

**ALBION-LITTLE RIVER FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS BUSINESS MEETING AGENDA**

Wednesday December 19, 2007, 7:30 pm, at Station 810, 32601 Albion Ridge Road, Albion, CA

1. **Call to order and determination of a quorum.**
2. **Public communication to the Board.** An opportunity is provided for members of the public to address the Board with respect to matters within the Board's jurisdiction whether on the agenda or not. For action items the public may also address the board at the time the item is presented for action.
3. **Designation of Temporary Officers** – Pending election of officers of the District Board as provided in California Health & Safety Code § 13853, the Board will designate temporary officers to perform the duties of officers.
4. **Fire Chief's report, including operational needs.**
 - A) **Incident reports.** The Fire Chief is requested to report on the types of calls to which the Department has responded since the last Board meeting, with an emphasis on any trends which would suggest a need for changes to the District's and the Department's planning.
 - B) **Fund raising, gifts and service fees.** The Fire Chief will report current information on fundraising, gifts to the Department, and any calls on which service fees should be levied by the District Board.
 - C) **Fire Department report.** The Fire Chief will report on other Department progress.
 - D) **Fire Department operational needs.** The Fire Chief will report on Department needs.
5. **Treasurer's report.** Current financial statements for the District will be presented by the District's bookkeeper, and Alan Taeger as Treasurer will make any necessary explanations.
6. **Secretary's report.**
 - A) **Communications to the Board will be presented.**
 - B) **Minutes.** Revised minutes of the October 30, 2007 meeting (revised at the request of the District Board) and minutes of the November 26, 2007 meeting, which have not been approved, will be approved or revised and approved.
7. **Update on Station 811 Project:** There will be an update on progress on this project.
8. **Items for consideration and possible action:**
 - A) **Official Board Appointment of Fire Chief.** In accordance with its Bylaws, Policies and Procedures, the District Board will consider appointment of the individual elected by the Department as its Chief at its December business meeting.
 - B) **Applications for Development of Station 811.** The District Board will consider whether or not it should proceed now with plans for additional development of the property at 32600 Albion Ridge Road, commonly referred to as Station 811, and if it determines to proceed will designate an agent to act on its behalf with respect to all documents to be submitted to or communications to be had with the Mendocino County Planning Department or any other authority in connection with the property and with any permits for which application must be made for the development of the property, and authorizing that agent to sign any documents required to be signed in conjunction with any application.
 - C) **Placement of Storage Container on Station 811 Property.** The District Board will hear a report with respect to placement of a metal storage container on the District's property at 32600 Albion Ridge Road and consider what action must be taken in connection with it.
 - D) **Request for County Counsel Opinion.** The District Board will consider authorizing Laura Vogelgesang to proceed to request an opinion of Mendocino County Counsel, and payment for the cost of preparation of an opinion, as to how the District Board should proceed in light of the Mendocino County Clerk's statements with respect to the filling of vacancies on the District Board.
 - E) **Procurement and Reimbursement Policies.** The Board will consider amending the District's procurement policy and consider adoption of a proposed policy with respect to the process to be followed by the Department in the event it wishes reimbursement by the District for funds it has expended.
 - F) **Board Vacancies.** The Board will discuss the procedures required by law with respect to filling vacancies on the District Board and may schedule a special meeting at which to make appointments to fill two vacancies which resulted from the expiration of terms on December 7, 2007 as provided by law.
 - G) **Directions to Board Bookkeeper.** The Board will determine the direction to give to the Board Bookkeeper with respect to a recent donation made to the District, and with respect to any future donations.
 - H) **Communications with Albion-Little River Volunteer Fire Department.** The Board will consider proposed communications with the Department, including matters earlier directed to be raised at an officers' meeting.
 - I) **Agenda Items for Future Meetings or for Indefinite Postponement.** The Board will prioritize agenda items which have been carried over from previous meetings as either items which will be reagendaized for future meetings or as items which will be postponed indefinitely. These include the following: (1)Revision of bylaws, policies and procedures; (2)creation of a long-range strategic plan for the District, including (a) creation of a manual for members of the District Board, including the District Board's authority with respect to ordinances or resolutions and the place of these in the District's mission, (b) assessment of need for and provision of facilities, (c) assessment of need for and provision of equipment, and (d) assessment of need for and provision of a disaster plan; (3) training by County Counsel on Brown Act, ethics, and other matters; (4)revision of the ordinance or resolution made earlier with respect to emergency response services fees; (5) safety standards for recreational divers; (6)fire protection mitigation fees; (6)planning guidelines for wildland interface.
9. **Land, buildings and equipment.**
 - A) **Power to 815.** There will be a report on progress.
 - B) **Roof of 810.** There will be a report on progress of the required painting.
 - C) **Fence Near 810.** There will be a report on progress toward repair, requested by the landlord, of the fencing near Station 810.
10. **Committee reports:** Committee reports, if any, will be presented.
 - A) **Real Estate**
 - B) **Grants**
 - C) **Insurance**
 - D) **Requirements**
 - E) **Web Site**
11. **Board Directors' reports.** Individual Board members may report on topics including but not limited to insurance, bylaws, a website, and benefits for firefighters. The Board may schedule a session so that the Board may be trained on its responsibilities in relationship to the Department and on financial matters.
12. **Next meeting date and agenda.**
13. **Adjournment.**

Individual who requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the Board meeting should contact the Board in writing at P.O. Box 634, Albion, CA 95410-0634, at least two days before the meeting date.

Alan Taeger

From: albion-bounces@lists.mcn.org on behalf of lauraalrfd@comcast.net
Sent: Saturday, December 15, 2007 2:57 PM
To: Little River listserv; Albion Listserv
Subject: [MCN-Albion] Albion-Little River Fire Protection District Board Meeting Agenda for December 19, 2007

ALBION-LITTLE RIVER FIRE PROTECTION DISTRICT BOARD OF DIRECTORS BUSINESS MEETING AGENDA
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reimbursement by the District for funds it has expended.

F) Board Vacancies. The Board will discuss the procedures required by law with respect to filling vacancies on the District Board and may schedule a special meeting at which to make appointments to fill two vacancies which resulted from the expiration of terms on December 7, 2007 as provided by law.

G) Directions to Board Bookkeeper. The Board will determine the direction to give to the Board Bookkeeper with respect to a recent donation made to the District, and with respect to any future donations.

H) Communications with Albion-Little River Volunteer Fire Department. The Board will consider proposed communications with the Department, including matters earlier directed to be raised at an officers' meeting.

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B) Grants

C) Insurance

D) Requirements

E) Web Site

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Alan Taeger

From: William S. Huff or Laura J. Vogelgesang [wshljv@mcn.org]
Sent: Wednesday, December 12, 2007 11:05 AM
To: Katrina Bartolomie
Subject: Re: Albion/Little River Fire

Hi Katrina - I am sure that if we all (and everyone we know, and everyone they know, and so forth) work on this pretty much full time for a few years, it will all become clear to us!

In the meantime, as of December 7, 2007, our board is composed of Alan Taeger, me, and Josh Latkin. According to our reading of the statutes, Ed Petrykowski's term (as an appointee who filled the seat which had been filled previous to that by Sam Levine) expired on December 7; Sam had resigned effective September 23. Jim Shock completed his own term, so the seat Jim Shock filled is also vacant as of December 7. That's why I wrote when I did.

Let me know if there is any way we can be of any assistance, and we'll look forward to hearing from you.

Thanks, and stay warm,
Laura

----- Original Message -----

From: Katrina Bartolomie
To: Vogelgesang, Laura
Sent: Wednesday, December 12, 2007 10:37 AM
Subject: Albion/Little River Fire

Hi Laura

We are having our County Counsel check the code sections you referred to in your letter dated 12/5/07. In looking at the Albion/Little River Fire Protection file we found appointments that were made by Richard Aherns that may not be valid, either because he used the incorrect forms; or the appointee did not sign the form. We're checking that further as well.

Please let me know who you think is on your board as of this period of time. What is the status of James Shock and Sam Levine - did they resign or complete their terms?

As soon as we hear from County Counsel I'll let you know.

Thank you!

Katrina Bartolomie
Assistant Registrar of Voters
Mendocino County Elections
(707) 463-4374

12/18/2007

ALBION LITTLE RIVER FIRE PROTECTION DISTRICT
P.O. Box 634
ALBION, CA 95410

December 5, 2007

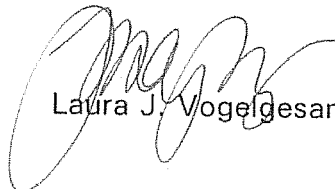
Marsha A. Wharff
Mendocino County Assessor – County Clerk - Recorder
Katrina Bartolomie
Assistant Registrar of Voters
County of Mendocino
Office of the County Clerk-Recorder
501 Low Gap Road, Room 1020
Ukiah, CA 95482

Re: Albion-Little River Fire Protection District
Board of Directors Vacancies

Dear Marsha and Katrina:

This is to advise you that as of December 7, 2007, there will be two vacancies on the Board of Directors of the Albion-Little River Fire Protection District; we are notifying you of these vacancies in accordance with Government Code § 1780(a). If someone other than one of you is the "county elections official" who is to receive this notification, I would appreciate it if you would forward this to that individual.

The District Board does intend to fill these vacancies by appointment in accordance with Health and Safety Code § 13852(b) and Government Code § 1780. We understand that you may have a different interpretation of the law from ours, and when we send to you the Certificates and Oaths of Office of the appointees we will set forth our position for you so that we are in compliance with the law and fulfill our responsibilities, and so that you may proceed as you are advised.


Laura J. Vogelgesang, Board Secretary

Alan Taeger

From: William S. Huff or Laura J. Vogelgesang [wshljv@mcn.org]
Sent: Wednesday, December 19, 2007 12:07 PM
To: Katrina Bartolomie
Cc: Alan Taeger; Josh Latkin
Subject: Re: Albion/Little River Fire

Hi Katrina - thank you, that's great news, and takes a huge load off my mind, and I know that Alan and Josh will join in my thanks to you for getting this cleared up. We did post the vacancies and will proceed apace and get the correct forms back, and with any luck we won't be such a pain in the neck in the future. Happy Holidays to all of you there!

Thanks again,
Laura

----- Original Message -----

From: Katrina Bartolomie
To: Vogelgesang, Laura
Sent: Wednesday, December 19, 2007 11:13 AM
Subject: Albion/Little River Fire

Hi Laura

We have heard back from our County Counsel. They agree that Section 1780 is confusing, they do believe that you can make the two appointments with the vacancy date as December 7, 2007. They want us to remind the district you need to post the vacancies within 15 days, and meet the 60 day time limit. Your appointments can serve until the next UDEL election which will be November 2009.

I am attaching a copy of the Oath and Appointment form that you need to use. I think I've sent this already, but wanted to make sure.

Good Luck in your appointments. Happy Holidays!
Katrina

Katrina Bartolomie
Assistant Registrar of Voters
Mendocino County Elections
(707) 463-4374

Date of this notice: 12-17-2007

Employer Identification Number:
26-1583790

Form: SS-4

Number of this notice: CP 575 E

ALBION-LITTLE RIVER FIRE PROTECTION
DISTRICT
% ATTENTION BOARD SECRETARY
PO BOX 634
ALBION, CA 95410

For assistance you may call us at:
1-800-829-4933

IF YOU WRITE, ATTACH THE
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 26-1583790. This EIN will identify your business account, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, please use the label we provided. If this isn't possible, it is very important that you use your EIN and complete name and address exactly as shown above on all federal tax forms, payments and related correspondence. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If this information isn't correct as shown above, please correct it using the tear off stub from this notice and return it to us so we can correct your account.

To receive a ruling or a determination letter recognizing your organization as tax exempt, you should complete Form 1023, Application for Recognition of Exemption, and send it to:

Internal Revenue Service
PO Box 192
Covington, KY 41012-0192

Publication 557, Tax-Exempt Status for Your Organization, is available at most IRS offices or you can download this publication from our website at www.irs.gov. This publication has details on how you can apply.

IMPORTANT REMINDERS:

- * Keep a copy of this notice in your permanent records.
- * Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- * Refer to this EIN on your tax related correspondence and documents.

If you have questions, you can call or write to us at the phone number or address at the top of this notice. If you write, please tear off the stub at the end of this notice and send it along with your letter. Thank you for your cooperation.

Revised & approved at 12/19/07
Bd Mtg

**ALBION-LITTLE RIVER FIRE PROTECTION DISTRICT
MEETING MINUTES**

BOARD OF DIRECTORS BUSINESS MEETING

Wednesday, October 30, 2007, 7:30 p.m.

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

Agenda Item No. 1 - Call to order and determination of a quorum

The Board of Directors of the Albion-Little River Fire Protection District held a regular monthly meeting on Wednesday, October 30, 2007 beginning at 7:31 p.m.

The following members were present: Jim Shock, Alan Taeger, Laura Vogelgesang, and Josh Latkin. Chair Shock presiding.

Also Present Board bookkeeper Carolyn Latkin, Ted Williams, Ed Petrykowski; Ron Stark, Erica Geer, Terence Weil-Dye, Stacey Weil-Dye, John Oakley, Jonathan Peakall, Bruce Jenkins, Sam Levine, Rick Kruse, Rob Marcello and Oliver Seeler.

Agenda Item No. 2. Public communication to the Board: There were public communications to the Board expressing displeasure with the District Board's Agenda Item 11 and suggesting how the District Board could improve. There was a request that agenda item 11 be moved forward on the agenda because some in attendance had children at home.

Agenda Item No. 3.#1. Introduction of Candidates for District Board. Mr. Petrykowski appeared before the Board to indicate his willingness to serve on the District Board, and was appointed by the Board to fill the vacancy created by Sam Levine's resignation.

Agenda Item No. 3.#2. Fire Chief's Report, including operational needs:

- A) **Incident reports.** Chief Seeler's written report of one call was read.
- B) **Fund raising, gifts and service fees.** There was no report.
- C) **Fire Department report.** Chief Seeler's written report indicated all is well.
- D) **Fire Department operational needs.** None were noted in Chief Seeler's written report.

Agenda Item No. 4. Treasurer's report. The budget report had been distributed by Carolyn Latkin, and it was accepted. Alan Taeger as Treasurer reported that an audit proposal had been received from Michael A. Celentano, C.P.A., proposing a four-year contract for \$3,500. The Board considered whether it should request additional proposals from others, and determined not to do so. *for a 2 yr audit.*

Agenda Item No. 5. Secretary's report.

- A) **Communications to the Board.** Laura Vogelgesang as Secretary reported that there had been no communications.
- B) **Minutes.** The minutes of the September 26, 2007 regular meeting were approved.
- C) **Communications to Department.** Laura Vogelgesang was asked by the Board to determine from the Department whether agendas and minutes of ALRFPD board meetings should be sent as a matter of course to Department members and interns, and to request any other suggestions with respect to how communications between the District Board and the Department could be improved.

Agenda Item No. 6. Update on Station 811 Project. Laura Vogelgesang and Alan Taeger reported that they had met with Ron Stark.

Agenda Item No. 7. Items for consideration and possible action:

- A) **COLA Adjustment to Partial Reimbursement to Firefighters.** After discussion, Laura Vogelgesang was asked determine from the Department whether it would like a COLA adjustment and how to resolve the policy issues which must be resolved so that the District Board may proceed.

At this point, which followed discussion of agenda item 11., the Board requested that Laura Vogelgesang ask the Department for its input on a listing of qualifications or traits or attributes for the Department's chief.

- B) **Emergency Response Services Fees.** This item will be reauthorized for December 2007.
- C) **Benefits for Firefighters.** Laura Vogelgesang reported that the Department voted to pay the cost of flu shots for firefighters.

Agenda Item No. 8. Land, buildings and equipment:

- A) **Power to 815:** There is still no power to 815.
- B) **Roof of 810:** Final work on the façade of Station 810 has been completed but it has not yet been painted.

Agenda Item No. 9. Committee Reports:

- A) **Real Estate.** This committee will meet on November 12 to consider issues related to Station 811.
- B) **Grants.** The Board noted that the Department made no application for a Rotary Club grant.
- C) **Insurance.** No report.
- D) **Requirements.** No report.
- E) **Web Site.** No report.
- F) **Ordinances.** No report.

Agenda Item No. 10. Long-Range Planning. In the absence of any further input from the Department and Auxiliary, the District Board determined to postpone any future action with respect to the Department's Long-Range plan.

Agenda Item No. 11. Procedures and Considerations with Respect to Fire Chief. There was a lengthy discussion. The Board made clear that it believes it has proceeded correctly in accordance with the Brown Act with respect to closed sessions, but in response to a suggestion that getting an interpretation would resolve the question, the Chair Shock stated that the Board would request an opinion from County Counsel on this issue and that its agenda for November will include the presentation or formulation of a plan to respond to any interpretation of the County Counsel, and an action plan regarding the "job description" for the Fire Chief.

Agenda Item No. 12. Board Directors' Reports: There were none.

Agenda Item No. 13. Closed Session. The Board determined that no closed session was needed.

Agenda Item No. 14. Scheduling of Special Meetings. No meeting was scheduled.

Agenda Item No. 15. Next meeting date and agenda: The next regular meeting will be on Tuesday, November 27, 2007 at 7:30 p.m. at Station 810. The December 2007 regular meeting was rescheduled for Wednesday, December 19 at 7:30 p.m. at Station 810.

Agenda Item No. 16. Adjournment: at 9:53 p.m.

Laura J. Vogelgesang, Secretary

approved at 12/19/07 Bd Mtg
as corrected

**ALBION-LITTLE RIVER FIRE PROTECTION DISTRICT
MEETING MINUTES**

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Monday, November 26, 2007, 7:30 p.m.

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Nov 26

The following members were present: Jim Shock, Alan Taeger, Laura Vogelgesang, Josh Latkin and Ed Petrykowski. Chair Shock presiding.

Also Present Board bookkeeper Carolyn Latkin, Derek Wilson, and Bruce Jenkins.

Chair Shock stated that the meeting would be ended by 9:00 p.m. and that he would move the agenda forward to that end.

Agenda Item No. 2. Public communication to the Board: Derek Wilson stated that he was present to represent Chief Seeler would not be there. There were no other public communications.

Agenda Item No. 3. Fire Chief's Report, including operational needs:

Derek Wilson presented the following on behalf of Chief Seeler.

- A) **Incident reports.** There was no report.
- B) **Fund raising, gifts and service fees.** There was no report.
- C) **Fire Department report.** Derek Wilson reported that he had been told that sixty disaster service workers from the North Coast were sworn in, and that there are two more interns. Laura Vogelgesang commented on the fact that no one other than Department members, and members of the Auxiliary under certain circumstances, are covered by insurance provided by the District Board, so that there is no misapprehension on this point, in light of the fact that there had been some suggestion at a Department meeting that those sworn in as disaster service workers could participate in Department trainings.
- D) **Fire Department operational needs.** Derek Wilson reported that an estimate is being obtained for needed repairs to water tender 8191 which is out of service and at Fort Bragg Diesel.

Agenda Item No. 4. Treasurer's report. The budget report had been distributed by Carolyn Latkin, and it was accepted. Alan Taeger as Treasurer reported that due to increased personnel the Department's spending is over budget on smaller items.

Agenda Item No. 5. Secretary's report.

- A) **Communications to the Board.** Laura Vogelgesang as Secretary reported that County Counsel had not been able to formulate an opinion in time for the meeting in response to the request for an opinion on the status of the Department's chief and firefighters as employees for purposes of the Brown Act's provisions.
- B) **Minutes.** The minutes of the October 30, 2007 regular meeting were deemed by Chair Shock and Treasurer Taeger to include too much detail; the Secretary explained her position in preparation of detailed minutes but offered to prepare revised minutes of the October 30, 2007 meeting for consideration at the December meeting, and was instructed to "achieve more brevity somehow." The Secretary had distributed copies of the draft minutes of the October 30, 2007 meeting to those present, and had pointed out that the law provides that any writing which is distributed by any person to a majority of the members of the Board becomes a part of the public record.

Agenda Item No. 6. Update on Station 811 Project. Laura Vogelgesang reported that revisions had been made to the title page to the site plan and other plans prepared by LSN

Architects, and revisions had been requested to the report of WRA, Inc. (the environmental consultants) which will form a part of the Use Permit and Coastal Development Permit applications, which will be presented in final draft form to the Planning Department on Tuesday, December 4. In response to Laura Vogelgesang's request that the Board make tentative decisions with respect to colors for the main portions of the new proposed building and its trim and roof based on chips she had obtained and which have been placed at Station 810 for the Department's review and input, the Board declined and instructed the Real Estate Committee to make this initial determination.

Agenda Item No. 7. Items for consideration and possible action:

- A) **Special Districts Group Health Insurance.** No report or action.
- B) **Fence on Anderson Family Property Near Station 810.** Laura Vogelgesang asked that the Board approve repair of the fence since the owner of the property has requested this of both the Board and the Chief of the ALRVFD and nothing has been done, and that both the Chief and the owner be advised that this will be done. After discussion the Board determined unanimously that there must be a policy as to who has responsibility for building maintenance and asked that the Department either accomplish this repair or instruct the Board as to its wishes, and stated that any request for money must be forwarded to the Secretary so that it can be placed on the agenda for approval as the action of the District Board.
- C) **Purchasing Policies.** No proposed policy had been prepared because of the multitude of issues involved, some of which were described. The Board understands that it is the belief of some if not all of the members of the Department that the only job or responsibility of the District Board is to approve the expenditure of money by the Department, and that correcting this incorrect belief is a long-term issue. The current Procurement Policy, which is a part of the Bylaws, Policies and Procedures, was read and discussed. The Board instructed Laura Vogelgesang to prepare a draft policy describing a step-by-step process for expenditures on materials, equipment and services for tentative approval at the December meeting, which can then be presented to the Department and its comments solicited.
- D) **Policy Regarding Number and Length of Board Meetings.** Laura Vogelgesang proposed that there be two meetings in odd-numbered months. After discussion in which various individuals described their preferences, and Laura Vogelgesang's clarification of her proposal as being that the Department chief might then attend just one shorter meeting in each odd-numbered month to minimize the burden on his or her time, the Board determined unanimously that there will be no change now so that the Board can see how meetings proceed after the Department's election in December, but that the Board's Bylaws, Policies and Procedures should be changed so that a regular meeting of the Board does not become a special meeting solely because its date is changed.
- E) **Approval of Audit Proposal by Mr. Celentano.** It was approved unanimously.
- F) **Acquisition of Employer Identification Number.** Laura Vogelgesang was instructed to obtain an EIN to allow the District to provide a letter to any donor, with respect to deductibility of contributions.
- G) **Upcoming Board Vacancies.** The position of the Mendocino County Clerk, set forth in a letter from Assistant Registrar of Voters Bartolomie to the Board Secretary and confirmed in a telephone conversation between Chair Shock, County Clerk Wharff and Assistant Registrar of Voters Bartolomie is that Ed Petrykowski's appointment to fill a term which expires on December 7 at noon is invalid and that there are now two vacancies on the Board and that those vacancies cannot be filled either by the Board members who will take office on December 7 at noon or by the Board of Supervisors and that there can be no filling of these two vacancies until the election in 2009, all

contrary to advice given to the Board earlier by the Clerk's office and contrary to the Board's own review of the law. Because the Board believes the Clerk is mistaken, and if it does not proceed in accordance with the law as it is understood by the Board, the Board determined unanimously to be certain to memorialize all votes and treat Ed Petrykowski as a member of the Board, but proceed to request action by the Board of Supervisors (by requesting the Board of Supervisors to make appointments although the Clerk advised Chair Shock that she would recommend that the Board of Supervisors not take this action); Laura Vogelgesang was instructed to post two vacancies as of December 7 at noon.

- H) **County Counsel Opinion Response.** There is no opinion to date; please see 5.a. above.

I) **Action Plan for Job Description.** Laura Vogelgesang was requested to ask the Department at its December business meeting for its input on how to formulate a job description for the fire chief.

Agenda Item No. 8. Land, buildings and equipment:

A) **Power to 815:** Derek Wilson reported that he is told that power should be supplied within 30 days.

B) **Roof of 810:** Josh Latkin reported that final work on the façade of Station 810 has been completed but it has not yet been painted, and that he and Ed Petrykowski plan to do the painting.

Agenda Item No. 9. Committee Reports:

A) **Real Estate.** No report.

B) **Grants.** No report. When asked who makes grant requests, the Board explained that ordinarily the Department's chief makes the requests but that this Board had determined that it would assist the Department in this regard by formulating requests for major grants such as those offered through FEMA and that it understands that this is the procedure also followed by Mendocino; the ALRVFD Chief has wished to retain responsibility for requesting smaller grants with less complex procedures.

C) **Insurance.** No report.

D) **Requirements.** No report; a Department representative to this committee will be solicited at some point.

E) **Web Site.** No report.

F) **Ordinances.** No report.

Agenda Item No. 10. Board Directors' Reports: Chair Shock reported that he had received a letter via certified mail from Bruce Jenkins, a copy of which was distributed to those in attendance. The letter makes a complaint against Board Member Josh Latkin and demands action by the Board. The Board reviewed the provisions of its Bylaws, Policies and Procedures with respect to Public Complaints and determined unanimously that the activity complained of, even if the allegations of the letter were true, is not related to the Board's responsibilities and is not a "Public Complaint" but is rather a civil matter which could be pursued by Mr. Jenkins if he chooses and that the Board will take no action because it is neither the business of the District Board nor the business of the District Board vis à vis the Department. The Board determined unanimously that Chair Shock will compose a letter from the Board to Mr. Jenkins relaying this and will review it with Secretary Vogelgesang before it is sent and copies will be sent to the members of the Board; the Board does not know whether or not the activity complained of is a matter within the purview of the Department's chief and determined unanimously that no copy would be sent to the Department's chief.

Agenda Item No. 11. Long-Range Planning. This item was included on the agenda by mistake and there was no discussion or action.

Agenda Item No. 12. Welcome to Derek Wilson as Nominee for Fire Chief. After a discussion centering on the concept that two-way communication is key to success of the missions of the District and the Department and to service to the community, the Board unanimously approved and ratified the Department's nomination of Derek Wilson to be chief of the Albion-Little River Volunteer Fire Department.

Agenda Item No. 13. Closed Session. The Board determined unanimously that no closed session was needed.

Agenda Item No. 14. Next meeting date and agenda: The next regular meeting will be on Wednesday, December 19 at 7:30 p.m. at Station 810.

Agenda Item No. 16. Adjournment: at 9:18 p.m.

Laura J. Vogelgesang, Secretary

ALBION-LITTLE RIVER FIRE PROTECTION DISTRICT

MEETING MINUTES

BOARD OF DIRECTORS BUSINESS MEETING

Wednesday, December 19, 2007, 7:30 p.m.

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

Please note that any document referred to in these minutes is a public record, a copy of which may be obtained upon request.

Agenda Item No. 1 - Call to order and determination of a quorum

The Board of Directors of the Albion-Little River Fire Protection District held a regular monthly meeting on Wednesday, December 19, 2007 beginning at 7:31 p.m.

The following members were present: Alan Taeger, Laura Vogelgesang, and Josh Latkin.

Also Present Fire Chief Oliver Seeler, Ron Stark, Ed Petrykowski, Bruce Jenkins (entered late), and Derek Wilson (entered late)

Agenda Item No. 2. Public communication to the Board: There were no public communications.

Agenda Item No. 3. Designation of Temporary Officers: The Board unanimously determined that Alan Taeger would preside, Josh Latkin would act as vice president, and Laura Vogelgesang would act as secretary and that when additional members are added to the Board a policy conforming to California law would be adopted and permanent officers would be elected in accordance with it.

Agenda Item No. 4. Fire Chief's Report, including operational needs:

A) Incident reports. Chief Seeler reported that the Fire Department was able to successfully put out a fire at the Station 815 property and that otherwise there was no call of any particular interest.

B) Fund raising, gifts and service fees. Chief Seeler reported that there had been a DUI which should be billable, and that there had been a \$500 donation from a personal friend of Chief Seeler's.

C) Fire Department report. Chief Seeler reported that one new member had been voted into the Department at its last meeting, and that department morale was high with one exception he would not go into at that point..

D) Fire Department operational needs. Chief Seeler reported "same as usual" and that PG&E should soon provide power to Station 815. He stated that there had been problems with deployment of the rescue boat recently which has to do with the shelter place at 32600 Albion Ridge Road for the rescue boat, and directed the Board's attention to his e-mail regarding the original rationale for this container and the container which was placed at 812 but which is used solely by the Fire Auxiliary. Chief Seeler stated that the problems at Station 810 are ongoing but haven't been brought up during the past year. He stated that the potential acquisition of a piece of apparatus to be used as a training aid is an issue for the Department and articulated his concern about impingement of the District Board on operational needs of the Department.

For the balance of the meeting, the agenda items were taken in no particular order, interspersed with numerous criticisms of Laura Vogelgesang personally and of her actions as a Board member and at one point resulted in Laura Vogelgesang requesting leave to make a point of personal privilege which was allowed but truncated by the presiding officer and attempts by the presiding officer to restore order including a suggestion that the meeting would be adjourned; the Secretary was not able to record the particulars of all of this.

Agenda Item No. 5. Treasurer's report. The budget report had been distributed by Alan Taeger. Alan Taeger as Treasurer reported that it appears that items 86-2060 and 86-4360 appear on the budget to be over budget but that this is apparently due to a data entry error which will be corrected; therefore, the Board determined unanimously to wait to take any action with respect to these budget items. Item 86-2140, Medical Supplies, is over budget due to an error in the budget process in which the customary costs for supplies was decreased inadvertently; the Board determined unanimously to add \$3,000 to this budget item for the year. Item 86-2150, Memberships, is over budget because of payments for CALSTAR, REACH, and MCAS memberships for members of the Department as approved by the Board; the Board determined unanimously to increase this budget item by \$2,000. Alan Taeger stated that the District's own Bylaws, Policies and Procedures prohibit deficit spending, and that he will determine whether or not Mendocino County must be involved in any mid-year budget adjustments.

Agenda Item No. 6. Secretary's report.

A) Communications to the Board. Laura Vogelgesang reported on the following communications: Issuance of an Employer Identification Number to the District by the Internal Revenue Service; a letter to her from the Mendocino County Clerk's office regarding the filing of Forms 700, Statements of Economic Interest; a letter to the Board from County Counsel confirming that the chief of the Albion-Little River Volunteer Fire Department, Inc. is an employee of the Board for purposes of the Brown Act's provisions with respect to closed sessions; and an e-mail from the ALRVFD's secretary advising of injury to a firefighter requiring the filing of a workers compensation claim..

B) Minutes. The minutes of the October 30, 2007 regular meeting, as revised, were approved, and the minutes of the November 26, 2007 meeting were approved..

Agenda Item No. 7. Update on Station 811 Project. Laura Vogelgesang reported on a recent meeting attended by herself, Ed Petrykowski and Ron Stark at the Fort Bragg office of the Mendocino Planning Department with Rick Miller and Teresa Beddoe, at which the planners expressed concern at the inadequacy of the drainage calculations and the need for inclusion of the site of the proposed septic tank and its plumbing on the documents to be submitted with the application. Laura Vogelgesang pointed out the restrictions placed on the project by the WRA biological report, and Ron Stark opined that they are no big deal other than the monitoring required.

Agenda Item No. 8. Items for consideration and possible action:

A) Official Board Appointment of Fire Chief. The Board unanimously appointed Derek Wilson, Fire Chief-elect of the Albion-Little River Volunteer Fire Department, Inc., as its fire chief on the motion of Josh Latkin and seconded by Laura Vogelgesang.

B) Applications for Development of Station 811. Laura Vogelgesang noted the restrictions placed on development of the property and her uncertainty as to whether or not the development as planned is needed in light of the Department's needs with respect to equipment. Alan Taeger noted that the District Board has been looking at this project for years and that he does not discount other options but that those options would also have restrictions. Josh Latkin noted that for purposes of maintaining the insurance ratings the satellite stations must be maintained in place, that the District must start putting money into maintenance of the equipment at the current stations, and asked what is available to spend on this Station 811 project. Alan Taeger stated the the District should not short equipment maintenance; Laura Vogelgesang asked what is "Plan B" and stated that the District needs to look at equipment maintenance first in terms of firefighter safety. Derek Wilson stated that Station 811 is for more than housing of equipment; it is for training, offices, and so forth as well. Alan Taeger stated that he does not question the need for a new building. Ron Stark stated that a couple of years ago he had estimated the cost of the development (although not on completed plans) at \$550,000 but that that number would increase if only because of the need for grading and imported fill. Alan Taeger stated that the cost cannot be known ahead of the bidding, and questioned whether some particular amount would be too much for the District to bear, and that the Board knows that it will need to do fundraising and will not be able to raise funds while the project's future is so nebulous. Josh Latkin reported that he had spoken with the owners of the Albion Hardware and the Albion Grocery Store and that neither of them was interested in purchasing any portion of the property of the Andersen Ranch which is still owned by the Andersen family. The Board unanimously decided to go forward with the applications for development of 32600 Albion Ridge Road and to authorize Laura Vogelgesang to act on its behalf with respect to all documents to be submitted to or communications to be had with the Mendocino County Planning Department or any other authority in connection with the property and with any permits for which

application must be made for the development of the property, and to sign any documents required to be signed in conjunction with any application. The Board will pursue development of the drainage plan and calculations with Mr. Welty.

C) Placement of Storage Container on Station 811 Property. Laura Vogelgesang reported on her telephone conversation with Rick Miller of the Mendocino County Planning Department with respect to the placement of a storage container on the property at 32600 Albion Ridge Road which is owned by the District and the placement of which requires both a building permit and a Coastal Development Permit; the notes from which she read are a part of the District's records. It was suggested that the placement of the storage container, which was done without any notice to the District or any member of the Board, should have just been left alone; Laura Vogelgesang attempted to explain, to little avail, that anyone who signs a Use Permit Application such as would be filed in connection with the proposed development of 32600 Albion Ridge Road must certify that the information on the application is correct, and that since the application includes a description of all structures on the property and a site plan, ignoring the storage container was not an option. Chief Seeler stated that "getting away with OSHA violations doesn't mean that it can continue and stated that he would be calling OSHA, and Alan Taeger stated that if Chief Seeler has OSHA complaints he needs as Fire Chief to bring them up in an itemized list to the District Board and that if there are OSHA violations, the District Board must know so that it may help the Department to achieve compliance.

D) Request for County Counsel Opinion. Since County Counsel has reportedly advised the office of the Mendocino County Clerk that the Board may proceed to appoint members to fill two vacancies which existed as of December 7, 2007 due to the expiration on that date of the terms of two members who did not file the necessary documents to be appointed in lieu of election, no action was required with respect to this item. The Board unanimously authorized Laura Vogelgesang to request that the billing of \$140 for the cost of the opinion be paid by Carolyn Latkin from the District's funds.

E) Procurement and Reimbursement Policies. The proposed policies are noted and will be considered at the next meeting.

F) Board Vacancies. The Board agreed to hold a special meeting on Saturday, December 22, 2007 in order to consider appointments to the Board unless there was not time to comply with the Brown Act's requirements with respect to posting of the agenda for a special meeting, in which event a special meeting for this purpose would be scheduled for after December 25.

G) Directions to Board Bookkeeper. The California statute with respect to funds of a fire protection district appear to restrict funds in the District Board's hands to \$500, although Alan Taeger had been advised by a Mendocino County individual that the limit is \$6,000; he will investigate what amount can be kept on hand by the Board. Until a determination is made, no additional account will be established to receive donations to the District, and Laura Vogelgesang will advise Carolyn Latkin of this.

H) Communication with Albion-Little River Volunteer Fire Department. Ron Stark reported that there is a major problem: that Laura Vogelgesang has her own agenda, there was no attempt at communication regarding the climbing wall, that attitude is everywhere you turn, that it feels as if Laura Vogelgesang wants complete control and that this won't fly and that the community and the Fire Department won't allow that to go on, that Laura Vogelgesang's tone to Ron Stark changed dramatically because of the container placement, and that the Board must get a hold of these things before they get out there. Alan Taeger stated that any board member can add an item to the agenda; Ron Stark replied that this is polarizing and nonconstructive and Chief Seeler added that there is a problem with Laura Vogelgesang's attitude. Laura Vogelgesang stated that there has been no communication for a year, and Chief Seeler stated that there was no communication because of the illegal activity of the board and that he refused to attend meetings in protest, and that he has a request in to the Attorney General of California on this [Secretary's note: this is with respect to the position of Chief Seeler that he is not an employee of the District Board for purposes of the provisions of the Brown Act with respect to closed meetings]. Chief Seeler continued that Laura Vogelgesang is using scenarios to justify what she is doing here and that it demonstrates a personal agenda and that it became convenient for people to use him as a tool in light of his upcoming vacation of the office of Fire Chief and that games are being played with the Department. Alan Taeger presiding requested order stating that these are *ad hominem* attacks now. Laura

Vogelgesang described her thinking in preparing the draft of a letter from the District Board to Derek Wilson as Chief-Elect and to Ron Stark as President-Elect of the Department, a copy of which had been sent to members of the Board and to others including Derek Wilson and Ron Stark in advance of the meeting, and Alan Taeger stated that he thinks that anything issued by the Board would be quite different from the draft, but that it would be put off for now until there is a full board but that first an understanding must be reached with respect to the relationship between the Department and the Board and that the Fire Department is going to have to change its position in order to grow and become more modern and get more revenue-enhanced and the District Board will have proposals for changes when there is a full complement of Board members. Messrs. Stark and Seeler reiterated their complaints about Ms. Vogelgesang's "tone" and Chief Seeler stated that he would make a written complaint about it.

I) Agenda Items for Future Meetings or for Indefinite Postponement. The Board unanimously agreed that items numbered as (a), (s) and (3) should be placed on the agenda for an upcoming meeting, and that items numbered (4), (5), and both items numbered (6) should be postponed indefinitely.

Agenda Item No. 9. Land, buildings and equipment:

- A) **Power to 815:** This is still pending PG&E action.
- B) **Roof of 810:** The painting which will complete this project awaits better weather
- C) **Fence Near 810:** The fence has been repaired by Department personnel and Laura Vogelgesang may report this to Earl Latham.

Agenda Item No. 10. Committee Reports:

- A) **Real Estate.** No report.
- B) **Grants.** No report.
- C) **Insurance.** Alan Taeger reported that health insurance for District Board members is not available other than under circumstances which do not apply to the District Board.
- D) **Requirements.** No report.
- E) **Web Site.** No report.
- F) **Ordinances.** No report.

Agenda Item No. 11. Board Directors' Reports: Alan Taeger reported that we have a number supplied by Golden State Risk Management Association to use in connection with any workers compensation claim. He also reported that CALTIP is a service which may be used in connection with damage to District property.

Agenda Item No. 12. Next meeting date and agenda: The next regular meeting will be on Wednesday, January 30 at 7:30 p.m. at Station 810.

Agenda Item No. 13. Adjournment: at 10:20 p.m.

Laura J. Vogelgesang, Secretary