



West Plainfield Fire Protection District
24901 County Road 95, Davis, CA 95616 (530) 756-0212

MINUTES - BOARD OF COMMISSIONERS – REGULAR MEETING

April 16, 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)

Chair McMullen called the meeting to order at 7:01 PM.

a. Introduce New Board Member John Lindsey (President McMullen)

President McMullen introduced new Board member John Lindsey. All welcomed the new member.

b. Roll Call and Establish Quorum (Interim Clerk Rita)

Interim Clerk Rita called the roll and established a quorum. Present were:

Commissioners: James McMullen, Emily Amy, Beth Stiles, Warren Roos,
and John Lindsey

Staff: Fire Chief Cherie Rita, Assistant Chief Dave Stiles, Fire
Captain Patrick Fish, and Firefighter/Association President
Jon Lee

Via Zoom: Fire Captain Tom Stiles

2. Public Comment

NONE

3. Lillard Hall Manager Report

Commissioner Amy drew attention to the Hall Manager's report provided in the packet. No one had any questions. Commissioner Amy requested that this report be moved under the Lillard Hall Standing Committee section on future Agendas.

4. Weed Abatement Report (Firefighter Lee)

Firefighter Lee reported that the postcards have gone out; several Board members indicated they had received theirs. He advised the Board that he would likely begin the annual full-District inspections in early May. Finally, he noted that he and the Fire Chief were making some changes to the forms and handouts to be utilized this year.

5. Old Business

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

Chief Rita reported that the required Notice to Employees has been provided to

each employee for this year and the reimbursement form was added to the career staff timesheets. She reminded the Board that there is no penalty to withdraw from the contract with Take Command. That leaves the requirement of a new plan document to be addressed. Chief Rita advised that she researched companies that can prepare and provide a draft plan and recommends that the District use Core Documents, Inc. The company has been in business 27 years and has a rating of A+ (though not a BBB rating) and no complaints on the BBB website. Commissioner Lindsey asked about switching and how the money aspect would work. Chief Rita indicated that Take Command does not hold our money and over the course of the contract has provided little, if any, services that the District cannot provide on its own.

Motion by: Commissioner Amy
Seconded by: Commissioner Roos
Motion: To purchase a QSEHRA plan draft from Core Documents, Inc.
Discussion: No further discussion
Motion passed unanimously.

**b. Discussion / Action – Adopt Revised Policy 1201 – Meetings
(Commissioner Amy)**

Commissioner Amy started off with Section 1201.1. At the end of that section, she would like to see that language changed because the Chair may not always be at a meeting. The recommended change is to add “other Board member as needed.” She next addressed Section 1201.4, requesting clarification with respect to voting on committee minutes. Chief Rita responded that not voting just because they were not there is not a valid abstention reason.

Commissioner Amy brought up Section 1201.7.1 regarding agenda item addition, specifically, what goes through the Fire Chief versus straight to the Board Clerk. Chief Rita suggested adding “Fire” before Department to make it clear Fire Department personnel would request additions through the Fire Chief. Next, and in the same section, Commissioner Amy asked whether it referred to Committee meetings also and wondered why a member of the public wants to know about Committee meetings and how the public would even know about a meeting. Chief Rita reported that it would be up to the public member to keep track of, and request information about, meetings. Commissioner Amy is okay with it as written.

Commissioner Amy asked next about Section 1201.8; specifically, about a contradiction between the policy and the Board Clerk job description. Currently, the job description includes requirement to attend all meetings, including Committee meetings. After a bit of discussion it was decided that the Board Clerk description needs to be updated to remove that requirement regarding Committee meetings and this section would be unchanged.

Finally, Commissioner Amy noted that 1201.9.5 was new. She pointed out that other districts hold these kinds of meetings, but they are separate from the regular meeting. Chief Rita pointed out that December is usually not a heavy agenda item. Commissioner Roos also does not want a special meeting.

No other Board member had questions. Chief Rita asked about changes to 1201.5

Rules of Order, specially the change removing the requirement that the meetings are run under Roberts Rules. She wanted to make sure everyone was good with that revision. Commissioner Amy thought it was already agreed; everyone else agreed.

Motion by: Commissioner Amy
Seconded by: Commissioner Stiles
Motion: Adopt Policy 1201 – Meetings, amended as requested by
Commissioner Amy
Discussion: No further discussion
Motion passed unanimously.

6. New Business

**a. Discussion / Action – Medical and Other Health Evaluations
(Commissioner Amy and Chief Rita)**

Commissioner Amy reported that she had received documents from Chief Tubbs at Southern Marin; only got them earlier this week. Not prepared for board action. He sent MOU, that talks about physical fitness. Some of the documents came out of Lexipol, including health and wellness and return to work sections. She would like to go through and see how it might apply to us and find out from staff what they like or do not like about changes. She believes it is important to consider and could lead to healthier staff. She thought it might be best to start with input from staff. Commissioner Roos asked about cost. It is one of the items that need to be researched. Current is about \$200 for current. Commissioner Lindsey asked what happens if an issue is found. Do we have current policy? Chief Rita reported that we have a policy, but it is not robust. Along with changes to medical evaluation policies, which will need to be drafted. For now, it is mostly driven by worker's compensation.

Assistant Chief Stiles suggested we might be able to make participation an option for those that would like it.

President McMullen asked Association President / Firefighter Lee what the Association members might think about it. He believes they should be included in the discussions. By consensus it was agreed to first get input from all members and research costs, etc.

b. Discussion / Action – QSEHRA Benefits After Separation - Roll Over to Retiree HRA or Pay Out Balance (Chief Rita)

Chief Rita reported that we have three members who no longer qualify for QSEHRA benefits. One member had asked about receiving his QSEHRA balance in cash instead of having it transfer to a retiree HRA and two others who have some time still to request any reimbursements before conversion. While the benefit is provided by the District to provide a member with some retirement funds, albeit for medical expenses, so long as a member has not fully separated from the Department, for example, those who remain as on-call, a member cannot use the funds in the retiree HRA. Chief Rita suggested that maybe we revisit it later, maybe setting a threshold, but for tonight can we pay out the QSHERA balance to these members, if they ask us to.

Commissioner Amy asked about access, specifically, when a member could use the funds. Chief Rita reported that until they fully separate they do not have access to those funds. Commissioner Amy would prefer we not disincentivize members who want to continue as on-call members. Commissioner Stiles believes that allowing them to take a payout instead circumvents the Board's intention of providing a retirement account since we do not offer medical; it makes it seem more like a bonus, though she does understand the member's desire. Commissioner Stiles thought it should stay and they could make their own decision to take a tax hit or not by removing it from the retiree HRA; Commissioner Roos also talked a bit about tax consequences, but still thought it should be their choice. Commissioner Amy asked if the member could roll it from our account to another of their own. Chief Rita did not know the answer; that would be tax person question. There is no prohibition against paying it in cash. Chief Rita is for giving them a choice, especially if it means we can keep them as on-call staff. Chief Stiles still believes we should keep it as a retirement account and if they want, they can choose what to do with it.

Commissioner Roos asked about current policy regarding separation and roll-over. Chief Rita reported nothing has been written down, but the intention was to roll-over the remainders at separation into a retiree HRA.

Commissioner Lindsey asked about the Plan Administration. Chief Rita replied that Take Command is the plan administrator. Take Command has been very unhelpful, does not hold any of our money, and simply determines whether an employee's health coverage meets the "minimum essential coverage" (MEC) requirements to make them eligible for the QSEHRA benefit. Chief Rita reported that they have not really been that helpful even then, having deemed coverage qualified one year, but not the next for the exact same policy. Take Command does not do the tax reporting, they simply tell us how to. We do most of the work.

Motion by: Commissioner Roos
Seconded by: Commissioner Lindsey
Motion: Allow the employee to choose to receive the QSEHRA as cash or as a roll-over to a retiree HRA
Discussion: There was a bit more discussion about choices and when they could be made. Chief Rita clarified that the timeline for a choice to roll-over or cash out must occur at the time they stop working for us full-time. If the funds are rolled over to a retiree HRA, the employee could not access the funds until they fully separate (no more paychecks) from West Plainfield.

Motion passed unanimously.

c. Discussion / Action – Enter Into Contract With SCI Consulting for Levy Administration Services (Chief Rita)

Chief Rita reported that she continues to work on the 218 justification documents. She noted that she had received the packet of documents required by Yolo County and found them to be a bit confusing. She asked that we use SCI to recertify the assessment for fiscal year end 2025 to ensure it is done correctly and so that we can see all the steps involved.

SCI had previously provided a contract for a 3-year period. Chief Rita had asked them to provide a 1-year contract, which they did. She noted that the only change between the two contracts was: (i) the cover page was changed to only the 24/25 fiscal year and (ii) at Item 3 on page 6 of 7 of the Agreement added that publication of the Public Notice would be charged to us.

Chief Rita noted that she had asked SCI what their definition of “one meeting” was, as there are additional charges if there is more than one meeting with SCI. SCI responded that it referred to the meeting with the Board when SCI presents the Engineer’s Report. Commissioner Roos noted it would be \$550 for additional meetings, if needed.

Commissioner Amy asked what Willow Oak was doing. Chief Rita reported she had not asked them but did want us to make sure we were doing it correctly. Commissioner Lindsey reported that East Davis had done it in-house, but it was time-consuming tracking new construction, etc. Commissioner Stiles asked about how easy it will be to find the differences. We are small enough that AC Stiles knows which properties have been improved and can identify them quickly.

Commissioner Amy asked about how we would pay for it, given we had not budgeted for it; she wanted to know what percentage we would lose by entering into the contract. Chief Rita replied it would be roughly equal to the CPI increase of 2.6%. There was discussion about whether to take the CPI index. Commissioner Stiles is concerned that we do not have enough funding as it is without taking the CPI, given we were already low in what we had asked for. SCI will make a recommendation about taking the CPI and the Board will determine if we take it.

Motion by: Commissioner Amy
Seconded by: Commissioner Stiles
Motion: Enter into one-year contract with SCI Consulting for services related to continuing our 218 assessments
Amendment by: Commissioner Stiles
Accepted by: Commissioner Amy
Amendment: That the Fire Chief sign the contract
Discussion: No further discussion
Amended motion and main motion passed unanimously.

d. Discussion / Action – Adopt Policies and Position Description (Chief Rita)
i. Position Description – Historian (Attachment to Policy 1003 – Position Descriptions) (new)

This job description has been written by retired Commissioner Yeager, the appointed Historian.

Motion by: Commissioner Roos
Seconded by: Commissioner Stiles
Motion: Adopt Position Description – Historian (Attachment to Policy 1003 – Position Descriptions)
Discussion: No discussion
Motion passed unanimously.

ii. Policy 210 – Annual Planning Calendar (new)

Chief Rita reported this is from Lexipol.

Motion by: Commissioner Amy
Seconded by: Commissioner Roos
Motion: Adopt Policy 210 – Annual Planning Calendar
Discussion: No discussion
Motion passed unanimously.

iii. Policy 1300 – Accounting General (new)

Chief Rita reported that the next set of financial policies were drafted by Mark Krummenacker, who worked for the Yolo County Department of Financial Services; Chief Rita modified them to fit our District.

Motion by: Commissioner Amy
Seconded by: Commissioner Roos
Motion: Adopt Policy 1300 – Accounting General
Discussion: No discussion
Motion passed unanimously.

iv. Policy 1302 – Budget Preparation (new)

Motion by: Commissioner Amy
Seconded by: Commissioner Roos
Motion: Adopt Policy 1302 – Budget Preparation
Discussion: No discussion
Motion passed unanimously.

v. Policy 1303 – Budget Adoption (new)

Motion by: Commissioner Roos
Seconded by: Commissioner Stiles
Motion: Adopt Policy 1303 – Budget Adoption
Discussion: No discussion
Motion passed unanimously.

vi. Policy 1301 – Fund Balances and Reserves (new)

Commissioner Amy asked for a better description of the pre-paid expenses and restricted funds, first mentioned in Section 1301.2. Chief Rita replied that the pre-paid expenses fund was for items such as the payroll taxes which get collected and held until reported and paid quarterly to the State and Federal governments. The restricted funds are just that, the funds in a restricted account are set aside for a certain purpose, such as apparatus, etc. She also asked where the 218 funds go. Commissioner responded that it is unassigned until we budget it.

After discussion and concerns regarding reserve funds and the number of accounts to have open expressed by Commissioners Amy and Stiles regarding Section 1301.6, Lillard Hall, Commissioner Lindsey suggested that Chief Rita contact Mark Krummenacker regarding that section and his recommendations regarding the Hall.

This item is tabled until resolution of Section 1301.6.

7. Assistant Chief's Report (Assistant Chief Stiles)

a. E330 Repairs

Chief Stiles reported that he was making progress with getting Brindlee Mountain to make the repairs they were supposed to have made prior to delivery. He further reported it will still be several weeks before the repairs can be completed. He also reported that E30 was out for repair. The company will have to make the part as no OEM parts or any replacement parts are available. There is no estimated timeline for completion of the repairs.

8. Fire Chief's Report (Chief Rita)

a. Staffing

Chief Rita reported that Firefighter Gallagher will start his training on the 15th. Once Firefighter Gallagher satisfactorily completes his training and begins shift work, we will be fully staffed again. She provided all the Board members with updated contact information for everyone.

b. Liability Claim Update

In follow up to the report last month, Chief Rita reported that YCPARMIA had accepted the claim and our deductible would be \$1,000. The last estimate for the repairs was between \$3,000 and \$4,000.

c. Recognition of Retired Commissioners Guarino and Yeager

The language for the plaques has been determined and Chief Rita will order them for presentation at the May Board meeting.

d. Other Items Not Otherwise Addressed Elsewhere During Meeting

The last JOA Chiefs meeting focused on training requirements. The group will identify all required training and determine how to deliver it, including the additional training required of drivers and officers, or any other specific job classification. We do currently have a joint training calendar with Willow Oak.

9. Fire Fighter's Association Report (President Lee)

Association President Lee reported the Flea Market was still scheduled for April 27, despite the low space rental to date. He further reported that the Association will not likely participate at the Yolo County Fair with a beer booth, but that the Association continues to discuss other fundraising activities, including raffles.

10. Clerk's Report (Interim Board Clerk)

Interim Clerk Rita reported that all Board and Committee meeting minutes have been uploaded to our website. She advised that she would be gone for the May meeting and someone would need to take minutes.

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

Interim Clerk Rita reported that the only change to the numbers reported on the report was an additional charge of \$43.78 on the US Bank credit card.

Motion by: Commissioner Roos
Seconded by: Commissioner Amy
Motion: To ratify the report as presented
Discussion: None
Motion passed unanimously.

b. Discussion / Action - Approval of March 19, 2024, Regular Board Meeting Minutes

Motion by: Commissioner Amy
Seconded by: Commissioner Roos
Motion: To approve the March 19, 2024, minutes as presented
Discussion: None
Motion passed unanimously.

11. Open Forum

Commissioner Stiles reminded the President that we need committee assignments now that we have a full Board and the new policy. Chief Rita is to provide the Committee list to Commissioner Lindsey. President McMullen asked if anyone had any preferences. Commissioner Roos would like to stay on the Lillard Hall Committee, but be removed from others. No one else expressed interest. Assignments will be made at the May Board meeting.

Assistant Chief Stiles reported that on CR 96, between 31 and 29, on the 23rd between 7:00 AM and 5:00 PM.

Commissioner Amy reported that the Personnel Committee will be meeting in the next few weeks; several reviews and scheduling and holding interviews. Commissioner Stiles reported that the Budget Committee will be meeting on April 26.

12. Next regular Board meeting on May 21, 2024, unless another date is agreed upon

Chief Rita noted, again, that she would be absent. President McMullen confirmed the next regular Board meeting date as May 21, 2024.

13. Meeting Adjourned (President McMullen)

Motion by: Commissioner Amy
Seconded by: Commissioner Stiles
Motion: To adjourn the meeting
Discussion: None
Motion passed unanimously.

President McMullen adjourned the meeting at 9:08 PM.

Minutes Approved: May 21, 2024



JAMES McMULLEN, President



CHERIE RITA, Interim Board Clerk