

Newcastle Fire Protection District  
Minutes of Regular Board of Directors Meeting  
Wednesday, January 15, 2020  
645 Kentucky Greens Way  
Newcastle, CA 95658

**1. Call Meeting to Order**

- a. Chairman Bettencourt called the meeting to order at 6:03 p.m.
- b. Kevin Flautt of Kronick Moskovitz Tiedemann & Girard led the Flag Salute.
- c. All Directors were present.
- d. Chief Kushen and Deputy Chief Brothers were present.

**2. Approval of Agenda**

- a. Chairman Bettencourt asked to move the Closed Session up on the agenda after Public Comment since the District's counsel was present.
- b. Secretary Kahrl made a motion to approve the agenda as amended. Director Enos seconds the motion. Motion carries.

**3. Approval of Minutes**

- a. Secretary Kahrl made a motion to approve the minutes of the November 20<sup>th</sup> regular meeting as presented. Director Enos seconds the motion. Motion carries.

**4. Bill Approval and Financial Report**

- a. Chief Kushen reported the following:
    - i. Revenues:
      - 1) We received 55% of our projected property and parcel tax revenues.
      - 2) We have received over 70% of our projected mitigation fees.
    - ii. Expenses:
      - 1) We purchased fire prevention supplies under miscellaneous (explains the 74%)
      - 2) The collection costs for the parcel taxes should have been assigned to account SC2840 and not SC2860. (Staff has adjusted).
      - 3) Legal fees are over budget
      - 4) Salaries and wages are current - 10% under @ 40% due to the prior vacancy
      - 5) OT is over @ 84 %, however, the total payroll is within budget @ 46%
      - 6) Everything else looks good. Total expenses are 43% with 50% of FY elapsed
    - iii. Our end of year numbers are very close to the 5-year budget projections.
- VC Elder made a motion to approve the financial report as presented. Director Enos seconds the motion. Motion carries.

**5. Correspondence**

- a. When Placer Hills received the 90-day notice for cancellation of the service contract with Foresthill Fire, our Board indicated concern regarding potential issues in continuing the JOA as currently written and possible liability involving our upcoming inability to provide our personnel the operational oversight, command and control we had previously provided all 3 JOA agencies. The JOA had a 180-day cancellation notification requirement. The Placer Hills Board sent the withdrawal notification to both FHF and NEW, as all 3 agencies were signatory. We wish to continue the JOA with NEW by drafting a new document between our 2 agencies and are open to discussions with Foresthill moving forward.

**6. Public Comment**

- a. None

**7. Fire Chief's Report**

**Responses:** Totals for – November 44 December 48

Struct. Fires – 11; Veh. Fire – 3; Veg. Fire – 4; M/A – 49; Vehicle T/C's –9; Misc. 16

Annual 2019 total call number is – 685 our busiest month is July and Feb. the slowest

M/A = 54%, Fires = 15% - Structure Fires = 8% Vehicle Fire = 4% Vegetation Fires = 3% TC's=9%

Misc. = 22% - False alarms, Haz-Mat, Covers, public assistance, etc.

**Significant Incidents:**

1/7 - Structure Fire in ABN, crews assisted on interior fire attack & overhaul.

12/23 – Vehicle T/C on 193 with a fatality.

We've had 7 Vehicle TC's on Hwy 193 over the last 2 months, two related to DUI.

**Staffing:**

All Interns have completed their terms and our Engine is back to 2-0 staffing as of tomorrow morning. We have retained our Interns on the roster as volunteers.

**Apparatus:**

The OES loaner Engine is being serviced and will be returned to the State soon. We are planning to temporarily place PHF E-85 in service as E-41 on a temporary status until the new PHF E-84 is officially placed in service in March.

We anticipate completing the official ownership title transfer process to NEW by 3/20

We have received the new replacement auxiliary pump and Husqvarna circular saw from Cummins Sacramento. They have been inventoried and added to the apparatus.

**Facilities:**

We received the recorded update for the deed for our new Fire Station 41 building site which extends the conditional term until October 2021.

**Grants:**

We recently submitted a new SSV EMS grant request together with Placer Hills for purchasing body armor for our personnel to provide additional protection during responses that involve potential violence. All Placer County agencies have been training together with law enforcement on the RTF responses to active shooter incidents.

We are looking into upcoming grant opportunities for PSPS infrastructure mitigations. This could include costs for the generator installation at our new fire station

**EMS, Operations and Training:**

We received a reimbursement from Fire Recovery for \$1,140 last week. This is cost recovery for a commercial vehicle fire E-41 responded to on I-80 in Nov.

Many Local Fire Departments utilize cost recovery to provide response reimbursements.

Many statewide Fire Departments, including most Sacramento area departments and many in Placer County also utilize first responder fees to recover costs for providing Advanced Life Support Paramedics. We are constantly evaluating options to increase our levels of services to paramedics and methods for funding this increased service.

We have scheduled Staff Meeting on January 22nd with all Chief's and NEW personnel to adjust the distribution of program assignments, review and update our expectations and solicit feedback and ideas to improve performance and organizational accountability.

Chief Slusher's position has been converted from an Acting Battalion Chief to a permanent position. He is keeping his current areas of responsibility of Op's, EMS and Training. He has recently rolled out the new 2020 Annual Fire District Training Plan.

**8. Division Chief/Fire Marshal Vernell Brothers' Report:**

- a. Permit Fee Update  
Since October 2, 2019 – Dec. 10, 2019 - Collected \$7,900
- b. Fire Prevention Program  
In development stages, (Based off of OSHA 1910-39, Fire Prevention Plan  
Will incorporate Fire Marshal duties and responsibilities into the plan  
Ordinance 2019-01 (Schedule of fees for services provided)  
Commercial Fire Inspections – Fire Recovery Hub

**9. Newcastle Professional Firefighter's Association**

- a. Engineer Shaw reported that they are continuing the process of joining IAFF Local 3800.

**10. Board Committee Reports**

- a. Building Committee update on the new fire station.
  - i. Chairman Bettencourt reported that he tried to deliver the updated plans to the County but was informed the permit had expired. The permit has since been extended. The plans do not include signature from Structural Engineer, Joseph Leonard.

**11. Informational/Non-Action Items**

- a. Discussion and direction on the Fire District's property at the Chantry Hill Baseball Field.
  - i. VC Elder requested that this item be postponed until the next meeting and that it be moved to *Action Items*.

**12. Action Items**

- a. Election of Board Officials and appointment of Committee Assignments.
  - i. Chairman
    - 1) VC Elder nominated Secretary Kahrl. Director Heisterkamp seconds the motion.
      - 1.01 Chairman Bettencourt stated that he has concerns about how Secretary Kahrl speaks to other board members and staff,
      - 1.02 Secretary Kahrl stated that he takes those concerns seriously and would like Chairman Bettencourt to provide some mentoring to him.
    - 2) Director Enos nominated Chairman Bettencourt to continue as Chairman. No second was received. Motion *falls to the floor*.
    - 3) Vote for Kahrl as Chairman:
      - 1.01 Ayes: Elder/Kahrl/Heisterkamp
      - 1.02 Nays: Bettencourt/EnosMotion carries.
  - ii. Vice Chairman
    - 1) Director Elder made a motion to nominate Director Bettencourt for VC. Director Enos seconds the motion. Motion carries unanimously.
  - iii. Secretary
    - 1) Director Enos made a motion to nominate Director Elder for Secretary. VC Bettencourt seconds the motion. Motion carries unanimously.
  - iv. Committee Assignments
    - 1) Finance: Elder/Heisterkamp

- 2) Building: Bettencourt/Kahrl
  - 3) Personnel: Enos/Heisterkamp
  - 4) Contract Administration: Heisterkamp/Bettencourt
- b. **CLOSED SESSION:** Chairman Bettencourt adjourned to Closed Session at 6:15 p.m.
- i. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
  - ii. CONFERENCE WITH LABOR NEGOTIATORS
  - iii. Chairman Bettencourt reconvened the open session at 6:43 p.m. and reported that legal counsel had given the board direction pertaining to action items (c) and (d).
- c. Consideration for either approval or denial of the Deferred Remedial Action Agreement with South Placer Municipal Utility District (SPMUD) to repair the damaged sewer pipe.
- i. Legal Counsel recommended that the board withdraw its approval as to form and deny remedial action to repair the damaged sewer pipe.
  - ii. VC Elder made a motion to withdraw its approval as to form and deny remedial action to repair the damaged sewer pipe. Director Enos seconds the motion. The motion carries unanimously by roll-call vote.
- d. Consider and approve a side letter recognizing Nevada County Professional Firefighters, Local 3800, as the exclusive bargaining agent for Newcastle Fire District.
- i. Current labor agreement was adopted in 2014. The board has the option to approve the side letter now or delay it for a year and a half. Chairman Bettencourt urged the board to waive their right to deny and approve the side letter at this time.
  - ii. Secretary Kahrl made a motion to waive the board's right to deny and approve the side letter at this time. VC Elder seconds the motion. Motion carries.
- e. Consider and approve a side letter with PHF approving the transfer of revenues related to Fire Marshal services (NEW ledger item 46360) to PHF to fund the Fire Marshal's position.
- i. VC Bettencourt made a motion to approve a side letter with PHF approving the transfer of revenues related to Fire Marshal services (NEW ledger item 46360) to PHF to fund the Fire Marshal's position. Director Enos seconds the motion. Motion carries unanimously by roll-call vote.
- f. Consider and accept the Audit for FY 2018/2019 prepared by Johnson Accounting.
- i. Secretary Elder made a motion to accept the audit as presented. VC Bettencourt seconds the motion. Motion carries.
- g. Consider and accept the title and ownership of PHF 2004 HME to replace the 1995 engine and give staff the authority to make the necessary equipment changes.
- i. VC Bettencourt made a motion to accept the title and ownership of PHF 2004 HME to replace the 1995 engine and give staff the authority to make the necessary equipment changes. Secretary Elder seconds the motion. Motion carries.
- h. Consider and approve the meeting calendar for 2020.
- i. Secretary Elder made a motion to approve the meeting calendar with the following amendment:
    - 1) Move the 12/16 meeting to 12/9.