

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

Monday, November 26, 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, 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

