



## West Plainfield Fire Protection District

24901 County Road 95, Davis, CA 95616

(530) 756-0212

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### BOARD OF COMMISSIONERS – REGULAR MEETING MARCH 19, 2024, at 7:00 PM

Held in Person at Lillard Hall  
24905 County Road 95  
Davis, CA 95616

Held by Zoom: <https://us06web.zoom.us/j/98831083439>

#### 1. Call the Meeting to Order and Establish Quorum (President McMullen)

The meeting was called to order at 7:00 PM by President McMullen.

Interim Board Clerk Rita called roll and confirmed that a quorum was present.

Present were:

Commissioners: James McMullen, Beth Stiles, Emily Amy, Warren Roos

Staff: Assistant Chief Dave Stiles, Fire Captain Patrick Fish, Firefighter and Volunteer Association President Jon Lee, and Hall Manager Ned Sykes

Via Zoom: Fire Captain Tom Stiles and Fire Chief Marcus Klinkhammer

#### 2. Public Comment

NONE

#### 3. Lillard Hall Manager Report (Manager Sykes)

Hall Manager Sykes reported that the parking lot had been graded and gravel delivered. He further reported that the last of the checks had cleared the Bank of America account and he would be closing it the following day.

#### 4. Weed Abatement Report (Firefighter Lee)

Firefighter Lee reported that the weed abatement postcards would be sent shortly. He further reported that he would begin inspection in early April, weather permitting.

#### 5. Old Business

##### a. Discussion / Action - Board Position on Supporting Legislation, Regulations, Codes, Standards, Etc (Chief Rita)

Chief Rita pointed out some upcoming Federal OSHA changes which were now in the comment period. Such changes, if passed as written, will have significant impacts on administrative processes and finances. It had been reported during a Zoom webinar that Chief Rita attended that there were at least 30 NFPA standards that were recommended to be adopted in whole and over 1,500 references to the words “may” and “shall” in those

standards, which would then become regulations that must be followed. One instance in particular would be the requirement to meet all the medical exam evaluation processes listed in the NFPA standard. Commissioner Stiles didn't see anything wrong with that as we should be concerned about the health of our members.

There was also further discussion about simply letting Associations to which the District belongs respond for the fire service on our behalf, whether we agree with those responses or not.

Both Commissioner Amy and Commissioner Stiles reiterated their concerns.

Motion: Board will consider certain legislation or regulations if they are brought to the Board for consideration  
By: Commissioner Amy  
Second By: Commissioner Roos  
Discussion: President McMullen enquired whether Commissioner Amy wanted to include codes and standards in the motion.

Motion Amended: To include codes and standards  
By: Commissioner Amy  
Second to Amendment: Commissioner Roos  
Discussion: Firefighter Lee asked what would happen if the Volunteer Firefighter Association did not agree with the Board's position on a matter. Commissioner Amy responded that this motion covers items that are not currently in effect but are being proposed by governmental or private entities. Fire Chief Rita replied that the Association, as an Association, would be able to submit its own public comment.

Motion and Amended Motion passed by the following vote:

Aye: Commissioners Amy, Roos, and McMullen.  
No: Commissioner Stiles.

**b. Discussion / Action – Withdraw from Take Command Services Agreement (Chief Rita)**

Chief Rita reported that she had reviewed the contract provisions regarding our obligations and ability to terminate under the current contract. We can terminate at any time without penalty. She further reported that she had done further research on the IRS web page and we need to have several documents in place: (i) a reimbursement form, (ii) notice to employees regarding the plan, and (iii) a plan document. The IRS publication regarding the notice to employees has a sample notice and the reimbursement form does not require anything special. The plan document is the one document that the District will need to find someone to prepare. Chief Rita noted that there are several companies that can prepare one for us and she will

research the cost. In the meantime, because of the plan document requirement, we need to continue with the Take Command Services Agreement for now. She will provide an update at the April Board meeting.

Commissioner Stiles asked about the two employees who were terminating and whether we had set up their retiree accounts yet. Chief Rita reported that she had not yet done so. It may be that they can continue with the current plan since they have not completely separated from the Department, as both are staying on as On-Call Driver/Operators.

Consensus to table until next meeting.

**c. Discussion / Action – Adopt Policies (Chief Rita)**

**i. Policy 205 – Liability Claims (new)**

This is back because Commissioner Amy had asked whether the Board should have a separate policy since this was written referencing only the Department.

Chief Rita reported that County Counsel had reviewed it and indicated that we should have one policy manual that provides policy for both the District and the Department. Therefore, the policies can, and should where appropriate, be written to cover both the District and the Department. Chief Rita did revise the draft to include specific references to both the District and the Department.

Motion: To approve Policy 205 as modified in the current draft provided to the Board

By: Commissioner Amy

Second By: Commissioner Stiles

Discussion: No further

Motion passed unanimously.

**ii. Policy 1202 – Committees (new)**

This is back on the Agenda so that the full Board can review it.

Commissioner Amy noted that 1202.4 specifically mentions the Board President is required to be appointed to at least one committee. She wondered if instead it should state that all Board members are required to accept at least one committee assignment. Commissioner Roos asked about the language in Section 1202.1 regarding technical advisors. Commissioner Amy advised that staff were the technical advisors. While she noted that the language as drafted was a result of the Board President having never served on a committee since she'd been on the Board, Commissioner Stiles did not have a problem with rewording Section 1202.4 as suggested by Commissioner Amy.

*Commissioner*

Chair Amy recommended that section 1202.4 be changed from referencing that the Board President must serve to require that all Board members shall serve on at least one committee, recommending that the language be changed to: “All board members shall serve as committee members” and then anywhere it says “President” it should reference all Board members. President McMullen asked if we need to keep the “due to the size” language. Commissioner Amy believed we should keep it as it is the reason all members should serve.

Chief Rita suggested the following change to the entire Section 1202.4:

**“1202.4 BOARD MEMBERS AS COMMITTEE MEMBERS**

“Due to the size of the West Plainfield Fire Protection District Board of Fire Commissioners, all Board members shall accept at least one Committee assignment each year.”

Motion: Adopt Policy 1202 as modified by Chief Rita’s suggested revisions to Section 1202.4  
By: Commissioner Amy  
Second By: Commissioner Stiles  
Discussion: No further  
Motion passed unanimously.

**6. New Business**

**a. Discussion / Action – Adopt Policies and Procedures (Chief Rita)**

**i. Policy 1201 – Meetings (revised)**

Commissioner Amy asked for additional time to review this Policy and compare it to those adopted by other similar agencies. For instance, she suggested making the public comment time 5 minutes. Commissioner Roos asked about the strikeout regarding flexibility concerning Roberts Rules. He wondered if we should do away with Roberts Rules and make it less formal and whether we would be outside the law to consider it. Chief Rita replied that when she asked Yolo County Counsel for samples, she was given California Special Districts (CSD) documents as templates. This policy is drafted from those documents. Chief Rita reported that she had modified the CSD template to include references to Roberts Rules as our current policies include it.

Commissioner Roos also asked about why not voting is considered to have voted “yes.” The only valid reason for not voting on a matter before the Board is a declared conflict of interest for reasons set forth

by law. In the absence of a properly declared conflict of interest, all members must vote.

Chief Rita requested that if any Board member has changes they want to have considered at the next meeting they please provide them to Interim Clerk Rita for inclusion in the next draft.

By consensus, this item is moved to the next meeting.

**ii. Procedure 1004 – Background Investigation and Medical Evaluation or Re-Evaluation (new)**

Commissioner Amy asked if we do annual re-evaluations. Chief Rita replied we do not unless a member is injured and a re-evaluation is required before they resume duties. Assistant Chief Stiles pointed out that an annual physical had discovered a major health issue for one of his colleagues at UC Davis Fire when he had worked there. Commissioner Amy indicated that she brought it up because at a recent training she had taken many departments do require an annual re-evaluation as they catch issues early. Chief Rita agreed it is something we should consider. Commissioner Stiles likes the idea and we should also consider mental health evaluations; after all, the ultimate goal is to ensure our members retire healthy.

Commissioner McMullen requested the source of the language. Chief Rita replied that she drafted it as she did not find it in any of the source template documents. Commissioner McMullen reported he had heard of firefighters at other departments being afraid of losing their jobs after something is found.

Assistant Chief Stiles stated that at UC Davis they do annual re-evaluations for the HazMat team members and the year before he left they started annual screening on all personnel for several different diseases. He knows that those screenings caught at least one cancer early. Finally, he noted that, while it would be unfortunate for a member to discover they are no longer physically fit, the benefit of catching health issues early is important.

Commissioner Amy noted that at her recent training there was mention of other departments developing a one-year plan for those individuals who are discovered to have a health issue affecting their ability to serve and so we would not just terminate someone without first attempting to provide the rehabilitation needed for that individual to fully resume their duties. She will reach out to Chief Tubbs at South Marin Fire and find out more about the program.

President McMullen asked if we should table this item until we get more information. Chief Rita requested this draft procedure be adopted as it represents our current procedures regarding medical

evaluations. Commissioner Stiles asked why we needed to adopt this procedure now as we have procedures and policies in place already. Chief Rita replied we have unwritten procedures regarding the medical evaluations and re-evaluations and need a new written procedure regarding what, at a minimum, needs to occur for the background investigations we perform, including the safeguards required by the Departments of Justice when using the LiveScan program. Assistant Chief Stiles noted that Chief Rita was simply requesting we adopt in writing steps we are currently taking regarding medical evaluations. President McMullen and Assistant Chief Stiles noted we can update the medical portions later as we determine what changes we want to make.

Motion: Adopt Procedure 1004 – Background Investigation and Medical Evaluation or Re-Evaluation as presented  
Motion by: Commissioner Stiles  
Seconded by: Commissioner Roos  
Discussion: No further discussion  
Motion approved unanimously.

**b. Discussion / Action – Revise References to EMR/CPR/AED in Policy 1003 – Position Descriptions (including its resource documents) - from EMR/CPR/AED to FA/CPR/AED (Chief Rita)**

Motion: Revise references to EMR/CPR/AED in Policy 1003, including its resource documents, from EMR/CPR/AED to FA/CPR/AED  
Motion by: Commissioner Amy  
Seconded by: Commissioner Roos  
Discussion: None  
Motion approved unanimously.

**c. Discussion / Action – Standing Committee – Reports**

**i. Lillard Hall Committee – Amy, Roos**

Before getting into the Agenda items, Commissioner Amy asked if Hall Manager Sykes needs to attend every Board meeting. She pointed out that he provides written financial and rental reports and rarely has an update that is not covered in Lillard Hall Committee meeting minutes or that she cannot report on herself. By consensus it was decided that Hall Manager Sykes need not attend every Board meeting. Commissioner Amy will notify him.

**1. Discussion / Action – Adopt Lillard Hall Budget (Chair Amy)**

The Committee had previously adopted the draft budget and the Board needs to adopt it as it is a District asset.

Motion: Adopt Lillard Hall Budget: \$23,757.00 total income/use of assets (revenue) and \$23,757 total liabilities (appropriations)  
Motion by: Commissioner Amy  
Seconded by: Commissioner Stiles  
Discussion: Commissioner Roos asked about the priority of the capital projects as he thought the roof repair was the top priority. Commissioner Amy noted that the items listed under that heading are not listed in priority. Captain Fish asked about the amounts shown for liabilities for Hall internet. Commissioner Amy replied that the amounts are listed as those being due during the fiscal year and that category had been adjusted accordingly.  
Motion approved unanimously.

**2. Discussion / Action – Approve February 14, 2024, Meeting Minutes**

Motion: Approve February 14, 2024, meeting minutes as presented  
Motion by: Commissioner Amy  
Seconded by: Commissioner Roos  
Discussion: None  
Motion approved unanimously.

**ii. Budget and Benefits Committee – Stiles, Roos (no meeting)**

Commissioner Stiles reported one was scheduled in April. Commissioner Amy asked if our finances get audited annually as she has never seen one. If so, are they GASB? Chief Rita replied that the County audits their budgets annually and ours is part of that audit; the County is governed by, and audits meet, GASB requirements. Commissioner Amy asked if the Board could receive a copy of the report, not necessarily for last fiscal year, but certain when the audit for the current fiscal year is completed. Chief Rita will provide a copy to everyone once the next audit is completed.

**iii. Personnel Committee – Amy, Roos (no meeting)**

Hall Manager and Fire Chief are due for evaluation. For the Fire Chief review the Committee is to solicit input from members. Chair Amy noted she had received a template from the City of Davis, but it did not seem to apply to firefighters. She will make some modifications for our use. Commissioner Amy asked to whom she should send the solicitation. By consensus it was agreed that it should be sent to all Department members and all Commissioners.

**d. Discussion / Action – Liaison Reports**

**i. Fire Prevention / Investigation – McMullen**

Assistant Chief Stiles reported that he and Chief Rita are exploring joining the Sacramento-Sierra Regional Arson Investigators Task Force. The dues are \$100 per year. It provides services similar to the program developed by the Yolo County Fire Chiefs Association and will expand access to resources, particularly fire investigators and training. He noted that though we do have the County program, it struggles to maintain trained personnel.

Commissioner McMullen asked if there was any obligation for our Department to provide members to the Sacramento-Sierra Regional Arson Investigators Task Force. Assistant Chief Stiles replied no, though if we have any members that do want to become investigators for that group tasks they are free to do so.

Chair McMullen asked if we needed to agree by consensus. Commissioner Amy replied that, as it was an operational matter, staff should be left to take care of it. AC Stiles and Chief Rita will make the final determination.

**ii. Large Equipment / Facilities – McMullen**

Assistant Chief Stiles reported that E330 is out-of-service due to several leaks that should have been repaired prior to delivery but were not. He is working with Brindlee Mountain and 505 Trucking to get them fixed.

**iii. Discussion / Action – Duties of and Continued Need for Liaisons (All)**

Commissioner Stiles noted this was briefly discussed at the last Board meeting and is back for final resolution. She noted that we rarely have reports under this item or that, when given, a staff member gives the report. Commissioner Amy believes we should move these items to other section reports.

Commissioner Amy questioned whether we need to have Liaison reports, or Committees with no reports, on the Agenda at all unless there is something to report. Removing these reports will shorten the meetings. If a Commissioner or staff member wants something on the Agenda, they can forward a request to the Board Clerk. If a Board member has questions about something not on the Agenda they can address those items during Open Forum.

It was agreed, by consensus, to (a) remove “reports,” whether by Committee or staff, from the Agenda unless an item is specifically provided to the Board Clerk for inclusion, and (b) discontinue the use of these Liaison positions.



**7. Fire Chief's Report (Chief Rita)**

**a. Staffing**

Chief Rita reported that the latest on-call driver/operator hire was separated during the probationary period. She reported that one of the Reserves has moved to Southern California, leaving two active and one application pending. She further reported that two of the career firefighters had given notice – one going to CalFire, the other into the private sector. Due to the timing of the first notice and knowing that the second notice was coming, she went to the list to fill the first position. For the second position and since we did have the first position filled already at that point, she sent an email to all members soliciting interest in being considered for the open firefighter career position; which notice period ended at 5:00 PM that day. Having received no responses to that solicitation, Chief Rita indicated she will go back to the list to fill the second position.

**b. JOA**

The JOA chiefs have begun working on a strategic plan, with one, three and five-year goals. One of the first-year goals is for all the partners to have completed the preparation and adoption of those policies LAFCO had identified as being missing or inadequate for each partner's District. Chief Rita has received templates from LAFCO and YCPARMIA. When completed the JOA strategic plan will be presented to the Winters City Manager and the District Boards for consideration and input.

**c. Tablet Command**

Captain Fish reported he had been working on this since late 2021. Most of the fire agencies in Yolo County will be participating. Yolo OES will contract with Tablet Command and, at least, the first year will be paid for by the County; all participating Districts are requested to provide funding in their ongoing budgets to cover the future costs, if necessary; in our case, worst-case scenario would be \$5,467. T-Mobile will be providing free iPads and reduced data rates; we will be replacing the iPads in all the apparatus. The Board thanked Captain Fish for all his hard work on the matter. By consensus it was agreed we should participate.

**d. Other Items Not Otherwise Addressed Elsewhere During Meeting**

Chief Rita reported that we have heard from the FBI and California DOJ and our LiveScan program is operational. The fee schedule for printing on the DOJ website is outdated, so we won't know what the fee is until our first LiveScan, which will occur soon.

Chief Rita reported that she was about done with the scanning project. There are at least a dozen boxes to be shredded. However, she noted that retired Commissioner Yeager had expressed interest in going through them and other media as the District "historian." After some discussion and by consensus it was agreed that Jim Yeager be designated as the District Historian. Chief Rita noted that we should develop a job

description. Commissioner Amy suggested that retired Commissioner Yeager draft it.

Chief Rita reported that Firefighter Mendoza's vehicle had been damaged during the latest wind event. The vehicle had been parked in the North lot, next to the sidewalk where an old ping-pong table had been stored until it could be disposed of. The table blew into the vehicle causing damage. The claim has been submitted and we are waiting to see if the insurance company will cover it and what our deductible will be. We have 45 days to complete the claim. Commissioner Amy asked if the damage would be less than our deductible. Chief Rita reported that she did not know yet as the claim had just been submitted, but that it had put a hole in the fiberglass body of the vehicle.

Finally, Chief Rita reported she had been working on a succession plan, as directed by the Personnel Committee last year. It will be presented to the Personnel Committee for review and implementation as it will be necessary soon; certainly no later than January 1, 2025.

**8. Fire Fighter's Association Report (President Lee)**

President Lee reported the Pancake Breakfast was a success. He further reported that we sold 35 alcoholic drinks and would likely sell them again next year, as several people told him they would have purchased one if they had known ahead of time they would be available. The breakfast netted about \$5,000, which has been the average over the years.

During the breakfast, President Lee was approached by several people that are interested in volunteering, but not as firefighters. The Association will explore ways to utilize them, perhaps reinstating the auxiliary.

President Lee noted that he was on track for a Spring Flea Market to be held on April 27, where food would be sold as an additional fundraiser. We will have a Department booth to try to sell some of our surplus and miscellaneous items. The Association will be selling food at the market and may use it as a test run for a future tri-tip dinner fundraiser. President Lee confirmed the next flea market is in the Spring, not the Fall as on the flyer he had just provided; he will fix it.

Commissioner Amy suggested that we consider a raffle at the tri-tip dinner event. President Lee reported that that item is already under discussion.

**9. Report (Interim Board Clerk)**

**a. Discussion / Action – West Plainfield Fire Protection District Bill Review / Ratification**

The Interim Board Clerk pointed out that she had added to this report a list of the deposits made this fiscal year to date.

Motion: Ratify the reported bill payments  
Motion by: Commissioner Amy

Seconded by: Commissioner Stiles  
Discussion: None  
Motion passed unanimously.

**b. Discussion / Action - Approval of January 16, 2024, Regular Board Meeting Minutes**

Commissioner Amy advised that under Item 1 of the draft, Hall Manager Ned Sykes needs to be added as a staff member present at the meeting. Commissioner Roos commented on the price of the decals. Assistant Chief Stiles reported those were the basic decals.

Motion: Approve the January 16, 2024, regular Board meeting minutes as corrected to include Hall Manager Ned Sykes in Item 1  
Motion by: Commissioner Amy  
Seconded by: Commissioner Stiles  
Discussion: No further

Motion passed, with Commissioner McMullen abstaining because he had not been at the meeting.

**c. Discussion / Action – Approval of February 27, 2024, Special Board Meeting Minutes**

Motion: Approve the February 27, 2024, Special Board meeting minutes as presented  
Motion by: Commissioner Roos  
Seconded by: Commissioner Amy  
Discussion: None  
Motion passed unanimously.

**10. Open Forum**

Commissioner Amy reported she had attended the Board member training provided by the Fire Districts Association of California in Williams that past weekend. She noted she had learned that it was not just email that could be confiscated, but laptops, phones, and computers used to review email and documents, as well. She asks that the Budget and Benefits Committee consider funding for the purchase of tablets or similar devices for the Board members to use. Commissioner Roos asked if the tablets that will be replaced under the Tablet Command deal would work. Fire Captain Fish reported that four of them did. Commissioner Roos wondered if we were being overly cautious about it. Chief Rita wondered if we did that what else we should consider changing: phones, etc. President McMullen believes it should be explored outside the Budget and Benefits Committee. Chief Rita recommended discussion start with the Budget and Benefits Committee. President McMullen referred it to the Budget and Benefits Committee and thanked Commissioner Amy for attending the training.

Commissioner Roos asked about doing something for retired Commissioner Yeager. Commissioner Amy asked about Guarino. Chief Rita reported she had been working on it with President McMullen and would continue to do so.

**11. Next regular Board meeting on April 16, 2024, unless another date is agreed upon**

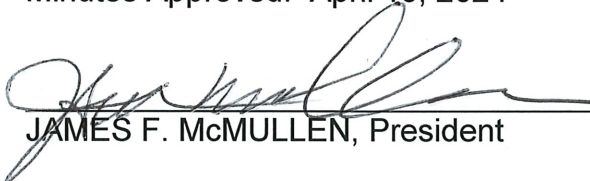
By consensus, the next regular Board meeting date was confirmed as April 16, 2024.

**12. Meeting Adjourned (President McMullen)**

Motion: To adjourn  
Motion by: Commissioner Amy  
Seconded by: Commissioner Roos  
Discussion: None  
Motion passed unanimously.

President McMullen adjourned the meeting at 8:59 PM.

Minutes Approved: April 16, 2024

  
JAMES F. McMULLEN, President

  
CHERIE RITA, Interim Board Clerk