



## *Foresthill Fire Protection District*

*P.O. Box 1099 Foresthill, CA 95631*

*Office: (530) 367-2465 Fax: (530) 367-3498*

*[www.foresthillfire.org](http://www.foresthillfire.org)*

### **DISTRICT BOARD**

**CHRIS REAMS**

**PRESIDENT**

**KEVIN GREENE**

**VICE PRESIDENT**

**WALTER REED**

**DIRECTOR**

**RICHARD ARTHUR**

**DIRECTOR**

**TYLER HARKNESS**

**DIRECTOR**

**KIRK KUSHEN**

**FIRE CHIEF**

Minutes of **Regular** Board of Directors Meeting  
Thursday, February 8, 2018  
Foresthill Fire Protection District Administration Office  
24320 Main St.  
Foresthill, CA 95631  
Video: <https://vimeo.com/255321970>

President Chris Reams called the meeting to order at 8:00 p.m.

**Directors in Attendance:** Chris Reams, Kevin Greene, Walter Reed and Tyler Harkness. Director Arthur was present via telephone.

**Directors Absent:** None

**Staff in Attendance:** Chief Kushen and Secretary Metz.

**Approval of Agenda:** Director Reed requested to have Action Item #3 moved to Action Item #1. Director Reed made a motion to approve the agenda as amended. Director Harkness seconds the motion.

Motion carries unanimously.

**Approval of previous Meeting Minutes:**

- VP Greene made a motion to approve the minutes of the January 11th Regular Meeting and the January 26<sup>th</sup> Finance Committee meeting. Director Reed seconds the motion. Motion carries unanimously.

**Approval of Financial Report:**

Total expense is at 62.7% with 58.3% of FY elapsed (through 1/31/18).

- Increased OT – 118.06% through 1/31/18
- Increased Payroll Taxes (because of >OT and Strike Team wages.)
- Increased Resident Stipends as they are working additional shifts each month.
- Ambulance Repair and Maintenance is at 106%. \$6,115 spent so far this FY on M89.
- Maintenance and Repair for FS 88 and FS 90 are both high. The septic systems had to be serviced which was not budgeted.

Email has been sent to all Officers requesting their input for the 18/19 budget.

Patrice had a call back from PERS on 2/5. Our application to participate is slated to go to their governing board, which is ad-hoc, at their next meeting. Possibly the beginning of March. If we are accepted, the next step is for PERS to work up a contract specific to FFPD. This costs bucks.

- \$900 for each new agency actuarial valuation, per scenario.
- Director Reed made a motion to approve the January financials as presented. Director Harkness seconds the motion. Motion carries unanimously.

## Fire Chief Operations Report:

- Strike team Deployment: None.
- Brown Outs: None in January.
- Significant calls: AMR called twice to cover because FHF ambulances busy. They could only provide a cover once. Other time only available AMR medic was in Rocklin.
- Prevention: 3 hydrant flow tests for new construction.  
Underground LPG tank inspection for new construction.  
Assisting Foresthill Divide School with fire alarm system issue. System is functioning and to be recertified by their alarm company this Friday 2/9.
- Apparatus: M90 in shop week and a half for significant mechanical repairs. Cab had to be removed to access engine area. (Brakes all 4 wheels, rocker cover gaskets/wiring harness, H2O pump, oil pump top of motor, lube pump, AC condenser had pinhole leak, misc. hoses and belts.)  
  
M89 in service.
- Grants: Still waiting for update on regional SCBA grant with Sac Metro.  
  
Assistance to Firefighters vehicle grant submitted for new Type 1 engine to replace 23 year old engine - \$537,000  
  
Assistance to Firefighter equipment grant submitted to replace 3000 feet supply hose, hose tester, monitor/defibrillator, 15 SCBA masks and 26 cylinders. - \$64,000  
  
(Grant applications don't guarantee award. Extremely competitive.)
- Equipment: Inventorying SCBA cylinders from Sac City. Some need hydro testing. Will be in service by April deadline when current ones time out.)
- Odds and Ends: Tahoe and El Dorado USFS to be doing large control burns this month, weather permitting.

## Action Items:

1. Approve Resolution #2018-001 to censure Director Walter Reed regarding unauthorized correspondence with the Bureau of Reclamation.
  - a. President Reams read a prepared statement. **ATTACHMENT 1.**
  - b. Director Harkness read a prepared statement. **ATTACHMENT 2.**
  - c. There was general discussion between the Board and audience.
  - d. VP Green made a motion to adopt Resolution #2018-001 as presented. Director Arthur seconds the motion.

- i. Reams Aye
- ii. Greene Aye
- iii. Reed Abstain
- iv. Harkness No
- v. Arthur Aye

Resolution is adopted.

2. Approve recommendation of Finance Committee to fund wage increases for Full-time and Limited Term employees in order to promote “*Staff Retention*” beginning with Pay Period 04 (check date: 2/23/2018).
  - a. VP Greene would like to amend the amount of *Retention Increases* to be considered to \$4/hour for current full-time employees and \$1/hour for current LTE’s. He can’t spend the District into a deficit while he’s on the Board.
  - b. Robert Sinetos read a prepared statement **ATTACHMENT 3**. He also recommended that the Board approve raises of \$5/hour for current full-time employees and \$2/hour for current LTE’s in accordance with the recommendation agreed to by the Finance Committee.
  - c. Chief Kushen stated that the Board should offer the biggest bone they can to try and help with staff retention.
  - d. Retired Chief Gow believes the reserves should sustain the \$5/\$2 scenario.
  - e. Director Harkness still wants 4/0 staffing with both stations open when possible.
  - f. General discussion between the Board and the audience took place.
  - g. Director Arthur made a motion to accept the recommendation of the Finance Committee and authorize a \$5/hour increase for all current full time employees and a \$2/hour increase for all LTE’s effective PP 04 (check date: 2/23/2018). Director Reed seconds the motion.
  - h. Motion carries unanimously.
3. Direct Chief Kushen to prepare a *Volunteer Recruitment* flyer and give President Reams the authority to approve the flyer prior to posting.
  - a. VP Greene made a motion to direct Chief Kushen to create a Volunteer Recruitment Flyer and then sit down with VP Greene and President Reams to discuss it prior to posting it. Director Reed seconds the motion.
  - b. Motion carries unanimously.

**Discussion Items:**

1. Mandatory Policy
  - a. Chief Kushen stated that the purpose of the policy is to ensure that we always have at least 2 personnel on duty at all times. Chief has spoken to the Union President and the Firefighters who are in favor of this policy.
2. On-Call Policy
  - a. This policy is intended to maintain 2/0 staffing in the case of the ambulance transporting. A qualified employee that resides within the fire district would be paid a portion of their hourly wage to be on-call from their home. If the ambulance transports with 2 on board the on-call employee would come on duty until the transporting crew returns. The on-call employee would change to their normal hourly rate at the time they are dispatched to report for duty.
  - b. VP Greene asked what will determine when you will have an on-call employee.
    - i. Chief Kushen reported that this detail is yet to be determined.

3. Consider and discuss a general tax measure to generate sustainable revenue in the FFPD.
  - a. The audience was supportive of placing a tax measure on the November general election ballot.
  - b. Director Harkness asked President Reams how much would be asked for.
    - i. President Reams stated that the Finance Committee will need to meet to come up with an amount needed to sustain the fire district. A recommendation would then be brought to the full board for approval.

**Reports:**

1. Finance Committee (Reams/Greene)
  - a. None
2. MOU Negotiations (Arthur/Harkness)
  - a. None
3. Bureau of Reclamation Funding:
  - a. Director Reed reported that a letter was received from BOR indicating that no funding for Foresthill Fire is available at this time. **ATTACHMENT 4.**
4. Long Range Plan Committee
  - a. None
5. Consolidation Process
  - a. Retired Chief Gow reported that the report that was sent to the Board of Supervisors is now available to the public.
6. Firefighter's Association:
  - a. "Fill the Boot" is scheduled for the end of February.
7. Foresthill & Iowa Hill Fire Safe Council Report:
  - a. None
8. Director's Reports:
  - a. None

**Correspondence:**

- Letter from John Michelini dated 1/31/18, re: Public Records Request – Fire District Response.
  - Copies were made available to the public. **ATTACHMENT 5.**

**Old Business:**

- None

**Public Comment:**

- None

Meeting adjourned by President Reams at 9:45 p.m.

**NEXT REGULAR MEETING: THURSDAY, MARCH 8, 2018 6:00 P.M.**

Respectfully Submitted:



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Patrice Metz, Board Secretary

# ATTACHMENT 1

## Action item:

To clarify the issues surrounding the attempt to procure funding from the Bureau of Reclamation, and consider a sanction to board members involved if they acted improperly.

## History:

At the outset the reason to get financial funding for the district was a good one, the District has serious financial issues.

Gene Lorance has stated several times that he was sure that money could be procured from the Bureau of Reclamation (here to for BOR), and that the fire Board was incompetent in how it ran the district. He made this claim several times. Because I don't want to leave any stone unturned I called the BOR. I was advised that there is "no funding mechanism to pay us even though you are delivering service to the BOR". I was advised that they fund Cal Fire and State Parks" to take care of the area. Captain Johnson also called and got a similar answer. In a meeting Gene insisted that there was money to be gotten at the BOR. Gene said that he did not have the District provided data that he needed. He was asked what he needed to make an effort to get money for the district. He was told that he should contact Chief Gow and he would be provided the information necessary. Captain Johnson and administrator Mets got hem the information he requested. A. Because the information was gathered and provided by labor that was paid for by the District, the Board has the responsibility to be able to explain to the public every penny spent. We found out that Director Reed was helping Gene with the project. Gene Lorance and Walter Reed were not forthcoming about how they were going to use the information that cost the District, leaving the Board with the inability to answer to the

public. Nothing happened for several months. The project was even put on the permanent discussion list on the monthly Board meeting agenda. Each month for a long time we were told that it was a work in progress. Later we were told that they were working with some others that had information on how to deal with BOR.

On October 3<sup>rd</sup> Gene took a copy of the document, and made a presentation to the Placer County Board of Supervisors. A video of that meeting is available at the Placer County Board of Supervisors web site. Gene held up the request. It is obvious that the front page of the request is the letter head of the Foresthill Fire Protection District. That means that he was speaking for the Board of Directors. The Board did not give him permission to speak for the Board of Directors, nor use the letterhead of the board, which makes him in violation of the Bylaws of the District section 7.4a. "Whenever a Board member, the Fire Chief or Foresthill Fire Protection District personnel make a statement publicly regarding and matter in which the District may be directly involved, he shall make a specific disclaimer that he is speaking as an individual, unless: 1. he has been previously been authorized to speak for the board on that particular matter ETC. When we found out that Gene had given a copy to the Placer County Board of Supervisors, we asked to see a copy of the document. They both refused to allow us to see it, indicating saying it would compromise the project. After the Board meeting in December Mr. Michelini gave us a Public Information Act request to see the project. We made several requests for the information to no avail. Finally Gene went to the Fire District office and gave Administrator Metz a copy of what appeared to be the project document. It used the Board of Directors letterhead and contained a short paragraph and had attached a large number of information

provided by the district, but no narrative (13pages). It was obviously not the full document. The document was signed by both Gene Lorance and Director Reed. Mr. Michelini was given a copy of the document. Seen here as exhibit 1.

Mr. Michelini then filed a Public Information Act request to the County. The County complied and provided him with a copy of the document that Gene Lorance submitted to them when he gave his speech. Mr. Michelini received the document from the county and informed the Board President of the discrepancies he noted. A copy was given to the District.

Upon examination several issues arise.

1. The document was faced by a Board of Directors letterhead that neither Mr. Reed nor Mr. Lorance had permission from the board to use. Again in violation of District Bylaws 7.4a.
2. The paragraph on the letterhead page that Gene Lorance turned in to the District as a copy of the document in question is entirely different than the one that the County received, and is signed by Director Reed and Gene Lorance. In addition there are at least 6 pages of narrative that were left out of the copy turned into the district. That means that this was a deliberate attempt to turn in a false document to the District that is a government agency. Because we have to file all Freedom of Information Act results, it appears that Section 115 of the Penal Code states (a) Every person who knowingly procures or offers any false or forged instrument to be filed, registered, or recorded in any public office within the state, which instrument, if genuine might be filed,

registered, or recorded under any law of this state or of the United States, is guilty of a felony.

3. Throughout the report the document refers to the Board of Directors and “Foresthill Fire District” and again that is in violation of 7.4a again because it was done without the express permission of the board.
4. In addition: The authority to bind the District comes only by board approval. So this is a violation of Bylaw 7.1a.
5. Continuing, All Contracts, deeds and other Document must be authorized by the Board, making this document a violation of section 7.2a of the Bylaws.
6. The report refers to serving the “42,000 acres” with fire and ambulances. This area that starts in Auburn and moves up the watershed. Cal Fire has an **SRA** requirement for that area, and BOR pays for it. In addition no service can be rendered except mutual aid in areas outside of the District.
7. Because of the above conduct I therefore ask the Board of Directors that Director Walter Reed be sanctioned by a letter that states his conduct in the matter and admonished him to stop this behavior.

## ATTACHMENT 2

I have served on board longer than any other of the current members of this board. To my knowledge, never has a member of this board been publicly censored. It is against the norms and traditions of this board. When I first came on this board I was privately chewed out for some of my opinions. The board even had a closed session, where the only subject of discussion was determining my personal agenda. Which action, even I, a complete novice, knew was completely illegal, according to the Brown Act. But a board member never been publicly censored, what ever that even means, until now.

If the majority of this board breaks with the traditions and practices of other boards in the past and censors Walt Reed for just doing his job, then it setting a precedent of discord and dissension that will come back and bite them. Several meeting back, I was admonished for not working with the other members of this board toward a common goal. I took that admonishment to heart. This action item is precisely what not working toward a common purpose looks like.

Director Harkness  
Statement @ 2/8/18  
Board mtg.  
Re: Action Item #1

# ATTACHMENT 3

My name is Robert Sinetos and I live at 6121 Emerson lane. In my opinion the board has acted inappropriate in several ways. In my opinion the actions of this board have caused a negative outcome to last year's elections by spreading misinformation to the community in person, local publications, other government agencies and social media. This has been primarily due to action by several board members acting independently, while others are fighting and striving to make the fire service in Placer County streamlined and beneficial to the public and employees. What I have described is not team work or unity. Unity of the board is paramount to the districts success. I have mentioned this in past meetings and it seems it has fallen on deaf ears. Now you are experiencing a mass exodus of employees this month. Still we have done nothing. Last meeting was a waste of time in my opinion. The first hour was spent explaining the difference between an EMT and a Paramedic, and how the days of volunteer fire departments is not a reliable source for emergency services. Then the board gave the Fire Chief the authority to close a station, the authority he already had and has implemented. So we accomplished nothing. I use examples to explain things in subjects that I am familiar with so please follow along. When the human body sustains an injury that causes severe hemorrhage, the body will shunt its blood supply to the core to keep vital organs perfused to sustain life. We are hemorrhaging and have been for years. So why haven't we shunted our blood supply to the core? Like shutting down a fire station after the failed measure to save money and help with retaining employees. The Fire Chief suggested this action immediately after the failed measure and it was rejected by the board. The Fire Chief has many years of experience running a fire department so let him do his job. Last time I checked none of you have any experience being a Fire Chief or running a fire department. LET HIM DO HIS JOB! As for the station closure it would have saved 20-30,000 dollars a year. That's a lot for a district that doesn't think it will survive for more than 12-18 months. Again my opinion, if you have volunteered to be on this board for popularity, community status, bragging rights then it's time to dig deep down inside and think long and hard and ask yourself if this is the right thing for you. Because from this side of the table it is clear that this Board needs ALL MEMBERS to participate and bring positive and sustainable ideas to the table. We have a lot of other community groups you can volunteers for in this town if status is your main objective. The unfortunate thing is your "slander, discrediting and arguing" that is projected into the public does nothing for the growth of the district and well being of the employees. I strongly urge you to step down and allow someone who is willing to work as a team and put community and the employees first to fill this important position.



## United States Department of the Interior

BUREAU OF RECLAMATION  
Mid-Pacific Region  
Central California Area Office  
7794 Folsom Dam Road  
Folsom, CA 95630-1799

IN REPLY REFER TO:

CC-412  
ENV-11.00

FE3 -7 2018

Mr. Chris Reams  
Board President, Foresthill Fire District  
24320 Main Street  
Foresthill, California 95631

Subject: Foresthill Fire District Letter Dated September 18, 2017 With Attached Report, From  
Walter Reed and Gene Lorance

Dear Mr. Reams:

I am responding to your September 18, 2017 letter and its attached report about funding from the Bureau of Reclamation. The Foresthill Fire District (District) report provides information concerning services rendered within the District. The District "would like to propose a \$500,000 yearly budget...." to perform its emergency and fire duties on public lands managed by the California Department of Parks and Recreation (State Parks).

Reclamation is responsible for the stewardship of about 30,000 acres of lands within the Auburn-Folsom South Unit, American River Division, and Central Valley Project, commonly referred to as the Auburn Project Lands (APL). This total includes some public land of the Bureau of Land Management under a 1980 agreement for management by Reclamation through State Parks. The U.S. Department of Agriculture and National Forest (USFS) lands remain under management by the USFS until such time as a reservoir is developed.

State Parks and Reclamation entered into an updated Managing Partner Agreement in 2012 for the administration, operation, maintenance, and development of recreation uses and facilities within the Auburn State Recreation Area (ASRA) portion of APL. State Parks continued its responsibilities for providing visitor services, law enforcement, emergency services, recreation facility maintenance, management of recreation and public use, and other services, as it has since 1978. State Parks determines the appropriate services, and corresponding staffing levels, are consistent with available funding. Please note that boundaries of ASRA have been corrected to exclude areas of private lands that had formerly been included as within a nominal 'take line' for a reservoir project.

Nearer to Auburn, Reclamation also has an agreement with the Auburn Area Recreation and Park Department (aka Auburn Recreation District, or ARD) for other public lands, as well as separate agreements for lands occupied by Placer County Water Agency and Cool Cave Quarry. Each agreement specifies the nature of management activity for the respective lands.

Subject: Foresthill Fire District Letter With Report From Walter Reed and Gene Lorange 2

Reclamation constructed the Sugar Pine Dam and Reservoir, originally part of the Auburn-Folsom South Unit, and transferred it in fee title to Foresthill Public Utility District in 2003, so it is no longer part of the APL. These provisions greatly benefit the Foresthill Divide community as well as various local agencies.

The District covers about 5,909 acres of APL (including about 4,221 acres acquired parcels and about 1,688 acres withdrawn lands) along the Foresthill Divide, generally between the North and Middle Forks of the American River west of Foresthill, east of Maine Bar and Drivers Flat. The community of Foresthill is fully outside of ASRA and APL.

The ASRA lands remain under the 1992 Interim Resources Management Plan (IRMP) until it may be superseded by a new General Plan/Resource Management Plan (GP/RMP) scheduled for completion in 2019. The 1992 IRMP specifically intended not to encourage recreation in the APL. Provisions of the GP/RMP are necessarily still in the planning stages. Meanwhile, please provide any comments you may have as scoping and review opportunities occur in this planning process.

Reclamation appreciates all of your work to respond to emergency calls within the local areas, as well as your communications with our office. However, due to the agreements with State Parks and ARD, Reclamation is not able to provide funding directly to the Foresthill Fire Protection District at this time.

If you have any questions, please contact Ms. Elizabeth Dyer at 916-537-7061 or e-mail [elizabethdyer@usbr.gov](mailto:elizabethdyer@usbr.gov).

Sincerely,

A handwritten signature in black ink, consisting of several loops and a trailing line, representing Drew F. Lessard.

Drew F. Lessard  
Area Manager

cc: Mr. Gene Lorange  
5036 Cold Springs Drive  
Foresthill, California 95631

# ATTACHMENT 5

John and Theresa Michelini  
6149 Green Ridge Drive  
Foresthill, CA 95631  
(916) 425-0658  
Jtac4@ymail.com

John Michelini  
6149 Green Ridge Drive  
Foresthill, CA 95631

January 31, 2018

Board of Directors  
Foresthill Fire District  
14320 Main Street  
Foresthill, CA 95631

RE: Public Records Request - Fire District Response

Members of the Board,

On December 18, 2017, I submitted a Public Records Act (PRA) request to the Foresthill Fire District seeking a copy of the report filed on October 3, 2017, with Placer County Board of Supervisors during opening public comment by community member Gene Lorange, on behalf of Foresthill Fire District Board Member Walter Reed. The report, on Foresthill Fire District letterhead is described as a financial report regarding the Bureau of Reclamation and the Foresthill Fire District.

In addition, on January 4, 2018, I sent a Public Records Act request to Placer County seeking a copy of the same report as filed with the County of Placer.

On January 3, 2018, the **Foresthill Fire District responded to my PRA with a 15-page document**. The document on Fire District letterhead and signed by Director Reed and Gene Lorange is addressed to the "Auburn Board of Supervisors". In addition to the cover letter, the document consists of a single page internal District memorandum regarding EMS program expenses, six pages of EMS supply information, a five-page equipment condition report, and a single page Placer County Fire Services map.

On January 17, 2018, the **County of Placer responded to my PRA with a 32-page document**. The document provided by Placer County had two cover letters the first addressed to the United States Bureau of Reclamation signed by Director Reed and Gene Lorange, the second cover letter is addressed to the "Auburn Board of Supervisors" and is also signed by Director Reed and Gene Lorange. **It is important to note that the cover letter addressed to the "Auburn Board of Supervisors" provided by Placer County differs in content than the cover letter provided to me by the Fire District.**

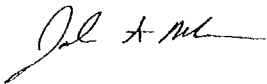
There are several other significant material omissions in the document provided by the Fire District when compared to the document provided by Placer County.

**Omissions:**

1. **Cover letter addressed to the United States Bureau of Reclamation signed by Director Reed and Gene Lorange.**
2. **Five pages of narrative titled FORESTHILL-GATEWAY TO THE SIERRAS.** The narrative, electronically signed by Director Reed, is poorly written with numerous inaccuracies and extremely poor construction and grammar. **The narrative includes a \$500,000.00 proposal by the District to provide service and threatens to terminate emergency response into lands owned by the Bureau of Reclamation.**
3. Cover page from the Auburn State Recreation Area – Interim Resource Management Plan dated September 1992.
4. Cover page from the Auburn Interim Resource Management Plan
5. **Four pages titled RESPONSES INTO ASRA (ASRA is hand written on the document).** This section of the report lists responses by District resources to calls in the Tahoe National Forest for the years 2010 through 2016.

I am requesting that the Fire District investigate the cause for these discrepancies and respond in writing to my attention the District's findings.

Professionally Yours,



John Michelini  
Resident Foresthill, CA.