

**Board of Directors Meeting**  
**Ross Valley Fire Department**  
**777 San Anselmo Ave., San Anselmo, CA 94960**  
**Wednesday, September 12, 2012**  
**6:30pm**

**Board Present:** Berto, Shortall, Weinsoff, Reed, Kroot, McInerney, Hoertkorn, Small

**Staff Present:** Stutsman, Meagor, McCarthy, Hanson, McGrath, Lewis

**Call to order.** 6:32pm called to order by President Berto.

**Open time for public expression.** BC Jim Hanson distributed the information about the Fire Ops program. He explained the event that will be held on October 15<sup>th</sup> and is asking for any interest to contact Rick directly.

**Board requests for future agenda items, questions and comments to staff; staff miscellaneous items.** Chief Meagor gave an update on the merger and that everything is going well, he then gave an update on the various items that the department personnel have been dealing with, working on and updating policies and procedures, standardized training. Also working on area familiarization; plan submittals, projects, codes; there is a lot to do to put the organization together and the need to work internally on truly completing this merger. He is asking for the boards understanding in the coming months as he directs his attention toward addressing the many details of completing the merger. Recognizing that there may be the need to put some things aside which we have traditionally done in order to accomplish the many things related to the merger.

**Consent Agenda:** Approval of Minutes of July 11, 2012

Acknowledge and file check numbers 16661 – 16769 issued during July and August

Adoption of Resolution 12-10 Amending Ross Valley Fire Department Conflict of Interest Code

Adoption of Resolution 12-11 continuing full implementation of all the requirements of the Brown Act

Acknowledge and file report regarding the Firefighter eligibility list

Member Hoertkorn asked about the eligibility list and why there were so many people on the list. Chief Meagor explained the process and why the list is the way it is. The Chief will utilize the rule of three when there is a need to hire a firefighter. The Chief further explained the rule of three and how it is applied. Member Small asked if this is done every year; the chief replied; it is done as needed. Asked about the costs of the test; the fee is paid at the time of hire. The other costs are the staff time, mailing, minimal overtime for evaluators. President Berto commented that the department is a pretty good place to work and that we don't have a lot of turnover.

M/S Kroot/Weinsoff to approve consent agenda as presented. All ayes.

**Monthly Call Report and Out of Jurisdiction Report:** Months of July and August. Chief Meagor presented information on the out of county responses that occurred during the month of August. The Type 3 (Engine 621) was gone for 21 days. Engine 621 worked at 4 different fires throughout the state. The OES engine also spent 5.5 days on the Ponderosa Battalion Chief McCarthy went out of county on Sunday for four days up to the Scotts Fire with a strike team of engines from Marin County. The Chief explained the way reimbursement process works. The rest of the month's incidents were our normal calls, with nothing out of the ordinary.

**Current Financial Report:** Review of current Financial Report. Chief Meagor reviewed the report and discussed various accounts and variations in them. He explained the different overtime

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accounts. He also explained the increase in plan review fees as the result of the increase in plan submittal. Discussion about other items in the budget – retiree health costs, plan review fees.

**Acceptance of the July 1, 2011 valuation report for Ross Valley Fire Department Other Post-Employment Benefits (OPEB):** Chief Meagor presented the staff report and staff is asking for review and acceptance of the OPEB valuation of July 1, 2011 completed by Bickmore Risk Services. Discussion about the difference of benefits between the former Ross employees and the then Ross Valley employees. Member Hoertkorn asked about the figures in the executive summary and why the retiree health was not prefunded. Chief Meagor explained how the actuarial works and how the funding works. In the past retiree health benefits were “pay as you go” basis; it wasn’t prefunded until it started a few years ago. Discussion about retiree numbers and what the numbers of retirees and active employees if they are usually equal. Chief Meagor responded that in a mature department it usually occurs. He then explained in detail how the valuation process works and what the figures in the report represent.

President Berto asked about the apprentices and what their status was. Chief Meagor explained that they are currently temporary Ross Valley Fire employees.

M/S Weinsoff/Kroot to accept the valuation as presented. All ayes.

**Discussion regarding the Fire Code sections that relate to Abatement of fire hazards and the issuing of citations:** Chief Meagor reviewed the staff report and explained the background of the item. He explained the process of our Vegetation Management program and processes. Member Reed stated that why he put this on the Fairfax agenda was because it (84 Pine Drive) has been vacant for such a long time. The property is abandoned and overgrown; the bank isn’t taking the lead on getting the property taken care of as it is in the “limbo stage” of the foreclosure. Discussion ensued about what how the liens are staying with the property or the property owners after they sell the property. Discussion about the other options that is available within the fire code as well as with the towns to abate nuisance properties. There is a citation process also available in the fire code where the department can fine an owner, also includes criminal actions that can be taken. The department focuses on the vegetation management program and the success that we can achieve with access and other items. Trying to reduce the hazards to our community. There are approximately 7,500 parcels within the Urban Wildland Interface. He is looking for direction from the board on how to proceed with the Pine Drive address and other properties that may need abatement. The other issue that we have dealt with is the fact that some of the homeowners are not financially able to clear the property and remove the hazard. Member Shortall asked if anything further would need to be done would be to have the city attorney look at this issue. Then bring back a recommendation to the Town Council for their discussion and review. When there is a public nuisance property the town would take the lead and the department would participate in the process. Discussion ensued about possible solutions and issues. The issue has been recommended to go back to the Town of Fairfax for the nuisance abatement process through the town codes. The Town of San Anselmo has just gone through this process and offered their staff report as an informational assist to Fairfax. Member Small asked if there is anything needs to be added to the Town of Ross’ fire code. The Chief advised that a year from now the new fire code will be adopted by all the towns. Department to work with the town to abate this situation.

**Discussion of Fire Code requirements for fire apparatus access and fire protection water supply as it relates to residential new construction and remodels:** Chief Meagor reviewed the staff report and explained the background of this item. He explained the Fire Code sections that address the Fire Apparatus Access and Fire Protection Water Supply. Fire department staff routinely works with applicants to allow modifications to the code requirements. The reason this was brought to the board for discussion was because of small project that could not conform to the code

requirements. Member Kroot appreciated the chief's staff report and stated that this is the first time he has ever brought this item to the board for discussion. He feels that this is a new rule and is very stringent requirement. He spoke on past requirements that were more clearly defined than in these requirements. If these requirements are put on a small project they are either abandoned or done without permits. He feels this would cause some unhappy constituents in the future with future projects. He knows that the chief has shown flexibility in cases in the past and he appreciates that. He also asked about making changes to the code with the next code adoption. Chief Meagor responded to the comments. The property being discussed is an extreme case where the house is off a driveway that is 10 feet or less in width in areas; it also serves two other residential buildings. If the roadway is blocked then there is the access issue, there is also extremely difficult access to the house with stairs and access issues around the property. The requirements have been in effect for a number of years and are not a new requirement to the code. He welcomes feedback when there is the belief he is misinterpreting the code. The department has the abilities to provide discretion within the intent of the code. Member McInerney asked what the issue that is being brought before the board. Member Kroot responded that a lot of the fire codes are more restrictive codes than the building and planning code. Member Hoertkorn also said that she had received a complaint from an architect.

Diane Hoffman, realtor, Town of Fairfax has been hearing a lot of negative talk about dealing with the fire department and issues with remodeling. She feels that prospective buyers who are looking to remodel to talk to the fire department first before talking to the town building department before proceeding. She has heard complaints that the code is being interpreted too strictly. That people are being pushed to three specific companies and are being discourage from using to other companies. Chief Meagor responded that the department does not recommend a specific company and does not discourage residents from choosing another company. Also the reason plumbers cannot install sprinkler systems they need to obtain a specific license to install the systems, which is required by the state.

President Berto spoke on the benefits of sprinkler systems. He also spoke on there are water main issues in our jurisdiction. Member Shortall spoke that sprinklers have saved a lot of lives and have had people survive in residential fires over the years. He also spoke that the code is not more overly stringent than the state code. The chief is in a difficult situation because the code is what it is and that he is trying to find alternative measures to provide the requirement. We don't have a lot of choice except to stay in compliance with the state code and continue to provide and obtain alternative means. If there is a problem than there is an appeal process that they applicant can go through. If the fire code is adopted that is less stringent then there could be issues with if a fire gets away and the public asks why the codes weren't more stringent to protect the other properties.

**Public Comments:** Morgan Hall, 10 Walsh Lane, Fairfax. Architect, feels that the CA fire code is overly restrictive and that no code is one size fits all. The interpretations by the fire department have been overly strict and believes that when the WUI was passed they were products of a "better time, economically" and a lot of fires in southern California. Times have changed and the department has been put into a more regulatory position than in the past. He is hoping for, and is glad to see, some exceptions and flexibility in interpreting the code. There is a middle ground and says that Chief Meagor and staff have been accommodating with issues in the past. His problem is with the code; he then spoke about projects that were required to have sprinklers. There is also the issue of access and he is happy to hear that it may be changing. Said that the planning commission provides variances a lot on unique properties and maybe that can be utilized by the fire code.

President Berto responded to the comments; the board is the place to come to have appeals heard over the years it is the board's decisions to approve appeals or disapproves appeals.

Chief Meagor explained how issues are brought to him for review. It is the Architects job to know what codes are required for their project.

Discussion ensued about how to get the information out about what the code requires.

Member Weinsoff commented that the burden is on us to get the information out and explain the challenges that are out there.

Carla Overberger – Planning Commission San Anselmo. She commented that people now have to discuss the project with the fire department “all of a sudden”; she is recommending including the appeal process information. When a project involves significant change to have the planning and fire inspector in the same room to discuss the project. Chief Meagor responded that the Town of San Anselmo gathers all the plan submittals together and puts them out to the different departments then brings them back together. They do meet with the applicant and planning together to discuss projects.

Chief Meagor commented on sprinkler systems and how they work, addressed projects brought up by Mr. Hall. His concern is the firefighters that would be driving the access roads.

Member Weinsoff spoke on the comments by the realtor, how does the department reach out to the professional community to be sure they have the information and understanding of the codes that are required?

Member Small asked about the resale inspection form. Educate the public; maybe have a workshop in Ross to educate community.

Member Kroot also suggested that the building and planning department tell the applicant that they also need to contact the fire department. Also feels that some of these items are so small that they are out of scale to what the intent is of the code.

Discussion about various issues and requirements and situations.

Shortall spoke on the sprinkler systems and fires where sprinklers have made a difference in the outcome of residential fires.

Provide more information up front about what the requirements are upfront before embarking on the process of purchasing or remodeling structures.

The department will add more information to the website and review the resale form for updating and possible changes.

Next meeting – scheduled for Wednesday, October 10, 2012, 6:30pm, Ross Valley Fire Department, 777 San Anselmo Ave., San Anselmo.

Minutes respectfully submitted,



JoAnne Lewis, Administrative Assistant