

**BOARD OF FIRE COMMISSIONERS, SIERRA FOREST FIRE
PROTECTION DISTRICT**

TUESDAY

4:00 P.M.

JANUARY 10, 2006

PRESENT:

Bob Larkin, Chairman
Bonnie Weber, Vice Chairman
Jim Galloway, Commissioner
David Humke, Commissioner
Pete Sferrazza, Commissioner

Amy Harvey, County Clerk
Michele Poché, Assistant County Manager
Melanie Foster, Legal Counsel
Tim Rochelle, Regional Forester

The Board met in regular session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada, and conducted the following business:

06-01SF AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the agenda for the January 10, 2006 meeting be approved.

06-02SF MINUTES

On motion by Commissioner Sferrazza, seconded by Commissioner Humke, which motion duly carried, Chairman Larkin ordered that the minutes of the regular meeting of October 11, 2005 be approved.

**06-03SF REPORT OF DISTRICT ACTIVITY – REVIEW OF CALL DATA –
FIRST TWO QUARTERS FY 2006**

Tim Rochelle, Regional Forester, reviewed the call data as provided in the memorandum dated December 21, 2005.

Upon recommendation of Tim Rochelle, Regional Forester, on motion by Commissioner Humke, seconded by Commissioner Weber, which motion duly carried, Chairman Larkin ordered that the Report of District Activity, Review of Call Data, for the first two quarters of fiscal year 2006 be accepted.

06-04SF

**WILDLAND FIRE MANAGEMENT PROGRAM STATUS –
NEVADA DIVISION OF FORESTRY**

Michael Klug, Fire Management Officer, discussed the Nevada Division of Forestry (NDF) Western Region Wildland Fire Management 2005 Accomplishment Report. He said there had been concern about the increased fire potential in the Valleys due to the record crop of cheatgrass per acre, which fortunately never happened. He said there was an increase in human caused fires in June, but aggressive interagency investigations appeared to have put a stop to them. He discussed staffing, the duties of the seasonal firefighters, and the projects being worked on by the resource management staff and the fire prevention crews. He said the volunteer fire departments were busy assisting their neighborhoods during the recent flooding. He commented on the assistance by hand crews brought in from around the State to help local governments control flooding.

Mr. Klug said the plan was to have a comprehensive Wildland Management Program where suppressing fires was one part of the program and the other dealt with fuels management, defensible space, community defense and public education. He commented it was an enormous undertaking that had a huge backlog of projects, which required cooperation with many agencies and individuals to accomplish.

Commissioner Galloway asked if anything could have been done to retard cheatgrass growth. Mr. Klug said products were being developed to suppress the cheatgrass, but applying it across the landscape would be very difficult. Commissioner Galloway asked if these products could be used to create firebreaks. Mr. Klug replied a currently available product was being looked at. He said perennial grasses were planted after a fire because they stayed green longer into the fire season.

06-05SF

FIRE SERVICE PLAN ALTERNATIVES

Tim Rochelle, Regional Forester, discussed the events leading up to today as outlined in the staff report dated December 20, 2005. He said the Nevada Division of Forestry (NDF) website had an outline of last year's Wildfire Management Program and the accomplishment report. During discussion of staffing vacant positions, he indicated 42 current personnel would be affected. He discussed the events culminating in Alternative Seven being selected as the preferred alternative and the City of Reno's decision to put the consolidation on hold for a minimum of one year.

Mr. Rochelle said the State, District and County staff had met to review the original 12 alternatives. He provided a brief synopsis of the options being presented to the Board as contained in the report dated December 20, 2005.

Mr. Rochelle introduced the members of the panel to the Board: Michael Klug, Fire Management Officer, Chris Ketring, NDF Firefighters Association Local 3895, Alex Kukulus, NDF Firefighters Association Local 3895 President, Mary Walker, Walker and Associates, Pete Anderson, State Forester, Allen Biaggi, Director of the

Department of Conservation and Natural Resources, and Paul Heffner, Washoe County Fire Services Coordinator.

Ms. Walker reiterated Options 2 and 3 were before the Board, and Option 2 was similar to a fire service option that had been looked at for years. It transferred Emergency Medical Service (EMS) and structural fire service to local government, while the State retained wildland fire service. She stated there had also been consideration on whether to include the wildland fire service, which was the preference of the Governor. She said analysis had begun but was not completed, because staff wanted direction from the Board.

Ms. Walker confirmed the City of Reno had requested postponement of the consolidation until next summer. She said the Board then directed staff to review other available fire service alternatives and to bring them back to the Board. She said the packet contained the culmination of the research, review analysis, and discussion of the alternatives. She stated agreement had been reached between the State, County, and City of Reno on the transfer of EMS and structural fire services to a local government. She stated Option 2 included concepts previously agreed to, except it did not transfer EMS and structural fire service operations to the City of Reno. Option 2 proposed transferring the operation of the EMS and structural fire service through an interlocal agreement between the State of Nevada, Sierra Forest Fire and Washoe County. She said this would allow the NRS 473 District to raise revenues through its tax district function, and it would enable the District to directly expend monies. She stated the District's Board of Directors would assume the authority and responsibility of managing the operations of the NRS 473 District for the EMS and structural fire services. She confirmed no employees would lose their jobs due to the implementation of Option 2, and it would provide volunteers with a higher level of support.

Ms. Walker said District finances were declining regardless of who managed it. She explained the decline was because of property tax abatement legislation and annexations. She said Option 2 would provide more control and accountability to the taxpayers, and it would make consolidation with another local government entity easier to implement.

Ms. Walker discussed the financial feasibility of Option 2 as contained in the memorandum to the Board dated December 19, 2005.

Ms. Walker said it was recommended the Board direct staff to move forward with the transfer of the District's EMS and structural fire services to County governance. She stated staff would come back before the Board with an implementation plan that included timelines.

Ms. Walker provided a general overview of Option 3 as contained in the memorandum to the Board dated December 19, 2005. She said it was recommended the Board direct staff to proceed with negotiations with the State of Nevada regarding the potential transfer of wildland fire service to a County operated NRS 473 Fire District.

Mr. Biaggi indicated the State preferred Option 3. He said the State had the criteria that it be revenue neutral, there would be no loss of jobs by NDF employees, and there would be no decrease in service levels. He stated timing was critical under Options 2 and 3. He said it was hoped the transfer could happen earlier than July 1 because that was the middle of the fire season. He recommended the Board direct staff to proceed with the negotiations.

Mr. Kukulus stated the NDF Firefighters Association Local 3895 supported Option 2, as long as there was no loss of jobs or decrease in service levels. He said they also supported early implementation.

Commissioner Sferrazza said he was concerned that the County's equipment be identified and returned to the County, and the Board should negotiate the labor contract before this was finalized. Ms. Walker clarified it was the District's revenue increases that would fall by one third. Commissioner Sferrazza said with those caveats he supported both options.

In response to Commissioner Galloway, Ms. Walker indicated the recommendation was to proceed with Option 2 and to continue negotiations regarding Option 3. Commissioner Galloway stated his concern with Option 3 was there might not be the money in the future to maintain everything the way it was currently. He said it needed to be determined if this Option was affordable.

In response to Commissioner Weber, Mr. Heffner stated he was halfway through the wildland fire risk analysis. He said he was looking at the cost of past fires, any cost sharing that occurred by multi-agency involvement, and any federal assistance provided through the Fire Management Assistance Grants Program. He said he did not yet have the data to provide what the future impact would be, but expected the analysis to be completed within a couple of weeks.

In response to Commissioner Humke, Ms. Walker said expenditures could only be budgeted solely within the limits of the new fire district; and she indicated negotiations would be subject to the District's ability to pay. She said no labor arbitrator would ever be able to access other County funds, and she discussed labor cost advantages and the benefits to employees of having a 473 District.

Commissioner Humke said it appeared there was an effort to freeze staff at current levels and transfer that level to the District. He asked if the level of staffing was adequate. Ms. Walker said NDF was looking at transitioning out of all risk and only handling the wildfire program long term. She said revenues were sufficient, especially if three man engine companies were used.

Mr. Biaggi said the State's criteria were not in statute, but were secured through the Governor's Office as conditions of transfer. He reiterated Option 3 was the State's choice.

In response to Commissioner Humke, Mr. Anderson said the wildland fire areas were a patchwork all over the County. Ms. Walker stated she believed the State's three criteria could be met. She said only the cost of wildland fires still needed to be looked at, and everything else was done.

Commissioner Sferrazza asked if money was owed to the District. Ms. Walker said a second audit was being done to look at the recommendations from the first audit, and all of the problems should be able to be rectified. She stated the auditors were unable to give an opinion yet on whether compensation was owed to the District. She said the auditors would look at that issue during the second audit, and it should be able to be resolved. Mr. Biaggi said he was not aware of any County equipment being used in other areas that needed to be returned. He stated he would check into it and rectify it if that was the case.

Commissioner Galloway reiterated his comments about service levels. He said he agreed with proceeding with Option 2, while continuing negotiations on Option 3.

Chairman Larkin asked if this was working towards a final solution. Ms. Walker replied the long-term solution was a merger with another fire department because there were economies of scale for doing that. Mr. Biaggi agreed this was viewed as a bridge towards consolidation with another agency. He said the consolidation needed to take place within the time frame indicated in which the financials were valid; otherwise, there would be a deficit and perhaps a service decrease. Ms. Walker said the best way to provide the service to the public must be considered, along with retaining the experienced firefighters; and she discussed pay inequities.

Katie Kenny, representative of the Arrow Creek Homeowners Association Board of Directors, read their Statement of Support for Option 2, which was placed on file with the Clerk.

Gary Schmidt, local resident, stated he was a victim of multiple jurisdictions during the Andrew Lane fire. He discussed his and his neighbors' losses and their interactions with law enforcement and firefighters during the Andrew Lane fire. He said this was a complicated issue and many hearings and much testimony were needed.

Jack Schwartz, local resident, said a Fire Safe Council was formed in the Andrew Lane area so the fire departments could become familiar with the area and with the residents that would require assistance in an emergency. He said the meetings would start in the spring.

Chairman Larkin asked if implementation of Option 2 while working on Option 3 precluded one another. Ms. Walker replied both would be worked on together. She said, because the wildland fire crews needed to be in place by mid-May or the first of June, there was a need to have the wildland fire option done sooner than the structural fire and EMS option. She said both options would be worked on at the same time, resulting in a final recommendation.

Commissioner Humke moved that Option 2 be adopted, that negotiations begin on Option 3 and that, if the resulting 473 District entered into negotiations with another fire service agency for a secondary consolidation, a best effort would be made to retain all volunteer firefighters and their equipment intact as part of the agreement. The motion was seconded by Commissioner Weber.

Commissioner Sferrazza asked if Mr. Biaggi would accept Option 2 while continuing Option 3 negotiations. Mr. Biaggi asked if his understating of the motion was correct. He believed it was not to implement and put into place Option 2, but to have Option 2 available while continuing to work on Option 3. He said they would come before this Board again in a couple of weeks with the final recommendation. Commissioner Humke agreed that was the motion's intent. He said Option 2 was done and ready to go, and that was a short-term negotiation in preparation of financials. He stated Ms. Walker had indicated she would immediately step into the Option 3 negotiations. He said the financial uncertainty was the rationale for the statement about the volunteers and the equipment, and he believed it was one way the County could protect itself.

Mr. Biaggi said the State would like to see Option 3 fully explored and evaluated before a final decision was made on either option.

Ms. Walker clarified Option 2 only dealt with EMS and structural fires, and Option 3 was to proceed with negotiations on wildland fires. She reiterated a total package could be brought back to the Board in the next three to four weeks.

Commissioner Galloway said the two Options were not incompatible.

Mr. Biaggi reiterated the State had concerns with Option 2, and he felt it was an all or nothing proposition from the State's standpoint. He said it gave something away from the State's perspective, while the State retained liability. He stated he had concerns with the proposed motion. He asked that the Option 3 evaluation proceed, bringing back, in short order, a recommendation for the desired option.

In response to Commissioner Galloway, Mr. Biaggi replied the motion left the State with certain liabilities that the State was very concerned about. Mr. Galloway said he was not convinced the County could take on the liability because it was smaller than the State.

In response to Commissioner Sferrazza, Commissioner Humke said the intent of the motion regarding Option 2 was as follows: The Board did not have a set of contract documents, including budget documents, before it that the two sides would have to agree on. He said it was the intent to move forward as quickly as possible regarding Option 2, while simultaneously considering Option 3. He commented he was hearing misgivings about Option 3 and that the State wanted a complete package. He stated the Board wanted assurances that the options could happen from a budgetary standpoint under the resulting 473 District. He said his questions were to seek those assurances.

Ms. Walker said going forward with Option 2, along with a recommendation to proceed with implementation, gave direction to get implementation measures and timelines and to come back to the Board. She stated without that there was no direction to do anything. She contended the same answers would be reached, only in two steps. She said the Governor's direction regarding wildland fires just happened a few weeks ago. She stated a recommendation could not be made today to go with the wildland fire option, because due diligence was not completed. She felt the motion was appropriate to give direction to go forward and do the work before making a recommendation.

Mr. Biaggi stated it was a dual agreement that both the State and the County had to agree to. He said, if the State had that option to exercise if necessary, he was satisfied with the motion.

Commissioner Weber commented she agreed with the motion; but, with all due respect to the State, the Board was accountable to the citizens of Washoe County.

On a call for the vote, the motion passed unanimously.

PUBLIC COMMENT

Gary Schmidt, local resident, stated he was a victim of multiple jurisdictions during the Andrew Lane fire, and he explained the problems he encountered.

Juanita Cox, local resident, discussed the need for accountability in the Andrew Lane fire. She wondered if the hillside maintenance the residents requested could have prevented the recent flooding. She discussed her efforts to obtain papers on a past fire, and on the Bureau of Land Management's request to spray pesticides to kill weeds to aid in fire suppression in 17 states.

Katherine Snedigar, local resident, gave kudos to the volunteers of the Palomino Valley Volunteer Fire Department for saving her house. She commented on the plan to spray pesticides and what she felt needed to be done.

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There being no further business to come before the Board, the meeting adjourned.

ROBERT M. LARKIN, Chairman
Sierra Forest Fire Protection District

ATTEST:

AMY HARVEY, Washoe County Clerk
and Ex-Officio Clerk, Sierra Forest
Fire Protection District

*Minutes Prepared By
Jan Frazzetta
Deputy County Clerk*