

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

TUESDAY

4:15 P.M.

FEBRUARY 28, 2006

PRESENT:

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

Amy Harvey, County Clerk
Katy Singlaub, 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:

06-06SF AGENDA

In accordance with the Open Meeting Law, on motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Larkin ordered that the agenda for the February 28, 2006 meeting be approved.

06-07SF FIRE SERVICE PLAN ALTERNATIVES

Mary Walker, Walker and Associates, addressed the history of the consolidation, including its fiscal impact, as outlined in the memorandum dated February 16, 2006. She discussed the option by the County to take over wildland fire responsibilities as outlined in the Analysis and Discussion of Wildland Fire Financial Risk Sierra Forest Fire Protection District, revised February 16, 2006.

Ms. Walker said the updated recommendation and motion, as provided in the memorandum dated February 28, 2006, moved forward the implementation of transferring the District's emergency medical, structural fire, and wildland fire services on private lands to County governance. It also directed staff to continue negotiations with the State of Nevada on fire suppression services on State lands and to bring back to the Board the available options.

Alex Kukulus, Nevada Division of Forestry (NDF) Firefighters Association Local 3895 President, discussed the evolution of the District and the creation of the Department of Conservation and Natural Resources and NDF. He discussed the

District's boundaries, the three career stations, and the areas annexed by the City of Reno. He said most of the incidents responded to by NDF were recreational or highway related. He explained all risk fires meant they responded to residential and commercial structure fires, motor vehicle accidents and fires, all types of HAZMAT incidents, technical rope rescues, medical emergencies, and wildland fires. Mr. Kukulus described the nature of the responses, the vehicles and special rescue equipment used, and District and station staffing. He said District staff supported the direction it was headed, and they appreciated the Board's support. Mr. Kukulus' PowerPoint presentation was not placed on file with the Clerk.

Joe Reinhardt, NDF Battalion Chief, conducted a PowerPoint presentation on the history of the District's large fires, which was not placed on file with the Clerk. He stated all of the fires were within the District's boundaries, but not all of them occurred on private lands. Some were predominately on forest service lands. He discussed fuel types and said, because of their inaccessibility, past large fires shifted the fuel type from predominately heavy brush and timber to low brush and grasses. He stated the Forest Service and NDF had success with planting fire resistant grasses. Chief Reinhardt said recovery to the lands' natural vegetative state was long term because of the desert environment. He stated the greatest risk for a costly wildland fire was in the Galena, Joy Lake, and Peavine areas. He said a fire in the Galena and Joy Lake area would also impact the north end of west Washoe Valley.

4:48 p.m. Commissioner Weber temporarily left the meeting.

Chief Reinhardt said large fires had changed because 40 years ago there was a lot of open space with heavy fuels, poor access, and no water systems. He stated few resources were available, which delayed responses. He explained subdivisions with road systems provide access and water systems. He stated the District was less susceptible to catastrophic wildland fires because there was less private land in the District due to annexation and development. He said there was a greater depth of local resources through the Sierra Front Cooperators, aid agreements, and the five volunteer departments.

Chief Reinhardt discussed the changes in fuels and the work by the Fire Safe Councils, Homeowners Associations, and individual property owners to aid in fuel reduction. He discussed the way large fires had changed the way fuel reduction was done on SFFPD protected and adjacent Forest Service managed lands. He indicated there were more eyes to report fires because of the larger population, leading to quicker responses; and there were better fire awareness programs. He discussed aggressive fuels management and the target areas for fuels management.

Chief Reinhardt stated there were plans to resurrect a Division of Forestry program called Volunteers In Prevention (VIP). He said the volunteers would be trained in fuels management and would go out to promote fire safety within the District with homeowners associations and individual landowners. He stated the volunteers could also be used as support staff during fires. He said the District could get approximately 30

engines on scene within the first half hour through mutual aid. He stated 30 years ago they would have been lucky to obtain 30 engines within two days.

Chief Reinhardt said support for the Volunteer Fire Departments (VFD's) would be enhanced through contracts, training, and increased performance standards. He said it was intended capital improvements for equipment would be provided.

Allen Biaggi, Director of the Department of Conservation and Natural Resources, reiterated the criteria the State had regarding the transfer. He said the State had entered into a dialog with Ms. Walker regarding the costs of wildland fires on State lands and agreed to continue the discussions to see what could be worked out in the next few days.

Ed Ferro, Washoe County Volunteers Fire Association Officer and Washoe Valley Fire Department Chief, addressed the Commission on the reasons for the creation of the County managed 473 Fire District. He said it was not felt that the potential financial impact of a major wildland fire on the District was an insurmountable obstacle. He said, while NDF insisted the County take over all or nothing, the Association felt the wildland situation should be addressed through contracts or agreements with the Bureau of Land Management (BLM), the Forest Service, or NDF. He felt there was minimal wildland risk with existing and proposed annexation. He said it was also felt fire management assistant grants would still be available to the County-managed District with NDF support. He indicated the Association and its members fully supported the creation of the new District.

Stacey Leighton, spokeswoman for several families of SFFPD firefighters, said she could no longer watch their families be affected by this matter. She asked the Board to vote in favor of the new County District, so the firefighters' families could have some security and peace of mind regarding their future.

5:10 p.m. Commissioner Weber returned to the meeting.

Steven Perez, local resident, stated the responsibility for fire protection and medical aid services should be brought into the County. He addressed the State policies that left the District financially strapped and the Governor's directive to consolidate all of the fire protection efforts. He said creating the new District would accomplish all of the goals and would keep the fire tax dollars where they belong. He believed the Board had to take a stand for all of the County's residents and businesses and create the new District as soon as possible.

Kim Toulouse, local resident, addressed the options that had been discussed over the last several years and recommended the Commission proceed with the takeover of the District. He discussed his concerns regarding cost sharing and the utilization, funding, and equipment for the volunteer fire departments.

Lee Leighton, retired City of Sparks Fire Chief, said he supported the new District; and he encouraged the Commissioners to keep moving ahead with this issue.

Juanita Cox, local resident, stated ranchers and farmers used to be able to go out and put out fires, but the government had stopped citizens from going in and doing that.

Gary Schmidt, local resident, stated he was a victim of the Andrew Lane Fire and of illegal and grossly negligent responses to that fire. He said the Board should produce the investigation of the deficiencies and the illegal acts of government fire fighting agents, the Sheriff's Department, and the Highway Patrol during that fire. He said the Board was not qualified to act on this matter because it had dirty hands.

Commissioner Galloway said he understood why a reserve fund was needed. He asked if it would be possible to reduce it as it built up over time. Ms. Walker stated the reason for the annual appropriation was the annual reoccurring expenses for fires, which were between \$100,000 to \$200,000 a year on average. She said the amount was to make sure there was adequate coverage if the County took on the responsibility. She stated the money would go back into the operation of the District if it was not spent. Commissioner Galloway said he thought the contingency was above and beyond what was needed to fund normal operations. Ms. Walker replied the State has a normal District operating budget along with the State Emergency Reserve that funded emergency overtime and costs. She said the \$350,000 was to compensate for the loss of that fund. She said the \$750,000 was available in case there was a Waterfall type or catastrophic fire.

Ms. Walker said the State's directive was that there would be no decrease in the level of service caused by this transfer. She said there were annexation and other issues that the Board would have to deal with later, which could modify service levels.

Commissioner Galloway said the County was grappling with the City of Reno not providing additional service to the annexed areas. He stated this transfer was not causing the lack of service, but it was caused by the City of Reno not increasing its fire coverage.

In response to Chairman Larkin, Paul Heffner, Washoe County Fire Services Coordinator, replied he did not have an accurate number of how many private acres would come into the new District because of the transfer. He stated he was working with County staff to identify the total acreage involved. He said the ballpark would probably be less than 500,000 acres, but he would have that figure for the Board in a couple of days.

Chairman Larkin asked if there was anywhere else in the State that had a 473 District. Ms. Walker replied that this would be the first. She said there were many other fire districts that provided the same service under a 474 District. She said the

operations were exactly the same, but legally there was a difference. She said she had not talked to any other County about creating a district using this methodology.

Chairman Larkin said the County was custom fitting a fire protection district for the County and its residents to protect them and their property. Ms. Walker agreed.

Chairman Larkin asked if Ms. Walker's calculations indicated the County could take on fire suppression on State lands for \$200,000. Ms. Walker replied that was not figured into the calculations because she only found out about it a few weeks ago. She said that was why it was requested the Board move forward on the private lands, and the recommendation on State lands would be brought back to the Board. She stated the suggestion of a cost match for the volunteers was an excellent idea. She said, regarding specificity, a previously generated list of volunteer concerns was kept and included in the implementation measures. Ms. Walker stated she would be happy to meet with the volunteers to go through all of that. She indicated they budgeted about double over what NDF had budgeted for in the past on the operational side. She said \$50,000 was budgeted, and additional money should be put into capital outlay. She said the firefighters were committed to working with the volunteers.

Chairman Larkin asked if a final long-term solution would be brought back later in the year if the Board went forward with the interim program. Ms. Walker replied this needed to be put into place, and her financial projections indicated it would be four to five years before a decision would have to be made on other options.

Commissioner Weber stated this was a positive step forward that had been a long time coming. She said she was happy the County was taking this opportunity and moving forward with it. She was sorry the City of Reno did not want to join in. She indicated she did not support the County accepting the State lands right now, but it was important to take the private property and incorporate it into the motion. She commented that the cost match with the volunteers would be a great opportunity for everyone.

Commissioner Humke asked if Ms. Walker could comment on any follow on initiatives that might support the volunteers. Ms. Walker replied the team had talked about providing additional training, fixing problems to the repeaters, along with looking at grants for additional communication equipment. She said the team was looking at a real partnership with the volunteers, and the best thing to do would be to provide them with the tools and training to do the job. She said the volunteers had been very supportive of this effort, and everyone appreciated that.

Commissioner Humke asked if Ms. Walker had any indication of the timing of a two-stage process for the protection of the State lands if there was a motion today. Ms. Walker said time was running short for July 1st. She said she hoped to have it resolved with Mr. Biaggi in the next week and then immediately come back to the Board because there was a lot of work to do to get this going by July 1, 2006.

Commissioner Humke moved, seconded by Commissioner Weber, that staff be directed to proceed with the implementation of transferring the Sierra Forest Fire Protection District's emergency medical, structural fire, and wildland fire services on private lands to County governance through an Interlocal Agreement between the State of Nevada, Washoe County, and the Sierra Forest Fire Protection District on or before July 1, 2006. It was further ordered that staff be directed to continue negotiations with the State of Nevada regarding whether the State or the County operated 473 District would provide fire suppression services to State lands. The options available would be brought back to the Board. It was also ordered that there would be no loss of employment and no decrease in the level of service as a result of this transfer; however, other circumstances might require future modification to the level of service and the State be held revenue neutral to this biennium.

Commissioner Sferrazza asked, if the transfer was done, would the County be subject to Public Law 288 and collective bargaining. He indicated the projected budget showed relatively flat numbers in terms of salaries through fiscal year 2009/10. He said that would not equalize wages with the City of Reno Fire Department. He asked if discussions with the firefighters' representatives indicated that could be achieved or would the County face the possibility of negotiations that would result in a substantial increase in salary over that period.

Ms. Walker replied the fire personnel were between 25 to 40 percent below the salaries in the region. She said the firefighters would receive more than they would have under the State system, but would not get all the way up to the 25 to 40 percent. She stated they would get the best wages the District could offer.

Commissioner Sferrazza asked if there was an agreement to that effect. Ms. Walker replied the team would be negotiating a Letter of Understanding, which would be brought back to the Board, if directed to move forward. She said discussion had already started. She said one of the things being looked at was they currently receive 2.1 times for overtime, but they were willing to go down to the regular 1.5 times overtime rate. She said, in exchange, the savings would be used to increase their base wages.

In response to Commissioner Sferrazza, Ms. Walker replied there would be a labor contract that would meet the requirements of the project budget through 2010 if the Board voted today to approve the motion. She said the firefighters were working to keep the negotiated contract within the County's ability to pay, and they were more a part of the team than an entity across the table.

In response to Commissioner Sferrazza, Mr. Kukulus stated he concurred with Ms. Walker's presentation. He said they were aware of the District's ability to pay and were pursuing a modest increase. He said their major concern was working conditions rather than salaries.

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

COMMISSIONERS' AND STAFF'S COMMENTS

Commissioner Humke thanked the Nevada Division of Forestry for their cooperation during this entire consolidation process.

PUBLIC COMMENT

Kim Toulouse, local resident, discussed incentives that could be offered to volunteer firefighters. He said the County should look at retirement. He stated NRS 286.367 allowed volunteer firefighters to enroll into the Public Employee Benefits program. He said that would be an excellent incentive for volunteers and would encourage their participation.

Gary Schmidt, local resident, asked when this Board voted on reducing public comments on agenda items to two minutes. He said the last vote he recalled was for three minutes. He said maybe he missed it and it was an edict by King Chair Larkin, as he had royally proclaimed in other matters beyond his authority in the law or beyond the authority granted him by the various boards and commissions. He alleged the boards and commissions Chairman Larkin served on were the only ones in the State that did not allow three minutes for public comments. He addressed the attempt to reduce it to one minute and that speakers in Chairman Larkin's favor were regularly granted extra time.

5:42 p.m. Commissioner Weber temporarily left the meeting.

Katherine Snedigar, local resident, introduced herself and addressed the Board on freedom of speech. She said the Board had the duty to protect her property against development and other actions because of zoning changes.

5:44 p.m. Commissioner Weber returned to the meeting.

Juanita Cox, local resident, discussed the letter she addressed during public comment of the meeting of the Board of County Commissioners and her public records request.

* * * * *

There being no further business to come before the Board, the meeting adjourned at 5:45 p.m.

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*