



# Eastern Plumas Rural Fire Protection District

141 Delleker Rd. Portola, CA 96122 Phone: 530.832.5626 Fax: 530.832.5446

eprfpd@att.net

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## MINUTES

### For the Special Meeting of the Eastern Plumas Rural Fire Protection District's Board of Directors held at 141 Delleker Rd., Portola, CA 96122 On May 16, 2022 at 6:30 PM

Board Members: Chairperson Jeanne Graham, Director Kevin Sankey, Director Angelina Sutcliffe and Director Audrey Mitrevics

1. **Call to Order:** Meeting was called to order at 6:30 PM by Chairperson Graham.
2. **Roll Call:** Director Sankey, Director Sutcliffe, Director Mitrevics and Chairperson Graham were all present.
3. **Pledge of Allegiance**
4. **Public Comment:** 2 members of the public spoke, each voicing multiple concerns. A 3<sup>rd</sup> member of the public spoke in favor of accepting the application from Dave Rudolph for the vacant Board Director position.
5. **Consent Items:**
  - a) Minutes Regular Meeting March 21, 2022.
  - b) Minutes Special Meeting May 02, 2022
  - c) Resolution 2022-006 Authorization to Continue Remote Meetings  
Two members of the public commented, each voicing multiple concerns.  
Board discussion ensued. Director Sankey made a motion to pull item 5 b for review. Director Mitrevics seconded the motion. Roll Call Vote: Director Sankey – Aye, Director Sutcliffe – Aye, Director Mitrevics – Aye, Director Graham – Aye. Motion passes. Director Sankey made a motion to accept the consent items as amended. Director Mitrevics seconded the motion. Roll Call Vote: Director Sankey – Aye, Director Sutcliffe – Aye, Director Mitrevics – Aye, Director Graham – Aye. Motion passes.
6. **Regular Calendar**
  - 6.1 **Update on Budget:** The secretary informed the Board that the balance is approximately \$151,278.64. Warrants totaled \$51,242.11.  
Members of the public commented. One speaker asked why no check numbers are listed with the warrants. The Board Chair informed the speaker that the County pays the District's bills; therefore, there are no check numbers when warrants are submitted to Plumas County for payment.
  - 6.2 **Dixie Fire settlement from PG&E:** The Chairperson informed the Board that the District has received a check in the amount of \$15,000 from PG&E. Another payment is expected in July. A member of the public commented with questions regarding the PG&E settlement and was directed to the Plumas County District Attorney's Office for more information.

**6.3 Board Vacancy:** The Chairperson informed the Board that the District has received 2 applications for the vacant position of Board Director. Director Graham stated that the attorney had a concern regarding 4 Board Directors living in very close proximity to each other, that it could be perceived as improper.

Members of the public commented, each voicing multiple concerns regarding one of the applicants. One speaker voiced their recommendation that Dave Rudolph's application be approved.

Board discussion ensued and the opinion of Cary Curtis from Gold Mountain was sought by Director Sankey. Cary gave no opinion and deferred to the Board's deliberation. Interviews of both applicants ensued. Director Graham stated that she would recuse herself from the vote on which applicant to approve. Director Sankey made a motion to call for a vote on the Board applicants. Director Sutcliffe seconded the motion. Roll Call Vote: Director Sankey – Aye, Director Sutcliffe – Aye, Director Mitrevics – Aye, Director Graham – Aye. Motion passes. Director Sankey made a motion to select and approve Dave Rudolph. Director Mitrevics seconded the motion. Roll Call Vote: Director Sankey – Aye, Director Sutcliffe – Aye, Director Mitrevics – Aye, Director Graham – Abstained. Motion passes. Director Sankey spoke for the record and stated that both applicants brought fantastic attributes and qualities and asked that Elaine Frank please stay on as Captain. Director Sutcliffe stated that it was agreed that Elaine is more valuable to the District in that position.

**Director Sankey called for a 5 minute break at this time**

**Chairperson Graham called the meeting back into session at 8:18 PM**

**6.4 Letter sent in response to Ashlee Sims' cease and desist letter dated March 21, 2022.**

Chairperson Graham made a brief comment before opening this item up for public comment. The letter was written by the Districts lawyer, he instructed us to place it on our letterhead and for her to sign it due to the District not having a meeting within the time limit to respond. Adam Lindgren, the District's Special Counsel was cc'd on the letter and the numbers 5093658.1 is their (Meyers Nave's) office code.

Members of the public commented and voiced multiple concerns. Director's Sankey and Sutcliffe stated that they had not seen Ms. Sims' letters or the responses prior to tonight's Board meeting. Chairperson Graham stated that they had not been distributed to the Board members so as not to violate the Brown Act by giving them to all Board members prior to being given to the public.

**6.5 Letter sent in response to Ashlee Sims' cease and desist letter dated April 13, 2022.**

Chairperson Graham commented again that the letter was written by our lawyer, we were instructed to place it on our letterhead and sign it due to the District not having a meeting.

Members of the public spoke and voiced multiple concerns. Chairperson Graham again stated that the letters were both written by the lawyer and sent to the District secretary with instructions to place them on District letterhead for the Board Chair to sign and they will be filed.

**6.6 Resolution 2022-007 Frequencies of Regularly Scheduled Board Meetings.**

Chairperson Graham explained that in light of the inability to arrange a quorum for a meeting last month to address the letters referenced in items 6.4 and 6.5, counsel suggested that the District consider increasing the frequency of Regularly Scheduled Board Meetings to twice per month. If there is no business to address, the second meeting could be cancelled.

Members of the public commented, some in support of increasing the frequency of meetings, some not; as well as other concerns and opinions.

Board discussion ensued. Recommendation was given to reassess this matter after the District has a full Board in order to determine if more frequent meetings are needed.

### **6.7 Board Communication with Secretary with Directors and Director's Availability for meetings and Board Responsibilities.**

Chairperson Graham asked the Board to discuss and agree on the best way for the District secretary to communicate with them.

A member of the public asked that the Board go back and make a motion to table item 6.6. Director Sankey made a motion to table Resolution 2022-007. Director Sutcliffe seconded the motion. Roll Call Vote: Director Sankey – Aye, Director Sutcliffe – Aye, Director Mitrevics – Aye, Director Graham – Aye. Motion passes.

Members of the public commented and voiced multiple concerns.

Board discussion ensued. Board members agreed that email should be the preferred first contact on routine matters, followed by a telephone call or text depending on the urgency.

### **6.8 Chief's Report.**

Chief Frank provided the following information:

March calls totaled 6. Medical = 5 Smoke Check at Gold Mountain = 1

April calls totaled 17. Medical = 13 Structure Fire/CX'd enroute = 1 Public Assist = 1

Trash Fire = 1 Gold Mountain Medical Call = 1

Arrangements have been made for radio communications training with PCSO Mike Grant. Bill Robinson has been messaged and anyone using EPRFPD radios must attend. SCBA fit testing has been arranged. Thank you to Beckwourth Fire for their help distributing the SCBA's. 4 new firefighters graduated from the Quincy Fire Academy. The Chief's Association meeting is scheduled for June 4 and an update on the Forestry Service Contract is expected at that time. Our 1<sup>st</sup> out Structure Engine required immediate repairs and the alternator was replaced within 24 hours.

Members of the public commented and voiced multiple concerns. One speaker asked that the signed page from the SOG's be posted to the District website.

### **6.9 Return Wildland Engine 9871 to Government Surplus**

Chief Frank explained that 9871 is the oldest wildland engine in the District's inventory. It is a manual transmission, in tip top condition and fully capable of fighting fires. Having 3 wildland engines was necessary when EPRFPD was servicing the Portola area however, it is no longer vital.

Members of the public commented and asked questions.

Board discussion ensued and questions were asked of Chief Frank. Director Sankey made a motion to table this item until October or November. Director Mitrevics seconded the motion. Roll Call Vote: Director Sankey – Aye, Director Sutcliffe – Aye, Director Mitrevics – Aye, Director Graham – Aye. Motion passes.

**6.10 Fire Recovery Correspondence**

Captain Frank read a letter from Mike Rivera at Fire Recovery. This letter explained options for keeping the District’s Fire Recovery account active.

Board discussion ensued. Director Sankey made a motion to spend \$250 to keep the account with Fire Recovery active. Director Sutcliffe seconded the motion. Roll Call Vote: Director Sankey – Aye, Director Sutcliffe – Aye, Director Mitrevics – Aye, Director Graham – Aye. Motion passes.

**6.11 Gold Mountain CSD Annual Review**

Chairperson Graham informed the Board that she met again with Gold Mountain CSD and that it is her understanding that the report will remain as it stands. Cary Curtis stated that Gold Mountain CSD is continuing to research fire and emergency services from other providers and thanked Eastern Plumas Rural Fire for their ongoing support and cooperation. Gold Mountain CSD will keep EPRFPD apprised.

A member of the public commented and voiced multiple concerns.

Board discussion ensued. Board members each expressed that Gold Mountain is free to choose to stay with EPRFPD or seek coverage from another district.

**6.12 Hiring a District Manager**

A member of the public commented and recommended that this item be tabled. Another member of the public spoke and questioned the need for a district manager. The first public speaker spoke again asking when the Board would be addressing the shifting of Board positions.

Board discussion ensued. Director Sankey made a motion to table item 6.12 to the July meeting. Director Sutcliffe seconded the motion. Roll Call Vote: Director Sankey – Aye, Director Sutcliffe – Aye, Director Mitrevics – Aye, Director Graham – Aye. Motion passes.

**7. Closed Session:**

Conference with Legal Counsel – Existing litigation

(Pursuant to Government Code Section 54956.9 (d)(1))

Name of Case: John Fatheree v. Eastern Plumas Rural Fire Protection District, et al

Case No.: CV20-00176

A member of the public spoke and asked when this meeting will be over with. They were told that is not known.

Director Graham called the meeting into closed session at 9:37 PM.

**7.2 Report out from closed session:**

Chairperson Graham called the meeting back into open session at 9:56 PM. There is nothing reportable from the closed session.

**8. Future Agenda Items:**

This list is to inform the public approximately when the Board will be discussing the following items over the next three months, and to allow brief discussion between Board members about when they want these items or other additional future agenda items to be considered by the Board.

ITEM	ESTIMATED DATE
Preliminary Budget	June 2022

“C” Road OES Use of Water Tender	July 2022
Forest Service Contract	June 2022
Emergency Medical Care Committee (EMCC) Update	June 2022
COVID-19 Updates	As needed
Surplus SCBA’s	June 2022
Frequency of Board Meetings	June 2022
Returning #9871 as Surplus Equipment	October/November 2022
Hiring a District Manager	July 2022

Members of the public spoke and made multiple requests for items.

**Next Regular Board Meeting June 16, 2022 at 6:30 PM.**

**9. Adjournment**

Director Sutcliffe motioned to adjourn the meeting.

Director Graham seconded the motion.

**Roll Call Vote:** Director Sankey – Aye, Director Sutcliffe – Aye, Director Mitrevics – Aye, Chairperson Graham– Aye. Motion passes.

Meeting was adjourned at 10:03 PM

**ATTEST:**

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**Katy Martinez, Secretary**

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**Jeanne Graham, Chairperson**

**APPROVED AND SIGNED AT EPRFPD’S 08/15/2022 REGULAR BOARD MEETING**