

1     **JANUARY 27, 2009**

2     **REGULAR MEETING OF THE BOARD OF DIRECTORS OF**  
3     **THE NORTH COUNTY FIRE PROTECTION DISTRICT**

4     President Munson called the meeting to order at 17:03.

5     **THE INVOCATION GIVEN CHIEF METCALF.**

6     **ALL RECITED THE PLEDGE OF ALLEGIANCE.**

7     **ROLL CALL: Present:** Directors Harris, Hooper, Munson and Thuner.

8                     **Absent:** Director Schaden.

9     **ALSO PRESENT:** Fire Chief/CEO Metcalf, Attorney James and Board Secretary Stephen-  
10    Porter. In the audience were: Deputy Chief Torchia, Division Chiefs Goldberg and Morel,  
11    Battalion Chiefs Abbott and Lane, Administrative Captain Lucore, Bookkeeper Timmers,  
12    Association President Marovich, members of the public and Association.

13  
14                                     **PUBLIC ACTIVITIES AGENDA**

15    1.0.    **PUBLIC COMMENT:** President Munson addressed the audience and inquired whether  
16    there were any public comments regarding items not on the Agenda. Chief Metcalf brought  
17    forward a newly arising matter that required there be a Closed Session. He noted it was a  
18    litigation matter that had been brought forward after the publishing of the agenda. President  
19    Munson requested a motion to find that the matter required Closed Session and that it had  
20    arisen after the publishing of the agenda. Director Harris made the motion, which was  
21    seconded by Vice President Thuner, passing unanimously. President Munson asked for a  
22    second motion requesting that the matter be added to the Closed Agenda for discussion. On a  
23    motion by Director Hooper, which was seconded by Vice President Thuner, the motion passed  
24    unanimously. There being no further public comment, the public comment time was closed.

25    2.0.    **RECOGNITION OF RETIRING EMPLOYEES - CHIEF METCALF:** Chief Metcalf recognized the  
26    following retiring employees, noting that between the three, they had served 103 years for the  
27    District: Captain Steven Cate, Captain Michael Hill and Engineer Steve Gresoro. All were  
28    present except Captain Hill and they received a plaque from the District for their service.

29

30 3.0. **THIRD AND FOURTH QUARTER REVIEW OF BOARD RECOGNITION PROGRAM — CHIEF**

31 **METCALF**: Along with President Munson, Chief Metcalf presented the nominees for this  
32 quarter's winners of the Board Recognition Program. The following individuals were selected  
33 for acknowledgement: **Management**: On a motion by Director Harris, seconded by Director  
34 Thuner, Division Chief Morel was unanimously approved as the Management recipient; **Non-**  
35 **Safety**: On a motion by Director Harris, which was seconded by Vice President Thuner,  
36 Administrative Specialist Kettner was unanimously approved for the Non-Safety recipient; and  
37 from **Safety**: On a motion by Vice President Thuner, which was seconded by Director Harris,  
38 Engineer Doumack was unanimously approved as one of the Safety recipients; Engineer  
39 Doumack; and on a motion by President Munson, seconded Director Hooper, FF/PM Bracci  
40 and Hammer selected as Safety recipients. Each of their accomplishments was discussed and  
41 it was noted that last quarter, the Board had not selected recipients.

42 4.0. **EMPLOYEE OATH OF OFFICE — CHIEF METCALF**: Chief Metcalf presented three new hires  
43 to the District, who were all products of the District's Reserve Program: FF/PM's: John Choi,  
44 Chris Craven and Matt Lindsey. All were sworn-in and family members were present to pin  
45 their badges. Chief Metcalf also introduced the following individuals who have been promoted:  
46 Captains: Greg Mann and Barry Krumweide; Engineer Stormy McInerny. Family members  
47 were present to pin the newly promoted individuals. Chief Metcalf and the Board  
48 congratulated the individuals on their accomplishments.

49  
50 **ACTION AGENDA**

51 **CONSENT ITEMS:**

- 52 5. **APPROVE REGULAR BOARD MEETING MINUTES, DECEMBER 9, 2008**
- 53 6. **APPROVE SPECIAL BOARD MEETING MINUTES, JANUARY 13, 2009**
- 54 7. **APPROVE FINANCIAL REPORT DECEMBER 2008**
- 55 8. **APPROVE POLICIES AND PROCEDURES**
- 56 9. **REVIEW AND APPROVE OVERTIME TRACKING REPORT FOR THE SECOND QUARTER 2008/2009**
- 57 10. **REVIEW AND APPROVE EMERGENCY STATISTICS REPORT – SECOND QUARTER FY 2008/2009**
- 58 11. **REVIEW AND APPROVE TRAINING REPORT – SECOND QUARTER FY2008/2009**
- 59 12. **REVIEW AND APPROVE FIRE PREVENTION REPORT – SECOND QUARTER FY 2008/2009**

- 60 13. REVIEW AND APPROVE CUSTOMER SATISFACTION SURVEY PROGRAM RESULTS — FOURTH  
61 QUARTER 2008
- 62 14. REVIEW AND APPROVE ANNUAL HEALTH AND SAFETY REPORT — YEAR 2008
- 63 15. REVIEW AND APPROVE MAINTENANCE DIVISION REPORT — SECOND QUARTER  
64 FY 2008/2009

65 President Munson inquired whether there were any questions. There being none, he asked for  
66 a motion to approve the consent agenda. On a motion by Director Harris to approve Items 5-  
67 15, which was seconded by Director Hooper, the motion passed unanimously.

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69 **ACTION ITEMS:**

70 16. REVIEW AND APPROVE THE ANNUAL AUDIT FOR FISCAL YEAR 2007-2008 - DEPUTY CHIEF  
71 TORCHIA, F/S TIMMERS AND CHIEF METCALF: It was noted that the representative from the Audit  
72 Firm was not present, therefore this matter was tabled.

73 17. REVIEW AND APPROVE EXTENSION OF FIRE HYDRANT MAINTENANCE CONTRACT FOR 2009 -  
74 D/C MOREL: D/C Morel presented the extension request to the Board, noting that the present  
75 contractor has been doing well keeping up with the work. In-depth discussion ensued  
76 regarding the hydrant maintenance contract, with it being noted that the District had agreed to  
77 take on the work in June of 1966. Although FPUD has been approached, they are not willing  
78 to resume the maintenance obligation, despite active attempts by the Staff to negotiate the  
79 change. On a motion by Director Harris, which was seconded by Director Hooper, the Board  
80 unanimously approved the extension as presented.

81 18. SURPLUS PROPERTY AND VEHICLES - DEPUTY CHIEF TORCHIA: Deputy Chief Torchia  
82 presented the surplus request, noting that the vehicles have reached the end of their useful life  
83 to the District and the real property is not suitable for the District's use. Discussion ensued  
84 regarding the general parameters for salvage, its disposal method and use of the realized  
85 funds. The Board requested to be informed of the funds that were realized from the sale of the  
86 items. On a motion by Director Harris to declare the property surplus, which was seconded by  
87 Director Hooper, the motion passed unanimously.

## DISCUSSION AGENDA

19. There were no discussion items for the January 27, 2009 meeting; however, brief discussion ensued regarding the number of workers' compensation claims. It was noted that claims are down, but costs are somewhat higher for this class of claims.

### STANDING DISCUSSION ITEMS:

#### LEGAL COUNSEL REPORT:

Counsel James presented his letter "Employee Reinstated to Previous Position Must be Given the Same Duties and Responsibilities as Before and Not Simply the Same Title and Salary." He noted that although the employee was reinstated, he was not given back his supervisory responsibilities. The court held that all duties must be restored upon reinstatement. This is informational only, no action required.

#### WRITTEN COMMUNICATION:

- 1.0. Brief discussion ensued regarding the submitted.
- 2.0. BOARD RECOGNITION PROGRAM: See item #3.

#### NEWS ARTICLES:

Chief Metcalf noted the news articles, with no discussion.

#### COMMENTS:

##### 1.0. STAFF REPORTS/UPDATES:

1.1. BILL METCALF, FIRE CHIEF/CEO: Chief Metcalf reminded the Board members of the upcoming Awards Banquet and invited all members to attend. Chief Metcalf directed the Board's attention to the recently updated finance information, showing an additional tax payment, putting the District 1.27% ahead of payments received at this time last year. He noted that Deputy Chief Torchia had attended a recent economic summit, which noted that the Assessor expects no drop off in tax revenue, as homes are currently assessed at 65-70 percent of the market value. Chief Metcalf updated the Board on his trip to the Sacramento Firescope meeting, where he learned that OES is backlogged on their payments. OES had just determined there was a billing issue and was working to resolve the backlog. Discussion ensued regarding how the backlogged affects North County Fire Protection District. Chief

120 Metcalf noted the District had received \$109,000 this week, with \$244,000 still owing. Chief  
121 Metcalf noted the District had been approved for a Homeland Security grant, which will be  
122 dedicated to the Volunteer Program use.

123 2.0. **CHIEF OFFICERS:** D/C MOREL: D/C Morel that the Board for their acknowledgement, but  
124 noted much work had been done through the Bureau's cooperative efforts with the Fire Safe  
125 Council. He invited the Board to attend the February 10<sup>th</sup> event, noting the anniversary of the  
126 Gavilian Fire. DEPUTY CHIEF TORCHIA: Deputy Chief Torchia brought the Board up-to-date on  
127 the Administrative Building move, noting the move had been delayed by ongoing construction.  
128 The move is set for February 9-11<sup>th</sup> and he invited the Board to stop in to see the new building.  
129 He informed the Board the project came in under budget. Discussion ensued regarding the  
130 facilities and ADA access, with it being noted that downstairs has been specially designed with  
131 this in mind.

132 **BOARD:** President Munson inquired about the status of the equipment purchases for the  
133 District. Chief Metcalf noted the Staff had decided that since the Assistance to Firefighters  
134 Grant had not been approved, given the current financial situation, to hold off on purchasing a  
135 ladder truck. Discussion ensued regarding the contributions to the fleet plan vs. personnel.  
136 Chief Metcalf noted that the District is focusing on being fiscally conservative, that the current  
137 equipment is satisfactory for now and the funds in the accounts are accessible if required for  
138 ongoing uses. Director Harris asked for and was given an update on the status of the  
139 Volunteer program. It was noted an article was recently seen in the Village News.

140 **BARGAINING GROUPS:** None.

141 **PUBLIC COMMENT:** One member of the public commended the District on their recent  
142 efforts.

## 143 144 **CLOSED SESSION**

145 At 6:12 p.m., President Munson inquired whether there was a motion to adjourn to closed  
146 session. Director Harris moved to go to closed session after a short break, which was  
147 seconded by Director Hooper, which motion was passed unanimously. At 6:17 p.m., the Board  
148 entered Closed Session to hear:

150 **CONFERENCE WITH LEGAL COUNSEL, PENDING LITIGATION – GOVERNMENT CODE §**  
151 **54956.9 – DISTRICT COUNSELS JAMES AND MORRIS.**

152  
153 **REOPENING OPEN SESSION:**

154 On a motion by Director Harris, which was seconded by Vice President Thuner and which  
155 passed unanimously, the Board returned open session at 6:45 p.m., the following items were  
156 reported out to the public:

157 **CONFERENCE WITH LEGAL COUNSEL, PENDING LITIGATION – GOVERNMENT CODE §**  
158 **54956.9 – DISTRICT COUNSELS JAMES AND MORRIS:** There was no reportable information.

159  
160 **ADJOURNMENT**

161 A motion was made at 18:49 by Vice President Thuner and seconded by Director Hooper, to  
162 adjourn the meeting and reconvene on at the next regular meeting on February 24, 2009, at  
163 17:00. The motion carried unanimously.

164 Respectfully submitted,

165 

166 Loren Stephen-Porter

167 Board Secretary

168 Minutes approved at the Board of Director's Meeting on: February 24, 2009