

DOBBINS/OREGON HOUSE FIRE PROTECTION DISTRICT
P. O. BOX 164, OREGON HOUSE, CA 95962
Minutes

February 26, 2019

CALL TO ORDER

The meeting was called to order by Chair Lee

QUORUM

The Dobbins/Oregon House Fire Protection District Board of Directors met for their regular meeting on the date above with a quorum being present as follows: Bill Rogers, Mike Lee, and Kim Hawthorne, also present were Jared Ware, Greg Holman, Chief Butler and Lani Pessoa. There was one member of the public present.

PUBLIC PARTICIPATION

Nothing to report

APPROVAL OF MINUTES

A motion was made by Director Rogers, seconded by Director Ware to approve the minutes for the January 22, 2019 meeting. The roll call vote was Director Rogers (yes), Director Hawthorne (yes), Chair Lee (yes), Director Holman (yes) and Director Ware (yes). There were (5) Yes, (0) Noes, (0) Abstain & (0) Absent. Motion passed.

CORRESPONDENCE RECEIVED

- (46-2018) – Yuba County CUPA – HMBP Facility Inspection Report – No violations
- (47-2018) – Yuba LAFCO – Request for review: Formation for Road Maintenance & drainage services
File No. 2018-0001/CSA72
- (48-2018) – Yuba City Fire Department – Request for support of project proposal developing a Regional
Public Safety Training Center in (Region 3) in collaboration with Senator Jim Nielsen and
Assemblyman James Gallagher.
- (49-2018) – Cravath, Swaine & Moore LLP – Subpoena for Production of Business Records relating to the
Cascade Fire and La Porte Fire from lawyers for PG&E
- (00-2019) – Yuba County Clerk/Recorder – Request we submit a resolution to Board of Supervisors
pursuant to SB 415 consolidation with statewide election on even years by March 10, 2019.
- (01-2019) – State Controller- Claiming instructions for Local Agency Employee Organizations
- (02-2019) – Yuba County Auditor/Controller – Signed Agreement for Property Tax Related Services
- (03-2019) – Michael Hatherly – Fire District info request - Meetings, By-Laws related & Agenda
- (04-2019) -- Michael Hatherly – Board Elections
- (05-2019) – Michael Hatherly – Cease & Desist Violation of Brown Act
- (06-2019) – State Controller – Changes to Government Compensation in CA
- (07-2019) – State Controller – Notice of 2018 Government Compensation report is due April 30, 2019
- (08-2019) – Yuba County Planning Department – Request for comments on CASE: CUP2019-0001
Yuba Water Agency approval of Minor Conditional Use Permit
- (09-2019) – Yuba County Board of Supervisors – Request for comments on Smartsville Fire Protection
District requesting to change election from odd to even numbered years
- (10-2019) – Michael Hatherly – Letter noting error on Agenda.

FIRE CHIEF REPORT

Chief Butler distributed the Incident Report for February. Chief Butler notes the Yuba Water Agency Grant has been increased to \$10,000.00 for 2019 and he will be asking for new Self-Contained Breathing Apparatus. The Crew Fund was paid for last quarter of 2018.

FINANCIAL REPORT

The financial reports were submitted for review. A motion was made by Director Ware, seconded by Director Rogers to approve the financial reports. The roll call vote was Director Rogers (yes), Director Hawthorne (yes), Chair Lee (yes), Director Holman (yes) and Director Ware (yes). There were (5) Yes, (0) Noes, (0) Abstain & (0) Absent. Motion passed. There were no budget adjustments.

FINANCIAL REPORT (CONTINUED)

Approve Warrant #52-037379 in the amount of \$3331.66 to Card Service Center for Transportation expenses, Internet & Engine expenses. A motion was made by Chair Lee, seconded by Director Ware to approve the warrant as presented. The roll call vote was Director Rogers (yes), Director Hawthorne (yes), Chair Lee (yes), Director Holman (yes) and Director Ware (yes). There were (5) Yes, (0) Noes, (0) Abstain & (0) Absent. Motion passed.

AUXILIARY

Bertha reports there is a leak at back wall of thrift store that needs fixing. Several options for where the leak might be coming from and how to address it were discussed. Since the excessive rain has complicated the situation this will be a continuing project. The Spaghetti Dinner is Saturday from 5-7 PM. Any firefighter wearing their shirt with logo will eat for free.

OLD BUSINESS

A. Review and Discuss SOP changes and additions/deletions

Chair Lee is still working on this and the most recent additions/deletions will be forwarded via email for review and discussion at the next meeting. This will continue to stay on the agenda until completion.

NEW BUSINESS

A. Adopt Resolution 2019-01 Approving Rescheduling of Elections from Odd to Even numbered years

Chair Lee called the roll and the vote was Chair Lee (yes), Director Holman (yes), Director Rogers (yes), Director Hawthorne (yes) and Director Ware (yes). There were (5) Yes, (0) Noes, (0) Absent. Resolution passed

B. Election of new Chair and Vice Chair

Chair Lee asked for nominations for the position of Chair. A motion was made by Director Hawthorne, seconded by Director Rogers to retain Chair Lee in this position. There being no further nominations Chair Lee called for a vote. The roll call vote was Director Rogers (yes), Director Hawthorne (yes), Chair Lee (yes), Director Holman (yes) and Director Ware (yes). There were (5) Yes, (0) Noes, (0) Abstain & (0) Absent. Mike Lee is elected Chair.

A motion was made by Director Hawthorne, seconded by Director Lee to retain Vice Chair Greg Holman in this position. There being no further nominations Chair Lee called for a vote.

The roll call vote was Director Rogers (yes), Director Hawthorne (yes), Chair Lee (yes), Director Holman (yes) and Director Ware (yes). There were (5) Yes, (0) Noes, (0) Abstain & (0) Absent. Greg Holman is elected Vice Chair.

C. Appoint Ad hoc Committee for Future Plans

Chair Lee appointed Greg Holman and Jared Ware to Future Plans Committee.

D. Discuss and Decide response to Cease & Desist: Violation of Brown Act 54954.2. (a) (1)

First discussion addressed the incorrect date (December 2019) cited on the violation. Does this nullify the alleged violation?

Probably, but the board would rather not waste time on this and moved on to addressing the alleged violation.

Second discussion has the board violated the Brown Act?

The January 2019 Agenda was posted at both the Dobbins and Oregon House post office as has been done for the past 33 years and well before the website ever existed. The district has substantially complied with posting requirements and has demonstrated a good faith effort to notify interested persons in a manner that was consistent with the open meeting objectives. A technical difficulty in not posting the agenda on the internet website is not a violation provided that the district continues to comply with all other notice requirements. There was no intent to deprive the public of information.

E. Approve Unconditional Commitment letter (Violation of Ralph M Brown Act, paragraph 54954.2 (a) (1)

A motion was made by Chair Lee, seconded by Director Holman that the Unconditional Commitment letter is no longer necessary and will not be signed. The roll call vote was Director Rogers (yes), Director Hawthorne (yes), Chair Lee (yes), Director Holman (yes) and Director Ware (yes). There were (5) Yes, (0) Noes, (0) Abstain & (0) Absent. Motion passed.

BOARD & STAFF DISCUSSION, QUESTIONS, COMMENTS:

Director Rogers reports as follows: JPA- There may be a new contract with Banner Communications and Herbster is retiring. **Fire Safe Council** – There were 36 attendees at the last meeting as more people are getting involved due to recent wild fires in our area. **Director Holman** – Has volunteered to register the new Water Tender with DMV. He suggests installing a Bulletin Board at the Thrift Store for Community us. Making it hold up to wind and rain will be tricky and Director Ware has volunteered to help Director Holman with this project.

BOARD & STAFF DISCUSSION, QUESTIONS, COMMENTS: (CONTINUED)

Chief Butler reports the Meriam Rd Station was broken into and although there was nothing taken the door handle will need to be replaced and may be expensive. He has since secured the doors with a double-sided dead bolt lock for now.

ACTION ITEMS REVIEW

Old items were reviewed and discussed. Latest items will be forwarded via email.

ADJOURN

The meeting was adjourned by Chair Lee at 8:05 p.m.

Respectfully Submitted:

Lani Pessoa, Clerk of the Board