

Newcastle Fire Protection District
Minutes of Regular Board of Directors Meeting
Wednesday, April 18, 2018
645 Kentucky Greens Wy.
Newcastle, CA 95658

1. **Call Meeting to Order**
 - a. Chairman Elder called the meeting to order at 6:00 p.m.
 - b. VC Bettencourt led the Flag Salute.
 - c. All Directors with the exception of Director Sprouse were present.
 - d. Chief Kushen was absent due to illness.
2. **Approval of Agenda**
 - a. VC asked that item 11 (b) be moved prior to item 10 so that the interested parties will not have to sit through the business portion of the meeting if they don't want to. Item 10 (b) will be moved ahead of 10 (a). VC Bettencourt made a motion to approve the revised agenda. Secretary Kahrl seconds the motion. Motion carries.
3. **Approval of Minutes**
 - a. Secretary Kahrl made a motion to accept the minutes as presented. VC Bettencourt seconds the motion. Motion carries.
4. **Bill Approval and Financial Report**
 - a. VC Bettencourt reported that NFPD has received a \$5k refund from FASIS (Workman's Comp. Carrier) for premium overpayment in FY 16/17.
 - b. Chairman Elder made a motion to accept the financials as presented. Secretary Kahrl seconds the motion. Motion carries.
5. **Correspondence**
 - a. None
6. **Public Comment**
 - a. Resident Art Berliner reported that the NCA (Newcastle Community Association) Annual Celebration Day will be held on 5/6. He is hoping the Fire District will have a booth setup.
 - b. Resident Stan Brown asked about all of the Cal Fire ads that have been popping up.
 - i. Chairman Elder stated that there will be a presentation later in tonight's agenda that will address that.
 - c. Anthony Dorado, Director of the Nevada-Yuba-Placer Chapter of Cal Fire Local 2881 reported that the billboard and newspaper advertisements were planned over a year in advance. Mr. Dorado further explained his position and the Cal Fire Local's position as they relate to Placer County's current "Fire Districts Financial Stability Task Force". Mr. Dorado made it clear that he does not represent Cal Fire, he represents their "Labor".
 - i. Secretary Kahrl, speaking on behalf of the NCA, invited Cal Fire to have a booth at Celebration Day, also.
7. **Fire Chief's Report (Captain Hickok reported on behalf of Chief Kushen)**
 - a. In March, there were 43 calls:
 - i. 26 Medical Aids
 - ii. 2 Vehicle Accidents
 - iii. 3 False Alarms
 - iv. 6 Fire Investigations
 - v. 2 Vegetation Fires

vi. 2 Public Assists

vii. 2 Cover Station

- 1) The funeral service for Auburn City Firefighter Trent Lindholdt is Friday, 4/27, 11:00 a.m. at Bayside Church.

8. Newcastle Professional Firefighter's Association

- a. Matt McCoy reported that MOU (Memorandum of Understanding) negotiations are currently in process and that the Professional Association will have a booth at Celebration Day.

9. Board Committee Reports

a. Building Committee: New Fire Station Update

i. Director Bettencourt reported the following:

- 1) The Cal Trans fence has been put up.
- 2) Temporary fence for Monroe is up and they are happy with it.
- 3) We are waiting for the final invoices from Youngdahl and Mendez.
- 4) George Atterbury has submitted the "cleaned-up" electrical and mechanical plans.
- 5) The PG&E quote for the 3 phase transformer cannot be extended out any further. If we don't pay the quoted price (\$29,016.68) now, they will cancel the quote and we will have to re-apply. Prices have gone up significantly since we received our quote.

b. Personnel Committee: MOU and Policies and Procedures

- i. Secretary Kahrl reported that the MOU is on track. The labor reps. were well prepared. They have not been able to meet recently because of scheduling conflicts.

10. Informational/Non-Action Items

a. Review and discuss the Ralph M. Brown Act §54953(b) regarding Teleconferencing.

i. Chairman Elder stated that the Board decides whether or not to allow teleconferencing. Previously, the Board has allowed it. However, there are certain rules which must be adhered to be in compliance with the Brown Act.

- 1) Copies of the applicable section of the Brown Act were included in the agenda document package.
- 2) The agenda must specify the physical location where the teleconferencing will take place from.
- 3) There currently is not anything in the Policies and Procedures regarding Teleconferencing. It is purely a Board decision.
- 4) Chairman Elder read the Brown Act requirements aloud.
- 5) Board members need to notify the Chairman that they will be absent from a meeting and provide the exact address of where they will be teleconferencing from. The Chairman will provide the information to Gillian for inclusion on the agenda. The information must be received by Friday prior to the meeting.

ii. Secretary Kahrl reminded the Board of the following:

- 1) Board bylaws were adopted on 5/23/2017.
- 2) The bylaws state that attendance at a Board meeting means being in your seat and ready to go by 6:00 p.m.
- 3) Teleconference is not sitting in your car or in a hotel room trying to make something into something it's not.

- 4) This is a "Chair" decision.
- iii. VC Bettencourt disagrees with Secretary Kahrl. You can teleconference from a hotel room. The door must be open and an agenda posted.
- iv. Chairman Elder thinks teleconferencing is disruptive.
- v. Director Enos asked if teleconferencing from inside his 5th wheel trailer is permissible.
 - 1) It was decided to consult with the District's Counsel about this.
- b. Peter Hills, President of the Placer Hills Board, gave a PowerPoint presentation regarding the ***State of the Fire Districts***.
 - i. General discussion after presentation.
 - 1) The project will be on the agenda for the May 22nd Board of Supervisors meeting. 9:00 a.m. at the *Domes*.
 - 2) Wear a red shirt to show support for the fire districts.
 - 3) The Taskforce will be looking for direction from the Supervisors on how to proceed, if that's what they want to do.
 - 4) Chairman Elder asked if it would help for the Board to write a letter in support of the fire districts to the Auburn Journal.
 - a. VC Bettencourt thinks that after the 5/22 meeting would be best. The County clearly knows there is an issue and is taking time to look at it.
 - 5) Chairman Elder thanked everyone who has worked on the project for all of their work.
- c. Review the Draft Budget for FASIS (Fire Agencies Self Insurance System).
 - i. FASIS was created in 1984 and was formed as a joint powers authority to be a viable and highly successful alternative to the commercial insurance market. FASIS currently consists of nearly two hundred fire and community services districts. Most of these members have participated and shared in FASIS since its inception.

11. Action Items

- a. Consider and Approve a Cost of Living Increase for the Special Tax Charges for Fiscal Year 2018/2019.
 - i. Resolution No. 2018-01, **Measure F** COLA increase of 3.6%.
 - 1) VC Bettencourt made a motion to accept Resolution #2018-01 that will increase the amount collected for Measure F by 3.6%. Secretary Kahrl seconds the motion.

a. Elder	AYE
b. Bettencourt	AYE
c. Kahrl	AYE
d. Sprouse	ABSENT
e. Enos	AYE
 - 2) Resolution is adopted.
 - ii. Resolution No. 2018-02, **Measure B** COLA increase of 3%.
 - 1) Secretary Kahrl made a motion to accept Resolution #2018-02 that will increase the amount collected for Measure B by 3%. Director Enos seconds the motion.

a. Elder	AYE
b. Bettencourt	AYE

- c. Kahrl AYE
- d. Sprouse ABSENT
- e. Enos AYE

2) Resolution is adopted.

- b. Consider and approve the Construction Manager Services Agreement with Tricorp Group Inc.
 - i. Director Enos reported that 4 firms had applied for the position.
 - ii. VC Bettencourt recommends Board approval of Tricorp Group Inc. then send contract to legal counsel to address section 16.4 prior to Board signatures.
 - iii. Chairman Elder is concerned about the 15 day payment requirement. The District's invoices are paid through Placer County so by the time the paperwork is prepared, the required Board signatures are obtained, the County cuts the check and the payment is received by the vendor, the 15 day requirement may be exceeded. A 30 day payment schedule would be better for the District.
 - iv. Director Enos asked Brian Topple from Tricorp if the 15 day payment requirement can be changed to 30 days so we don't incur the 10% late payment penalty. Mr. Topple said that they can "probably work with that".
 - v. Mr. Topple explained to the Board that section 16.4 of the contract would only be applicable if the District and Tricorp were in some kind of "adversarial" relationship. This is not the case, Tricorp is acting as an "agent" of the District to get the new station built.
 - vi. VC Bettencourt made a motion to approve the contract with Tricorp Group Inc. Director Enos seconds the motion. Motion carries unanimously with Directors present.
- c. Consider and vote for FASIS Board of Directors.
 - i. VC Bettencourt made a motion for the Board to cast a vote for Gary Grenfell from the South Placer Fire Board. Secretary Kahrl seconds the motion. Motion carries unanimously with Directors present.
- d. The Board adjourned at 7:55 p.m. into Closed Session: Government Code § 54957.6(a) Labor Negotiations.
 - i. Chairman Elder re-convened the Open Session at 8:42 p.m. Mrs. Elder reported that no action was taken. Instruction was given to the negotiations committee. VC Bettencourt will fill in for Director Enos on the Negotiations Committee for the next 2 months.

12. Directors Reports:

- a. None

13. Chairman Elder adjourned the meeting at 8:43 p.m.

Respectfully Submitted By:



Patrice Metz, Recording Secretary