

TAHOE DOUGLAS FIRE PROTECTION DISTRICT
BOARD OF TRUSTEES MEETING

June 23, 2008

Regular Meeting

(Amended)

Those Present:

Bob Cook	R.J. Clason
Frank Forvilly	Tom Dirkes
Steve Seibel	Fred Power
Roy Clason	Nancy McDermid
Chief LeFever	Bob Skinner
Assistant Chief Rick Nicholson	Captain Rich Nalder
Battalion Chief Dave Hekhuis	

1. *Action Item: Call to order.*

The meeting was called to order at 4:30 by Chairman Bob Cook.

2. *Action Item: Pledge of Allegiance.*

The Pledge of Allegiance was led by Trustee Roy Clason.

3. *Action Item: Roll call.*

Trustee Patrick Atherton was absent, the remaining trustees were present.

4. *Action Item: Public comment.*

Trustee Frank Forvilly stated he wished to discuss the road closures of last Saturday at Stateline and log it in for more discussion at next meeting.

Chairman Cook said they would address that in the Chief's report.

Tom Dirkes said he had an issue with the letter he received from Tahoe Douglas Fire Protection District concerning raising taxes for fuels reduction.

Chairman Bob Cook asked if we could put it on next month's agenda.

Trustee Clason asked if it would take longer than five minutes.

Tom Dirkes replied possibly.

Chairman Cook stated that he could talk right now if you would like and we can also agendaize it for next month.

Tom Dirkes stated he actually disagreed with using our tax money to do what we basically have enough money to address. That is why he is confused. Where do the figures come from and why do they need the extra tax money and how they can justify the taxes. As far as he knows they are pretty much maxed out on how much we can be taxed to start with. He is also addressing this with the Douglas County Commissioners to see if this is a legitimate. We have enough money now to take care of everything that needs to be done that he can see. The district needs to learn how to spend its money more reasonably and budget things out so they don't have nail the taxpayers. We are here in a time of recession. You give someone a \$600 kick back and then charge them \$500 in extra taxes. That doesn't make a lot of sense. This will cost me close to \$500 a year in additional taxes. It gets to be a sore subject.

Chief LeFever replied \$500 a year. We are getting into some inflated numbers again. He took the liberty, because there was some confusion based on that letter. He asked Tom Dirkes what his assessed valuation on his home was.

Tom replied it was almost three million.

Chief LeFever asked what his taxable value of his home was.

Tom replied that has not been determined since he is still in the construction phase of it.

Chief LeFever stated he has an information letter to offer to Tom today. If there are further questions from there the Chief would be happy to sit down with him, go over the entire budget, go over what this money will be spent on, what the program will entail. It is a new service. It is a 20 person hand crew that provides fuel removal within the Tahoe Basin and a fire crew. It does not include any of the existing services.

Tom's concern is where these estimates come from.

Chief LeFever told him the CWPP Plan that we paid \$125,000 to have professionally done. That is a plan done around the basin for each entity and that is the expected cost to have it done.

Tom asked where did the estimates come from and why?

Chief LeFever told him the cost of doing fuels removal from the basin in and around your home and all the communities. That also includes the cost of some Forest Service projects. Right now we are going to receive almost \$800,000 in federal government funds, SNMPLA funds, for this year and we will utilize those funds for the crews to get the work done.

Tom said that does not explain why we have to generate more money.

Chief LeFever explained it is a maintenance program. You have the initial cost of going in and cleaning up the forest which will take 8 to 10 years. Then, you have a maintenance problem and go back every 5-6 years and clean the same properties brush.

Tom said “I understand that and I also understand that for probably the last twenty years a lot of these projects have been stopped. This was TRPA related etc. and now we have to play catch-up. It is not the taxpayer’s fault. Maybe should look at taxing some of the TRPA’s revenues to complete some of these projects instead of nailing individuals.

Chief LeFever said that is something they agree upon. He would love to try and tax TRPA. That is something that is not going to happen.

Tom Dirkes said there has been mismanagement of our forests for a long time. Now since the Angora Fire and other issues we are going balls out to try and get this done and he feels he is having to pay for these mistakes.

Chief LeFever agreed 100 % we should have been doing this all along the federal government is using the dollars to get the work done today. You as a resident are benefitting. Now we must take the opportunity and take the next step. It may cost a large amount and it is either we clean it up today or Mother Nature cleans it up tomorrow.

Tom Dirkes said I don’t believe it is a today issue. I believe it is an issue that needs to be budgeted for over the next ten years and individual areas to work with. There are a lot of kids that want to enter the fire service and are willing to work a lot cheaper wages. Let’s tighten our belts like the rest of the economy and work with some of the resources we have.

Chief LeFever offered Tom a copy of the “information letter” and also offered to set a time for him to come in and go over the budget, and the entire program; drive him around the district and show him the work the crew was doing. Our kids are right out of high school. They are making \$12 - \$14 an hour, so they are the ones that are doing the work. Chief LeFever wants to show Tom the crew in action. Those are the ones that are cleaning up the district. The amount of logging going on at Sewer Plant is amazing.

Trustee Cook also asked Chief LeFever to include a copy of Diane Feinstein’s letter also. He then asked if there was any other discussion of what is not on the agenda.

There was none.

5. Action Item: Discussion and possible action: Approval of consent calendar:

Items on the consent calendar will be approved without discussion unless an item is specifically “moved forward” for discussion.

Item:

- a. Approval of agenda 6-23-08.
- b. Approval of minutes 5-16-08.
- c. Approval of expenditures.
- d. Approval of financial statements of 4-30-08.

Motion by Trustee Steve Siebel to approve the agenda for 6-23-08, the minutes of 5-16-08, the expenditures for 5-20-08 through 6-12-08; check numbers 48528 through 48648, payroll May 30, 2008 and June 13, 2008 and the financials of April 30, 2008.

Motion seconded by Trustee Roy Clason.

Motion carried unanimously 4-0.

Action Item #6: Discussion and possible action: Consent Items moved forward.

There were none.

Action Item #7: Discussion and possible action: Presentation by Alan Reed or Warren Reed Insurance on Tahoe Douglas Fire Protection District’s Insurance Renewal.

Alan Reed presented the board with the Commercial Package Insurance Renewal. The renewal costs for the program this year are about \$63,500. Last year was about \$60,800 which is an increase of about \$2,700 between 4% and 5%. The rates are holding stable at this time. The increase for the Fire District is an increase in property values. The challenge is in keeping up with the replacement cost values of commercial structures. They are having the appraisers look at a quadrant within the state each year to see if the replacement cost values are up to date and we are seeing about 11% increase in the cost estimates throughout the POOL. The district’s rates went up about 4% to 5% but the property rates went up 10%. The rates as a whole are generally stable right now. Another challenge was the earthquake in Wells. The earthquake did about two million dollars in damage. 2007/2008 has had zero claims.

Alan Reed explained the cost breakdown of the insurance cost. Insurance \$16,567. Loss Fund Contribution, \$30,088, which is a layer of self-insurance that the POOL provides for each of their insurers. TDFD has a deductible of \$5,000. Administration cost of \$13,255 goes directly to the POOL. You own the POOL along with some 120 that participate in the POOL. Last is the Broker Commission of \$3,600 for Alan Reed Insurance.

What we do to find the best rates. The POOL went out to market and approached as many companies as they felt would be interested. All came back to Wayne Carlson and basically said

they could not do anything better It does not automatically renew every year. They will make changes as necessary.

Chief LeFever said as a reminder that last year at this time we were waiting for them to reassess our buildings, that did happen and that is why there is a bit of a spike.

Chairman Bob Cook said we felt we were a little under insured. The property value spike is what has made an increase in rates.

Motion by Trustee Roy Clason to accept the renewal.

Motion seconded by Trustee Steve Seibel.

Motion carried unanimously 4-0.

Chief LeFever wanted the board to know that the HR side of the POOL is a great program. He sits on advisory board. This offers services and training to our supervisors. We use them on almost a weekly basis; whenever we have had HR questions, they have been invaluable. That is a benefit that we did not have before. This offers great training to our Chief Officers.

Action Item #8: Discussion and possible action: Budget Augmentation.

Chief LeFever recommended the board accept unattended revenue offset wages in the Special Services Fund of \$60,000 invoices – expenditures of \$70,000 in wages. Expect to recover these funds with the amount of work, weather permitting.

We have invoiced \$60,000 in the first two months of May and June. We expect expenditures (not start up equipment costs) but in salaries to be around \$70,000.

Trustee Siebel moved to approve the resolution to augment the 2007-2008 budget of Tahoe Douglas Fire Protection District, whereas the total resources of the Special Services Fund, Tahoe Douglas Fire Protection District were budgeted to be \$149,943 on July 1, 2007; and whereas, total available resources are now determined to be \$395,750; whereas, said additional unanticipated resources are as follows:

Unanticipated grant awards	\$131,690
Beginning fund balance	<u>114,117</u>
Total	\$245,807

Whereas, there is a need to apply these excess proceeds in the Special Services Fund. Now, therefore, it is hereby resolved, that Tahoe Douglas Fire Protection District shall augment its 2007-2008 budget by appropriating \$210,000 for use in the Special Services Fund, thereby increasing its appropriations from \$136,000 to \$346,000. Detailed schedules are attached to this Resolution and by reference is made a part thereof.

It is further resolved, that the Secretary/Clerk shall forward the necessary documents to the Department of Taxation, State of Nevada.

PASSED, ADOPTED AND APPROVED THE 30th of June 2008.

The motion was seconded by Trustee Frank Forvilly.

The motion was approved unanimously with a vote of 4-0.

Action Item #9: Discussion and possible action: Salary increase for the Board of Trustees.

This was requested by Trustee Atherton who felt our salary was not adequate with other boards. He was absent from the meeting. Chairman Bob Cook was not prepared to talk about this and asked if anyone else had any thoughts otherwise he suggested they table it until next month when Patrick Atherton was here.

Trustee Frank Forvilly said he did not feel that a salary increase was necessary.

Trustee Clason asked if carrying it over was going to change anything? He agreed with Frank Forvilly. No Change.

Trustee Steve Seibel stated that he does not know what other boards make but felt the timing is horrible.

We have five people running for three seats so it's not like we have a massive amount of interest out there. Just when we are asking for a tax increase for the fuels management, the timing is horrible.

Chairman Cook stated that he agreed with all the comments but could also see the other side.

Trustee Clason moved we keep the salary of the Board of Trustees the same.

Motion seconded by Trustee Frank Forvilly.

Motion carried with a vote of 4-0.

Item #10: Discussion only: Sprinkler Ordinance Revisited.

Chairman Bob Cook stated that Trustee Roy Clason asked this be put on the agenda.

Trustee Clason stated that he indeed did. Last Spring when the item came up to amend the sprinkling of residences. I asked the question of cost. I don't think there was a formal cost survey done at that time. As a result of one of my family members being caught up, I told him

what I know to be about \$2.50 per square foot for new construction and \$3.50 per square foot for remodels and possibly upwards of that. Using my own house as a benchmark, that would have been approximately \$7,000 to sprinker my new house and about \$9,000 to sprinker a remodel or there about. Then I discovered what I had told him the numbers had doubled. It became around \$5.00 for his new construction; even though it is a remodel there is no sheetrock so it is the equivalent of new construction. The quotes that he is getting are indicating the remodel costs are \$8.00 a square foot. I don't know that I would have voted for changing the ordinance had I had some more transparent information at that time. I feel that I have been had and also the Fire Protection District has been had. I don't understand if it is the contractor's that do this since it requires a special license, and there are only about six people in Northern Nevada that have the sprinker license. I don't know if they are using the fire department but looking back, it is not a good situation. Looking back if the premise that I was led to believe carries over to the county then they were misled. I feel it imputes the integrity of the Trustees but the entire fire department. That is why he brought it up for discussion and feels we should revisit the ordinance and go for a more comprehensive cost benefit survey.

Chief LeFever stated he can address his numbers first but he has two questions in what he is hearing. Chief LeFever asked Trustee Clason, "when you voted for the proposal of reducing the square footage from 5,000 down to zero back in July of 2007, you were under the impression the cost was from \$2.50 to \$3.50?"

Trustee Clason stated yes.

Most of the information that we have been putting out is documented here and he has given the board documentation and that is all he can rely on.

Trustee Clason said we are getting the information about eighteen months late.

Chief LeFever replied the verbiage is \$2.50 to \$3.50 and they are saying it is \$3.50 to \$4.00, today's numbers. I am trying get in line that you were given the correct information at the time. \$3.50 to \$4.00 of \$2.25 to \$3.25 (talking apples to apples). We are talking three different bids. And the third bid, (understand there are some variables in here) they want to throw out \$4.45 a square foot and that is for a remodel in this area. Those are the numbers that we rely on and they are all within fifteen to twenty percent of each other so this is the information that we presented to this board and we went back to look at exact numbers through the County. We were not talking dollars although it was presented by the public point of view that was an exorbitant amount. It was not our opinion to do a 13D system. You can go in and buy a Yugo or you can go in and buy a Yugo and come out with a Cadillac. That may be the difference. There are options that you can increase with a sprinker system. The Fire District supported a 13D system for habitable space. In July of 2007 we went from 5,000 square feet that you would have to sprinker everything. The County approved that. Actually Nancy brought it forward to revisit the issue just as we are doing today. Then we got into a debate on the square footage. It was not a financial issue but the square footage of what we should be sprinkling. 5,000 like

we had including the garage. This is where it gets convoluted and where the fire department started the year before to make it very simple. Zero you sprinkler your home. The discussion on the dollar amount was never on the forefront of the issue. The issue was the square footage with the side note of fire flow in the area. That is where the Fire District is coming from. We have not deviated from that position. We met with the County and the County put together a committee. We came out of that committee with the consensus with the number one goal is to be consistent with the homeowners. This is the same message we tried to send a simple message through TRPA; what you can and cannot do to your property. With that philosophy in mind, we sat down with a group put together by the Building Department of Douglas County and came out with a consensus. We then went back to the County Commissioners. There were questions asked and the consensus fell apart due to the question if this included new homes. The discussion was always, with new homes you are going to sprinkler at zero. That was never discussed in the committee. We reconvened the committee and we came out with another consensus and I have provided the board with that. Commissioner Bosky at the time asked about new homes and one of the members that sat on the committee said if you are not going to consider new homes; that was part of the qualifier. When we went back for the first reading, the Fire District backed off on garages, walkways and decks because it was inconsistent with what other agencies were doing. So we went from 5,000 feet to 3,600 square feet. We tried to be more consistent and dropped it down to 3,600 feet. I am trying to capture a long history of almost a year and a half in fifteen minutes. I don't know that we need to readdress it with this board, but going back to the numbers at no time did we say this was going to be within the Tahoe Basin, two to three dollars a square foot. Ten years ago when I built my new home it cost me a dollar a foot at 4,000 square feet. There is no way today that you can build it today, it is illogical to think that.

Trustee Roy Clason a five fold increase is a little outrageous.

Chief LeFever asked for clarification of the statement.

Trustee Clason replied, your one dollar a square foot or R.J.'s five dollars a square foot. And, it is not the entire package. What I learned in the process was since the flow requirements are such, either you need a greater amount of supply or possibly a tank and a pump not included in the \$2.50 or \$3.50. In the remodel I learned is the guys that do the remodel the guys that do that poke the holes and the sprinklers come down and now you need to hire a finish people to do the sheetrock, soffits if necessary and the entire clean up and it seems to spiral on and on and I wonder if the benefit is worth it. This is a rhetorical question. I look at it in my profession as an airline pilot, do we issue each passenger a parachute in the unlikely event the airplane comes apart in the air. It is crazy.

Chief LeFever replied we buy our cars today with airbags in every car.

Chairman Bob Cook asked R.J. Clason if he had a comment.

R.J. said if I may share a brief statement. Thank you for the opportunity. My name is R.J. Clason and I am a homeowner in Zephyr Heights. I purchased my home in November of 2004

with the intent of expanding and remodeling it. It has taken the better part of four years to secure TRPA regulatory approval to do so. Recently I was made aware of a new County ordinance proposed in advance by the Fire District itself that requires the fire sprinkling of new residences and remodels of over 3,600 square feet. I was told by the Fire District staff two months ago that the cost estimate to sprinkle my home would be between \$12,000 and \$14,000. Three bids from licensed sprinkler contractors have come in at just over \$24,000. This amount excludes about \$7,000 of additional work required to tear up 60 feet of my asphalt driveway and 22 feet of my concrete garage to upgrade the water line to effectively operate the sprinklers. Economically in terms of savings I have heard people talk about you save on your homeowner's policy. I checked on my policy and asked about sprinkled versus non-sprinkled what my homeowners policy is likely to do. Essentially this \$31,000 unnecessary mandate for my home will achieve a return of investment in 168 years. Now, if I could just share for a minute, as a former federal regulator, I was the head of policy for OSHA in Washington. Having worked on numerous health and safety standards protecting more than ninety million workers including firefighters, I am in favor of prudent public safety measures that add demonstrable value, include a thorough cost benefit and risk analysis and are as efficient as they are effective. It is quite possible that the original mandate around 1995 when the fire district first imposed a sprinkler ordinance over 5,000 square feet caused this mistake and it has been snowballing from there. I honestly don't know. I have reviewed the minutes from all the County Commission meetings for 07 and 08 and the minutes for the Fire District for the same period of time. Unfortunately a detailed discussion in 07 in this meeting where the possible costs were discussed, it appears to be in the minutes as tape is broken, inaudible. I don't know, but what I do know is there has been a serious lack of data and risk assessment to support the Fire District's latest attempt to strengthen an already suspect ordinance. Whether intentional or not it appears that the Fire District's staff has not only failed to justify the existing and new regulations it also appears to have deceived it's own board, the general public, the Douglas County Commissioners, and me in the process. I hope that all of us can all count on an in depth regulatory needs and risk analysis in the future and that past errors will be corrected quickly. Thank you.

Chairman Bob Cook thanked R.J. and deferred to the Chief for comment.

Chief LeFever asked R.J. what his water pressure was from the street to his house.

R.J. said he did not know what the pressure is right now, Zephyr Heights is known to be fairly low, the line itself is a ¾ " line.

Chief LeFever then informed R.J. that a 13D system is all it requires. Who mentioned to you that you needed a new water line?

R.J - Two of the sprinkler contractors. They specifically mentioned in my estimate that any of the exterior work like building the pressure up to the right point or volume would be my responsibility.

Chief LeFever - Did they give you an option to put in a pressure tank?

R.j. _ No he did not.

Chief LeFever - Did it meet 13D Standards?

R.J. - I have no idea what a 13D Standard is. My broader issue Chief if I could is yes the cost is outrageous and it would be naive on the part of the Fire District to assume you can come out with a regulation that is going to cost tens of thousands of dollars and in one case almost one hundred thousand dollars and not expect some push back. People can swallow this stuff if they can see some benefit from it. But, what the Fire District has failed to do is show that the benefit of tens of thousands of dollars of new work in your home is going to add any benefit. Last year, this Fire District responded to 79 fires. According to the State Fire Marshals report only 17 were structural fires. Thankfully there were no fatalities of civilians or fire department staff. There was one civilian injury and there was one fire personnel injury. In this whole loss cost for the whole year was \$156,000.

Chief LeFever said those were great statistics. He wanted to add one more. He asked R.J. how long did he say it would take him to get a return on his sprinkler system?

R.J. replied, sprinkler system and tearing up the driveway, based on the insurance agent it is 168 years and I don't plan on being around that long.

Chief LeFever said if you slept in the house tonight and you had a fire tonight, you would get your money back.

R.J. said that was true but again we have to look at the probability Chief, when was the last time you wore a parachute on Southwest Airlines?

Tom Dirkes wanted to actually have the question of the water lines answered, why there is such a discrepancy if you don't mind. I would like it answered from a professional standpoint because I have been very involved with a sprinkler contractor and the 13D System only requires a ¾" line on paper. Now in order for a licensed engineer to put his name at risk and be liable for that sprinkler system to function properly with the variable pressures. If you were to check your water pressure this morning it might be 150 pounds. If you check it this afternoon it might be 10. So, in order to get the proper volume and proper flow, they won't put their necks out liability wise. It has to be a 2" line or have a 250 gallon tank with a backup pump and a backup generator. The backup tank, pump, generator on his house was \$27,000 not counting anything else, well the installation. To have an electrician come in and guarantee the generator is going to come on, the pump is going to work, the rewiring of the house, and everything else. People don't see the liability that the sprinkler system engineers have to go through. We have seen estimates of how much it costs to run PVC pipe and that is where you are getting the \$2.50 square foot costs. We are not calculating in is the liability these people have to go through with these regulations. So that is where there is a lot of confusion and I think you need to sit down

and actually talk to some of these people and get some estimates. My cheapest estimate was from Terry at South Shore Sprinkler and that was \$82,000.

Chief LeFever asked if he could have a copy of that.

Tom Dirkes told him yes; it is actually multiple copies including electricians. As a matter of fact, he would actually invite the Chief to his house to see why some of these costs are so high. It is a log faced home and there is no place to drop the sprinklers through. It was forty some thousand in just reconstruction costs.

Chief LeFever said these numbers are ballpark numbers. They are not based on a log home or recessed heads or unique situations that require the extra. It was never intended and the latitude was allowed in the sprinkler ordinance to go in front of the County Commission and ask for a variance. That latitude is there to be used. The perfect example is Tom Dirkes used that latitude. It is there for the public to use based on things that are not fair.

Tom Dirkes replied the County Commissioners should not have to stretch out their necks for someone like me. What if my house burned down and I died, and someone said the County Commissioners exempted this guy and they are responsible.

Fred Bauer said I have a comment. I have been here since day one listening. One thing that I want to point out really is confusing. South Tahoe Daily Tribune wrote an article after I begged them for weeks. A typical home in this area would cost \$1,800. That is what the Tribune said. I called them and talked to the editor twice and told him I either wanted a retraction or I wanted his source. He said he would look into it. I called him again and he told me that the fire department was his source. 90% of the people I talk to are under the impression it will only cost \$1,800. I have been to all the meetings and have heard this go up and down. I was told we are not putting this in for protecting the house but to protect the citizens. The next meeting it is not the protection of the citizen, it is the protection of the house. Where did this come from? I am adding on 800 feet above a garage and I fall short. How many lives will this save? Why do we have to pay money for something that benefits Douglas County? Why are the houses up here different than down in the valley.

Chief LeFever said you live in the Tahoe Township one of the most fire hazard areas.

Fred Bauer said, outside, not inside my home. I have done all my BMP's, I have done my defensible space, I do what I am required to do. Now the Fire Department is saying I can't build. If TRPA says can build 5,000 square feet why can't I?

Chief LeFever said that was interesting because TRPA is moving in the same direction.

Fred said he hears that all the time. Six months ago I could have built what I wanted. I had my plans. That is my right.

Chief LeFever asked him what he would like to see.

Fred replied he would like to come out 17 feet and go upstairs and put the roof on. Every time I turn around there is something else.

Chief LeFever repeated, what would you like to see?

Fred said he wanted his plans to be approved.

Chief LeFever asked what size is your home right now?

Fred said my home is right now is 4,500 square feet.

Chief LeFever asked what are you going to add to it?

Fred replied It will be under 5,000 square feet.

Chief LeFever said is this counting your garage or not counting your garage? Counting the deck or not counting the deck? Counting the walkway or not counting the walkway?

Fred - No decks no walkways.

Chief Nicholson said may I ask a question. Is your garage attached?

Fred said I don't see why I should have to pay for it. I got information the other day and I called the county about my property. I have a duplex. Now what do I do. Tear down a part of my house? This is an area that has been a storage area for twenty years and now do I get 5,000 on each.

Chief Nicholson said I did receive a letter on that a few days ago from the County that it is an illegal duplex. It is not on the books anywhere.

Fred, asked when, and if he can see the letter. If it has a firewall between them? Why would they send you a letter when I called them and they told me it was a duplex.

Chief LeFever said let us deal with this after the meeting we will sit down with you and see what the letter is and make sure it is your property.

Fred said that they told him it was a duplex and he was having a hard time getting a loan. It was a rental and it has never been used. I used to live back there but haven't been there for 10 years. Now I'm hearing it is illegal. And another thing, this committee you are talking about that came up with the 3,600 square feet, I was in all the meetings, I wasn't asked, I was not even given the opportunity to say no. The next meeting I went to they announced this. The people you had on the committee did represent the real estate people. They represented the

contractors. The contractors won't budge. If they get something from you people they keep it that way. They don't want to make waves.

Chief LeFever said he was on the committee and he would take the heat for the committee. There were builders, realtors and attorneys. I fully expected Tom Dirkes to be there and he wasn't. We invited everyone at the County Commissioners meeting to be there. The bottom line is you weren't there.

Fred said this doesn't make any sense at all. 3,600 square feet leaves a bad taste in your mouth and then I hear them said they want to put another man on the truck.

Chief LeFever asked are you talking about the tax initiative? No. We did talk in open comment. That has nothing to do with fire engine company staffing.

Fred said what it read was so we can have another man on a truck.

Chairman Bob Cook said that is another issue. He asked to be focused on this agenda item. I think you were getting side tracked.

Fred said, it was brought up in an open meeting and it was brought up that they needed another man. You tell me one thing but on the computer it tells me something different.

Chairman Bob Cook asked if there is any further discussion on this item?

Tom Dirkes asked, are you interested in hearing any more statistics or have you heard enough?

I want to say something first. You are familiar with "Sisera" who is the Father of Modern Law made one comment. He said if a law causes chaos it is a bad law. WE have been in nothing but chaos in the last year over this issue. That's a bad law. One reason it is a bad law is because you didn't take the time to see the ramifications. As an example in one of the reports, the Fire Marshal rescinded he fire sprinkler ordinance for the mere fact, and I will read it, "A single family home required a ¾" domestic water tap. The city was required to provide a 1 ¼" tap to run the sprinkler system. The problem was the water department charged a minimum of \$25.00 a month for that ¾" tap but it turned into \$250 a month commercial rates. What is going to happen with KGID a five years down the road when they learn the can charge commercial rates for a 2" water tap.

Chairman Bob Cook said it is already on the books. They will be charging you if you have to put a 2" tap.

Tom Dirkes said this is a ten fold increase. Right now I pay \$132.00 to KGID. Will I have to pay \$1,320.00.

Chairman Cook said that is sewer, water and snow removal.

Tom Dirkes said that is not a good situation. It has no cap on it. Not a good situation. A couple of other things. Just because of live saving issues. A report from the CDC 2006 – 2,580 people killed in structural fires. 99% of those died of smoke inhalation. The other one percent is unclaimed. Not one of their lives were saved by a sprinkler system. FEMA itself owns the probability in 2007 that possibly 262 lives who were involved in this 2,580 out of 62% probability could have possibly been saved by a sprinkler system if 100% of the homes in the United States had sprinkler systems. Now we are back to parachutes on airplanes again. So, the statistics are just not there to support it and the chaos that it is creating is wrong. It needs to be re-evaluated. One thing I did to save money in my home was went with and upgrade of \$6,000 they did some fiberglass insulation. It is completely non-flammable. As a result I will have a one hour envelope. You cannot transfer a fire from room to room. Why can't we spend our \$6,000 on an improvement like that instead of \$82,000 to put in a sprinkler system that has a very low probability of success. FEMA also says that sprinkler systems are 98.9% effective when activated. The problem is the activation. Most people run into problems when they shut the system down. The fire is usually a chemical fire and people die of smoke inhalation never activating the system because it never gets hot enough in the house. We need to be realistic about this. Another statistic is only 40% of the homes in the United States have smoke detectors. That is your first line of defense right there. These are the things that save peoples lives. What does a pack of batteries cost? I could go on and on – I have stacks of nine months worth of research that don't show what Guy and Rick are telling us.

R.J. an additional stat that comes to mind – this is from the Nevada State Fire Marshal. This is a Nevada statewide stat. 46% of the time in 2007 in Nevada, the fire was too small to operate the sprinkler, 46% of the time.

Tom Dirkes, but in each one of those homes, the person could have died from smoke inhalation.

Chairman Bob Cook asked if there was any further comment, discussion? Do you want to bring this back next month?

R.J. said sure.

Chief LeFever stated he could put it on the agenda for next month. What is your direction?

Chairman Bob Cook said what is the Boards pleasure? Do you want to sit on it for a month?

Trustee Clason said yes; let's sit on it for a month.

Chairman Bob Cook said, let's do that.

Chief LeFever said I'm open. What do you want to do. We can go back to the County and look at 5,000; we can put garages back into it, we can put it back to the way it was. I do agree with what Tom says, it does create more heartburn than what it is worth. When the International

Fire Codes come out it is going to change. When TRPA comes out and adopt their Fire Code Standards it is going to change. Regardless of what we do today or tomorrow or next month, it is going to change. We could be on the receiving end of that change.

Trustee Clason said his concern was the transparency. I think things were less than clear when we addressed the issue last year.

Chief LeFever said in light of that, what we have learned in the last 18 months is it is not as black and white as everyone says. Tom brings up statistics, R.J. brings up statistics, we can sit and debate those all night long. We have our own board that says we should be doing this, this and this. I have had that discussion with Rick. That is counter-productive tonight. What we need to do is follow what you guys want us to do. We have given you our recommendation and you have the facts in front of you now with the numbers. The numbers are not black and white. They are all over the place, the size of sprinklers, what the water company is going to charge, but when it comes down to it, it is going to fall back on the International Fire Code and fire flow. When all is said and done, it is not going to be us, we will be on the receiving end of this issue.

Tom Dirkes said, Guy that is not true.

Chief LeFever stated he was not here to debate it right now. You don't know and I don't know what the end result will be. TRPA is right now, and Nancy you are in the midst of this, of re-writing the TRPA code and fire flow is being pushed as an issue and we don't know how it is going to shake out.

Trustee Clason said let's put it on as an action item for next month.

Trustee Steve Siebel said, you asked the question of Fred, "what would you like?" What is it you guys would like what is your alternative?

Tom Dirkes said I would like to give the board something to think about. After going through this process and building this home. I have done multiple months of research. What we are actually building today is home that is safe to live in. These new insulations and the smoke detectors that are linked together in every room so if one goes off in the garage the whole system goes off. There is an area in the recessed lights that fire can travel up. You cannot put those recessed lights in any more, you have to have a fireproof box. The fire extinguishers, the appliances, all of these things are so much more fire safe. Blankets, children's toys. We could build a 10,000 square foot home and it wouldn't burn. I would like find some way for this community; we have a lot of dangerous homes. We need to give these people an opportunity to remodel these homes and make them safer. If we stick with these types of ordinances impossible to do that we are making our community very unsafe to live in. One home starts on fire, may start a forest fire and that may start who knows what. We need to be active and see what the future will bring by changing some of these ordinances. We already have enough hurdles with the TRPA and building department. People are willing to spend extra money on fire proof insulation should be rewarded and not have to put in an \$80,000 sprinkler system. It

is not necessary. That is the direction I would like to see this board take to actually be proactive in what is good for this community.

R.J. I think what I would like, in having been a Federal Regulator and knowing the detail, just about every safety and health standard issued by OSHA had very far reaching impact. The automotive manufacturing sector, we were impacting hundreds of thousands of jobs just by one standard. We had to do a very rigorous risk assessment, cost benefit analysis and we had to look at the probability. We candidly looked at if we have a regulation that protects workers in this industry and we have these provisions, we will save "EX" number of lives per year. At the same time we would look at what it would cost to comply. We are going to put out 137 companies that produce ex. We are going to put them out of business because of this one safety standard. So this was something we took very seriously. We had consultants. You have access to them that can assist the department and community in risk assessment. Most of our rulings were challenged in court. This ordinance will be challenged in court if it stays as it is. My concern is if it is 5,000 feet or 10,000 feet or 3,600 or 2,200 feet. We don't know if any of them make sense. David will typically tell the story look at the probability of injury look at the probability of fatality, not just of civilians but of the firefighters themselves. Fortunately we have very very few structural fires. 79 last year, 17 were structural. I don't know how many of those were single family homes. Some of them may have been tool sheds, garages, a hotel room at Harrah's. I think it would be in the best interest of public policy, until this homework is done, that we can honestly get our arms around accurate data, that the Fire District should request the County to temporarily rescind the ordinance at any level until the due diligence is done.

Chairman Bob Cook recognized Chief Nicholson.

Chief Nicholson introduced himself as Assistant Chief and Fire Marshal. He said he wanted to express his opinion and voice his concerns. He felt that today he was personally and professionally attacked. Some people may say "no you haven't" but if it looks, smells and walks like a duck, it's a duck. I have been working on this for over five years. I have been in the fire service for 31 years. I have been researching this for over 30 years. I know the facts and we can dispute them day in and day out. I just know that a lot of people die each year because of fires. Smoke inhalation starts because of a fire. Sometimes the sprinkler system is not activated because the fire doesn't get big enough to activate it, it's true. A lot of things are true. I can go upstairs and pull down enough information to fill the room to contradict everything that was said. When I started looking at this I wanted to be proactive for our Fire District and knowing what was coming along in the future so we can have more homeowners protected now so that their lives and property and how to prevent death or injury to a firefighter knowing that we have well over 100 firefighters die every year because of the inherent dangers of the job. That was my concern and my objective. When I presented this well over a year ago to the board, I presented all the information and facts that I knew at the time to be correct. When it came down to the cost of square footage I called fire sprinkler companies throughout the area; one locally, one in Carson City, one in Reno. I asked them for information. What I got was verbal information, none of them sent me written information as I requested. When I presented my information to you, it was factual from the people I heard from. I did not

make it up. I can only go by what I am told. This time, I went out and called the same people again and got more boisterous with them and three out of the six I contacted sent information. You can see we are in the ballpark and that is the same information I provided a year and a half ago. At the County meetings the question never came up. I was prepared to answer every question that they had from March of last year until the County Commission voted 100% to go to zero base. I stood in front of them at every meeting with Dave Lundergren, I wrote letters to Dan Holler, informing him of what we were doing in our Fire District. From what I can gather in those meetings, they either did not get read of they didn't pay attention to them because they voted 100% for it and then six months later they rescinded it saying that they didn't know. Again, that attacks me personally and professionally. That is how I feel. My job here is to be proactive for this Fire District. To save personnel, people and their homes. That is what I have been trying to do. In the future it looks as though possibly in 2009 edition of the International Fire Code, Building Code, Residential Code the appendix of the Residential Code that says "all new buildings will be sprinklered no matter if commercial or residential, townhouses, whatever. Right now, their building code, adopted in 2006, every building will be sprinklered. I'm not making that up. He passed copies of the code to the audience. NFPA has already done this. They are ahead of the International Code. That is where I was looking. If this is going to be done, it is coming, why not try to get as many structures here protected now rather than wait years down the road. I am thinking proactively. I'm not waiting for someone to die or get hurt in a fire. I am thinking ahead, that is my job. Tom said he has fire resistant insulation in his walls. That is very good. What about his bedding, his blankets, his clothes, his wood furniture, his plastics that will burn in a fire and create the smoke that kills people. That is what we are concerned with. We have high-rise buildings that are built with Type 1 construction and they are fire resistant. Everything about them are with the exception of the rooms when you add the wood, the carpet, the draperies, the pictures. We are not flame retardant. We are not non-flammable. That is where the concern is. So again, I want you to know that over the last year and a half, I have been very truthful with you up front with you and have done my homework. I resent being attacked professionally and personally. Thank you.

Trustee Clason said let me address what he just said. If you feel that I was impugning you personally that is the furthest thing I wanted to do. As far as I am concerned you have all the integrity in the world. I think you were misled.

Chief Nicholson replied, hearing comments like this, like I said, it sounds, smells and walks like a duck.

Trustee Clason said, I know, but like I said, I think you were misled and it trickled down or trickled up and it continues to do so. The first factual piece I have seen is what you got last week regarding the cost. Now going to your NFPA. They recently put out a letter that says, "although the life safety benefit of home fire sprinklers is well validated, install cost remains a major barrier to their acceptance by home builders and local regulators" and they are now doing a nationwide survey with selected cities to determine what experience level these people are having. In that report they said that report was due on March 21st with the final report of October 15th. I think that would be enlightening. The problem you have and the problem we all

have is the people that do these jobs are very interested in getting these types of ordinances passed. They will probably say or do most anything to sugarcoat them to the extent that you were “duped” with your phone survey of the cost; we certainly were “duped”. And now we are getting into more of the truth of the thing. I have learned more in the last two days than I have in the last 18 months. I was remiss, I did not go to the county hearings, I should have.

A pause in the meeting to check the second tape to ensure it was recording.

R.J – Oh another 14 minutes of missing tape.

Trustee Steve Siebel asked about the International Codes that have been adopted. Are we to believe they don’t mean anything?

Chief Rick Nicholson said in the codes like all the International Codes that we use, that were adopted by the County. As long as I have been here, every year when the new codes come out have been adopted by the County. So, the new codes that come out in 2009, the County will adopt them in 2010. That is the way it has been ever since I have been here. They give everyone one year to know the codes. Also, since we are a fire district that has a population of less than 100,000 people not only do we follow the County Codes but we are mandated by NRS & NFP laws of Nevada to follow the Fire Marshal’s laws and ordinances. We are required to do that by law. No matter what the County does. We went through this five years ago when I was appointed as the Fire Marshal and we were getting approvals to do plan reviews. In regards to the appendixes of the codes, you must adopt the codes, and if you don’t, you do not have to follow the codes. What their plan is to take the ordinances out of the appendixes and put them into the full body of the code. Once in the code you are adopting that. Now, Douglas County is saying they are going to delete that section making the code less stringent that the way they are written. The State Fire Marshal does not do that. If they don’t delete something, we cannot delete it because we are under an MOU with them in an Interlocal agreement. They cannot delete it to make it a less stringent law. We are governed by NRS law to follow what they do. When it goes from the Appendixes the main body of the law, we have to enforce it. Nothing the County can do or you can do unless you change NRS statutes.

R.J. wanted to clarify, these organizations that adopt these codes, these are not law. This is not like the United Nations speaking. These are non-profit professional trade organizations that do a lot of good work and come up with what they believe are the best practices in a one size fits all world. However, we are not in a one size fits all world. It is my understanding that whatever this code of NFPA, these are guidelines in counties, cities and states can decide to adopt them or not adopt them. Most tend to adopt them because they tend to be well researched and well thought out. But just because it’s code does not mean it is law for this fire district. In terms of the State, I spoke with the State Fire Marshal’s Office this morning; Fred Pasqual and asked about fire sprinkler ordinances and he said the State Fire Marshal’s position is that they mandate commercial buildings, as far as residential building it is up to the local jurisdiction. I asked if he expected that to change and he said no. Now if there is something that is flawed in the NRS, we should work on the NRS. We shouldn’t just sit back and say it is being done to us

and just take it. These things are voluntary guidelines and you can choose to adopt them or not.

Chief Nicholson said we can't because we fall under the County's jurisdiction. It is law to us. When you look at Douglas County Codes, a business does not follow these codes I send them a notice and they are held to a misdemeanor. That is law is it not?

R.J. said I suppose it is now but these are things that can be changed.

Chief Nicholson said this is a long drawn out process. If the County has the time and the manpower to go through each and every one of these, we will follow their recommendation. Currently as it is, they have always adopted these as is 100% with no deletions. Whatever Fred tells you, I would go to the Assistant Fire Marshal or Jim Wright the Fire Marshal. If they adopt the 2009 codes when they come out, then we have to follow their regulations. We are in a hard place. The County dictates what we do but we also have to follow the State Fire Marshal's regulations. NAC and NRS. That is what is going on with the codes right now. We are supposed to be proactive in the fire service, not reactive. We are trying to be very proactive in the prevention field. We are doing fuels reduction on the outside of your buildings. We trying to be proactive to protect a fire from burning the inside of your building. We also looked at staffing issues, response time, topography and weather conditions in our fire district. We have areas that are taking us on a good day, 10 plus minutes to get to. On a snowy day it could take 20 minutes to get to. I can have a system in my house and I may not hear it. It is being proven that smoke detectors are not waking people up in a timely manner. People are dying in these fires. By the time we arrive on scene if everything is in our favor, could be up to 15 minutes. The house is now consumed in flames and burned to the ground. A sprinkler system along with an alarm system is the best way to protect people in this community. The things that make them ineffective 100% of the time is human action. They shut the water system off, shut the alarm system off and the overheads not maintained. That is why the County adopted this code in 1995 put in the code that people must maintain these systems to make sure they are 100% effective. NFPA when you read their study, there is not an incident where more than one or two persons have died with a sprinkler system installed. That is how effective they are. That is why we are trying to get this on. When we started this we went from 5,000 square feet because people would sit in the audience complaining about having to put sprinklers in due to adding 200 square feet. This argument was done 20 years ago and we are still there. We are trying to protect more homes, the people that live in them and the firefighters that respond to them.

Fred asked is your house sprinklered?

Chief Nicholson replied no it is not but, I did have an estimate and I am going to have it sprinklered.

Nancy McDermid said she had a question. The homes that are being rebuilt from the Angora Fire are they required to be sprinklered.

Chief Nicholson said if they meet the requirements. If they do not meet fire flow they have an option they can put in a new 8" line and a fire hydrant within 200 feet of their home or sprinkler it.

Nancy McDermid asked if their fire flow was different from ours.

Chief Nicholson said they use the same flow. They use the 2006 International Fire Code.

Chief Nicholson said as far as he knows East Fork Fire has a sprinkler ordinance but it is different from ours.

Chairman Bob Cook asked "Isn't their a Basin Chief's six fire districts within the basin that are trying to adopt the same ordinance?" How many have adopted this already.

Chief Nicholson said all seven districts have sprinkler ordinances. Right now we have three that are more restrictive than us; we are in the middle and then we have three that are less restrictive than we are. Now this is where the black and white gets grey again. Incline, everyone says they have a sprinkler ordinance that is 5,000 feet. They require a 13R system. They do not go down to a 13D system.

Nancy McDermid asked how you propose to get consistency. After the Angora Fire regardless of the state lines the fire jurisdictions got together and came up with points that needed to be changed in order to get out a clear message. I am asking this question in regards to the structures now and sprinklers if all the districts went together and said this is what needs to be done in the basin, you have a clear consistent message. I think right now what I am hearing we haven't had fires like they have had in El Dorado County or the City of South Lake Tahoe and theirs are different from ours. Or what about down on the Sierra Front, what about out in the Pine Nuts, what about out in Topaz. There is not an ordinance that is requiring residential to be sprinklered when they interface with the wild land that I know of.

Chief Nicholson -They have a 5,000 square foot ordinance any where you build a home it is 5,000 square feet.

Nancy McDermid I don't know when that went in.

Chief Nicholson -It has been in for, I have it right here.

Nancy McDermid -I know people who have built larger than 5,000 square foot homes and they have not put in sprinklers.

They may have gotten a variance.

Nancy McDermid -Here is my point, if we are getting constant requests for variances, then there is something seriously wrong with the ordinance

Chairman Bob Cook asked how many requests for variances have we had. We have had one that I know of.

Nancy McDermid - Since they adopted this in a May meeting the process of getting the permit and TRPA and the building department. That doesn't happen in a 30 day period. This is the first I heard of the fire flow standards being changed. TRPA has not been proactive in requiring that. They may now be looking at what they have to do to meet recommendations. My counter part in El Dorado County and City of South Lake Tahoe, they are not going as drastically now.

Chairman Bob Cook asked if she was talking about off the hill.

Nancy McDermid - No up here. There are more important standards for the type of construction materials that you use that have come into law as of January of this year in California. I am hoping that Nevada adopt that too. I would rather see us use the right type of materials on remodels. I think we are lacking behind in that area. We are talking about the sprinkler ordinance that has to do with the interior but I am just as concerned about the exterior. I am meeting with Tod Carlini July 8th in trying to come up with county wide wild land interface coordinates that Carson City has, Placer County, I think Washoe is going in that direction and El Dorado County. There are areas that are very high fire danger. It might be that there are special circumstances or requirements wherever.

Chairman Bob Cook - That is why the Basin Chief's got together and decided to do something for the basin itself. We all support our chiefs.

Nancy McDermid - I would like them to do the same thing on the fire sprinklers and the exterior materials so that there is consistency. When you have consensus in the fire districts there is not as much push back. I'm here to learn. It is a balancing act from my position. I don't want to stick it to homeowners to the extent that they will do things illegally. We fought against this for years with the TRPA unrelenting requirements.

Chairman Bob Cook Our fire safe councils are trying to help too. Also with our twenty man crew with wild land urban interface.

Nancy McDermid Try to come to the consensus we will be in a much stronger position.

Chief Nicholson – With everything Nancy has said, we agree with, and we believe you pay us to be the experts and that is why we are here. Now we are talking about the WUI code and understand them. The code she is talking about the International Wild Land Interface Code says, that if you build a home on the interface and it is determined to be in a high extreme area you must sprinkler the interior. Everyone in the basin agreed that it did say that and it was to

be enforced. You take the WCPP, we had a fire analysis done in our district in 2004 us and the county voted and approved, our district except for Stateline is in a high or extreme fire danger area. So if you build a house you are going to have to sprinker it. When you start adopting these codes it has sprinker system codes.

Trustee Frank Forvilly said there will have to be some ordinances done for the water districts for the 2" lines. They are mandatory and believe me, I go through the 2" line at the business and they are very expensive. They are not using that water unless there is a fire.

Chief Nicholson – The 1/1/2", 3/4" the 1" line, all we know is when we open the code books, this has been adopted by the County because it is in there, so is 13R and 13D, we have to follow those and that is why it is written in the ordinance that you follow 13D for one or two family dwelling we go by that. When you call your contractors out and they are talking to you about that, we don't know what you are discussing. We don't know what sprinker heads they are putting in that are not required. We don't know that they are sprinkering areas that don't need to be. We get a set of plans that show they sprinklered everything, that is what the homeowner and his contractor came up with. We can't say Mr. Homeowner, you don't need to do that, he can come back and sue the Fire District. We follow and enforce the code book. We do not know what you and your contractor agree upon that may drive up your prices. We just see a set of plans.

Chairman Bob Cook -Isn't the ordinance just for living areas? Not closets.

Chief Nicholson - Let me give you a definition what habitable space is from the code so there is no confusion. The code number is 901.8.5C.

Nancy McDermid -It says utility spaces and similar areas. That is grey.

Chief Nicholson- That is the code you adopted for us. We are coming to you asking you to explain that to me please. It is up to common sense interpretation.

Fred Bauer -The more I hear about these ordinances it is effortless. The more you do, it starts to snowballing out of proportion. We need to put the brakes on. I cannot remember a death from a fire up here.

Chief Nicholson -15 years ago. He died of smoke inhalation. Remember our ordinances are not only protecting human life they are protecting property. If there is a fire and the sprinker system goes off and extinguishes that fire in 5 minutes and you got out safely it not only saved you but it saved you the reconstruction costs too.

Fred Bauer – How many times would a system have done that.

Chief Nicholson – We just had a fire up here had a 4 million dollar loss because it burnt a 4-plex down in October. It would have saved it.

Fred Bauer – You guys were going around in circles, I heard it on my scanner.

Nancy McDermid – The book says ¾” but in our particular area that is not going to give the fire flow the pressure to operate the system. Do you look at the ordinance that you are drafting or do you look at a case by case basis. If it works like the book says there is no problem. Any time there is anything done in Tahoe, nine times out of ten it is going to require some kind of variance.

Chief Nicholson – That is the problem we are having right now with Cave Rock Water. If the County had been proactive in seeking monies and building an infrastructure that can handle the pressures they need now, they would meet the fire flows. Most of our water districts up here have upgraded and continue to upgrade. We have a Douglas County water system over there that is antiquated being put in the 1930’s and 1940’s. That is why we cannot respond to a fire out there and get the proper amount of water to attack a fire. That is one reason why we do want those areas sprinklered to protect the homes.

Bob Skinner – In the event of a big fire you can have a whole neighborhood of houses going off is there still going to be any pressure to the hydrants to fight the fire.

Chief Nicholson -There are many variables. It depends on whether the power went off previous. Internal supply sprinkler systems are not going to do a thing. The reason for the sprinklers is to prevent the fire from escaping the confines of the home and spreading. Then you will not have the problem of all of them going off.

Bob Skinner – We have discussed the crews that the fire department has out there working now. Are those in anticipation of the day when defensible space will be mandated?

Chief LeFever – we are working towards that. Right now NRS law says you must clear your home but it doesn’t give the amount of feet to go onto your property. Our ordinance will not read the same as East Fork. We are unique. They don’t have one entrance and one exit.

Chairman Bob Cook – I have not spoken a lot but through this whole effort that has been going on for two years this board has supported you and the Fire Chief the whole way and we still do and if there are any changes to be made in the future we will support you on that too.

Chief Nicholson -Thank you.

Trustee Clason – Speaking as a Trustee my biggest fear is that the sprinkling of the 30 or 40 homes every year becomes such a red herring that it impacts our ability to put forth the fuels reduction program which I consider, considerably more important.

Chairman Bob Cook – I agree with you entirely. Any direction from the board.

Tom Dirkes – It might also interfere, if someone has to put in a sprinkler system, with their ability to do defensible space. How much money do we have? People will want to put their money into interior safe with insulation, special lighting, special appliances. There will be no money left to do defensible space. Are we spinning our wheels because of the NFPA guidelines if they change next year to zero are we going to have to do that? Reason being when ever the Douglas County Commissioners choose a new ordinance supersedes the NFPA guidelines. So if they change next year that ordinance will not change. It will not change until we make the decision to change it. So what we do today is very important and where we choose to go may determine the future.

Chairman Bob Cook – With all being said, is there any direction from the board. Where do you want to go with this Roy?

Trustee Roy Clason said he would like to rescind the ordinance until such time as we have a good study and more guidance from NFPA and the other people, otherwise, we are forcing the County Commissioners into granting one waiver after another and that doesn't do anybody any good.

Chairman Bob Cook – So far they only have one waiver on the books. The other two were pre-empted and I want to clarify that.

Chief Nicholson – Remember Douglas County adopted this ordinance if we don't continue on the path we are on now, we have to go back to the ordinance that was approved July 1, 2007 that is zero feet. We don't go back to the 5,000 feet. You will then have to go back and get approval from them either go back to 7-1-07 which is zero feet or go all the way back to 7-1-06 which is 5,000 feet so I want to remind you of that.

Trustee Roy Clason said he thought they could write a letter to the county with a recommendation and skip a lot of this.

Chief Nicholson said we have plans that have been submitted for the 3,600 feet, what are you doing to these people that are now waiting to get their plans approved while I am in limbo and as you said the costs are going up daily. You have to look at the ramifications here not just putting it in stoppage but it goes back to the code that is on the books right now.

Trustee Roy Clason – But what Tom has found and what everyone else is going to find is that the County has a proclivity to waive the requirements. When they come in and say, Tom got the waiver, you know what will happen.

Chairman Bob Cook said to Roy, Tom got the waiver because he started his project before the ordinance came out.

Read the ordinance and understand how the appeals process is written. It says you must meet the International Fire Code. They adopted that. You have to have in place something greater

than a water based fire protection system; an alternative extinguishing system. It is in front of you and that is how it reads.

Chairman Bob Cook - This is not an action item and we cannot take any action tonight.

Fred I'm listening and this is the same thing that happened when we had zero zero, then it went to 500 then to 500 plus something and then up to 3,200. I think it was adopted by the Commissioners as a threat, if you don't pass the 3,200 it is back to zero zero. That is what I saw at the meeting. It wasn't a consensus it was a consensus if you don't have it you are not going to have anything. Take this or nothing. I want this board to know you shouldn't be backed into the corner. It should be what you want. This has to be figured out.

Chairman Bob Cook -This is the last comment and then we are going to make a motion.

R.J. – To clarify I started the permit process on November 22 or 24, 2004 and I did not get a final permit from TRPA until 4-12-08.

Trustee Steve Siebel - Did you work on that solidly for that number of years?

R.J. - I did or I paid my consultants \$150 an hour to work on it because my house has a lake view. It caused all kinds of bells and whistles.

Chairman Bob Cook – Let's put this item on next month's agenda and you guys can help me out with how you want this to read.

Trustee Roy Clason -Discussion and possible action to change the existing recommendation that this department made to the County several times.

Steve Siebel – It is a County ordinance and we can't change it.

Chairman Bob Cook - We may vote as a board not to change it at all.

Trustee Roy Clason - It would read " Discussion and possible action to revisit a recommendation to the County regarding the sprinkler ordinance".

Trustee Steve Siebel said it would be best to have all the board members here.

Chairman Bob Cook agreed entirely. Will be on next months agenda. It will be the fourth Monday of next month. July 28th at 4:30. Thanked everyone for all the input.

Item #11: Fire Chief's Report of previous month's activities.

Chairman Bob Cook said it looks as though we had a collection on the ambulance, 58%, almost 59%.

Trustee Roy Clason said I want to quote something my college roommate always said, "the more you stir it the more it stinks".

Chairman Bob Cook said let us take a five minute break.

The board meeting broke at 6:45 pm.

The board meeting reconvened to open session at 6:48 pm.

Chief LeFever stated that the Fire Prevention responsibilities in this organization is to look forward and prevent fires that what my expectations are. That is what fire prevention division does, it looks into the future, what is happening what is coming. We would be remiss in our responsibilities if that division did not do its job in that area. I want to make this comment in light of the last discussion.

Trustee Roy Clason said, sometimes we can throw out the baby with the bathwater.

Chief LeFever stated he does heed that advice quite well Roy.

Chief LeFever stated alarms last month, we had five fire responses - \$0 fire loss because those structures were sprinklered.

(Laughter)

Trustee Frank Forvilly asked if we can quote him on that one?

(Laughter)

Continuing with the Fire Chiefs Report, ambulance account starting to move in the right direction. Again, Ben is doing a fabulous job at bringing that account back in line. Recognize Captain Allison and Battalion Chief Ben Sharit. They have been handling our scholarships to both high schools. Both Douglas and Whittell have participated in the past years. This year Whittell did not participate because no one put in for a public safety scholarship.

Roy Clason said they have a part-time counselor now and that is the problem.

Chief LeFever said we contacted them and they could not make it happen. We gave Jennifer Stice a \$500 scholarship (she is the daughter of one of our employees) and Jessica Lamb (Stan Lambs daughter) also \$500 to go into nursing. We gave two scholarships this year and from this year forward we will be participating with Lake Tahoe Community College in giving two \$500 scholarships. We will no longer give the high schools scholarships. We are going to stay focused on the fire service side and keep it focused in Lake Tahoe Community College. We gave Kyle Sullivan and Michael Monaghan \$500 each. Both of them are crew members for fuels management. Just to remind you, the funds come out of the community involvement fund.

We periodically get donations. This fund was created years ago. We used to put the money in the General Fund and then it would get absorbed. We now put any donations in this fund. We have a gentleman that gives us \$1,500 every year.

Chairman Bob Cook said our investments are down \$6,500.

Chief LeFever stated they did. That was a snapshot of just one day because interest rates are down. We hold them until maturity therefore they will receive the entire amount. We have a balance of one million in our money market account. You will recall we like to keep about one million in July August and September. We get our check at the end of September.

Legal front there is no news.

Tax override, we have sent some letters out to local representatives. I am expecting some contact back, especially Brian Krolicki and James Stettlemeyer. The other part, recommendation 87, that follows along the lines of the letter, following that with Ensign and Feinstein. The rest of the documentation is a follow up letter that I had the opportunity to sit down and discuss with Roy that we sent out with the newsletter. We provided a follow up to that to clarify part of our marketing plan and try and get the actual numbers out to the people.

Trustee Frank Forvilly stated, you know what we really need to do, unless they are going to do it. I don't think anyone really understands the assessed valuation of a home. Is there any way that we could get something in there. I think the taxable amount, put the value of a person's home in there, say \$800,000 market value.

Chief LeFever said here is the problem is somebody thinks their house is worth \$900,000. The county says your taxable value is only \$500,000. We are misrepresenting the true cost to them. We had that problem recently, that is why Roy and I sat down and worked on it, then Bob came in. We put something together and emailed it out. Steve had some input on this. Everybody understands and can get a hard number of what your assessed value is by going to this website. The problem is, like Mr. Dirkes said his house is worth three million dollars.

Trustee Roy Clason said, he paid \$575,000.

Chairman Bob Cook stated there isn't anything in that area that is worth that kind of money.

Chief LeFever the point being, if he built this house for three million it would be taxed day one at three million. You have a house that is worth \$900,000 and you have living in it for 30 years. It is now taxed at \$500,000. That is the fact.

Chairman Bob Cook stated It has depreciated 1 ½% per year.

How do you capture everybody's different tax rate? Our constituents need to know how much is it going to cost them. That is what I tried to capture in this newsletter. We put in the

beginning what assessed valuation is and we said where you can find it, these are some examples and if you have a question, email me, I will find it for you and I will tell what it is going to be. Why we are doing it is on the second page. If we put the market value, you did give me direction to do that. What that did was create confusion and misinformation. It inflated what it is actually going to cost them. This went against us so we reintroduced these letters for clarification and we will probably use them in a mailer unless anyone has other suggestions.

Trustee Steve Siebel said it is still really based on assessed value of your home.

Trustee Frank Forvilly said there are a lot of people that don't understand the 35%.

Chief LeFever explained the situation to Ed Bateman. He at first was very upset in the beginning, by the time I explained the situation. There is an assumption that for example, your home is worth one million dollars, nobody understands, market value, Douglas County taxable value and then assessed value and then the 35%. They don't understand the formula process. We tried to capture the geographic community. We need to make sure that the facts are out there and what it is actually going to cost them.

Trustee Roy Clason said we went round and round for an hour and I was the only one on the right page. Bob Cook and I were out in left field and we finally called the assessor who straightened everybody up. The examples are very good. Glad you got the Glenbrook example out there.

Chairman Bob Cook reminded the chief not to forget to put a date on there. On the second page, I think this is the first letter. Should say will end in 2009. I asked the Chief to put the Fire Safe Letter in there that was drafted by the chapter presidents. We did the evacuation drill and you can see it took an entire page to list those that participated in it.

Chief LeFever I put some correspondence from the leadership group that we participated in, some interviews that we participated in. Phyllis Bateman from the Scholarship Program recognizing our organization, thank you letters from the individuals we gave the scholarships to, our budget is in compliance and following that are our chief officer reports

Chairman Bob Cook asked about Novak's tree removal permits, is there a fee for that and what does that entail? I understood anything 14" chest high or lower you didn't need a permit, you could just cut it down.

Chief Nicholson said we are talking larger. If you call TRPA out they are going to charge you a \$51 fee. If the fire department does it, it is free. We are authorized to mark trees and we send the paperwork to TRPA.

Chairman Bob Cook said he did not know if it can be done but, when the Zephyr Fire Crew is out working out in the field, they should put barricade signs on each side of their project so people

coming both ways people can see them working. That would really help us. Should be Tahoe Douglas Fire since that is what is going to be on the ballot, not Zephyr Crew.

Chief LeFever, Saturday night, early Sunday morning we sent the Zephyr Crew out to the Soldier Fire in El Dorado County. There are 17 personnel on that. Sunday mid afternoon we sent our brush rig out to the same fire. A couple of weeks ago we had our brush rig out on the Humboldt Fire for six days.

Captain Nalder said they left Wednesday night and was sent out on line Thursday morning. The fire was not what they said it was. It was supposed to be 3,000 acres. They sent us to protect homes. We saved five homes and a commercial building. We were a four man crew.

Item #12: Discussion and possible action: Set date for next meeting and possible agenda Items:

There will also be a special June 30th meeting for two additional augmentations one for the General Fund and one for the Capital Projects Fund and the financials for May 2008.

The date of the next regular meeting is July 28, 2009.

Agenda items will include:

→ Revisit the Sprinkler Ordinance

Action Item #13: Adjourn:

Motion by Trustee Roy Clason to adjourn.

Seconded by Trustee Steve Seibel.

Motion carried with a vote of 4-0.

The meeting adjourned at 7:40 p.m.

This meeting was recorded on audio tape.

