

MINUTES

Tuesday/February 9, 2010 9:30AM

BOARD OF DIRECTORS – Garden alley Fire protection District

Regular Meeting

Location: 4860 Marshall Road – Garden Valley, CA 95633 – Training Room

The meeting was called to order at 9:30AM

IN ATTENDANCE: Chairman Rick Nelson, Directors, Clark, Sousa, Karen Smith and Richard Smith. Also present are: Chief Bill Dekker, Assistant Chief Linda Szczepanik; and District Accountant Christina Havens. Special Guests include: Fire Chief Schwab, Georgetown; John Kennedy, Nossamen Attorney Firm; Marty Hackett, Joint Powers Agreement Committee; and several staff members from the GVFPD. Chairman Nelson announces there is a quorum, so the meeting proceeds.

...pauses or interruption of thought(s)

PLEDGE OF ALLEGIANCE

1.0 - ADOPT AGENDA: – Director Karen Smith makes the motion to adopt the agenda and Director Frank Clark seconds the motion. Passes unanimously.

2.0 – INTRODUCTION OF GUESTS:– Chairman Nelson welcomes Georgetown Fire Chief Schwab; John Kennedy, GVFPD Attorney; Marty Hackett, JPA; Pat Snelling, stringer for local paper and several members of the Garden Valley Fire Protection District.

3.0 – PUBLIC COMMENTS: NONE

4.0 - OLD BUSINESS:

4.1 – Presentation of El Dorado County EMA-2 Year Achievement:

Chief Dekker introduces Chief Schwab and Marty Hackett who presents the power point presentation attached to these minutes. “Chief Schwab is the Vice Chairman of the JPA and Marty Hackett is the ‘hired guy’” says Dekker. The program is five pages long. A few minutes are taken to make adjustments to the room so everyone present can view the screen and then Marty Hackett proceeds with the program. Mr. Hackett gives a brief overview of his background and then moves on to introduce Chief Veercamp, another member of the JPA, helping to prepare this report. This presentation reflects the performance of this organization since returning the JPA back into the leadership of the Chiefs of El Dorado County Fire Districts. Chief Veercamp concludes the presentation by thanking board members for allowing the Chief’s to return to the helm of the JPA, and assures this board they will strive to serve the districts’ in the same manner in the upcoming years. Chief Schwab lets the board and those in attendance know, if there are any questions he is available by phone. (This document is available in the front office at the GVFP District Office.) There is a break in the board meeting while the room is returned to order and the guests depart. Tape Side 2/9.1 (Time Stamp)

4.2 – Joint Power Agreement Renewal: Chief Dekker explains this agreement was established when the Chiefs resumed control of the JPA two years ago. The signing of this agreement is a formality that needs to be done by this board. Director Karen Smith asks Chief Dekker, “Are you happy with it?” Absolutely says the Chief; this group is always doing something! Chairman Nelson: So part of the discussion going on now is the discussion of the ALS engines? Dekker: The time is right to revisit this. If we don’t make this happen now, the chances of making this in the future, is pretty diminished. Nelson: What’s our biggest hurdle? Dekker: Funding! I would recommend the Chair sign this agreement and go for another two years. Director Karen Smith makes the motion to adopt the JPA Renewal and it is seconded by Director Clark. A roll call vote is taken and passes unanimously by all board members. Chairman Nelson signs the agreement; Board Clerk Cleaver is the signed witness.

4.3 – Correspondence: Copies of correspondence that was approved as an added agenda item in last month's meeting is included in the Board of Directors packets for this meeting. On file in front office.

4.4 – Approval of Minutes: Director Karen Smith makes a motion to approve all three sets of minutes for January 11, 15 and 22, 2010. Director Souza seconds the motion. Motion passes unanimously. Director Clark asks that minutes from the January 22nd please be returned to the original format. Clerk: Assures Director Clark she will return to the old format "this was an experiment gone badly."

4.5 – Monthly Bills:

Director Clark questions Ms. Havens (District Accountant) about two entries regarding American Messaging. One entry is for January and the other is for February, she explains. Chairman Nelson: Legal expenses line 6? How come there's not very much? Laughter is heard throughout the room. Director Karen Smith makes the motion to approve the bills and this motion is seconded by Director Richard Smith. Passes unanimously.

4.5 a – Havens: I have one bill from Department of General Services which I've been holding for approval over with bills over \$2,500. This bill is \$3,459.50. Director Karen Smith makes the motion to pay this invoice and Director Clark seconds the motion. Passes unanimously.

5.0 – OLD BUSINESS:

5.1 – Contract from Auditor Contract: Glen Eastman

Chief Dekker explains he has initiated the audit this year and "we continue to support Mr. Eastman, who has done our audits in the past and this is his current contract." Director Karen Smith asks "is this to be a yearly thing, now?" "Pretty much," responds Chairman Nelson. K.Smith: I'd rather do it on a yearly basis, too. Are other districts using this gentleman also? I just want to know this gentleman's background so if someone comes up and says 'he has no experience' I can tell them to 'pound sand', ok?

Chairman Nelson speaks of a penalty notice from Bank of America, regarding our not paying our taxes on time. Christina Havens: This was a notice that came up in October for a September payroll tax deposit, which was not made on time, and the county, as you know, does our payroll. The county sent us (the district) a letter saying it would be taken care of, and to date it has not. Chairman Nelson: How's BofA...Christina Havens, interrupts..."it's a little amount but it's the principal of the matter." Dekker: Bank of American holds the county's account. Nelson: So where is the holdup of this not being paid? B of A's not paying or the county? Souza: The auditor. Havens: What it appears they (the county) tried to do is appeal to the State to get it waived, and that failed. We (this district) got a letter back saying that our attempt at waiver was denied. So because we (this district) didn't send any such letter, I can only presume the county did, in attempt not to pay. Nelson: I'm just confused why Bank of America stepped in...Havens: According to the county it was not their error, it was a banking error. Souza: What is the amount? Nelson: \$299 even. Havens: It started out at \$295. Nelson: Thanks for bringing that to our attention.

Director Karen Smith: Did we authorize the contract for Glen Eastman? Nelson: No and we need a motion to approve. K. Smith: So moved. Souza: Second. Passes unanimously.

6.0 – CLOSED SESSION

6.1 – Evaluation of Board Clerk

6.2 - Discipline/Dismissal/Release of Public Employee

Meeting breaks for Closed Session agenda item:

Back into session. Tape 1/Side 2 at 23.2 (Time Stamp)

Meeting resumes at 11:08AM

7.0 – REPORT OF ACTION TAKEN:

7.1 – Evaluation of Board Clerk:

Nelson: We reviewed the evaluation of the Board Clerk and adopted a \$2.00 an hour raise for the Board Clerk and District Secretary position. A roll call vote is taken in the open meeting of all Directors and passes unanimously.

7.2 – Action of Decision:

Nelson: The attached Proposed Decision of the Administrative Law Judge is hereby adopted by the Garden Valley Fire Protection District as its Decision is to terminate the employment of Captain Paul Bado, is sustained and Mr. Bado's appeal is dismissed. The decision becomes effective today February 9th, 2010. Chairman Nelson reads through the allegations, taking each action by page number called out and the subsequent paragraph read. Attached to these minutes are those Pages and Paragraphs as outlined and a complete copy is on file in the front office. Tape 1/Side 2 ends at 29.8

Tape 2/Side 2 (there is no Side 1) continues with reading of the allegations. Tape starts at -13.2. This reading ends at -2.3. A roll call vote is taken in the open meeting of all Directors and passes unanimously. Assistant Chief Szczepanik makes a brief statement at the conclusion of this vote. Szczepanik: If we did not have the man we have here as Chief...he had the ability and stamina to see this thing through, to clean up our house and I for one am glad that he is here. It would not have happened without him.

There is a round of applause. Nelson: So with this vote and this decision this entire case goes public and the forty-four page document is available if anyone would like to publish it in full. Seeing as how this board has respected the rights of Mr. Bado throughout these many months of proceedings and the slamming that the district has taken over the years, it's nice to finally be able to come out and stand...Karen Smith: and tell the truth. Nelson:and stand in front of everyone and state that we were right, we did everything right and the courts upheld that.

8.0 – BOARD OPEN FORUM: Nothing was forthcoming

9.0 – ADJOURNMENT: Nelson: Move to adjourn. Director Clark seconds. It is unanimous. Tape ends at 0.0

Respectively Submitted:


Ms. Jo Cleaver
Board Clerk

Date: 3/9/2010