



## MINUTES of the Regular Meeting of the Pliocene Ridge CSD

### Board of Directors

Date: Thursday November 19, 2020

Held via conference call due to increased Covid-19 concerns

**1. CALL TO ORDER:** The meeting was called to order at 6:30 pm by President Guyer. Board members present: Daniel Guyer, Bruce Coons, Grace Knowles and Chris Mills. Also present were District Chief Chris Dorn and Alleghany Assistant Chief David Arbogast, PCVFD non-profit President Roland Robertson & Treasurer Denise Ruane, Public present: Vicky Tenney. Secretary Rae Bell Arbogast was present and took the minutes.

**2. CONSENT CALENDAR:** A motion was made to approve the consent calendar with two minor corrections to the minutes. Motion made by Chris Mills 2<sup>nd</sup> by Grace Knowles 4 Ayes, 0 Nays, 0 Absent, 0 Abstain, 1 Vacant, Motion carried.

**3. PUBLIC COMMENT:** Vicky Tenney complained about the way the previous meeting was conducted and the behavior of an individual at that meeting, stating that she felt uncomfortable. Her complaints were noted by Chair Guyer who said that he would try to do better as chairman. [Reminder to everyone: complaints are supposed to be submitted in writing per the district's bylaws.]

### **4. INFORMATION/DISCUSSION ITEMS**

#### **a) Correspondence**

Incoming: None other than emails.

Outgoing: None other than emails.

#### **b) Committee/Member/Business Reports:**

*1. Station 71 Chief's report:* ~ David Arbogast reported that the bleeding control training that had been scheduled for the previous Monday was cancelled because of the spike in Covid-19 cases that was taking place.

*2. Station 67 Chief's report* ~ Chief Dorn reported that the Pike Fire Dept had been on one mutual aid call recently, otherwise things had been quiet. Both Pike and Alleghany took one fire truck to the procession to honor retired fire chief Mike Lozano in Downieville on the 7<sup>th</sup>. It was well attended with all local fire departments represented. Because of the up-tick in Covid-19 cases he made the call to cancel all on the ground trainings until further notice.

*3. AVFD Inc. Non-Profit Corp:* ~ Vicky Tenney stated that she had attended their last meeting and they were continuing to look at everything related to the pending MOU.

*4. PCVFD Non-Profit Corp: report* ~ President Roland Robertson reported that they also are working on the MOU items that they need to look at. They may have to cancel their December meeting because of the COVID situation. They have come up with a possible new name but do not want to disclose it yet.

*5. Firewise Community Certification Project* ~ Rae Bell reported that she did send a status update to the email list from the two meetings held in Pike and Alleghany, but nobody is responding to the request for committee members. A minimum of two is needed for each

community. She stated that she is willing to be on both committees and that because of her association with the district which covers both communities this should not be an issue. Chris Dorn stated that he felt once things get going on the ground people will start to step up.

Rae stated that she is continuing to keep an eye on what is happening at the county level and that she is trying to make the firewise work her highest priority.

6. *Risk Manager Report:* No report.

7. *Board Member/Staff reports:* None

## **5. ACTION ITEMS**

### **a) *Unfinished Business***

1. *Bylaws-Policies* Nothing prepared for meeting.

2. *Firehose projects and ADA compliance:* There was no new information for the Alleghany Firehouse Project since the last meeting.

Rae reported that she, Chris Dorn and Roland met with Architect Bruce Boyd for an ADA assessment of the Pike Firehouse on October 30<sup>th</sup>.

At the meeting Bruce confirmed that the only way to make the upstairs ADA accessible is by installing a lift.

Bruce stressed that the biggest legal risk to the district is probably the fact that the district's board meetings need to be held in an ADA compliant space. He also confirmed that if the district is dedicating resources to fixing the problem as part of all construction projects it is not an issue.

After looking over the entire building, the idea of replacing the bathroom in the single bay where the rescue truck is parked was identified as a fairly simple way to make that space ADA compliant. He took measurements and determined that the toilet would not have to be moved. A pathway would have to be established and the truck would have to be pulled out for meetings. Heat would also need to be considered. The upstairs room could be renamed "The training room" and because firefighters must be physically fit it would not be an ADA issue.

Bruce is willing to come back and prepare a list with simple plans if the Board wants to move in this direction. He would do this at no charge to the district. – end of meeting report.

Chris Dorn stated that he subsequently spoke to Jim Buckbee who had a problem with this plan because of the annual Christmas Party and the fact that the sink, stove, and refrigerator are all upstairs. Roland pointed out that the proposed plan does not preclude adding a lift in the future, as it makes no changes to the overall structure of the building. It was also noted that the Christmas parties could probably be held in the other engine bay if the trucks were pulled out. Food could still be cooked and stored upstairs if needed and the party only happens once a year. It was also noted that having the plans drawn-up was not a commitment to do it.

After further discussion it was decided to go ahead and accept Bruce's offer to develop plans for making the rescue truck bay into an ADA compliant meeting space. Motion made by Daniel Guyer 2<sup>nd</sup> by Bruce Coons **4 Ayes, 0 Nays, 0 Absent, 0 Abstain, 1 Vacant, Motion carried.**

3. *Pending grants*: Nothing new to report since the last meeting.

4. *Wayman Dam* It was decided by consensus to remove this item from the agenda.

5. *Status of MOU between District and Non-profits*: It was explained that since the last district board meeting a further inquiry had been made regarding the conflict-of-interest question for individuals who are members of both the PCVFD and the PRCSD boards. Mr. McMurchie provided the following reversal of his previous advice: “I probably should not have addressed the Government Code section 1090 conflict of interest issue without doing a formal conflicts analysis. I have briefly researched the issue and have found an exception to the section 1090 conflict of interest rules which applies to your situation. Section 1091.5(a)(8) provides that a financial non-interest exists (and therefore no conflict of interest) when a board member of your district is also a non-compensated officer of a non-profit tax exempt corporation which, as its primary purpose, supports the functions and activities of your public agency. It appears to me that the functions of the non-profits are to support the same goals and objectives as the district regarding provision of fire services. Therefore there is no section 1090 conflict of interest due to this legislative exemption at section 1091.5(a)(8) and your board member may continue to serve as a non-compensated board member of one or both of the nonprofits and your board and may participate in the MOU preparation and approval process. Let me know if you have additional questions.”

Roland suggested that this documentation be attached to the MOU and it was agreed that this was a good idea. Roland also suggested that packets of ALL of the research that led up the creation of the MOU be put into packets for each board for future reference.

Dan Guyer asked what the Status of the MOU was, and Rae stated that it was still with the attorney. [Nothing back from him yet.] Denise asked if the entire committee could be cc'd on all attorney correspondence. Rae said: “sure”. [This item has been placed on the January agenda for further discussion, because Rae does not have the authority to make this decision.]

#### **b) New Business**

1. *Audit engagement letter from accountants Boden, Klein and Sneesby for the current fiscal year*: It was noted that the new letter (posted on the district’s website) estimated a fee of \$2,700 which is \$100 higher than was budgeted. After further discussion, a motion was made to accept the letter and authorize the district Secretary to sign it. Motion made by Grace Knowles, 2<sup>nd</sup> by Bruce Coons **4 Ayes, 0 Nays, 0 Absent, 0 Abstain, 1 Vacant, Motion carried.**

2. *Adopt meeting calendar for 2021*. A motion to adopt the draft calendar as provided was made by Daniel Guyer 2<sup>nd</sup> by Bruce Coons. **4 Ayes, 0 Nays, 0 Absent, 0 Abstain, 1 Vacant, Motion carried.**

3. *Request to use Pike Firehouse for Alcoholics Anonymous (AA) Meetings* A request had been received by Chief Dorn to use the Pike Firehouse once a week. The district was assured that the meetings held in other Sierra County communities are in buildings with stairs and it is not an issue. The meetings are currently being held in Alleghany in the old school gym but heat is a problem. The request is for the winter months only. After discussion it was decided by consensus to allow the use of the firehouse for this purpose with the clear understanding that this is not a rental of any kind and the building is being accepted “as is” “where is”.

**ANNOUNCEMENTS** None

**ADJOURNMENT:**

There being no further business before the board, the meeting was adjourned at 7:09 PM.

Respectfully submitted,

Rae Bell Arbogast  
Secretary