

1 **NORTH LAKE TAHOE FIRE PROTECTION DISTRICT**  
2 **BOARD OF DIRECTORS MEETING MINUTES**

3  
4 **FEBRUARY 17, 2016**

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6 **LOCATION:** 863 Tanager, Incline Village, Nevada.

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8 **MEETING CALLED TO ORDER:** Chair Herron called the meeting to order at  
9 12:07 p.m.

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11 **ROLL CALL OF THE NORTH LAKE TAHOE FIRE PROTECTION BOARD OF**  
12 **DIRECTORS:** Upon roll call, the following Board Members were present:  
13 Susan Herron, Chair; Dennis Perry, Secretary-Treasurer; Dale Smith,  
14 Director; Paul Zahler, Director; and Vicki Baumann, Secretary. Via  
15 telephone: Jeff Warner, Vice-Chairman.

16  
17 **GUESTS PRESENT:** Devon Reese, Legal Counsel; Michael D. Brown,  
18 NLTFPD; Ryan Sommers, NLTFPD; Sharon Cary, NLTFPD; Steve Eikam,  
19 NLTFPD; Carol Green, NLTFPD; Tim Allen, NLTFPD; Scott Peterson, NLTFPD;  
20 Brett Jacobsen, NLTFPD Thomas Rores, NLTFPD; Shane Schuster, NLTFPD;  
21 Tia Rancourt, NLTFPD; Denise Beemer, Resident and Margaret Moran, North  
22 Tahoe Bonanza.

23  
24 **APPROVAL OF AGENDA:** Director Perry made a motion to approve the  
25 agenda. Director Smith seconded the motion. No discussion. Chair Herron  
26 called for question. Ayes 5. Nays 0. Motion passed.

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28 **NRS 241.020 RE: PUBLIC COMMENT: This is a Time for the Public to**  
29 **Comment on any Matter, Whether or Not it is Included on the**  
30 **Agenda of this Meeting.** No comments.

31  
32 **CONSENT AGENDA**

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34 **APPROVAL OF MINUTES OF THE JANUARY 20, 2016 BOARD OF**  
35 **DIRECTORS MEETING.**

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37 **APPROVAL OF ACCOUNTS PAYABLE REPORT FOR JANUARY 2016.**

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39 **APPROVAL OF THE MONTHLY MANAGEMENT REPORT FOR JANUARY**  
40 **2016.**

41  
42 Director Zahler made a motion to approve the Consent Agenda items as  
43 published. Director Smith seconded the motion. No discussion. Chair  
44 Herron called for question. Ayes 5. Nays 0. Motion passed.

**NEW BUSINESS:**

**1. Discussion of and possible action: Cowan vs. NLTFPD decision by the District Court and possible appeal.** Legal Counsel Reese said on February 3, 2016, the Second Judicial District Court, Department 6, ruled that claimant, Mike Cowan, claim for unpaid retirement benefits was valid and that the District, therefore, was on the hook for about \$54,000.00. Legal Counsel Reese said he is looking for direction and/or a motion from the Board of Directors to make a decision as to whether or not to accept the decision of the District Court and pay the dollars alleged to be owed to Mr. Cowan or to file an appeal with the Nevada Supreme Court.

Director Smith made a motion that the North Lake Tahoe Fire Protection District appeal the decision of the District Court. Director Warner seconded the motion. No discussion. Chair Herron called for question. Ayes 4. Nays 1 (Director Perry). Motion passed.

Legal Counsel Reese said the next step is for his office to prepare a Notice of Appeal; it has to be filed by March 8<sup>th</sup> or 9<sup>th</sup>.

**2. Discussion of and possible direction to have the North Lake Tahoe Fire Protection District Staff prepare a report for the Board of Directors about the possible replace of retiring Fire Chief Michael D. Brown.** Chair Herron referred to page 11 of the packet. She had prepared a memorandum for the Board as a first step to look into what a search would consist of and get some information. The memo asked the Board of Directors to provide a list of items, if it was not included in the memo's list. Director Smith said he reviewed the list and thinks it looks very thorough; he would like it to include a Selection Committee. The committee could be made up of some of Directors, representatives from the Local Union and possibly the public. Chair Herron said that is if we choose to do this. Director Smith agreed.

Chair Herron made a motion to proceed to ask the Fire Department Staff to prepare a report to include the items as listed on page 11 and include a reminder about who would be on the Selection Committee. Director Smith seconded the motion. Chair Herron called for question. Ayes 5. Nays 0. Motion passed.

The report should be back to the Board of Directors by March 16, 2016.

**3. Discussion of and possible action to appoint an Interim Fire Chief of the North Lake Tahoe Fire Protection District effective March 19, 2016 and until such time as deemed appropriate by the Board of Directors; appointment includes a salary adjustment and a six month review by the Board of Directors after appointment.**

1 Chair Herron said with the upcoming retirement of Chief Brown, the District  
2 needs to have a leader on board as of March 19, 2016. On page 12 of the  
3 packet, is her recommendation.

4  
5 Director Perry asked if anyone else has expressed an interested in the  
6 position. Both Chief Brown and Chair Herron said no.

7 Director Warner made a motion to appoint Assistant Fire Chief Ryan  
8 Sommers as the Interim Fire Chief effective March 19, 2016 with a six  
9 month review at some point and that is in compliance with the NRS.

10 Director Perry seconded the motion. Chair Herron called for question.  
11 Ayes 5. Nays 0. Motion passed.

12  
13 Chair Herron made a motion to give Interim Fire Chief Sommers a 5%  
14 increase effective March 19, 2016. Director Smith seconded the motion.  
15 Director Perry said he favors the 5% increase, especially as the Board could  
16 review it at any time and change it should the duties become overwhelming.  
17 Chair Herron called for question. Ayes 5. Nays 0. Motion passed.

18  
19 **OLD BUSINESS:** None.

## 20 21 **REPORTS**

22  
23 **\*Legal Counsel Reports:** Legal Counsel Reese said Chief Brown, Chief  
24 Sommers, representatives from Tahoe Douglas Fire Protection District and  
25 he will be travelling to Washington D.C. February 28<sup>th</sup> – March 4<sup>th</sup>. The  
26 purpose of the trip is to meet with some of the California and Nevada  
27 delegates regarding the following topics: the Nevada Fire Safe Council  
28 bankruptcy, the Tahoe Restoration Act, a joint use safety pier which, the Bi-  
29 State Commission and questions about grant funding that may arise from  
30 the Tahoe Restoration Act.

31  
32 The Nevada Fire Safe Council bankruptcy requires constant monitoring. This  
33 District has taken the yeomen's oar position and to the extent that we  
34 continue to do so; it is time well spent. The Department of Justice has been  
35 doing some things in the bankruptcy proceeding that we do not agree with  
36 and we have been trying to work through these issues on a number of  
37 different political fronts.

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39 **\*Board of Directors' Comments/Reports.** None.

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41 **\*Fire Chief Reports.** Chief Brown said there will be a lot of discussion in  
42 the coming months about AB 104 a gaming tax. During the period of 2009 –  
43 2015, the Washoe County Treasurer's Office had been under collecting  
44 gaming taxes from the gaming industry. After an external audit, there is  
45 about \$4.8 million of taxes that were not collected during that time period.  
46 Chief Brown and Chief Sommers attended last Tuesday's Washoe County

1 Commissioners meeting at which direction was given to the Treasurer's  
2 Office as to how to collect these back taxes. The District's share will be  
3 approximately \$200,000.00. At this time, no date has been given as to  
4 when we will receive this money.

5  
6 The safety pier is a collaborative effort between the Fire Department, the  
7 Sheriff's Office, NDOW and the Coast Guard. This is an active issue and  
8 talks continue. TRPA has partnered with the Consensus Building Institute,  
9 out of San Francisco, to do a Lake Tahoe Shoreline assessment plan. We  
10 have been already been contacted by the Institute to answer questions  
11 about east and north shoreline issues not just from a public safety point of  
12 view but fuels reduction, the scenic corridor and such. We were contacted  
13 because we have met several times with TRPA to discuss access and egress  
14 on and off the water. The Hyatt has been very gracious about allowing us to  
15 us their pier. We have also used private homes. TRPA realizes that they  
16 need to allow public safety agencies to have access on and off the water.  
17 And that is why these discussions are taking place. While in Washington  
18 D.C., discussions will be taking place about this very issue.

19  
20 In regards to the Nevada Fire Safe Council bankruptcy issue, the  
21 Department of Justice (DOJ) sent the bankruptcy court a list of those  
22 contractors to be paid. We are on that list. However, the Fire Districts and  
23 Departments in the Basin are going to be paid at a reduced rate. We have  
24 not seen a copy of the list that shows the amount of proposed payment to  
25 the different agencies. The numbers are not right. A couple of departments  
26 are scheduled to be paid more than what they are owed. Our District is  
27 owed \$687,000 and is only scheduled to be paid \$190,000. The bankruptcy  
28 court is even questioning the numbers provided by the DOJ. Legal Counsel  
29 Reese said this is just a proposal and not a final number. Chief Brown and  
30 Chief Sharit from Tahoe Douglas met with Congressman Amondei last night  
31 to discuss this issue. The DOJ was has requested the BLM and USFS to  
32 deobligate the grant funds that were never used or tapped into in order to  
33 pay the creditors and contractors involved in the bankruptcy.

34  
35 The Lake Tahoe Restoration Act would allocate \$450 million to the Tahoe  
36 Basin over a 10 year period. It will be used in many different ways fuel  
37 reduction, water issues, the invasive species, etc. We are very supportive of  
38 it.

39  
40 **\*Chief Officers Reports.** Assistant Fire Chief Sommers thanked the Board  
41 of Directors for the opportunity to take on the Interim Fire Chief position.  
42 He looks forward to working with the Board and Staff.

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44 Call volume has been steady mostly due to the amount of snow.

45  
46 The Regional Fire Academy has been extended one week. The graduation

1 will take place on March 4<sup>th</sup>. All Board members are invited to attend.

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3 **\*Business Manager Reports.** Business Manager Cary said she is working  
4 on the 2016 – 2017 budget. She invited Director Perry to meet with her to  
5 review the financial statements.


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7 **\*Public Education Information Officer Reports.** PIO/PEO Rancourt said  
8 the District chipped 1026 Christmas trees which equates to 25 tons. This is  
9 a collaborative effort between the District and IVGID. All the preschools in  
10 town have been visited; reaching about 65 kids. Tia and  
11 Firefighter/Paramedic Bassett did the Be Fit program at the Elementary  
12 School. A total of 46 CPR classes were taught in January which equates to  
13 191 students. The Blood Drive is next Tuesday, February 23<sup>rd</sup> at Station 11.  
14 On Wednesday, February 24<sup>th</sup>, the 6<sup>th</sup> grade students at the Tahoe  
15 Expedition School along with our District and the Tahoe Forest and Fuels  
16 Team will be hosting a prescribed fire presentation from 5:30 – 7 p.m.

17  
18 Winter Wilderness Survival will take place for the 4<sup>th</sup> graders in March.

19  
20 **NRS 241.020 RE: PUBLIC COMMENT. This is a time for the public to**  
21 **comment on any matter, whether or not it is Included on the agenda**  
22 **of this meeting. None.**

23  
24 **Meeting Adjournment.** Director Smith made a motion to adjourn the  
25 Board of Directors' meeting. Director Perry seconded the motion. Chair  
26 Herron called for question. Ayes 5. Nays 0. Motion passed. Meeting  
27 adjourned at 12:37 p.m.

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Vicki Baumann, Secretary

  
Susan Herron, Chair