

**ALBION-LITTLE RIVER FIRE PROTECTION DISTRICT
MEETING MINUTES
BOARD OF DIRECTORS BUSINESS MEETING**

Wednesday, December 19, 2007, 7:30 p.m.

Location: Station 810, 32601 Albion Ridge Road, Albion, California

Please note that any document referred to in these minutes is a public record, a copy of which may be obtained upon request.

Agenda Item No. 1 - Call to order and determination of a quorum

The Board of Directors of the Albion-Little River Fire Protection District held a regular monthly meeting on Wednesday, December 19, 2007 beginning at 7:31 p.m.

The following members were present: Alan Taeger, Laura Vogelgesang, and Josh Latkin.

Also Present Fire Chief Oliver Seeler, Ron Stark, Ed Petrykowski, Bruce Jenkins (entered late), and Derek Wilson (entered late)

Agenda Item No. 2. Public communication to the Board: There were no public communications.

Agenda Item No. 3. Designation of Temporary Officers: The Board unanimously determined that Alan Taeger would preside, Josh Latkin would act as vice president, and Laura Vogelgesang would act as secretary and that when additional members are added to the Board a policy conforming to California law would be adopted and permanent officers would be elected in accordance with it.

Agenda Item No. 4. Fire Chief's Report, including operational needs:

A) Incident reports. Chief Seeler reported that the Fire Department was able to successfully put out a fire at the Station 815 property and that otherwise there was no call of any particular interest.

B) Fund raising, gifts and service fees. Chief Seeler reported that there had been a DUI which should be billable, and that there had been a \$500 donation from a personal friend of Chief Seeler's.

C) Fire Department report. Chief Seeler reported that one new member had been voted into the Department at its last meeting, and that department morale was high with one exception he would not go into at that point..

D) Fire Department operational needs. Chief Seeler reported "same as usual" and that PG&E should soon provide power to Station 815. He stated that there had been problems with deployment of the rescue boat recently which has to do with the shelter place at 32600 Albion Ridge Road for the rescue boat, and directed the Board's attention to his e-mail regarding the original rationale for this container and the container which was placed at 812 but which is used solely by the Fire Auxiliary. Chief Seeler stated that the problems at Station 810 are ongoing but haven't been brought up during the past year. He stated that the potential acquisition of a piece of apparatus to be used as a training aid is an issue for the Department and articulated his concern about impingement of the District Board on operational needs of the Department.

For the balance of the meeting, the agenda items were taken in no particular order, interspersed with numerous criticisms of Laura Vogelgesang personally and of her actions as a Board member and at one point resulted in Laura Vogelgesang requesting leave to make a point of personal privilege which was allowed but truncated by the presiding officer and attempts by the presiding officer to restore order including a suggestion that the meeting would be adjourned; the Secretary was not able to record the particulars of all of this.

Agenda Item No. 5. Treasurer's report. The budget report had been distributed by Alan Taeger. Alan Taeger as Treasurer reported that it appears that items 86-2060 and 86-4360 appear on the budget to be over budget but that this is apparently due to a data entry error which will be corrected; therefore, the Board determined unanimously to wait to take any action with respect to these budget items. Item 86-2140, Medical Supplies, is over budget due to an error in the budget process in which the customary costs for supplies was decreased inadvertently; the Board determined unanimously to add \$3,000 to this budget item for the year. Item 86-2150, Memberships, is over budget because of payments for CALSTAR, REACH, and MCAS memberships for members of the Department as approved by the Board; the Board determined unanimously to increase this budget item by \$2,000. Alan Taeger stated that the District's own Bylaws, Policies and Procedures prohibit deficit spending, and that he will determine whether or not Mendocino County must be involved in any mid-year budget adjustments.

Agenda Item No. 6. Secretary's report.

A) Communications to the Board. Laura Vogelgesang reported on the following communications: Issuance of an Employer Identification Number to the District by the Internal Revenue Service; a letter to her from the Mendocino County Clerk's office regarding the filing of Forms 700, Statements of Economic Interest; a letter to the Board from County Counsel confirming that the chief of the Albion-Little River Volunteer Fire Department, Inc. is an employee of the Board for purposes of the Brown Act's provisions with respect to closed sessions; and an e-mail from the ALRVFD's secretary advising of injury to a firefighter requiring the filing of a workers compensation claim..

B) Minutes. The minutes of the October 30, 2007 regular meeting, as revised, were approved, and the minutes of the November 26, 2007 meeting were approved..

Agenda Item No. 7. Update on Station 811 Project. Laura Vogelgesang reported on a recent meeting attended by herself, Ed Petrykowski and Ron Stark at the Fort Bragg office of the Mendocino Planning Department with Rick Miller and Teresa Beddoe, at which the planners expressed concern at the inadequacy of the drainage calculations and the need for inclusion of the site of the proposed septic tank and its plumbing on the documents to be submitted with the application. Laura Vogelgesang pointed out the restrictions placed on the project by the WRA biological report, and Ron Stark opined that they are no big deal other than the monitoring required.

Agenda Item No. 8. Items for consideration and possible action:

A) Official Board Appointment of Fire Chief. The Board unanimously appointed Derek Wilson, Fire Chief-elect of the Albion-Little River Volunteer Fire Department, Inc., as its fire chief on the motion of Josh Latkin and seconded by Laura Vogelgesang.

B) Applications for Development of Station 811. Laura Vogelgesang noted the restrictions placed on development of the property and her uncertainty as to whether or not the development as planned is needed in light of the Department's needs with respect to equipment. Alan Taeger noted that the District Board has been looking at this project for years and that he does not discount other options but that those options would also have restrictions. Josh Latkin noted that for purposes of maintaining the insurance ratings the satellite stations must be maintained in place, that the District must start putting money into maintenance of the equipment at the

current stations, and asked what is available to spend on this Station 811 project. Alan Taeger stated the the District should not short equipment maintenance; Laura Vogelgesang asked what is "Plan B" and stated that the District needs to look at equipment maintenance first in terms of firefighter safety. Derek Wilson stated that Station 811 is for more than housing of equipment; it is for training, offices, and so forth as well. Alan Taeger stated that he does not question the need for a new building. Ron Start stated that a couple of years ago he had estimated the cost of the development (although not on completed plans) at \$550,000 but that that number would increase if only because of the need for grading and imported fill. Alan Taeger stated that the cost cannot be known ahead of the bidding, and questioned whether some particular amount would be too much for the District to bear, and that the Board knows that it will need to do fundraising and will not be able to raise funds while the project's future is so nebulous. Josh Latkin reported that he had spoken with the owners of the Albion Hardware and the Albion Grocery Store and that neither of them was interested in purchasing any portion of the property of the Andersen Ranch which is still owned by the Andersen family. The Board unanimously decided to go forward with the applications for development of 32600 Albion Ridge Road and to authorize Laura Vogelgesang to act on its behalf with respect to all documents to be submitted to or communications to be had with the Mendocino County Planning Department or any other authority in connection with the property and with any permits for which application must be made for the development of the property, and to sign any documents required to be signed in conjunction with any application. The Board will pursue development of the drainage plan and calculations with Mr. Welty.

C) Placement of Storage Container on Station 811 Property. Laura Vogelgesang reported on her telephone conversation with Rick Miller of the Mendocino County Planning Department with respect to the placement of a storage container on the property at 32600 Albion Ridge Road which is owned by the District and the placement of which requires both a building permit and a Coastal Development Permit; the notes from which she read are a part of the District's records. It was suggested that the placement of the storage container, which was done without any notice to the District or any member of the Board, should have just been left alone; Laura Vogelgesang attempted to explain, to little avail, that anyone who signs a Use Permit Application such as would be filed in connection with the proposed development of 32600 Albion Ridge Road must certify that the information on the application is correct, and that since the application includes a description of all structures on the property and a site plan, ignoring the storage container was not an option. Chief Seeler stated that "getting away with OSHA violations doesn't mean that it can continue and stated that he would be calling OSHA, and Alan Taeger stated that if Chief Seeler has OSHA complaints he needs as Fire Chief to bring them up in an itemized list to the District Board and that if there are OSHA violations, the District Board must know so that it may help the Department to achieve compliance.

D) Request for County Counsel Opinion. Since County Counsel has reportedly advised the office of the Mendocino County Clerk that the Board may proceed to appoint members to fill two vacancies which existed as of December 7, 2007 due to the expiration on that date of the terms of two members who did not file the necessary documents to be appointed in lieu of election, no action was required with respect to

this item. The Board unanimously authorized Laura Vogelgesang to request that the billing of \$140 for the cost of the opinion be paid by Carolyn Latkin from the District's funds.

E) Procurement and Reimbursement Policies. The proposed policies are noted and will be considered at the next meeting.

F) Board Vacancies. The Board agreed to hold a special meeting on Saturday, December 22, 2007 in order to consider appointments to the Board unless there was not time to comply with the Brown Act's requirements with respect to posting of the agenda for a special meeting, in which event a special meeting for this purpose would be scheduled for after December 25.

G) Directions to Board Bookkeeper. The California statute with respect to funds of a fire protection district appear to restrict funds in the District Board's hands to \$500, although Alan Taeger had been advised by a Mendocino County individual that the limit is \$6,000; he will investigate what amount can be kept on hand by the Board. Until a determination is made, no additional account will be established to receive donations to the District, and Laura Vogelgesang will advise Carolyn Latkin of this.

H) Communication with Albion-Little River Volunteer Fire Department. Ron Stark reported that there is a major problem: that Laura Vogelgesang has her own agenda, there was no attempt at communication regarding the climbing wall, that attitude is everywhere you turn, that it feels as if Laura Vogelgesang wants complete control and that this won't fly and that the community and the Fire Department won't allow that to go on, that Laura Vogelgesang's tone to Ron Stark changed dramatically because of the container placement, and that the Board must get a hold of these things before they get out there. Alan Taeger stated that any board member can add an item to the agenda; Ron Stark replied that this is polarizing and nonconstructive and Chief Seeler added that there is a problem with Laura Vogelgesang's attitude. Laura Vogelgesang stated that there has been no communication for a year, and Chief Seeler stated that there was no communication because of the illegal activity of the board and that he refused to attend meetings in protest, and that he has a request in to the Attorney General of California on this [Secretary's note: this is with respect to the position of Chief Seeler that he is not an employee of the District Board for purposes of the provisions of the Brown Act with respect to closed meetings]. Chief Seeler continued that Laura Vogelgesang is using scenarios to justify what she is doing here and that it demonstrates a personal agenda and that it became convenient for people to use him as a tool in light of his upcoming vacation of the office of Fire Chief and that games are being played with the Department. Alan Taeger presiding requested order stating that these are *ad hominem* attacks now. Laura Vogelgesang described her thinking in preparing the draft of a letter from the District Board to Derek Wilson as Chief-Elect and to Ron Stark as President-Elect of the Department, a copy of which had been sent to members of the Board and to others including Derek Wilson and Ron Stark in advance of the meeting, and Alan Taeger stated that he thinks that anything issued by the Board would be quite different from the draft, but that it would be put off for now until there is a full board but that first an understanding must be reached with respect to the relationship between the Department and the Board and that the Fire Department is going to have to change its position in order to grow and become more modern and get more revenue-enhanced and the District

Board will have proposals for changes when there is a full complement of Board members. Messrs. Stark and Seeler reiterated their complaints about Ms. Vogelgesang's "tone" and Chief Seeler stated that he would make a written complaint about it.

I) Agenda Items for Future Meetings or for Indefinite Postponement. The Board unanimously agreed that items numbered as (a), (s) and (3) should be placed on the agenda for an upcoming meeting, and that items numbered (4), (5), and both items numbered (6) should be postponed indefinitely.

Agenda Item No. 9. Land, buildings and equipment:

A) Power to 815: This is still pending PG&E action.

B) Roof of 810: The painting which will complete this project awaits better weather

C) Fence Near 810: The fence has been repaired by Department personnel and Laura Vogelgesang may report this to Earl Latham.

Agenda Item No. 10. Committee Reports:

A) Real Estate. No report.

B) Grants. No report.

C) Insurance. Alan Taeger reported that health insurance for District Board members is not available other than under circumstances which do not apply to the District Board.

D) Requirements. No report.

E) Web Site. No report.

F) Ordinances. No report.

Agenda Item No. 11. Board Directors' Reports: Alan Taeger reported that we have a number supplied by Golden State Risk Management Association to use in connection with any workers compensation claim. He also reported that CALTIP is a service which may be used in connection with damage to District property.

Agenda Item No. 12. Next meeting date and agenda: The next regular meeting will be on Wednesday, January 30 at 7:30 p.m. at Station 810.

Agenda Item No. 13. Adjournment: at 10:20 p.m.

Laura J. Vogelgesang, Secretary

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