



Ben Lomond Fire Protection District
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**MINUTES OF THE
BEN LOMOND FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS
REGULAR MEETING OF
March 18, 2010 at 7:00 P.M.**

1. CALL TO ORDER

The regular meeting of the Board of Directors of the Ben Lomond Fire Protection District was held on Wednesday, March 18, 2010 at the Ben Lomond Fire Station. Vice-Chairperson Hill called the meeting to order at 7:05 p.m.

1.1 Pledge of Allegiance

1.2 Roll Call

- A. Directors Present: Directors Ayers (arrived 7:12 p.m.), Bingham, Hill, Maxson
- B. Fire District Staff: Chief John Charcho, Admin/Board Secretary McIntosh
- C. Absent: Director Beltz
- D. Also Present: Caio Arellano (Legal Counsel), Bill Hackett, Jack Munsey

2. PUBLIC COMMENT

Any person will be allowed three (3) minutes to address the Board concerning any item not on the agenda during this time. No action or discussion shall be taken on any item presented except that any Board Member may ask questions for clarification. All matters of an administrative nature may be referred to staff. All matters relating to the Board will be noted in the minutes and may be scheduled for discussion at a future meeting or referred to staff for clarification and report. Any person will be allowed three (3) minutes on any item on the agenda before action is taken and after the Board has discussed the item. Anyone wishing to comment on an agenda item must be recognized by the Board Chair prior to comment. The Board requests that anyone speaking states their name for the record.

2.1 None.

3. AGENDA AMENDMENTS

3.1 None.

4. CORRESPONDENCE

4.1 None.

5. INFORMATION AND COMMITTEE REPORTS

(No action will be taken on any questions raised by the Board at this time.)

5.1 Chief's Report – Chief Charcho

5.1.1 <See Attached>

Note: Under 'Administration, Item 2', it was stated that Chairman, Chief Rob Sherman, raised the question of BLFPD Commissioners looking into a different service delivery model since BLFD & Zayante FPD's are soon to be without Fire Chiefs. *It should be noted that Chief Rob Sherman was acting and commenting on behalf of the District Council and not on behalf of Cal Fire.*

9. CLOSED SESSION <This Item taken out of order due to the presence of Legal Counsel>

9.2 Conference with Real Property Negotiators

Property: 9450 Hwy. 9
Agency negotiator: Legal Counsel
Negotiating parties: District and Tenant
Under negotiation: Terms of payment

The board adjourned into closed session at 7:15 p.m.

Reconvene into Open Session – Reportable Action

The board reconvened into open session at 7:38 p.m.

Reportable Action: The Board consents to the assignment of the lease at Henfling's.

6. ACTION ITEMS <This Item taken out of order due to the presence of Legal Counsel>

6.9 Volunteer Firefighter's Length of Service Award System (VFLSAS): Caio Arellano (Legal Counsel) reported that he had been contacted by Director Maxson re: VFLSAS. He explained that Directors Hill and Maxson would recuse themselves from discussion/action on this item due to a possible conflict of interest involving length of service and family members on the force. Legal Counsel further explained that because this left the board without a quorum, the "Rule of Necessity" became applicable. Director Hill was allowed to remain even though a possible conflict existed because a quorum was required to complete District business. Director Bingham read two (2) paragraphs and after some discussion with comments from the Board, it was the general consensus of the Board that the program was not sustainable or administrable. After further input from Legal Counsel, the Board decided to obtain further information and report back next meeting (Director Ayers and Bingham).

Director Maxson rejoined the meeting.

5. INFORMATION AND COMMITTEE REPORTS <Continued from prior to Closed Session>

(No action will be taken on any questions raised by the Board at this time.)

5.2 Other Reports/Information:

5.2.1 Donation of '1939 Ben Lomond and Vicinity Map' by Stewart Crook, Brookdale:
Chief Charcho shared a brief history and information regarding the generous donation of the 1939 Map.

6. ACTION ITEMS

6.1 Minutes:

- 6.1.1 Approve Regular Board Meeting Minutes of March 3, 2010: Upon Motion by Director Bingham, duly seconded by Director Maxson, the Minutes of the March 3, 2010 Regular Meeting, were approved as presented, by unanimous vote.
- 6.1.2 Approve Special Board Meeting Minutes of March 5, 2010: Upon Motion by Director Bingham, duly seconded by Director Maxson, the Minutes of the March 5, 2010 Special Meeting, were approved as presented, by unanimous vote.

6.2 Expenditures & Payroll(s):

6.2.1 Expenditures:

Upon motion by Director Bingham, duly seconded by Director Maxson, **Expenditures in the amount of \$4,298.86** were approved, by unanimous vote.

6.2.2 Payroll(s):

Upon motion by Director Hill, duly seconded by Director Maxson, **Payroll(s) in the amount of \$9,334.64 and \$8,092.86** were approved, by unanimous vote.

6.3 Brown Act: Director Bingham led a discussion regarding what constitutes a Special Meeting.

6.4 District Board Calendar: This item to be moved to end of agenda for ongoing updates/discussion.

6.5 Strategic Plan Update: Director Ayers reported that he had a draft plan to present at the Board Workshop.

6.6 Set Board Workshop Date: A date was set for Saturday, May 22, 2010 @ 9:00 a.m.

6.7 Board Members Ability to Participate in Health Insurance: Tabled until the April meeting.

6.8 Battalion Chief Edwill Butler's Retirement: Chief Charcho to approach the Firefighter's Association regarding funding, plaque, etc.

6.9 Volunteer Firefighter's Length of Service Award System (VFLSAS): <Discussed previously>

6.10 Phone System Upgrade Proposal: Chief Charcho to report back with more information next meeting.

6.11 FDAC Conference: Director Hill reported that she is handling all registration and travel plans for the conference in April.

7. REQUEST FOR FUTURE AGENDA ITEMS

- 7.1 Remove Item 6.3 – Brown Act.
- 7.2 Remove Item 6.5 – Strategic Plan.
- 7.3 Remove Item 6.11 – FDAC.

8. **NEXT SCHEDULED MEETING(s)**

8.1 Regular Meeting(s):

- Thursday, April 8, 2010 @ 7:00 p.m.
- Wednesday, April 28, 2010 @ 7:00 p.m.

7. **CLOSED SESSION**

9.1 **Personnel Matters Pursuant to Gov. Code Section 54957.6:** *District's Designated Representatives: Board of Directors; Positions: All Positions.*

9.2 **Conference with Real Property Negotiators**

Property: 9450 Hwy. 9
Agency negotiator: Legal Counsel
Negotiating parties: District and Tenant
Under negotiation: Terms of payment

The board adjourned into a second closed session at 9:00 p.m.

9.1.1 Reconvene into Open Session – Reportable Action

The board reconvened into open session at 10.21 p.m.

Reportable Action:

The Board would like to extend the Interim Fire Chief application deadline to Monday, March, 29, 2010, after which, the position will be opened to the outside.

10. **ADJOURNMENT**

10.1 The meeting was adjourned at 10:22 p.m.

ATTEST: _____
Mike Ayers, Chairman

John Charcho, Secretary