

**DEER SPRINGS FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS MEETING  
Thursday, 3:00 P.M.  
January 8, 2009**

**MINUTES**

**1. CALL TO ORDER, ROLL CALL**

3:00 pm

President Frey – present  
Vice-President Slaughter – present  
Secretary/Treasurer Donnelly – present  
Director Tebbs – present  
Director Geiser – present

Also present: Chief Marugg, Fire Marshal Magdaleno, Captain Heidmann, Liz Heaton, Lisa Lozano and Counsel Hagerty.

**2. PLEDGE OF ALLEGIANCE**

Led by President Frey

President Frey pointed out some changes to the agenda format. "Adoption of Agenda" will be an item where the board members will be able to add or delete topics for discussion to the agenda. Per The Brown Act, any items added will only be discussed, no action will be taken.

**3. ADOPTION OF AGENDA**

Director Tebbs moved to adopt the Agenda. Director Slaughter seconded the motion.  
**Motion Approved 5-0. 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN**

**4. PUBLIC COMMENTS PERIOD**

This section has been moved up to earlier in the meeting to give the public an opportunity to speak on items that are not on the agenda.

A public member asked about the right to comment on items on the agenda as they come up for discussion. President Frey reassured her that the public will always have an opportunity to comment on items that require action.

Richard Matts suggested seeking other forms of raising funds for the District. President Frey explains that when an item is not on the agenda, this would be the proper time to further discuss. In this case, this suggestion is fitted for discussion under the Revenue Resources Committee Report.

Georgia Herman suggested noticing the Agenda in the community news and maybe posting a notice in the local nurseries to remind the public of these meetings. President Frey informed her that this subject matter will be discussed in the Goals for 2009.

## 5. CONSENT CALENDAR

- a. Approval of Minutes – December 5, 2008
  - President Frey suggested that the comments made by the public be recorded in the minutes.
  - In the future the draft minutes should be sent to Secretary/Treasurer Donnelly for review and approval prior to the meeting.
  - At the request of President Frey, in the minutes, record of a motion being made should be worded as “moved” in place of “motioned” and the word “agendized” should not be used.
  - Director Geiser indicated that he did not receive the minutes ahead of time and that this is the first opportunity he’s had to review them. President Frey requested the minutes be included with the agenda packet. He also reminded the public of our obligation, as per the Brown Act, any documents made available to the board should also be made available to the public.
- b. Acceptance of Finance Report
  - President Frey asked Liz to provide a register of the previous month expenses and include it with the agenda packet.
  - President Frey clarified for the public that they have an opportunity to speak on items not on the agenda during public comments and agenda items at the time of discussion.
  - Liz Heaton pointed out a credit in the mitigation report. The credit was a check that was cancelled due to an incomplete work order on the extractor at station 2. Requests for completion of the work had been communicated several times and the company never came back to station 2 to finish the work. The check was cancelled and deposited into the mitigation account.
  - Director Geiser questioned the Hosaka & Nagel fees and the legal counsel fees. Liz provided an itemized invoice to further explain the total fees. Counsel Hagerty will provide the invoices to the board members individually on a regular basis.
- c. Acceptance of Monthly Activity Report
  - Captain Heidmann reported on the district wide incident activity for the month of December.
- d. Acceptance of Fire Marshal’s Report

Director Slaughter moved to approve the consent calendar. Director Geiser seconded the motion.

**Motion approved 5-0. 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN.**

## 6. UNFINISHED BUSINESS

None

## 7. NEW BUSINESS

- a. Annual Review of By-Laws – Counsel Hagerty suggested amending the By-laws to reflect the changes to the Agenda format.  
Director Tebbs would like some time to review and consider any further amendments to the by-laws.  
Director Tebbs moved to approve amendment of the DSFPD By-laws Article IV, Section 6 to reflect the changes to the Agenda format.  
**Motion Approved 5-0. 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN.**
- b. Annual Review of Code of Conduct – No changes made

c. Goals for 2009 –

- Board Operations: To establish a smooth and operating board of directors.
- Fiscal Operations: Fully understand the financial operations of the District. President Frey would like to schedule, before the meeting in February, a special half day meeting to discuss and understand the budget, revenue, financial reports etc.
- Revenue Resources: President Frey will continue to work on this issue.
- Strategic Funding: Assess economic conditions affecting the district in the future. Formulate strategic financial plans to prepare for challenges of the District (mid-term and long term). For example, the district should prepare for the possibility of the County retracting the supplemental revenue due to economic decline. Additionally, Cal Fire could change the contract terms and raise the dollar amount. Director Geiser and Director Tebbs will work together in an ad-hoc committee to further research these issues.
- Santa Ana Observers – To fully assess and implement an evacuation plan for the District. Some things to consider in preparing a plan could be what facilities might be used in case of an evacuation. Director Tebbs will work with Nick Schuler, CAL FIRE Public Information's Officer.
- Annual Report/Communications: Better communications with the community. Prepare annual reports for the community. In these reports there will be included the yearly revenues, expenses and services provided.  
There is an alternative website that has been offered to our district at no charge. Director Frey will explore these goals: Preparing annual reports, improveing the district website, and communication with the community in regards to meetings.
- Policies/Procedures – This issue came up when Director Donnelly and President Frey met with the auditors. The auditors recommended that a policies and procedure policy be implemented. Director Donnelly and Director Geiser will work with Liz and Lisa on this issue. Counsel Hagerty offered to provide some sample policies and procedures. Director Tebbs would like a program implemented that would reward anybody that comes up with ideas that save the district money.
- Equipment/Facilities – Questions we could be asking ourselves. What is the equipment replacement investment needed for the future? Are the firefighters appropriately housed? Are we deferring maintenance? What type of equipment should we have?

d. Committee Assignments

- Revenue Resources – President Frey
- Strategic Funding – Ad Hoc Committee, Director Geiser and Director Tebbs
- Evacuation – Director Tebbs
- Annual Report/Communications – President Frey
- Policies and Procedures – Director Donnelly/Director Geiser

e. Mission Statement – Director Frey will work on a rough draft and present it to the board.

## 8. CORRESPONDENCE

- DSFPD received a LAFCO notice of a resolution for annexation of an area within the Deer Springs Fire Protection District. Counsel Hagerty will review and advise. Chief Jeff Johnson recommended attending a LAFCO meeting regarding annexations. The meeting will be held February 3, 2009; Chief Johnson recommended that a representative from the board attend. Lisa was asked to contact LAFCO regarding the details of this meeting.
- Chief Marugg introduced Battalion Chief Jeff Johnson; hired by the Valley Center Fire Protection District and will be covering DSFPD Thursdays, Fridays and Saturdays.
- CSDA Scholarship Program - Director Frey requested Liz to manage the scholarship program.

## 9. COMMITTEE REPORTS

- a. Santa Ana Observers (Tebbs) – No report
- b. Revenue Resources (Frey) – Liz Heaton researched the idea of implementing a fee for service program on incidents on the I-15 (non-residents of DSFPD). She reported that the process is a very extensive one and special software and training would be required. It is her recommendation that this be outsourced to a company that specializes in this type of billing and collecting. A proposal would be necessary to submit to companies for bidding on a contract. Liz offered a copy of the proposal North County Fire used when they implemented this program.

In the projections of possible revenues from fees from transient incidents, President Frey and Captain Heidmann calculated approximately \$30,000 to \$50,000 annually. President Frey will work with Counsel Hagerty to develop the ordinance to implement the program and will work with Liz to put together an RFP to submit to companies for bids.

## 10. DIRECTOR'S REPORTS/COMMENTS

- Director Tebbs extended a commendation to Liz and Terry for saving the District roughly \$1,000 when filling up two propane tanks. When the fees for filling two tanks in the same day varied, Liz thought to question and compare the fees amongst other vendors. After contacting other companies for rates Liz requested that the fees be reduced or otherwise, we would no longer use their services. The company reduced their rates by more than a dollar per gallon, a potential of \$3,500 savings per year.
- Captain Heidmann also dealt with an issue with a bay door malfunction. The bay door mechanic submitted a bid for over \$5,000. After Captain Heidmann questioned and insisted that the malfunction was under warranty it was discovered that the repairs were still under warranty. The fees for repair ended up being only \$226.
- Director Slaughter asked Chief Marugg what the Miller staffing was. Chief Marugg responded 3-0 and that it would be maintained at that level for the whole year.
- Director Geiser asked Chief what our responsibility is in maintaining the Miller Station open. The District is under contract with the state to staff the station during the winter months. The maintenance and upkeep is still the State's responsibility. Because the Amador contract is in place, that station is backfilled if they are dispatched to a major incident outside the district.

- Director Donnelly requested that the February 5<sup>th</sup> meeting be re-scheduled to February 6, he will not be available on the 5<sup>th</sup> to attend the meeting. Director Tebbs moved to re-schedule the meeting to Friday, February 6<sup>th</sup>. Director Donnelly seconded the motion.  
**Motion approved 5-0. 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN**
- President Frey registered for training on January 23<sup>rd</sup> and 24<sup>th</sup> through the Fire Districts Association of California (FDAC). President Frey asked that if any of the other board members were interested in attending they can register through Lisa. As a member the fees for the training are \$50 less than attending as a non-member, that's a \$250 savings if 5 people from the district attend.
- The association also has a joint powers authority that provides liability insurance and workers compensation insurance to members. President Frey has asked Liz to look into the premium that DSFPD pays on liability insurance and inquire on the rates through this membership. Liz has submitted a request for information via email and is waiting on response. It is possible that the membership benefits could outweigh the membership fees for the year. Director Geiser moved that DSFPD join the FDAC as members for a fee of \$550 per year. Director Tebbs seconded the motion.  
**Motion approved 5-0. 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN.**

## 11. CHIEFS REPORT

- In the case of a major event, Chief Marugg and Chief Johnson will be notifying the board president.
- Chief Jeff Johnson introduced himself and talked about his history in the fire service and on working with boards.
- Chief Jeff Johnson spoke on his extensive experience in developing evacuations plans and made himself available to Director Tebbs as an information resource.
- Chief Marugg introduced Nick Schuler, the CalFire PIO. Nick reports on the reduced staffing for a 15 week period due to budget cuts, this is contingent upon increased staffing on predictive red flag weather services.
- Chief Marugg shared a letter and picture collage that a family from Yorba Linda sent to thank the firefighters from engine 7113 for spending time with their children after the conclusion of an evacuation in their neighborhood.
- DSFPD will be reimbursed \$6,328 for the use of Engine 7121 on assignment to the Juliette Fire for about a day and a half.
- A thank you letter was sent to Charlene Ayers for her donation of \$50 to DSFPD.
- A FEMA grant to DSFPD was approved in the amount of \$48,000 to \$50,000. The District will be purchasing new VHF Radios and EMS Jackets with the grant money.
- Chief Marugg reported on several incidents within the district, including a residential fire, a suicide and vehicle collision.
- A new Fire Captain for Station 13 will be hired by the next board meeting.
- District wide Calls for the year totaled 1,053.
- Chief Marugg provided a badge to Director Geiser and Director Slaughter. Also, reminded the directors who do not have an id card, that they can request one from Firefighter Gamboa. A badge for President Frey is on order.

## 12. GENERAL COUNSEL'S REPORT

Counsel Hagerty Reports on the following:

- Cost Recovery - The health and safety code does allow responding agencies to seek recovery for negligent or intentional fires within the district. Per the contract with CAL FIRE

the District would make a request to Cal Fire to pursue that issue and try to seek recovery. This provision is already in the contract with CAL Fire.

- The Cal Fire contract also includes a provision regarding mutual aid. The contract stipulates that Cal Fire, upon request by the district, will pursue the recovery of costs incurred in mutual aid situations.
- Met by phone with Fire Marshal Magdaleno and Chief Marugg about an existing above ground tank. The property owner was sent a letter stating that the tank on his property was improperly installed. Fire Marshal Magdaleno received a letter from the property owner's lawyer, Counsel Hagerty will be sending out a letter in response after review with Fire Marshal Magdaleno.
- Public Agencies are supposed to register with the state (Register of Public Agencies). The District has certain immunities and protection from liability, for example, a board member trips and injures himself at one of the stations. This protection could not be claimed if the registration with the state is not current. The DSFPD registration was last updated in 1999 it has now been updated to current status.

### 13. CERT/FIRE SAFE COUNCIL REPORT

CERT – No report

- Fire Safe Council - The next edition of the fire safety news is coming out. The FSC is looking at educating the community more on structural safety when it comes to fire hazards.
- The FSC will hold their annual meeting at the Champagne Village Saturday January 10 from 10am – 12pm; all residents are welcome to attend.
- The FSC has been subjected to graffiti and theft of their signs, and asked the residents to be alert to possible vandals. This will probably be a financial issue for the organization this year. The sheriff's department has been contacted and informed.

### 14. CLOSED SESSION

None

### 15. ADJOURNMENT

Director Tebbs motioned to adjourn at 5:16 pm. Director Donnelly seconded the motion.

**Motion approved 5-0. 5 AYES; 0 NOES; 0 ABSENT; 0 ABSTAIN.**

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Frank Donnelly  
Secretary-Treasurer