked the systems.
  - Last year replaced self-containing breathing apparatus.
    - Elder: asks regarding equipment we bought ...doesn't match the other fire districts. Per Chief, they are a different brand. They are entirely compatible though.
  - They are now doing low angle rescue: rope and riggings over side of cliffs.
  - Other necessary general facilities improvements have been done.
  - Inventory of District equipment is now digitized.
  - Working with staff on commercial inspections.
  - Defensible space improvements
  - Policy and procedure improvements
  - Policy for Board of Directors
  - Numerous memos
  - Administrative meetings
  - School water system upgrades
  - Evacuation drills. We are involved with formal documentation of drill procedures.
  - Worked with engineering firm on improving water system at the mobile home park.
  - Continue to work on budget and monthly expense
  - The above is just a small portion of work being done on a daily basis.
  - Job applications on May 20<sup>th</sup>. Received 3 applications. Interviews and testing done. Candidate offer went out. 2<sup>nd</sup> candidate for Newcastle will go out next.
  - Elder: Calendar on website needs to be fixed.

- (C) County Fire Service Study Update
  - Will go before the Board in July.
- (D) Agreement 07012015, Residential Fire Sprinkler Plan Review and Inspection Services.
  - Expires June 30<sup>th</sup>. Secretary Elder had concerns...when we signed it, we think we were doing a favor, but is concerned about the liability. Benefits of continuing services?
  - Higgins: During the process of new residence or commercial establishment. Pressurized fire suppression systems... engineering and installation is completed, then there are inspections and tests.
  - Elder: 2 million dollars is not a lot of money for a liability if there was an issue. There are concerns, lawsuits. Doesn't think this is the kind of liability we need to be taking on if there's no benefit.
  - Jordan: Suggests Elder make firm contact ...that they (the County) will assume it again, and we can talk about it in the next meeting.
  - This subject will be on the agenda for the next meeting.
- (E) Vice Chairman Sprouse thanks Chief Higgins for all he has done and all he is doing.

#### 11. ACTION ITEMS:

- (A) Resolution #2016\_5, Notice of Governing Board Member Election and/or Notice to Submit Measure(s) to a Vote of the Voters. "DECLARING AN ELECTION BE HELD IN ITS JURISDICTION; REQUESTING THE BOARD OF SUPERVISORS TO CONSOLIDATE THIS ELECTION WITH ANY OTHER ELECTION CONDUCTED ON SAID DATE; AND REQUESTING ELECTION SERVICES BY THE COUNTY CLERK."
  - Chief Higgins: Since this an election year, this resolution is for the Board to approve placement of the measure on the ballot.
  - Secretary Elder made the motion to approve the Resolution 2016\_5; seconded by Director Robinson.  
**Roll Call Vote:** Secretary Elder-aye; Vice Chairman Sprouse-aye; Director Robinson-aye; Chairman Jordan-aye; **Vote Carries 4-0 with Board members present.** Resolution approved.
  
- (B) Resolution #2016\_1, Adjustment of Special Tax by Consumer Price Index Measure "F"
  - Neil Anderson: the cost of living increase was 3%. However, under measure F we are passed the deadline that it sets forth to adjust, so we cannot adjust Measure F. The Board cannot act on this.
  - Per Chairman Jordan, this will be a NO vote by default.
  
- (C) Resolution #2016\_2, Adjustment of Special Tax by Consumer Price Index Measure "B"
  - Jordan: This measure was passed in 2012. We have not taken any increases as of yet. Asks for comments from the Board.
  - Elder: How much will it be?
  - Anderson: About \$9,000. Per parcel it will be approximately \$4.38 per parcel (rough estimate).
  - Sprouse: The treasurer was surprised we hadn't raised this... and she recommended we raise to stay with cost of living.
  - Secretary Elder made the motion that we raise the tax by 3%; seconded by Vice Chairman Sprouse.
  - Question from resident if the tax will go to fire station. Per Board members, tax goes to the entire budget, not just the fire station.
  - **Roll Call Vote:** Secretary Elder-aye; Vice Chairman Sprouse-aye; Director Robinson-aye; Chairman Jordan-aye; **Vote Carries 4-0 with Board members present.** Resolution approved.
  
- (D) Resolution #2016\_3, Requesting Collection of Charges on Tax Roll for Tax Year 2016-2017 "Measure F"
  - Anderson: With these next two resolutions, we must request from the County that they collect the taxes for us.
  - Secretary Elder made the motion in favor of Resolution 2016\_3; seconded by Director Robinson;
  - **Roll Call Vote:** Secretary Elder-aye; Vice Chairman Sprouse-aye; Director Robinson-aye; Chairman Jordan-aye; **Vote Carries 4-0 with Board members present.** Resolution approved.
  
- (E) Resolution #2016\_4, Requesting Collection of Charges on Tax Roll for Tax Year 2016-2017 "Measure B"

- Director Robinson made the motion in favor of Resolution 2016\_4; seconded by Vice Chairman Sprouse.
- **Roll Call Vote:** Secretary Elder-aye; Vice Chairman Sprouse-aye; Director Robinson-aye; Chairman Jordan-aye; **Vote Carries 4-0 with Board members present.** Resolution approved.

(F) FY 2016/2017 Preliminary Budgets, 360 & 361

- Elder: The mitigation budget said Final on the Spreadsheet. She asks Chief Higgins to explain. On the fire equipment, we are budgeted for \$29,200...for new Brush Fire Engine. It is the yearly payment on the engine. This is not coming from reserves. 110,933 in the account 361. We are keeping up with our contingency and have funds in order.
- Chief Higgins provided clarification on revenue items/taxes, budget year, percent increase (used 3% on some of the items).
- Adding more to Measure B budget will have to wait until Mr. Anderson completes his direct charges which won't happen until September after the County does the work they need to get done.
- Director Robinson made the motion to approve the FY 2016/2017 Preliminary Budgets; Seconded by Vice Chairman Sprouse. Vote: All in favor of approving the preliminary budget. Motion carried out unanimously with Board Members present.

**12. Board of Director Reports:**

(A) Secretary Elder:

- Because of the issue she had with the Agenda, she asked that there be a discussion placed on the next Agenda – a discussion on consolidation.
- She did meet with Jim Holmes, where she apologized profusely for her error in judgement and that it will not happen again. And discussed with County Council that they provide more Brown Act Training. Training will be in January after the election.

(B) Director Robinson:

- Thanks Chief Higgins for all his efforts. The Preliminary Budget had very few questions on. The work he has done in the Fire District of Newcastle is extraordinary. He gets called out of all jurisdictions because of his respected abilities and training, even other parts of the state, and he works his ass off. So really wanted to thank him.
- Policy 2220 states all Board members come to meetings. We have a Board member hasn't seemed to have been able to come to a Board meeting. Would like to see an item on the next Agenda to clarify what we plan on doing at this point.

(C) Vice Chairman Sprouse:

- Still sees building the new fire station should be our priority...and that we move forward.
- We don't have anything in writing...the treasurer called Jim directly and said do not move forward with the bid package. The Treasurer would like to see stability of the Board.

(D) Chairman Jordan

- The Treasurer was concerned about what's been going on...concerns about the Board's stability as a management team.
- Recommends that all Board members read the Policy Manual we did last year. Thinks it will be a help for the Board.

**Meeting adjourned at 8:12 PM.**

**13. NEXT REGULAR MEETING:** Wednesday, July 20, 2016. Location: 461 Main Street.

Respectfully Submitted,

Gayle Capik, Recording Secretary

# NEWCASTLE FIRE PROTECTION DISTRICT

**July 1, 2016, 6:00 P.M.**

at 9211 Cypress Street, Newcastle, CA 95658, Newcastle, CA 95658

## SPECIAL MEETING MINUTES

Board Present: Jim Jordan, Chairman

Eric Sprouse, Vice Chairman

Jonita Elder, Secretary

Rocky Robinson, Director

Robin Enos, Director

### **14. CALL MEETING TO ORDER:**

- (A) Chairman called meeting to order at 6:00 pm.
- (B) All Board members present
- (C) Chief Higgins was also in attendance.
- (D) Pledge of Allegiance.

### **15. APPROVAL OF AGENDA:**

- (A) Director Robinson made the motion to approve the Agenda; seconded by Vice Chairman Sprouse. All in favor. Motion carries with all board members present.

### **16. PUBLIC COMMENT:**

- (A) In light of the notice of Penryn's cancellation for their services to the Newcastle Fire District, a recommendation was made to the board to appoint a citizen's committee to help look for a new fire chief.
  - Per Chairman Jordan, this will be part of the informational/non-action items.

### **17. INFORMATIONAL/NON-ACTION ITEMS:**

- (A) Notice of Termination of Shared Operating Agreement with Penryn Fire Review notice from Penryn Fire Protection District providing Newcastle with contractual 60-day notice of termination of Agreement and discuss necessary actions that need to be taken prior to termination, including chief selection process and interim oversight of administrative and managerial duties.
  - June 22<sup>nd</sup> was the date of the notice.
  - Board comments: date received. Aug 22<sup>nd</sup> will be the termination date.
  - Director Robinson provided recommendation for this board...It would behoove us for many reasons to contact the Penryn board, council, and maybe Mr. Holmes to make sure we aren't doing anything outside the Brown Act. He'd like to see a special meeting to talk with Penryn's Board and Chief to discuss the issues which brought this to a head and see if we can come to agreement and move on with this agreement. After listening to some of the things he's heard, 1) We cannot even negotiate a labor contract without the Chief. There are many things we cannot do without a Chief. Moneywise it will be a hit to them, but the hit to us is going to be multiplied by 3 or 4. We are trying to negotiate for our employees, fire station build delays. It would behoove us to see if we can sit in private meeting to come to a better agreement to discuss the issues. Second idea is, if we cannot come to an agreement with



Penryn, believes we should have at least a 7-person panel consisting of at least 4 fire chiefs from the local area, someone from finance/accounting, maybe a county supervisor, and maybe one or two board members.

- Chairman Jordan agrees... Might not like what you ask for.... We are in a position that we created. We are putting ourselves in dire jeopardy with fulfilling our needs within the District. Everybody is worried about the district... under the understanding that mutual aid is not valid without a Chief of staff. We have had an excellent Chief on our staff. He is very good with the process. Well respected in the community, and with his fellow peers. Very competent. Has always done the right thing for this District and for Penryn. If we decide to go in a different direction, and not try and make amends with Penryn, and as Director Robinson said, we need to look at things very distinctly. Would have to develop something like South Placer's Schedule and some kind of 401K. Doubts we will be able to find a quality... skilled chief without doing something along those lines.
- Read a comment: From South Placer Fire District: Their Board's second major function is to select the fire Chief. Recruiting, retaining (which Newcastle has not done), evaluating, and compensating the fire chief is one of the most critical functions of the board. The Board's job is to make sure that the correct team is at the helm - not be at the helm themselves. Things we can learn from.
- Secretary Elder ask for clarification on 'make amends' to Penryn – explain further. Chairman Jordan thinks the way we have discussed Penryn, about Penryn, made comments. Council suggests we designate ad hoc committee, and it would have to be two or less board members in order to meet. - Christiane is Legal Counsel for the district.
- Resident: in the contract... may allow coverage. Everyone wants to keep Newcastle open. Closing it down is not reasonable.
- Director Enos: believes there are qualified people out there to take over and get the fire station done. Opportunity to make the board stronger and keep the station open.
- Secretary Elder: Mitch has been forced to do too much. Concerned about his working too many hours. He is a fine qualified Fire Chief for our District, but has noticed the record keeping things that need to be done, that perhaps he might not be able to do. Liaison for fire chiefs (traveling throughout California). We need someone who represents us well at this point in time.
- Resident: Two months ago this board was told that we were fine financially. The next month it totally turned around. ...then decision was made to terminating an Agreement... Resident wants to see ad hoc committee with citizens and members of the board to search for a talented individual that has Newcastle's best interest in mind.
- Resident: It was a group of citizens that brought around Proposition B and got it passed so we could have a fire department. Thinks an ad hoc committee to look for a fire chief, help get the fire station built. Once we get someone on board who can run the fire department and work with everyone to get the fire station built... in favor of ad hoc committee also.
- Bill Karl, President of the NCA – to Director Robinson - whatever happened with the agreement that you struck with Penryn? Penryn found good reason to terminate that Agreement. The point... it became a distraction. For two people, that agreement became a distraction became harmful to the community. Thinks it's a bad idea to wait or do things behind the scenes.
- Per Council, even though it's not an action item, Chairman Jordan can appoint two members of the board to oversee and explore issues, then bring it back to the board with their recommendation.
- Chairman Jordan, being advised of ad hoc committee can work towards bringing recommendations back to the board at the next meeting, or a special meeting.
- Secretary Elder volunteered to be part of the ad hoc committee, but it will put her behind a bit on labor negotiations.
- Per Council, it is not preferred, but it is possible to perform negotiations without a chief.
- Even though it's not an action item, the board can appoint board ad hoc committee of board members... minority of the board... explore options, meet, then bring recommendations back to the board for further action.
- Secretary Elder would like one more board member.
- Director Enos would like to be part of the ad hoc committee as well.
- Resident had a question on timing... do quickly. Per Chair, by the 20th meeting.

(B) Station Financial update, Jenine Windeshausen from Placer County Treasury

- One thing she'd like to clear up first...the County is not loaning the money. The County Treasury is. There is a distinct difference. The County is like a depositor. Schools are also depositors; fire districts are also depositors. The [Fire Station] loan is from the County Treasury, not from one of the depositors as has been indicated. Wanted to make it very clear... the County Treasurer makes those decisions independently. They are independently elected.
- Certain actions have been taken to date. This Board has approved the issuance of a Bond not to exceed \$2M for a fire station. Board of supervisors, action required under government code related to the treasurer's purchase of that debt/bond. That is...to approve a purchase of an investment in excess of five years. ...the purpose of that requirement is to ensure that a County treasurer does not overextend the amount in the treasury and therefore ..has insufficient liquidity to meet the withdrawal demands of the depositors. That is the purpose of that action. Not to opine on the merit, financial, or otherwise, of the debt being purchased.
- She read out loud the letter that was just given to the board. To board of NFPD regarding the financing of the fire station. [Letter to be made available to the public?]
- Per the Treasurer, some of the requirements must be met before funds are released:
  - A Chief must be in place. If an interim Chief is identified, a plan for selection and long-term placement and retention of a fire chief must be adopted by the District Board. A chief must be continuously retained by the district until such time the debt is paid in full. Selection and retention of a qualified individual or firm to handle administrative duties...experience in accounting, preferable with government accounting experience...until the debt is paid in full.
  - Development and approval by the board of a five-year financial sustainability plan. Including salary/benefits plan, etc.
  - Selection and retention of a qualified vendor by competitive process to provide annual levy preparation, ...etc.
  - Selection of a qualified project manager by competitive bid process for the construction of the fire station.
  - Selection of a qualified contractor or contractors through a competitive bid process...for project management and construction of the fire station.
  - Full construction schedule, deliverables, accounting, permits, inspections, milestones, expenditures, etc.
  - Monthly board reporting and posting of information.
- Board questions on the letter?
  - No questions
- Resident questions a prior signed document at the board meeting (two months ago) granting the Newcastle Fire Board as a go-ahead with fire station.
- Jenine recapped on various past actions and questions:
  - One of the documents – letter of representation – that says the Board is going to make certain representations to her.
  - At the time the Chair and the Secretary signed documents were pending the board's approval of investment, etc. In the interim, a number of things came to her attention. Under the circumstances, she could not subjugate her fiduciary responsibilities.
  - She expressed to the chair (via phone call), but she was in the process of doing the letter. She had concerns about the investment.
  - She recognizes the need for a fire station. She's willing to do all the documents, put this together.
- Resident recounts sequence of events that led to this.
- Per Jenine, Penryn and Newcastle both have issues. Newcastle has to focus on theirs separate from Penryn.
- The money is there for the fire station.
- Two years ago the process started. Documents were drafted and approved January 2015, but not executed. Permits were not yet in place - one of the conditions...before advancing funds.
- No money has been misappropriated. What she became aware of was Penryn's agenda regarding the decision of the fire chief that gave her pause. Without fire chief/administrative services, who would work with the contractor for the construction; contract/project/accounting, etc.

- Jenine also was aware that the Board was advised they could not take action on increase of Measure F. This is the board's prerogative. Since then a Grand Jury report has come out about the levy preparation and process and the redemption process. This is why she is advising a competitive bid process for selection of a firm that prepares levies.
- There are multiple factors over time that led to this. ...attended meeting two months ago...first began to get the impression that things were in disarray. Part of what sparked her further inquiry.
- Resident who works in building industry in private sector, things being requested, and requirements are not excessive or restrictive. Delegation of duties? Project Manager -whoever that may be -needs to be motivated, etc. A good project manager or team will help push the contractors and make this happen. Everything on that list makes sense.
- Jenine appreciates the positive and productive.
- Resident asked for clarification...No fire chief, no money from treasury.
- Per Jenine, yes, that's true.
- Resident made recommendations to start looking for fire chief now.

## 18. ACTION ITEMS:

- (A) Board Determination of Board Vacancy per Board Policy 2220.2, if Board vacancy is determined, Board may take action to fill vacancy pursuant to Government Code section 1780.
- Chairman Jordan read the policy 2220.1, which included verbiage such as ...members of the board shall attend all regular and special meetings unless there is good cause for absence. Members not present shall be designated in the minutes as absent. If a member arrives after a meeting commences, Recording Secretary shall record the time of arrival.  
2220.2: A vacancy shall occur if any member ceases to discharge their duty of his or her office for a period of three consecutive months except as authorized by the board of directors. Director Enos has missed the April, May and June meetings.
  - Secretary Elder: Was there letter sent to Mr. Enos or is there a letter we should be looking at? Chairman sent him an email to say this is on the agenda.
  - There is nothing in the minutes that says he would not be attending the meetings.
  - Director Enos:
    1. On April 20<sup>th</sup> his email to the board notifying he would not be at the board meeting. Chairman responded...Thanks for letting me know.
    2. In June he emailed.... out of town on family function. Available by speaker phone. Didn't get acknowledgement, but it went to all board members.
    3. The policy talks about ...ceases to discharge the duty of his job, but he contacted members talking about items. During the time he was gone, he was available by email and phone call. Coincidentally all happened about the time the Newspaper article came out about his objecting to the consolidation.
    4. Who gave Mr. Jordan the authority to send out a letter of intent? Read the June 24<sup>th</sup> email from Mr. Jordan notifying him of this policy action item and his options to attend the meeting, offer resignation, etc.
  - Secretary Elder asked Chairman Jordan if he did any counseling. He did not. Did he have any assignments that were not completed? No.
    1. She talked about possible options to attend meetings remotely.
    2. Wants to work as team to get fire and safety protection and new fire station.
  - Per Council: what is before the board is whether or not there is a vacancy pursuant to the board policy. It's whether or not the board is authorizing or not authorizing the three consecutive missed meetings. That's the issue before the board. And if the Board does not authorize, then there is a vacancy determined pursuant to the policy.
  - Director Robinson: Board members need to be at board meetings.
  - Resident asks if the Board were to determine a vacancy... how would they go about filling the vacancy. Council explained the policy and options on possible outcomes. Election process, etc.
  - Per Chairman Jordan, Director Robin Enos will be added to ad hoc committee.
  - *Seeing no motion to enforce the Board Policy 2220.2. Meeting is ended.*

**Meeting adjourned at 7:12 PM.**

**19. NEXT REGULAR MEETING:** Wednesday, July 20, 2016. Location: 461 Main Street.

Respectfully Submitted,

Gayle Capik, Recording Secretary

# NEWCASTLE FIRE PROTECTION DISTRICT

## 2016 / 2017 BUDGET FINAL

**SUB: 360**

DESCRIPTION	2015/2016	2015/2016	2015/2016	2016/2017
REVENUE:	BUDGET	CURRENT	%	BUDGET
6100 General Taxes	\$212,009.00	\$201,559.69	95.1%	\$218,360.00
6106 Railroad Unitary Property	\$240.00	\$230.78	96.2%	\$240.00
6107 Unitary Taxes	\$5,100.00	\$4,939.64	96.9%	\$5,100.00
6108 Property Tax Impounds	\$0.00	\$0.00	0.0%	\$0.00
6111 Unsecured Taxes	\$4,878.00	\$4,883.24	100.1%	\$4,880.00
6132 Redemption - General	\$0.00	-\$6.23	0.0%	\$0.00
6140 Prior Unsecured	\$77.00	\$75.23	97.7%	\$67.00
6171 Current Supplemental Taxes	\$4,674.00	\$5,220.62	111.7%	\$4,451.00
6196 Prior Supplement Prop. Taxes	\$15.00	\$8.73	58.2%	\$10.00
6950 Interest Income	\$3,000.00	\$6,117.36	203.9%	\$4,800.00
6957 R&T 5151 Interest Refunded	\$0.00	-\$20.29	0.0%	\$0.00
7205 Homeowners Property Tax	\$1,800.00	\$1,879.78	104.4%	\$1,800.00
7326 Federal - Other	\$0.00	\$0.00	0.0%	\$0.00
7455 State Match	\$0.00	\$0.00	0.0%	\$0.00
8105 Special Tax "Measure F"	\$144,500.00	Combined		\$144,385.00
8105 Special Tax "Measure B"	\$299,174.00	\$422,020.65	95.1%	\$305,870.00
8193 Other Svc's, Strike Team Deployments	\$21,300.00	\$55,500.73	260.6%	\$0.00
8215 Administrative Contract	\$0.00	\$0.00	0.0%	\$0.00
8746 Grants-Private Funds	\$0.00	\$0.00	0.0%	\$0.00
8764 Other Misc.	\$5,000.00	\$17,866.36	357.4%	\$2,500.00
<b>TOTAL REVENUE:</b>	<b>\$701,767.00</b>	<b>\$720,276.29</b>	<b>102.6%</b>	<b>\$692,463.00</b>
<b>Transfer To: 2453, 552000, Assign. Conting.</b>				
<b>From: 2455 Unassigned Fund Balance</b>	<b>\$60,125.00</b>			<b>\$139,904.00</b>
<b>Estimate Fund Balance: 2455</b>	<b>\$175,915.00</b>			<b>\$299,660.00</b>
<b>TOTAL:</b>	<b>\$817,558.00</b>			<b>\$852,219.00</b>
<b>SALARY &amp; WAGES:</b>				
1002 Salaries and Wages	\$230,000.00	\$145,866.89	63.4%	\$300,270.00
1003 Extra Help (Pt. Time)	\$40,000.00	\$37,004.77	92.5%	\$40,000.00
1005 Overtime / Call Back	\$45,000.00	\$54,052.63	120.1%	\$53,000.00
1301 FICA 7.656%	\$26,000.00	\$19,350.77	74.4%	\$27,222.00
1310 Employee Grp. Ins.	\$25,000.00	\$18,734.57	74.9%	\$45,000.00
1315 Workers Comp. Ins.(.0675%)	\$32,000.00	\$20,961.00	65.5%	\$28,222.00
1565 Emp. Ben. (other Agency)	\$0.00	\$0.00	0.0%	\$0.00
<b>TOTAL SALARIES &amp; WAGES:</b>	<b>\$398,000.00</b>	<b>\$295,970.63</b>	<b>74.4%</b>	<b>\$493,714.00</b>

# NEWCASTLE FIRE PROTECTION DISTRICT

## 2016 / 2017 BUDGET FINAL

**SUB: 360**

DESCRIPTION	2015/2016	2015/2016	2015/2016	2016/2017
	BUDGET	CURRENT	%	BUDGET
<b>OPERATIONS:</b>				
2017 Uniforms	\$4,000.00	\$2,682.52	67.1%	\$4,000.00
2051 Communications, Tel	\$5,000.00	\$1,758.37	35.2%	\$5,000.00
2140 Insur. Liab. & Gen	\$8,500.00	\$7,315.00	86.1%	\$8,500.00
2290 Equipment - Vehicles	\$22,000.00	\$18,725.42	85.1%	\$32,000.00
2405 Building & Impr. / New Building	\$144,000.00	\$70,486.55	48.9%	\$110,000.00
2422 Medical Oxygen	\$720.00	\$357.02	49.6%	\$720.00
2439 Dues & Subscriptions	\$1,800.00	\$1,357.00	75.4%	\$1,800.00
2456 Misc. (Special Exp.)	\$3,000.00	\$1,141.10	38.0%	\$3,000.00
2508 County Coll. Charges	\$6,700.00	\$4,442.04	66.3%	\$6,700.00
2511 Printing Costs	\$200.00	\$0.00	0.0%	\$600.00
2517 SB 2557 Co. Cost	\$4,950.00	\$4,947.42	99.9%	\$5,300.00
2522 Supplies (Equip. Misc.)	\$11,000.00	\$8,529.19	77.5%	\$11,000.00
2523 Office Supplies	\$4,000.00	\$1,666.85	41.7%	\$4,000.00
2528 Services / Penryn Contract	\$105,000.00	\$98,528.37	93.8%	\$75,000.00
2555 Professional Services	\$45,000.00	\$15,603.03	34.7%	\$45,000.00
2556 Prof / Spec Services - County Payroll	\$0.00	\$0.00	0.0%	\$650.00
2770 Gasoline & Oil	\$12,000.00	\$6,081.03	50.7%	\$12,000.00
2772 Other Contract Svcs.	\$0.00	\$0.00	0.0%	\$0.00
2821 Small Equipment (Grant)	\$0.00	\$0.00	0.0%	\$0.00
2831 Precinct Elections	\$0.00	\$0.00	0.0%	\$6,000.00
2840 Special Exp. / Strike Team	\$20,000.00	\$8,095.23	40.5%	\$0.00
2844 Training	\$4,000.00	\$1,796.11	44.9%	\$4,000.00
2939 Admin. Board Exp. (Dir)	\$2,200.00	\$1,335.00	60.7%	\$2,200.00
2965 Utilities	\$10,000.00	\$7,747.49	77.5%	\$10,500.00
3547 LAFCO Dues	\$488.00	\$487.76	100.0%	\$535.00
3785 Local Matching Funds (Grants)	\$0.00	\$0.00	0.0%	\$0.00
4455 Fire Equipment	\$5,000.00	\$6,876.24	137.5%	\$10,000.00
<b>TOTAL OPERATIONS:</b>	<b>\$419,558.00</b>	<b>\$269,958.74</b>	<b>64.3%</b>	<b>\$358,505.00</b>
<b>TOTAL EXPENSES:</b>	<b>\$817,558.00</b>	<b>\$565,929.37</b>	<b>69.2%</b>	<b>\$852,219.00</b>
<b>RESERVES:</b>				
<b>2453,514000: General Reserve</b>	<b>\$59,363.00</b>	<b>\$59,362.00</b>		<b>\$59,362.00</b>
<b>2453,552000: ASSIGN-Contingencies:</b>	<b>\$299,412.08</b>	<b>\$299,413.08</b>		<b>\$439,317.08</b>
<b>TOTAL:</b>	<b>\$358,775.08</b>	<b>\$358,775.08</b>		<b>\$498,679.08</b>

# NEWCASTLE FIRE PROTECTION DISTRICT

## 2016/ 2017 MITIGATION BUDGET FINAL

**SUB:361**

DESCRIPTION	2015/2016	2015/2016	2015/2016	2016/2017
	BUDGET	CURRENT	%	BUDGET
<b>REVENUE:</b>				
<b>Fund Balance:</b>	\$0.00			\$0.00
6950 Interest	\$1,600.00	\$2,098.92	131.2%	\$1,600.00
8263 Development Fees	\$15,000.00	\$28,185.98	187.9%	\$10,000.00
8764 Misc. Revenues	\$0.00	\$0.00	0.0%	\$0.00
<b>TOTAL REVENUE:</b>	<b>\$16,600.00</b>	<b>\$30,284.90</b>	<b>187.9%</b>	<b>\$11,600.00</b>
<b>DESCRIPTION</b>	<b>2015/2016</b>		<b>2015/2016</b>	<b>2015/2016</b>
	<b>BUDGET</b>		<b>%</b>	<b>BUDGET</b>
<b>OPERATIONS:</b>				
4455 Fire Equipment	\$39,100.00	\$37,036.66	94.7%	\$29,200.00
2453 Designated for FA Acquis	\$0.00	\$0.00	0.00%	\$0.00
<b>TOTAL OPERATIONS:</b>	<b>\$39,100.00</b>	<b>\$37,036.66</b>	<b>0.0%</b>	<b>\$29,200.00</b>
Transfer: From: 2453 546000, Assign Assets				
To: 2453: 552000 Assigned-Contingencies	<b>\$10,078.00</b>	<b>\$0.00</b>		<b>\$1,852.00</b>
<b>Estimate Fund Balance:</b>	<b>\$32,578.00</b>	<b>\$0.00</b>		<b>\$15,748.00</b>
<b>TOTAL:</b>	<b>\$39,100.00</b>	<b>\$0.00</b>		<b>\$29,200.00</b>
<b>Reserves:</b>				
<b>Capital Assets</b>	<b>\$110,933.78</b>	<b>\$110,933.78</b>		<b>\$109,081.00</b>
<b>Contingencies</b>	<b>\$34,648.90</b>	<b>\$34,648.90</b>		<b>\$34,648.90</b>
<b>Total:</b>	<b>\$145,582.68</b>	<b>\$145,582.68</b>		<b>\$143,729.90</b>



# NEWCASTLE FIRE PROTECTION DISTRICT

PO Box 262, 9211 CYPRESS ST, NEWCASTLE, CA 95658

916-663-3323 FAX 916-663-3907

## RESOLUTION #2016\_6

### BEFORE THE BOARD OF DIRECTORS OF THE NEWCASTLE FIRE PROTECTION DISTRICT COUNTY OF PLACER, STATE OF CALIFORNIA A RESOLUTION TO APPROVE THE BUDGET FOR FISCAL YEAR 2016 -2017

RESOLUTION #2016\_6  
Approving the Final Budget for 2016-2017

BE IT RESOLVED, by the Board of Directors of the Newcastle Fire Protection District, in a normal session, assembled on August 17, 2016 were presented with the Final Budget for approval and that the District Fire Chief is authorized and directed to file a copy of the Budget with the Placer County Auditor's Office.

WHEREAS, the Placer County Auditor Control Office is directed to transfer \$139,904.00 From: Sub Fund: 360, 2455, Unassigned Fund Balance and To: Assigned-Contingencies Sub Fund: 360, 2453, 552000.

WHEREAS, the Placer County Auditor Control Office is directed to transfer \$1,852.00 From: Sub Fund: 361, 2453, 546000 Assigned-Capital Assets To: Sub Fund: 361, 2455, Unassigned Fund Balance

The foregoing Resolution was passed and adopted by the Board of Directors of the Newcastle Fire Protection District at a normal meeting thereof, held on the \_\_17\_\_ day of August, 2016:

Director: \_\_\_\_\_ Aye: \_\_\_\_\_ No: \_\_\_\_\_ Abstain: \_\_\_\_\_ Absent: \_\_\_\_\_  
Lawrence Bettencourt  
Jonita Elder  
Eric Sprouse  
Neil Anderson  
Robin Enos

\_\_\_\_\_  
Chairperson,

\_\_\_\_\_  
Second Board Member