

TAHOE DOUGLAS FIRE PROTECTION DISTRICT
BOARD OF TRUSTEES MEETING
July 22, 2015

Those Present:

Chairman Larry Schussel
Vice Chairman Greg Felton
Trustee Bill Kirschner
Trustee Kevin Kjer
Trustee Steve Seibel
Fire Chief Ben Sharit
Legal Counsel Devon Reese
Assistant Chief Tim Allison
Battalion Chief Jim Antti
Fire Marshal Eric Guevin

Captain Ralph Jones
Captain Todd Moss
Captain Brandon Spry
Forester John Pickett
Office Manager Kate Warner
Accounting Specialist Carrie Nolting
Administrative Assistant Casey O'Neill
Former Trustee Ann Grant
Guest Jordan Deas

1. Call to Order.

Meeting was called to order at 3:01 PM.

2. Pledge of Allegiance.

Pledge of allegiance was led by Chairman Schussel.

3. Roll Call.

Chairman Schussel, Vice Chairman Felton, Trustee Kirschner, Trustee Kjer and Trustee Seibel were present. A quorum was present.

4. Approval of Agenda.

Trustee Kjer motioned to approve the agenda. Trustee Kirschner seconded the motion. No discussion. Motion approved 5-0.

5. Public Comment.

Chief Sharit recognized Chief Allison and his promotion from the rank of Battalion Chief to Assistant Chief adding that Chief Allison has done a great job over the last six months as our acting Assistant Chief.

Chief Allison introduced guest Jordan Deas, a young Tahoe resident who illustrated the TDFPD emblem on a poster and hand delivered it to Station 23. Thank you to Jordan for his gift and his efforts.

Trustee Kirschner added that Deas is also a premier cadet out of the Blackhawks Squadron in South Lake Tahoe.

6. Approval of the Consent Calendar.

Items:

- a. Approval of Minutes 06/30/15
- b. Monthly Expenditures
- c. Financials 05/31/15

Trustee Kirschner motioned to approve the Consent Calendar items as corrected. Vice Chairman Felton seconded the motion. No discussion. Motion approved 5-0.

7. For Possible Action: Consent items moved forward.

None.

8. Presentation: Introduction to the updated Lake Tahoe Basin Community Wildfire Protection Plan (CWPP).

Forester John Pickett

Forester Pickett presented on the updated Lake Tahoe Basin Community Wildfire Protection Plan (CWPP) and the Tahoe Douglas community assessment, one of the five community assessments that are integral to the larger plan.

Back in the early 2000's, every fire was paid entirely by the federal government. After major fire storms raged through southern California, it became apparent that fire suppression efforts were costing more than what the federal budget could afford. The CWPP was then envisioned by the Healthy Forest Restoration Act of 2003; a direct result of the storms in southern California. The Healthy Forest Restoration Act gave communities who were at risk for catastrophic loss from wildland fire the opportunity to create a plan that would be recognized by federal land managers in the area.

As a result of the Healthy Forest Restoration Act, Senator Feinstein challenged the Lake Tahoe Basin fire chiefs to create a CWPP within six months to be presented at the 2004 Lake Tahoe forum. The TRPA put together a CWPP for the California side of the basin and the Nevada Fire Safe Counsel wrote a plan for all Nevada counties, including Tahoe Douglas. Ever since, this plan has been the guiding document for fuels reduction in the Tahoe Douglas Fire District. However, in Tahoe there were questions brought up regarding whether or not it is environmentally sound

to cut down trees. This debate ended with the TRPA endorsing a plan for forest thinning throughout the Lake Tahoe basin in January 2007 *before* the Angora Fire.

Next, the question was how the district could attain funding in order to support these fuels reduction programs. Funding was found to be promising through the Southern Nevada Public Land Management Act (SNPLMA). This act enabled fire districts to apply for public funding to work on fuels reduction and forest thinning. This legislation required a comprehensive, cost-effective, multi-jurisdictional hazardous fuels reduction and wildfire prevention plan, including sustainable biomass and bio fuels energy development. As a result of SNPLMA funding, the Tahoe Basin completed about 15,000 acres of forest thinning and fuels reduction work.

In 2013 and 2014 the multi-jurisdictional fuels reduction strategy for the Lake Tahoe Basin was updated describing how SNPLMA or other funding sources would be set up between us and our federal and state partners. Going back to the initial development of the CWPP, the basin had to strategically plan, looking to see what would happen over the next ten years and fixing any flaws that came up. One flaw was determining where the Wildland Urban Interface (WUI) is located. Now there is a map that shows a permanent and distinct area of the WUI and a database that shows a history of every treatment done on all land in the Lake Tahoe Basin.

The Tahoe Douglas Board of Trustees will receive four different documents for review in order to prepare for next month's more detailed presentation:

- 1.) Lake Tahoe Basin wide CWPP
- 2.) Tahoe Douglas Fire Adapted Communities Self-Assessment
- 3.) TDFPD Map Book with permanent documentation of every parcel in the district
- 4.) A Completed and Planned Projects database output for the undeveloped WUI

Chairman Schussel asked for clarification as to whether the CWPP would be discussed at a future meeting after the Trustees had time to review the documents. Forester Pickett stated yes, he wanted to brief the board on the importance of the CWPP and what documents they need to review in order to prepare for the in depth presentation. In conclusion, the CWPP is a funding document that supports the approval of grants for fuels reduction efforts in the district. The fire district has never been denied a grant since the forming of the CWPP.

Trustee Kjer asked if there were any future plans to track treatments on private parcels for residents.

Forester Pickett stated yes, there is a database of all the developed residential parcels with their treatment history, which is in the process of being updated. Currently, we are entering defensible space inspections from three years ago.

Chief Sharit recognized Forester Pickett and Forester Shafer from NLTFPD on all their hard work and time updating the CWPP. They did an outstanding job.

Forester Pickett added that Forester Shafer is the Incident Commander for the Tahoe Fire and Fuels Team (TFFT) and managed the entire project.

- 9. For Possible Action: Discussion on adopting Resolution #14-2015 which formally accepts the FEMA Staffing to Adequate Fire and Emergency Response (SAFER) grant in the amount of \$1,162,380 to cover five (5) firefighter positions through January 2018.**

Fire Chief Ben Sharit

Chief Sharit stated that the fire district was recently awarded a grant for the retention of five firefighter positions for the next two years. This is the same grant the district applied for in 2012 and it allowed for the hiring of twelve new firefighters. The district has budgeted for seven out of those twelve positions and asked for the retention of five more positions with this grant. Chief Sharit noted that this grant allows an additional three months to hire for a total of six months, starting in January 2016 with the ability to hire sooner if necessary. Also, the district hired a consultant to assist with writing and managing the grant. Chief Sharit supports the board's approval to accept the 2014 SAFER retention grant.

Vice Chairman Felton commented that this is a financially sound decision within the district and thanked Chief Sharit and TDFPD staff for making this happen.

Trustee Kirschner motioned to approve the action item. Trustee Seibel seconded the motion. No discussion. Motion approved 5-0.

Chief Sharit recognized Forester Pickett for assisting the consultant with the writing of this grant. Great job and thank you.

Vice Chairman Felton stated that it is fantastic for the district in a couple of ways, one of which is being able to wean off of the grant and two by reaching out and getting this type of available support.

- 10. For Possible Action: Legislative Changes**

Legal Counsel Devon Reese

This is a presentation on the 78th legislative changes affecting the fire district. Reese attended the sessions in order to advocate on behalf of clients including TDFPD. Reese collected a number of bills to review that are of relevance to the fire district.

1. **AB19** – Designed to allow flexibility in the budget process for local government entities. It changed the fact that government agencies no longer are required to hold their budget hearings on the third Thursday of May. Local governments could hold their

hearing between the third Monday of May and the last day of May so special meetings are more flexible for the governing body.

2. **SB28** – This bill did not pass, but should be presented next session, so it is important to keep in mind. The bill sought to clarify provisions governing the fees that may be charged for providing copies of public records. The bill would add a definition of what constitutes “extraordinary use” to the statute.
3. **AB54** – Revises provisions relating to local governments existing in severe financial emergency. It was designed to allow the Department of Taxation to place local governments on “Fiscal Watch” if they determined that certain conditions were not being met. The local government can also request technical financial assistance if necessary.
4. **AB90** – Requires local governments and organizations to participate in the Nevada Intrastate Mutual Aid System, which allows counties to request aid from other entities to compensate for their services. Furthermore, it allows for various ways that consolidated services can be had and paid for by transferring into different funds. This bill has the potential to change the way agencies interact between one another.
5. **AB172** – Raised the trigger for the payment of prevailing wages on public works from \$100,000 to \$250,000. Provisions were added so that the Labor Commissioner sets the amount of wages, which results in increases in our wages. The bill also provides for the exemption of school projects. This is important when agencies look at their capital expenditures and long term budgets for the improvement of their fiscal infrastructure.
6. **AB332** – Made changes to government purchasing in the relation to public works projects. It prohibits governments from entering into contracts where the government is required to purchase materials for the project unless the contract says that state and local taxes can cover the costs.
7. **AB364** – Revised the state business portal and allows a local government to determine when, and at what level, to participate in the state business portal for contracts and licensing. States that local governments are not required to expend their resources to facilitate participation with the state business portal.
8. **SB70** – This bill specifies that Friday counts as a working day, except for holidays, to comply with posting requirements for open meeting laws.
Chief Allison added that this bill could have resulted from state employees who were required to take furlough Fridays.
9. **SB157** – This bill encourages state and local governments to coordinate and communicate with one another. It prevents jurisdictional disputes between local governments and consolidates resources when addressing issues of public health and safety.
10. **SB158** – Revises provisions to collective bargaining by local governments. It requires that a proposed agreement and any supporting documentation be posted at least three days prior to the public hearing at which a governing body may take action to approve the proposed agreement.

Vice Chairman Felton asked for clarification on the SB158 bill. In the past, if the fire district had a provision stating that if we have not yet established the new agreement then the old agreement terms still stands. Is this now not the case?

Reese explained that you are free to collectively bargain regarding this issue, but the law states that in the absence of the contract that provides for the briefing or not briefing, those would expire on the agreements expiration date.

Captain Jones added that he understands that with this bill there is a six month extension allowing the department to pay any PERS, CPI and other increased expenses. However, the department would be required to pay what was in the existing contract without financial increases for six months past this date. The agreement stays in place, but beyond that, no increase can be paid by the government until a new contract is enforced. So, the existing contract is still enforced, but no further revenue (increases to employees beyond six months) can be paid past the contract's expiration date.

Reese stated there are different opinions on this bill. The intention of the authors of the bill is whether or not, those types of clauses, will be cut off by the expiration date.

Felton asked if this true, when you reach the expiration date of the contract, and there is not a new agreement in place, then what happens next?

Reese replied for the six month period the PERS and CPI increases are in place. If in the six month period they have given you the statute for a negotiating team, and the contract goes beyond that, automatic increases will not occur beyond the six month period.

Vice Chairman Felton added that in the past there have been extended negotiations and the board agreed to retroactively institute some of the increases.

Reese responded that this is generally allowed and the bill does not comment on it.

11. **SB168** – Provides parameters for the reopening of collective bargaining agreements by local governments experiencing fiscal emergency. “Fiscal emergency” is defined as a decline of over 5% revenue or budgeting on unreserved funds over 4% to actual expenditure. Provides that 25% of a local government’s general fund is not subject to negotiations with an employee organization and cannot be considered by an arbitrator in determining a local government’s ability to pay compensation or military benefits.
12. **SB241** – Allows a local government to provide leave to an employee for time spent performing duties or services to an employee organization if the full cost of such leave is paid or reimbursed by the employee organization or is offset by concessions made by the employee organization in the negotiation of a collective bargaining agreement. Provides that all collective bargaining agreements remain in place until a successor agreement is reached. Some local governments like this because they believe it was

being dragged out. This bill shifts that cost back to the associations. Reese believes this bill will be repealed, but for now will have to deal with this in the collective bargaining process.

13. **SB340** – Provides that all individuals that have been debarred from receiving contracts from the federal government may not be awarded a contract for a public work in Nevada during the term of the debarment.

Reese’s goal was to inform the board of changes in the laws that have occurred as part of his legal counsel services. .

11. Report Item: Review of Monthly Fire District Activities. No action will be taken.

Fire Chief Ben Sharit

Employee Years of Service Recognition:

Captain Ralph Jones	16 Years of Service
FF/P Kelly Pettit	16 Years of Service
Captain Bill Romanowitz	16 Years of Service
FF/P TC Ghisletta	5 Years of Service

*NOTE: THE AUDIO RECORDING CUT OFF AT 54 MINUTES OUT OF THE 1 HOUR 11 MINUTES TOTAL MEETING TIME. THE FOLLOWING WAS TRANSCRIBED FROM BOARD SECRETARY O’NEILL’S NOTES. CORRECTIVE MEASURES ARE BEING TAKEN FOR FUTURE MEETINGS.

Updates:

Assistant Chief Recruitment Process – Currently accepting application packets. Approximately 100 applications were requested and about a third returned. The Assessment Center process will begin within the next week with the goal of hiring by the first week of October.

Resignation of FF/P Brent McCloskey – Accepted position with Fremont Fire in California. McCloskey will be working with his father who is currently a Captain at the department.

Safer Retention Grant – Thanks again to all who helped.

Defensible Space Grant Funding – Thanks to Forester Pickett and Accounting Specialist Nolting for all their work with this program.

Community Work Days – In full swing; the crew is getting a lot of positive feedback from residents who participated in the work days.

Trustee Kjer attested that his Community Work Day was a success and the Zephyr Crew was a good representation of the district. Thanks to the Crew for their hard work.

Fuels division does a phenomenal outreach to the public.

FY 2016 Annual Operating Plan – Should have this out to the board within the next couple of weeks. Includes capital projects, training plan and strategic plan.

2015 Lake Tahoe Summit – Round Hill Pines on August 24th at 10:00 AM, hosted by Senator Dean Heller.

Invite Wayne Omel, Edwards Jones to September Meeting – Will review the district's investments going into the fall and will look into longer term investments.

Attachments:

Financial Summary -

The following are investment values as of 06/26/15:

Money Market	\$ 739,206
CD s	\$ 399,779
Step-up Bonds	\$ 000,000

Total	\$1,138,956
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Station #22- Zephyr Crew Facility Open House and Ribbon Cutting Ceremony – Tuesday, July 28th from 3-5 PM. Ribbon cutting ceremony at 4 PM. All members of the community are welcome to come celebrate with the Tahoe Douglas Zephyr Crew.

Household Hazardous Material Waste Disposal Day – Sunday, August 16th from 10am-3pm. Free service to district residents. Encourage residents to take advantage of this one day; however, they can contact the office at any time during the year to meet with a HazMat Technician to properly dispose of the waste.

Trustee Kirschner asked about the cause of the recent hot tub fire in Round Hill.

Fire Marshal Guevin responded that it was an electrical fire and that model tub has been recalled and turned over to the insurance company.

12. Report Item: Review of Fire District Division Reports. No action will be taken.

A-Shift Acting Battalion Chief Todd Moss

Captain Moss is the Bomb Squad/EOD Commander and they have been busy with sweeps for the Celebrity Golf Tournament and outdoor concerts. Six sweeps completed for the tournament and six for the concert. Six more concert sweeps to complete before the end of summer. In the past, the Bomb Squad has had three dogs to help with the sweeps, however, now they are down to one dog, which creates more work for the squad. Without the dog's assets would not be able to perform those sweeps efficiently

B-Shift Battalion Chief Rich Nalder was absent due to a fire assignment.

C-Shift Battalion Chief Jim Antti

Chief Antti is in charge of the vehicle fleet, radio equipment and communications. Two new staff vehicles were recently purchased and to be picked up. New King radios were purchased and will be detailed. Spare ambulance is now being held at Station 21 and is getting looked at every day by the mechanic; utilized the spare ambulance for the first time at the golf tournament.

- 13. Discussion: Confirm next meeting, with a proposed date of Wednesday, August 26, 2015 with a start time of 3:00 PM and possible agenda items.**

Trustee Kirschner asked to possibly move the meeting up to August 19th, one week ahead of schedule as he will be out of town. No action taken.

Suggested agenda items:

- Wayne Omel
- CWPP

Adjourn.

Trustee Kirschner motioned that the meeting be adjourned. Vice Chairman Felton seconded the motion. Motion approved 5-0.

Closed Session: Not needed at this meeting.

This meeting was recorded on audio tape.

Casey O'Neill
BOT Secretary
Tahoe Douglas Fire Protection District