

Minutes for April 15, 2021 Beckwourth Fire District

- **Board members attended this meeting via teleconference as permitted by California Governor Newsom Executive Order N-29-20 and in person. Members of the public were able to join the meeting via Zoom live streaming. Board Meeting called to order at 6:36 PM by Daniel Smith.**
- **Roll Call: Board Members:** Daniel Smith – here, Denise Downs – here, Gay Miller – here, John Randall – here, Daniel Greenwood -- absent. **Board Secretary:** Regina Martinez, **Fire Chief:** Bret Russell, via Zoom.
- **The Pledge of Allegiance:** Recited by all.
- **Approval of Minutes** for the Board Meeting held on March 18, 2021. Denise Downs **motioned to approve the minutes from the meeting held on February 18, 2021** and Gay Miller seconded. Daniel – yes, Denise – yes, Gay – yes, John – yes. All in favor, **motion passed without objection.**
- **Approval of the Account Revenues, Receivables, Expenditures, and Balance Sheet** for the month of March 2021. Regina shared with the Board of Directors the Monthly Expense Report through March 31, 2021. Denise **made the motion to approve March financials**, Gay seconded the motion. Daniel – yes, Denise – yes, Gay – yes, John – yes. All in favor, **motion passed without objection.**

Public Comment: Bruce Lackenbauer: Thanked Chief Russell, Regina and the board for all the time and work being put forth towards the department. Division Chief Lackenbauer requested that the Board go more paperless on the board packets. Bruce suggested posting information on the Beckwourth Fire Department website.

- **Consent Agenda:** none.
- **Chief's Report:** Chief Russell thanked staff, volunteers, and the board for department coverage in his absence. BFD continues to offer State of California fire training opportunities taught by Captain Osburn. Other local fire departments are attending the training. For the month of March BFD had 9 calls, 3 medical, 2 burn piles, 2 mutual aids, 1 motor vehicle accident, and 1 lift assist. Portola Division had 21 calls, 19 medical, 1 fire alarm and 1 down powerline. Chief Russell reported that he graduated the Arson Fire Academy. Daniel Smith congratulated the Chief on the academy.
- **Secretary's Report:** Regina shared her follow up with Noel Gibford, as directed by the board, to get assistance with setting up QuickBooks. Discussion took place about accounts that are past due for payment from the County as this continues to be a problem.
- **Discussion and Possible Action: Review and consider changing the assessments for the annexation of the properties in LAFCO annexation file #2011-ANNX-0001.** Prior to opening for discussion, Daniel provided a detailed background regarding the 13 exhibits in the board packet. The following bullet points are what the content of the 13 exhibits explained.
 - Customers/community members were assessed different rates for the same type of properties
 - Annexations were not approved at the same time
 - Inaccurate costs not clearly explained to the customers
 - Assessments can only be based on current property conditions
 - Notifications to customers did not include the complete list of fees
 - Assessments not supported by Plumas County Planning Department.

Comments from board members and meeting attendees:

BFD Board Members: Denise Downs stated that the previous board had been working on this annexation for many years. Smith responded that due to the improper method taken, it became a very controversial issue with members of the community and therefore was never able to be brought to the proper conclusion. Gay had no comment. John has no comment.

Attendees: Greg McCaffrey, (previous Fire Chief of Beckwourth Fire District) offered to answer questions. Smith did not have any questions but welcomed Greg to make a statement. Greg began by stating that Beckwourth Fire District's Board at the time relied on legal counsel during the process of the annexation. Greg stated that there were public hearings that allowed people to speak up, but there were no protests, and nobody showed up. He said that the applications for the annexation was missing from the information shared the application clearly states "taxes" and each application required a signature. Greg told the audience that the "annexation" for Sierra Health Foundation was negotiated at a difference price by George Bundy and Greg after meeting with them.

Smith responded to clarify that as a government agency it is illegal to “negotiate” a price with parcel owners. The district must determine how much it will cost to provide the service to the community (depending on the type of property) and charge that amount.

Dwight Ceresola shared with the audience that he was approached and asked to annex in. Dwight told the group that at the LAFCO meeting the cost was going to be \$60. He stated that he was told there is an appeal process when a homeowner does not agree with the tax amount. However, in this case he was told that he could not appeal by McCaffrey and Bundy.

Karen Partlow thanked Daniel Smith and Dwight for all of their work with the annexation. Karen stated that “we were solicited by McCaffrey to annex in.” The amount of \$60.00 was voted on but then they were charged more. Karen said, “Vote to make a difference”, but their vote didn’t make a difference. Karen said that she feels restitution is owed.

Smith responded and clarified that Beckwourth Fire District does not have the right to pay back restitution, as that would be a gift of public funds and the Board does not have that authority. But there is the authority to change it going forward. He has been working with legal counsel to reset the amount, to \$60.00 or \$135.00 based on the assessment schedule. Daniel said that the Resolution prepared by legal counsel would change the (6) properties annual assessment rates. Not a significant amount to the district, but the difference can make a lot of difference to members of our community.

Denisce shared that it was LAFCO and Josh from BB&K that approved the previous annexation agreement from #2011-ANNX-0001. She also said that the Board of Directors was going off of what the attorney and LAFCO said. She continued to say that this situation has caused a lot of hard feelings. Smith responded and stated that by moving forward and correcting the incorrect fees, it will be the first step to mending fences with those who were treated incorrectly in the past. LAFCO only approves what the District provides them they do not have the authority to set rate assessments. In discussions with our attorney at BB&K he had worked off of what he was given by the District, he agreed in reviewing the exhibits that the process was not correctly completed. Denisce made a motion to move forward with the Resolution that would change the amount of the (6) properties annexed in #2011-ANNX-0001. John seconded the motion. A vote was taken, Daniel Smith- yes, Denisce Downs-yes, Gay Miller-yes, John Randall-yes, and Daniel Greenwood-absent. The Resolution paperwork will be completed by Josh Nelson from BB&K

- **Discussion and Possible Action: Review and discuss the cost estimate for the reorganization of the six Eastern Plumas Fire providers into a new District.** Consider approval of a resolution committing to Phase I costs including the Consultant Feasibility and initial Community Education and Outreach. Daniel Smith welcomed Pat Morgan and Tom Cooley (Portola City Council members) to the meeting. Portola City Council approved unanimously to participate in the feasibility study to move forward with the consolidation. Daniel said that the updated report (included in the Board packet) showed that each participating agency will agree to pay for the feasibility study. The estimated cost for the entire project is \$67,300.00. Daniel went over the breakdown of expenses provided in the report. LAFCO will be waiving their fees to approve the consolidation. The Resolution 2021-001 commits Beckwourth Fire District to the feasibility study and initial outreach. Board to approve paying \$20,000.00 towards the feasibility study. The Resolution states that if one agency pulls out, then the resolution is voided. City or Portola City Council approved paying \$20,000.00 last night. Discussion took place about other agencies involved paying less towards the study. Denisce made a motion for the Board to approve Resolution 2021-001. John seconded the motion. A vote was taken, Daniel Smith- yes, Denisce Downs-yes, Gay Miller-yes, John Randall-yes, and Daniel Greenwood-absent.
- **Discussion and Possible Action: Discuss efforts to recruit current property owners to annex into Beckwourth Fire District** using an interim solution of contracting for services until reorganization can be completed. Approximately two years is the estimate to conclude the reorganization. Daniel said that there are property owners that are in BFD’s sphere of influence that want to annex in. Jennifer Stevens, Executive Officer of LAFCO has agreed that contracting on an interim basis, until the consolidation takes place is allowed. Daniel mentioned four property owners that are interested in annexing in.
- **Update of:** Efforts to separate finances from Plumas County. Daniel shared with the Board of Directors that Mr. Johnson, the auditor for the district, has unfortunately passed away and is not available to help us. Daniel asked the Chief to talk with a local bookkeeper and assess their ability to help us and follow up with the Board.
- **Discussion and Possible Action:** Discuss and consider donating the department’s old SCBA units. Daniel asked Chief to take the lead on possibly donating the surplus SCBA’s and report back at the next meeting.
- **Update of: Portola City Council Liaison:** Gay reported she attended the meeting and all went well.
- **Update of: Report on Coronavirus:** Chief reported that the department is continuing to follow COVID19 protocols until further notice.
- **Update of: Report on water use from Grizzly Ranch:** Regina shared that 450 gallons of water was used at Station 2, Grizzly Ranch for pump training on #9372.

- **Division Chiefs' Report:** Division Chief Lackenbauer discussed a possible solution for FF Attama's turnouts if an agreement cannot be reached with EPRFD for the purchase of his turnouts. He will work with the Chief on a solution.
- **Battalion Chiefs' Report:** No report.
- **Safety Officer's Report:** Brendan not present, no report.
- **Directors Reports:** Denisce thanked Bruce, Floyd, Ruben and Gabe for holding down the fort while Chief was gone. Denisce thanked Daniel Smith for his footwork.
- **Old Business:** none
- **New Business:** none
- **Adjournment:** Daniel adjourned the meeting at 8:52 p.m.

I, REGINA MARTINEZ SECRETARY OF THE BOARD, DO HEREBY CERTIFY THAT THE FOREGOING MINUTES OF SAID **BOARD MEETING** OF THE BECKWOURTH FIRE DISTRICT HELD ON **April 15, 2021** ARE CORRECT AS RECORDED.

BOARD OF DIRECTORS' APPROVAL SIGNATURES: Minutes for April 15, 2021.

Minutes approved by the Beckwourth Fire District Board of Directors on September 16, 2021.

Daniel Smith:	_____	Date:	_____
Denisce Downs:	_____	Date:	_____
Gay Miller:	_____	Date:	_____
John Randall:	_____	Date:	_____
Daniel Greenwood	_____	Date:	_____