

# **FALLEN LEAF LAKE COMMUNITY SERVICES DISTRICT**

Saturday, March 5, 2022  
Held under Executive Order N-29-20  
Tele/Video Conference  
9:30 AM Closed Session  
11:00 AM Open Session

## **CLOSED SESSION**

President Cathcart called the closed session meeting to order at 9:00 am

## **ROLL CALL**

President Cathcart, Director Casey, Director Malley, Director Hart, Director G. Calof and Paul Carelli, District's Attorney, via tele/video conference.

## **DISCUSSION ITEMS**

**A.** Contract for Fire Chief and General Manager  
**Requested Action / Discussion to Approve Contract for Fire Chief and General Manager**  
**Board Member: President Cathcart**

**B.** Contract for Concessionaire  
**Requested Action / Discussion to Approve Contract for Concessionaire with RRM**  
**Board Member: President Cathcart**

## **OPEN SESSION**

Chief Gerren reported to President Cathcart that there is a quorum. Steve's in, Casey is in, you're in, Bruce is in and trying to find Grant. President Cathcart asked to start the order and Grant can join us when he wants to, if that is appropriate. Chief Gerren said ok.

President Cathcart called the open session meeting to order at 10:57 am

## **ROLL CALL**

Mike Cathcart, Steve Malley, Mike Casey, Bruce Hart via tele/video conference. President Cathcart reported that Grant can sign in when he gets here.

## **PLEDGE OF ALLEGIANCE**

President Cathcart asked Gary to direct us in the pledge of allegiance. Chief Gerren stated certainly.

## **PUBLIC COMMENTS**

President Cathcart stated now we will have the opportunity for Public Comments these are for items not on the agenda. Please hold your comments to two minutes. A board member will not necessarily respond or engage in a with anyone making comments. It is for information for the board, may need or use in its future activities. So, if anybody in the public who wants to make a public comment that is something that is not and the agenda.

Hi Mike, it is Ava, is the proposal for the compensation, the extra compensation not on the agenda or on the agenda, because I'm here to comment on that. President Cathcart reported that it is on the agenda, but I will be report out in a moment what happened at the closed session and you'll hear the limited scope of what we are going to do. Ava stated ok, thank you. President Cathcart reported that you will have a change to comment if you need to on that agenda item. President Cathcart asked anybody else.

Yes, Sarah Marx here. I have written in regarding an item that was discussed in the December call regarding the pension plan that was proposed for the department and I don't believe that is on the agenda for today's call. The note that came, or the notes that I found rather from last year's meeting minutes was that it had been tabled at that time discussion at the March call. Whether or not it's been closed or is it still opened for discussion. I just wanted to bring that up and that it is something that should be revisited. President Cathcart reported that it is up for discussion and that it is part of the discussion on the Contract on the General Manager / Fire Chief and it is on the agenda. Sarah stated thanks. President Cathcart said thank you Sarah. President Cathcart asked anybody else.

Hi Mike, its Bruce Hart. Could you ask everyone on the call to please mute and then advised Gary, that if someone doesn't mute, because he is administrator, he can mute them. President Cathcart asked Gary if he is ok with that and if he understands. Chief Gerren said yes. President Cathcart said ok and thank you.

## **REPORT OUT OF CLOSED SESSION**

All Items are under Old Business

President Cathcart stated that he will report out of closed session and there are two things on the agenda. One thing was the Contracts for Fire Chief and the Contract for the General Manager and the other one was Contract for the Concessionaire. I'll take the second item first. The concessionaire contract was to not to take any action in the closed session. It is on the agenda to be approved or disapproved or whatever we decide to do and there is a contract copy that was circulated. So, that contract is on the table in quotes at the meeting when we get down to the agenda items. On the contract for Gary, both for fire chief and general manager, there is no contract drafted yet. So, in a sense I hate to kick the can down the road, it's going to be determined or it's been determined that it is premature to take a vote on the contract. But what we did do, was agree to take on for discussion that motion that Mike Casey has said that we want to make or motions maybe be divided up. The board did give guidance to Mike and to me as the second board member on the committee dealing with these contracts, since under the Brown Act, only two board members can participate in those kinds of discussions up until the matter is brought up to the board at a general open meeting for discussion and a vote. The board's sort of guidance is that within a

couple of weeks or sooner, if possible, Mike and I will be helping to prepare either a copy or a synopsis of the contract. My preference was to have a formal contract setting for the proposed terms of Gary's contract that we can then discuss and it will be circulated in advance of the board packet. As I said, we hope to have that within a couple of weeks and that is on the understanding that if people have comments and we already have received many comments, so you do not have to rewrite what you did and clog up email boxes, although I'm not saying that anybody can or doesn't have to do whatever they feel is correct. But we will invite comments from the public and then we will take the final contract up for discussion and either an up or down vote or modifications at the next meeting. We understand from legal counsel that we have to do this under the Brown Act at a regular meeting and cannot have a special meeting, that's why we have to wait for what happens in the future and do it correctly at the regular meeting. I will tell you in advance that the guidance and divisions that the draft contract without any board members agreeing one way or another to vote yet. The guidance is we can prepare the draft agreement to take into account the kinds of proposals that are on the table or that have been in the last week or so under Mike's memo and under the secondary memo that you will get when we circulate the synopsis or contract forms. We can discuss any aspect of that, but you might or it would be a lot easier if you wait and see what you react to as to the final terms of the agreement because it will, unlike what we have been talking about so far, which is extra, so-called bonus payments, we still we have to put out the actual salary that Gary is going to get for both his fire chief and his general manager positions and state what those are. So, I think it would be easier to discuss, all though it is on the agenda now, so if somebody wants to talk about it now, it will be easier to discuss when everything has been circulated and we can do so after reflection at the Memorial Day meeting.

#### **A. Contracts for Fire Chief and General Manager**

Franz asked if he is asking for comments. President Cathcart stated yes and state your name and I can't see who is talking now. Does anyone have any comments? Franz McMasters was asking if you are looking for comments? President Cathcart said hi Franz, go ahead. Franz stated that if Peggy is on line, I believe she has a perennate piece of information to share with the board as you move forward as you place these contracts together. Peggy are you there.

Peggy stated yes, I'm here, but I think I missed where we are the agenda. Are we on the item of the contract negotiations that came out of? Franz stated yes. Peggy stated ok. Well, I looked at the proposal that Mike Casey wrote and thank you Mike for putting this out there for people to review. It's really informative and I do want to state first that I know this is has been worked on for a long time and all of many hours of your time. So, I didn't comment necessarily on Gary's performance because I am not the person to do that, but I did have a couple of bullet points I wanted to bring to the board's attention, if they haven't already. So, I will try and be very concise. One is, I think it would be very helpful to the community to provide to the public record, current copies of a job description and contract because coming into this item, I don't really even have an idea of whether or not Gary and the firefighters are considered full time or part time employees. There is nothing in the documents to show hours or time on the task or whether its year-round or part of the year. I do get an idea of that now from the proposal. The one thing I would like to see is that

there could be some more documents that the community can see just to have them available so that we can see have this information, such as a job description and a contract or the current contract. So, the other thing has just come very recently to me about this is the way the structure of the bonus is written, which I can appreciate over the years there have been some retroactive or desire to give retroactive benefits or bonuses. So, my question is what is the history of the bonuses that Gary has already have had and are these adding to past bonuses or is this making up for no bonuses and what was the salary and where does that come from. Because I think the public would like to know what the salaries are. The other part is the way of doing a lump sum could be not in anybody's best interest particularly Gary's. Because if you have a lump sum coming out somebody is going to have to pay half of it in taxes. So, has the board looked in setting up a contribution into CALPERS, which is California Public Employees Retirement System, and with Gary's service over the last 10 years an opportunity to purchase service credit into a defined benefit program not a defined contribution program. So, that would probably be a lot more consistent with what public agencies have for their employees in California, such as policeman, firefighters, public works, employees and CSD employees. I would think that it might be and better and more standard to look at that more kind of a way to offer a benefit or retroactive bonus to Gary for all the hard work he has been doing, of which I believe he deserves. But I am not the one to judge. The last point I wanted to make was I'm not sure about how good it looks to use a percentage of future strike team funds to pay or scrim off the top to give an administrator before liabilities of the CSD and the priorities to fund community needs before they have been meant and that they may be a dangerous formula that the CSD may not be able to provide for in future years and of course underneath all this is our fear of what is the future of the CSD if we can't get enough registered qualified members to be elected on the CSD and where that might put us. So, that are the points I wanted to make. So, thank you again you guys for the work you're putting into this and thank you Gary for everything you've done and build our fire department to where it is. President Cathcart said thank you Peggy.

Before anybody comments let me ask Mike Casey a question. Do you understand Mike that you are not making a motion that we are what and do this when we produce the synopsis or contract? Or did you want to make a motion of any kind in this meeting in connection with Gary's contract. Director Casey stated that he will reply Peggy's comment and as we get into it maybe make a decision. My understanding, first of all, is that based on the government, items that we talked about in closed session meeting, the form of the contract and the way any compensation is set out will be structured in a way that we had yet to completely agree upon. But I think I can make that clear if I can just explain the whole background and try and get into this. And in part I want to do that because I think there is a lot of misunderstanding about what we have intended. Let me start out by saying that this whole thing arose out of a conversation that Gary and Mike Cathcart and I had last spring with Gary as we began to talk about the next contract that Gary signs and would be the last contract he ever signs as fire chief because he is now 70 and will be will into his 70's by the time this contract ends. Back in 2010 Gary was first hired as the Fire Chief and at that time, Gary had asked for, among other things, retirement benefits, of which Peace officers, as Gary is, are typically entitled to. Benefit packages for government workers, peace officers in particular, generally are about 30% of the salary, of which 10%

approximately goes to medical and 20% approximately goes to retirement benefits. When Gary asked for that, he was told that the community could not afford that. Since then, Gary has been working without any retirement benefits whatsoever. President Cathcart asked to please mute everybody. Go ahead Mike. Director Casey continued. Gary asked for it and was told the community could not afford it. Gary has continued to work with no retirement benefits whatsoever. The other thing that has to come into all of this, is that the community does not want this contract to set a precedent. We could in other words have gone about increasing Gary's salary in such a way and adding retirement benefits and joining CALPERS. We chose not to go in that direction for several different reasons. One of them, is that CALPERS requires people who are far more expert than we are, in the field of government employee compensation and we were warned by people are very competent in that area, that was something we would probably live to regret if we began it. So, what we tried to do is to craft a contract which deals with Gary's needs and also does it in a way that does not set a precedent for future Fire Chief candidates. I went through and tried to explain the history of Gary's performance and what he found when he first arrived at Fallen Leaf and what he has subsequently built. What he found initially obviously is that we are quite isolated and that is largely because of the condition of the road and the almost possibility of trying to get in or out on an emergency basis with people having difficulty pulling out on a one-lane road essentially. So, Gary decided and I think with everybody's understanding and approval, that he would build a fire department that would be self-sufficient and deal with what is needed in Fallen Leaf rather than relying upon others outside to come in and help in medical emergency or whatever it might happen to be or fire. The other thing is because of AB8 funds. AB8 funds being the funds that are paid in as property taxes by all the residents. We get back .0097% of what we pay in for property taxes and the county should to be ashamed of itself, but that is the fact and we have never been able to increase that and we have tried and never have been able to get to first base on getting any larger recover than that. That brings us back to 2010 that brought us \$24,000 a year and you cannot run a fire department on \$24,000 a year. The community got together and passed a fire tax and that fire tax has been wonderful because it has given enough money augment those AB8 funds for that we could at least have the skeletal outlines of a fire department. The fire department would work in so far as the vision back then saw. That fire tax brings in about \$200,000. So, if you add the two sources of revenue funds from taxes, we have about now \$240,000 now coming into the fire department. Because of code issues and because of the desire for a paramedic program and for a number of other reasons, we have not been able to live within those means and still have the kind of department that we wanted. For example, the fire boat that Gary arranged and paid for incidentally through grants by El Dorado County. That fire boat enables us to deliver water on a fire to the west side, before, the old aluminum boat could not have done that. The size of the pump just was not as adequate and we could not have gotten enough hose out and been able to do any serious firefighting over on the west side, with the new fire boat we can. With the new fire boat, we can get to a lot of different areas of the lake that couldn't be gotten to and put out lots of hose and have additional sources to protect the community far better than before. So, lots of things that Gary has done have resulted in benefits to the community. The next thing he did was to create a strike team force. That for several reasons, one it builds the count of firefighters up at Fallen Leaf beyond the three that he started with in 2010, which was all he could afford back then. But now we are in the mid

20's we have excellent equipment for people to drive safely to and from fires and we've also basically gotten into the strike team business. We respond to strike team calls OES and we have a good reputation with OES, so we get priority within the Tahoe Basin on call outs and we earn money from those call outs. In addition, we are getting trainees coming in from the academy in South Lake Tahoe and we don't have to pay those trainees for the work they do locally at Fallen Leaf Lake which is a lot. They get paid when they are called out on strike teams and they get paid back by OES who pays them based on the formulas that are permitted under the law. So, it is a win, win. The fire academy recruits need the hours on the fire lines in order to be able to get their license and we need it to provide training and we can also have coverage at the fire station. So, the fire department has become a larger business and it's been created by Gary who has done enough with it that we now have 2.5 million dollars in the bank. That's a remarkable number over 10 years and it is attributed to Gary that he has been able to put together a fire department and be profitable. As I was told by Sheva Fransen, who was a supervisor in El Dorado County is no longer is, but was, that we are the only fire department in the county, that she is aware of, that does not come back to the county every year asking for funds. Because we are self-sufficient and we have enough funds that we can; 1) start our own paramedic program, which have in place now costing about \$125,000 a year. It operates and operates well, it operates professionally and operates entirely locally, it does not have to rely upon call-outs from ambulances from Barton or any place else. We do that ourselves and are able to. So, Gary has benefited this community greatly and as I say to the tune of 2.5 million dollars. Now, under the circumstances that; 1) we did not want to his contract to be precedence setting; and 2) we were trying to give him compensation and recognizing that he has asked ever since he has arrived for retirement benefits but has not been able to get them. We came up with a formula and incidentally the law only permits us to pay Gary during the time he is working for us. Once he stops or the contract ends, we cannot pay him anything more. So, that means we can't extend out 10 years with a \$40,000 a year payment or whatever. We have to pay anything whatever we pay to Gary before this contract of his ends. So, if we try to give him something which we felt was fair and incidentally what Gary wanted was he wanted to be able to retire and have \$2,500 a month for the rest of his life expectancy. That works out to \$600,000. Now, do we owe Gary his retirement for his entire career? No, we don't owe that at all, but if you look at \$600,000 and you look at 2.5 million dollars that the community has gotten at no and it's basically a wind fall to the community that has gotten through Gary's efforts through the strike teams. It seems to us the benefit he had conferred on the community justified that kind of magnitude of a number. Counsel tells us that we can only do this in a form of bonuses or we could increase his salary. Now, I've looked at other comparable salaries. Georgetown, California is a small town in eastern California. It has a population about 2,300 and it's got a little more land mass than we got and it's got a few more people. But it does require them to go into their tax base to pay their fire chief. Gary brings his salary with him. What he brings in helps to pay his salary. So, it seemed to me that wasn't too far off as a comparable. They pay their fire chief \$168,000 a year. We pay Gary \$60,000 a year in 2010 and that salary has gone up, so that now he is asking for \$76,000. So, it has not gone up that much and is way under what Georgetown pays. So, if we take a look at the differential of payment that Georgetown residences pay their fire chief and what Gary gets, we are \$91,000 under what Georgetown gives. President Cathcart stated, I see you, Ruth. Let's wait until Mike

finished. Director Casey continued. So, in any case, I understand that the community looks at the \$375,000 bonus that we came up with and it says, my god that is a huge number. Yes, it is, but we're constrained by all of these things and we can't pay out beyond when he is working and yet we want to give him enough money. It does not hurt the community that we do this because they still got \$2 million does to work with and that can go toward endowing the paramedic program or it can go to all kinds of things that we'll benefit from in the future. In the future, we will continue to get money as the strike team continues to bring profits to us. So, anyway that's what we tried to do while we tried to do it and that's the background that we are working with. We could have done it another way, but if we done it another way it really would have been precedent setting and we could build him up to \$168,000 a year in salary we could give him 20% in benefits and we could go back retroactively to the beginning of his service here with those benefits. The numbers will be in that range and magnitude no matter how we get there, but you will find out that sort of magnitude is what would be fair to Gary and would also be competitive. So, I guess I will respond to questions. President Cathcart stated that Ruth had raised her hand.

Ruth thanked Mike and Mike for the effort you put forth so far on this and for being aware that there is more to consider. I am questioning something that you have just said Mike. If we are paying Gary \$60,000 a year for his fire chief pay, why in public pay records are those figures higher and why in the budget, which is for this fiscal year ending June 30<sup>th</sup>, 2022 is an \$80,178 budgeted and why we have already paid him \$106,000. I am having a problem with reconciling these numbers and I went through the public pay and provided a document to the Board right before your meeting this morning because of time unfortunately, that outlines what public pay records show has been paid to Gary. It is hard to follow that and I did try to break it down based on digging around and finding also that Gary has a General Manager's contract and that they are two different structures. Well, they are similar structures for each of those contracts and built into that is a 3% increase if you do not, by September, Labor Meeting, give him something else. So, his salary started if that document I dug around and found in 2016 at \$64,500 and there is obviously a 3% sliding increase, so I am confused by the statement that he has been earning \$60,000 every year. Can you address that? Director Casey stated let me address that. What I said and if I said it differently, I am wrong and I apologize. He was hired at \$60,000 a year in 2010. In 2016 he signed a contract, which you just pointed out, upped his salary to \$64,500 and the number we have been talking about with him on a contract we have been working on for now for a year is \$76,360 a year. That's his fire chief. As the general manager, I believe, I can tell you a number, but I could be wrong. The fire chief is really the one we are most concerned about and that is \$76,000. Where you are getting the \$80,000, I don't know Ruth. I have not seen or maybe Gary could answer that. It may very well be because of payroll taxes. There could be a number of reasons why that could be. President Cathcart asked Ruth Rich the email you sent today; do you send that document to everyone on the board. Ruth Rich said yes, she did, unfortunately I'm guessing at numbers, but it gives a blueprint and that is the only thing she could induce on her own to try and address some of the questions. Make no mistake, Gary has done a whole lot of work for us. I just want to have the accurate information and I think we should have that before we move forward and it looks like you guys have addressed that. There was another question, but at the moment its vapor. Oh, I know what it was, excuse me. In your conversations about contracts and

pay, in the documents I found there is some language surrounding, he is required to live in the community area because of the service he provides. But what value is attributed to that? Especially when you could consider the missed opportunity that the CSD has for renting that space and bringing in income. It's hard for me to know looking at the 3 different budgets what, if anything is actually being paid to park and rec for that. It may be the \$25,000 admin figure, I don't know, but in the absence of information things are kind of critical like that. It's very hard to support something at the moment. Director Casey responded to Ruth. I'm going to have to ask Gary to answer a lot of what you have just asked, but as far as living on-site part of the problem face is the isolation that we have. It is better for us to have Gary living right next to the firehouse essentially and where he can get to where ever he needs to quickly. I think the value of that to community is far greater than what renting it might be. There are some other options for employee housing which hopefully we can look at this year and having to do with the old store, the upper floor of the store possibly. But for now, I think we are better off having Gary where he is. Ruth Rich says she understands and we certainly do the same thing with respect to winter security. So that model makes sense to me and I understand it and I understand too that because it is a requirement of employment there is no tax or any a value probably assessed to that. But I'm asking if there is one that is beneficial to park and rec or if that is a wash? Director Casey responded that he does not know the answer to that. President Cathcart reported that is something that we got to look into, I think it's a valid point. I just don't see if we can get away with any different result. Anybody else have any more questions?

Peggy L. said yes. Thank you, Mike, for your explanation and I get a better idea. I see why you may not have gone with CALPERS, but maybe that you may reconsider, because with funding you could possibly hire a consultant to see what it would involve. Because I honestly do think, as a public employee in my life and also a member of CALPERS retirement program, it is such a much better package that it is essentially taken care of by the State of California in perpetuity with raises. I just wanted to make that last comment that possibly that wouldn't be completely thrown out if you got somebody with some of this reserve budget that could a one-time analysis for you. The other question I really did not hear the answer to, also was about the perception that getting a percentage of future strike teams funds. I'm just not sure if that is the appropriate way to structure getting a part of that money as a use of the way its constructed and perhaps that could be rolled into another formula that didn't look like you were taking or skimming money off the top before the public interest and liabilities and other items are taken care of. Not to say he didn't deserve, but usually those kinds of things are rolled into administrative costs or a percentage is taken out to put in a special category, but not structure into a compensation package for an administrator because it does not look like quite proper. To say here is your profit sharing because the CSD is not a business it is a public agency and you are using taxpayers' dollars so that kind of a structure could continue to raise questions. I'll go on mute and see if you have an answer. Director Casey asked Peggy to restate her first question. Peggy restated here question. Could you find a document that can give us a copy of a job description and that we do not know if he is full time or part time. So, what is the job? So now I know more history of the salary. The first question where is the job description? The second item was maybe rethinking the CALPERS retirement possibly. Director Casey responded to the CALPERS retirement item and reported Jeff Campen is



retired as a senior person in the Monterey County government administration. Jeff wrote a very compelling letter last November explaining why it probably would be not in our best interest to go with CALPERS. I think maybe the best thing to do would be to have you read that and I can get that to you if you like. The reason that we haven't considered CALPERS is largely because of Jeff's letter and what it said about that. The second question is taking money off the top. What I did there was I was trying to figure out how we probably compensate Gary, but not have it cost the community anything. If I took 20% out, I could get closer to the number that Gary is looking for and yet, if no money comes in from strike teams the community isn't out a dollar number. It is 20% of zero is zero. So, Gary bears the risk of anything being earned and then he gets the reward on the other end. But it seems to me to the extent that the community is benefited by anything that Gary needs to have something so he can bear that risk and the community needs to give up something so that it can have 80% of the number which is hopefully it will be a good number, but might end up being nothing. President Cathcart reported another comment added to this, largely in response to the audit that people have discussed, we separate out the accounting for the strike team. So, we take all of the expenses that are incurred from using equipment, to lost hoses, and all the rest of it including payment of people we have to paid and compensated. Then we take all of that, so our total expense side for the strike teams can be calculated and taken off the payments received from OES. The issue of the 20%, whether it stays at 20% or changes at all, it is a number that is net of the expenses. So, none of the expenses for the strike team are being forced on to CSD independently of the income needed to repay those expenses. Gary's, I you will, 20% ongoing bonus of the structure of the strike team and now and the end of his new contract would be net of those expenses. Peggy responded that sounds more appropriate. Thank you. President Cathcart stated that I think Barbara has her hand up.

Barbara stated that she is coming up last and she is looking at her screen and you have Larry Hoffman, Wanda, Jeff and myself all of us have had our hands up for a very long time. President Cathcart apologized for the problem and I only have 15 people here, I think. Barbara asked if we are on Public Comments or meat of the agenda? President Cathcart responded in the meat of the agenda. Barbara responded that Public Comment time for what is not on the agenda is now done and gone. President Cathcart responded yes. Barbara stated alright I'll get you later. But I think these other people who have been very patient and they need to have their turn. Thank you. President Cathcart stated somebody yell, take your pick. Ruth stated mom you go. President Cathcart said Wanda go ahead.

Wanda stated thank you so much Mike Casey for the document which was I know a lot of work and is the first time I really read kind of in one place some of the history of the fire department and what has happened in a very kind of concise and smart way. I really appreciate that and also thank you to Gary for all that he has done really to grow our fire department. I have a couple of specific questions. I think part of it and listening to other people's questions have been really great at this point. I think one of the things we have never really talked about or sort of gone back to is what we really want to have in a fire department at Fallen Leaf Lake. Gary's grown it and I mean it is much bigger than it was has a lot of different sources of revenue now. But I just have a lot of questions on how

much and how the fire department actually serves our own community. So, at some point I would love to talk about that and maybe that would be a long list of contract discussion later or whatever. Specifically, within that, I guess I really don't understand the role of the paramedic. In other words, if I call the fire station and I have an emergency at my house which I am not supposed to do it, if I understand. I'm supposed to call 911 and I do not understand who does respond to that? So, what is the roll of the paramedic and we can again talk about that now or in the contents of the contract later. The other thing is just kind of thinking about the precedent setting issue. So, thinking about the future, we have all talked about that Gary won't stay with us forever and that happens with every position and every person. Anybody who is interested in this position in the future is going to know about this bonus. This is all public information, right? So, anything that we do is sort of setting a precedent or sort of setting some expectations for whoever follows Gary. So, the question is going to be, if we do have to find somebody to replace Gary at some point, we're going to have to pay probably a competitive salary. I do not understand why somebody would want to come, if we are not already providing something that is good enough for the next person, we are still going to have to figure out how to do that. So that is sort of another thing. Then, just generally speaking again, I would love to have a discussion either at this meeting or some meeting, what really is the roll of the fire department is for supporting our community. My kind of understanding is historically is that, if we had a giant conflagration at Fallen Leaf Lake, and, if the Caldor Fire had come into the lake, my understanding is that, it is CalFire that is going to fight that fire. I understand we are helping or supporting that with the strike team, who is going to be part of that, but we can't fight, people, nobody can be at Fallen Leaf Lake if there was really a huge fire in the basin. It is impossible and everybody would have to leave and basically all the firefighting would have to come from the outside in a sense. So, those are and I sort have brought up a lot of questions and issues and some of those can be discussed here and maybe, you know, some other future meeting. Thank you. President Cathcart asked Chief Gerren to describe the Caldor Fire and what might have happened if it had come into the basin. Chief Gerren went ahead and stated that he would go ahead and address some of Wanda's questions. One was about the calling 911. That is absolutely correct Wanda. If you had an emergency at your house the number you want to call is 911, because we may or may not be in the fire station. We could be down by the lake training or we could be doing a lot of different things. The last thing you want to do is have a heart attack or any kind of emergency at your house and try and call the fire station because you might or might not get anything but the answering machine. When you call 911 it goes directly to dispatch and then dispatch tones us out along with any other appropriate resources that need to be. That is the most efficient and fastest method. That why no matter where we are in the district, we are going to get that through our radio traffic and respond to whatever location is called. Absolutely, 911 is the number to call in case of an emergency. You can always call our office number at the station or the office just for information, that is not a problem and if we are out, you can leave a message and we will try and get back to you in a timely matter. But as far as emergencies go, exactly 911 is the number to call. To address your second question, I think was the Caldor Fire. Everybody was evacuated from the Caldor Fire, except for us. For our people that we had there at the station, watching the situation. Caldor Fire was a bit different than normal, because it's in our back door, it was in our basin, it was in Lake Valley and it was in South Lake. All hands were basically on

deck for the Caldor Fire. We worked hand in hand with CalFire, Lake Valley, the city, Tahoe-Douglas, everybody was involved in the Caldor Fire, especially in our basin because it was coming into Meyers, it was coming into Christmas Valley, into Echo and the next spot, would have been, if it came into Fallen Leaf somehow through the desolation. We absolutely had people there around the clock. I had crews out 24 hours a day, 7 days a week during that whole fire time, from August to or whenever it was over, I don't remember the exact number of days now, watching for embers drops or anything. Patrolling both, the around the lake and all around the lake, with people and some of volunteers that had been working on the pass and working on the west side, along with our people checking on things. They were constantly being on guard watching anything and being ready just in case. I was there the whole time. I was either there or on the fire and back and forth for that whole entire period. The fact that we are in an area that is terrain challenged, I'll just put it that way, we had nobody in there except for firefighters, police officers and our folks that were in and out of the district for that period of time. Most of our folks evacuated prior to the evacuation due to the heavy smoke. I think most everybody was out. We had a few people that were still in and we maintained knowledge of where those folks were and our people were aware at all times anybody that was still there on Stanford Hill, on the east side and west side, who ever happen to be in the district. We were aware of where they were. So, if it came to a point where they needed to be out prior to actually the evacuation, we would have got them out because we kept up on who was in there, virtually by patrol and I had several people call me and say they were still there. So, we had knowledge of where everybody was located. The plan was to maintain our strength in there and to maintain our strength with our neighbors, because that is where we stopped the fire and kept the fire from coming into the basin. We had 16 people on the fire, actual fire, on four different crews working with Lake Valley, working with CalFire, working with all the fire departments throughout State of California that showed up during that disaster. So, we are going to do our part and maintain good relationships with our neighboring departments, because they come help us. When the time comes, we are going to help them and we are going to continue to operate in that manner and go forward to supply our partner agencies with all the help we can give them as they will with us. So, as far as the district, itself, it was well protected during that period of time. There was no danger and had there been a fire that had dropped in, we had additional put hand lines throughout the areas where there were fire hydrants available and around the areas where we had pumps there were handlines. So, we were definitely prepared for what might come and at that point had we had any penetration of fire, then I would have had more and more resources come in through other strike teams that were available to me. So, I don't really know what I can say, other than I'm proud of the guys for the work they did. Our guys and gals did an excellent job protecting the community and nobody lost anything and if we had to do it over again, we would do it the exact same way. Hope that answers your question. President Cathcart asked if there is someone else with a comment. He thought Larry Hoffman had a question. Barbara stated she did. President Cathcart said Larry go ahead.

Larry Hoffman commented that he is going to send President Cathcart some comments that can be considered. He proceeded with when the contract is distributed, will we have the benefit of a synopsis of all the comments that have been received because I think that you can see even from this discussion this morning, it is helpful to know what others are

thinking and if we see that the contract has some language in it that seems not to consider some of the comments that were made by the community that would inform us in structuring our comments on it. President Cathcart responded that he can answer a part of the question easily. I have gotten about 20-25 emails from various people on various aspects on this whole thing. I do not propose to set there and propose on how to figure out how to circulate those to everybody. What I would say is, for people that have submitted written comments to the Board, I'll talk with Gary about how we can disseminate those to the extent that they were already addressed to the board and intended to be distributed generally. Some people may not have wanted them to be. The easiest answer would be, if anyone has written suggestions, comments, questions, that they send them to Gary and a copy to me and to the other board members with a request that they be distributed. Then we can do that. If you don't request that they be distributed, I kind of hesitate to actually send out a bunch of stuff that people may not want published. That is the first point of all of that. Larry responded that is fair. President Cathcart reported that when we get to the President's Report, I've got a whole bunch of comments I want to make about what I have read and have seen in the various written communications that we have gotten in the last week or so and I think we should deal with. But let's not do that right now and let's try and finish the discussion first about anybody with questions with respect to Director Casey had said. Keeping in mind that you are going to have plenty of opportunity to see the contract and see the support information that the board is looking at and relying on and you have a chance to look and see what's other comments that people might have, hopefully well enough in advance before the Memorial Day meeting where we can have a discussion about all that. President Cathcart said Lyda go ahead.

Lyda commented that she has no experience with CALPERS or any of these things, but I'm concerned about the way the compensation package is set up. I think should be set up differently to benefit Gary. I have a feeling this is going to be a huge taxable event with this particular bonus and the way he would like it to be. I think a compensation, pension like program to be set it up that way would be much better and I have not read the letter, I believe Jeff sent, so I have no way in knowing what that's about. What I'm concerned about the impact that it going to have on Gary's future, you know what I mean, the compensation I think the optics look bad. The big chunk coming into, being given to Gary looks bad. It's just optics, the optics look bad and I just wonder if we could talk more about compensation because we would like to set it up to benefit Gary. That's the whole thing, is setting it up to benefit Gary. That's my main concern is the optics of it and how this will affect future grants or being able to get grants is also an optics thing. That's my question. Thank you. Director Casey stated he would welcome anything that he can get and thank you very much. You may very well get called upon to help out. I hear you loud and clear and I want this to work for Gary too, in the worse kind of way. President Cathcart reported that they had spent several hours talking to a consultant who deals with these kinds of plans, in addition to what Jeff has told us. There were some other aspects of CALPERS and some of these pension plans, not the least that included that we have to include other employees of the fire department or the CSD and other issues have transportable are these various benefits, such as we hire a new fire chief and he was already part of CALPERS are we then on the hook for unfunded liability or whatever somebody else can't pay. These kinds of things are really critical in deciding that perhaps, if not, in reality the approach we

are taking is better than going through, either a pension plan and there were a couple of IRA style accounts we could have used. One that would have required a \$6,000 or more payment to include three or four additional fire people who could be opting in on contributions being forced upon us. So, we tried to steer clear of all of those things to set this up as other than compensation to Gary. The tax issues are on the table and we looked at it and the \$600,000 number, as I understand it, assumed a tax liability built into it, that would still allow the remainder to be used if done correctly to be invested by Gary when and as he sees fit to try and take advantage of economies of scale and investment programs that would have benefitted him. So, we try and look at all that, but I have a feeling Mike will call you.

Jeff Campen commented on that first he had no problem you sharing my comments to you about a retirement program. I feel very strongly that it would not be in the best of the district because it is so small. You got to look at from an employer standpoint, as well as the employee. The employer liability would be, I think, significant, if you tried to initiate a CALPERS type of system and it opens up a whole hornet's nest of issues that the district would be confronted with. One of which would be bargain and how would you negotiate with and not only with Chief but the other district employees that would be required to be a part of CALPERS. So, from my stand point, it was clear to me that the main objective was to deal with something that was fair and equitable for the Chief and I felt the best way for the district to limit its potential down string liabilities would be a cash payment. I still believe that right now. I think the starting point has to be what is a fair and equitable salary for the Chief and you got to do that based on comparables and it is really tough on our district to come up with comparables. So, if you look at that there is going to be some subjectivity in that. Then you are going to say what do you want to achieve. I hear directors say and members of the public, we want to compensate the Chief for what he has been able to do for the district. I concur and I think that there is a fair and open process that can be arrived at to achieve that end. I have done some numbers myself, looking at ok, what should he have been paid back in 2016. How does that escalate into today's dollar for that? I think it may come very close to what Mike has pointed out. It may not be exact, but I think it may come in the ball park. As far as where we are going to be in terms of the future, I'm adamant that recruitment has to begin today or replacement and I don't mean we're out or actually formally entertaining proposals but the district, board of directors has to really define what it is, what that compensation should be and set a plan ahead so that we can get to where we want to be. Clearly, somebody is going to come in that is going to be a quality person and want to be paid what they believe is equitable compensation. Part of the problem is going to be that we don't pay retirement. Retirement plans, generally, cost you 20% of your salary base. It's an expense proposition either way you look at it. It's going to cost the district more than 20% if you formalize that retirement system into something like CALPERS. For me, I know where I would be headed and I'm throwing it out to the public. If anyone wants to talk to me about it feel free. I feel, obviously, strongly about it and I feel strongly that Gary ought to be compensated fairly and I think he ought to be compensated for the lack of the district's ability to compensate him fairly for the past years that he has not been paid. I think that ought to be including a percentage for what he would have accrued or retirement. I'll just leave it there, thank you. President Cathcart asked for any other questions.

President Cathcart stated Sarah. Sarah Marx stated that she saw that Patty had raised her hand earlier and John as well. I also have a question. They came before me so I'm happy to lend them the mic first if they would like to go. Patty stated she would like to go.

Patty Working commented that she missed the first 3 minutes of the meeting and just wanted to say on record about all this and I think it is 3 points. I just think that Fallen Leaf, it's a not-for-profit organization and I understand that 2.5 million dollars was raised but from my understanding it was in two different buckets. It was like money assigned, be it for emergency services or fighting fires, was my understanding, so those were where the funds went to. So, for me, it didn't seem right to me that funds would come out of two allotted accounts for this large bonus and that, just as when anybody signs a contract when you get hired you have to understand what the terms of the position are. What is your compensation, what are your benefits? So, if any person signs that contract then they know what they signed up for. So, gee, I would love to be getting something too, I would love to have a pension. I never worked in industries that had that. But when you are signing up for it and you agree to the terms of the hiring contract, which I have processed many of those, it just seems very topsy turbee and years down the road. This has no reflection on Gary or what Gary has done. So, I wanted to clear that out. It's just about signing up for a position and hear all the terms for it and you've accepted it and then 10 years later or 11 years later its now this big thing. I'm just concerned that funds coming out of assigned buckets and going for different things just doesn't seem quite right to me. Also, changing the terms to someone's contract, so that, they wish for more and I think most people do, so, it can be absolutely changed 11 years later or whatever. So, then the next person coming in, why not, I'll sign the offer letter or I'll accept the job with whatever stipulations there are or benefits, but I can change it down the road because this has already happened. I just really have concerns with this. So, I really just wanted to voice them.

John Kleppe commented that he has spent 50 years on the facility at UNR from 1969 till professor America's. But I had a lot of federal contracts, state contracts, I had gifts and all these had requirements. I'm just afraid that some of these grants you have to really account for or give back the money if not used or what it was specified for. I think that I don't see any kind of true accounting to take a look. For example, there is a project in now to reimburse the fire department for time and materials lost due to COVID and you received \$308,000 or something and how much was really done to COVID and I'm only pointing out the each one of these contracts where you think is profit. It might not be viewed that way by the people who gave you the grant. So, I would recommend that you may end up being able to do this and turning around and having to raise the taxes to pay it back. I would feel more comfortable if there was a legal opinion in an accounting position, and none of us has the experience that I know of, I don't, to make that decision. It may cost a few bucks, but it would make these alternatives happen and I'm part of a Nevada PERS, not CALPERS. I had to always take the percent of salary and whether they were an employee or not an employee or a contract employee and then the government can make the determination that you were an employee and therefore you owe the back taxes on it. It's not very simple. I'm only recommending, since the numbers are large. It may not be a simple one time; you still have \$500,000 in receivables and I do not know who that is from. My only comment is, we can sit and talk about this and I agree with Gary. He has done a wonderful job. Also on the grant writing, we need to know what the conditions were that

the money was given. Because I'm not sure if there is an audit and they take a look that how much did the fire department was affected with the loss due to COVID. There had to be an accounting for that and the accounting for that amounted to \$308,000 coming into the fire department. Secondly, I don't think we are in a fire or not a fire department, but if you can make this type of profit maybe we should start several strike teams. It's the idea of the public buying equipment and if I were to start a business, in a freight business to buy a truck, it would cost me \$180,000 for the truck and then I have the routine maintenance and all that and I need to be driving it enough to meet the expenses and the depreciation of the capital needed to do it. We are not for profit, so just be careful, I think, in what you are giving away because you may have to give it back. I would feel comfortable if you would lend some money, I'm looking for a formal accounting or legal opinion for you to decide. That's all. President Cathcart stated that was good advice, we need to that.

Sarah Marx commented that we are talking about insuring, but Chief Gerren is able to retire with x amount each month and I'm curious, do we know if Chief Gerren has any other pension for his time in the fire service and Texas? President Cathcart respond that I do not think we have look into that and I'm not sure if that is personally particularly relevant, but I'll ask Mike Casey to comment. I do not know if he has retirement benefits or does, but we are talking about more function that he entitled to base on what he has done here, but Mike what is your view. Director Casey stated that he has actually asked Chief Gerren that question and Gary has responded by basically saying it was, and I think the words he used was "abundance". My understanding that he has not been a fire chief before and so therefore, whatever he has earned in terms of retirement benefits would not be enough for he and his wife to live comfortably in retirement. So, I'll let Gary say any more and I feel comfortable that we are not by what we are trying to do creating Gary's only retirement benefits and that is all. Peter stated that is none of our business. President Cathcart asked for any other questions, Barbara.

Barbara commented very good comments from around everybody. Having served on the CSD board in its inception and in early years, I'm aware of the law and what we are doing and what we are looking at. A couple of comments I want to make in regards to the contract, not in terms of the money, but the contract. For those newer people who have come to the Fallen Leaf family, maintaining a dedicated and well-trained forest ship to Fallen Leaf is what we assume and what we and I want as homeowners is the protection of the land and homes in the Fallen Leaf Basin is the reason for the CSD. We have maintained that all along. Because of the Caldor Fire, TRPA and all the agencies have really done amazing piece on fuels and reduction. I believe that money should be invested in now in terms of acquiring the sophisticated equipment to get in line and clear up the Fallen Leaf community. That should be our number one issue. Use the monies for an aggressive fuel's reduction program. We have been asking for fuel reduction, at least on Stanford Hill for years and years. We need to take care of this people, otherwise all of our homes are in jeopardy. So, I'm thinking, I would like to see a copy of the contract. What are the duties and how can we help as citizens? Another thing is, please people get yourselves informed about the CSD and responsibility and help these guys, the directors and the Chief. So, that we, as homeowners and people who care about Fallen Leaf and its future that we are there to help. That's it. President Cathcart stated thank you. Director Casey also stated thank you. President Cathcart asked if there was anybody else. President Cathcart asked if they should

take a brief break or keep going. Ok let's keep going. Next issue then we are going to talk about is the contract or synopsis will be out hopefully in a couple of weeks, if we can do it and if we can get some discussion going for the Memorial Day weekend again, so this can be finalized. We'll try and get that done.

President Cathcart reported that the item on the agenda is the Contract for the Concessionaire.

### **B. Contract for Concessionaire with CLM- RRM**

President Cathcart state he will let Bruce talk about that because he participated directly with RRM/CLM and Steve who had in-put. Director Hart reported in the packet the proposed contract with RRM/CLM has been circulated. I apologize for not including the exhibits, they are almost the exact same as, right now they are contemplated to be the exact same, and going through the exhibits which were all PDFs, there are some typos and I may go in and recreate and clean some of those up. But for all intentional purposes from a business term perspective will not change. The contract is proposed to be four years and I think RRM/CLM has committed to responding as you probably saw in the second document which is a side letter there, they are committed to responding to community input. Obviously, they will control what they do but they have been very calibrative and I've spent a lot time with them and with the document and I do recommend that the board take public comment on it and after that discuss it amongst the board. I'm happy answer any questions and I'm pretty good at saying, I don't know, and if I say it, I'll find out the answer if I can. President Cathcart if anyone had any questions for Bruce.

Peter asked if there is a provision in this agreement with them to re-enforce the proposed understanding that a boat owner upon launching will abide by certain rules of the waterway? Director Hart responded that if the rules are in the contract specifically, they have to comply with all local, regional and federal, including CSD rules and regulation. If the CSD, which to my knowledge have not, creates additional rules regarding noise and weight, which I think you may be referring to. Peter stated exactly, yes. Director Hart continued and that they will then inform the concessionaire of those rules and specifically the marina staff and they can't obviously, and they will do but we ask them to do within the confine's laws and regulations in their jurisdiction. Peter said thanks to Bruce. President Cathcart asked for any other questions for Bruce.

President Cathcart asked Bruce if he would like to make a motion. Director Hart responded sure, I would move that the board approve the contract, as presented, which includes the proposed site letter and include the exhibits as maybe edited and amended only so I can make sure that they all tie together. There will be no change in the major business terms, and if they were we would come back to the board. President Cathcart asked for a second. Director Casey seconded. President Cathcart asked for any further discussion. Director Malley would like to make a couple of amendments to the motion. First one is, that a minimum of 60% of floor space other than the kitchen and counter space, be devoted to grocery and related items targeted to serve Fallen Leaf Lake community, which includes anyone occupying a house or cabin in the Fallen Leaf area. Second proposed amendment that the contract should provide that there is no advertising including at the campground and by internet, including the reservation system that was discussed. Those are my two



motions. Director Malley asked Bruce if he was going to talk about slip fees, if they are a part of this. Director Hart reported that the slip fees on another agenda item. Director Malley said alright and that these are his two proposed amendments. President Cathcart asked where is the no advertising provision? Director Hart responded there is a no advertising provision, I have not memorized the contract. Director Malley reported that the contract provides with the exception allowing advertising at the campground. Director Hart asked Steve that it says they can distribute a flyer, is that what you are referring to? Director Malley responded yes that is advertising. Director Hart said ok. President Cathcart reported that paragraph 12 of the agreement says "The sole exception is that the contract may distribute or display a flyer at the Fallen Leaf Campground". Director Malley stated that he is opposed to that and to explain on the no internet advertising there was a proposal by the concessionaire an on-line reservation system. My motion is directed to prohibiting that kind of advertising and on-line reservation system. Which implies on-line advertising and to get the word out. President Cathcart reported that he does not see any on-line advertising in the contract to the extent that it is advertising would be prohibited. Director Hart stated to President Cathcart that Steve has made a motion rather than discussion without a second, why don't you see if he actually made two motions. See if there is a second. If there is no second there may be no need for discussion. If there is then we take each one up. President Cathcart asked for a second the either of Steve's motions? No second. President Cathcart asked for any other discussion.

Ruth stated that maybe in the amended board packet that these documents were provided but I don't know if that is the case. Because I have not seen them. Here we are spending a lot of time talking about poor Chief Gerren's contract and the RRM one and we entrust to you to do, but is that to be available publicly. I do not know, but it looks like. Director Hart responded technically and I'm not a lawyer, but we have been advised that a contract does not have to be distributed until it has been executed by both parties. Ruth stated ok. Director Hart continued when the copies requested it needs to be sent to the person who requests it. So, that the legal answer. I guess, I was under the impression that it had been distributed, but Chief I may be totally wrong in that and if I am, I apologize. Ruth stated that she was just curious. Thank you for all you have done. President Cathcart stated that he did not if it was, but he had a copy of it. Not sure if just the board or not. Director Hart responded the board did. Once it is executed, I'm more than happy to make sure it's available to people who request it. I also plan on putting together a synopsis which would include the major business transaction terms, because wading through indemnities and insurance and all that stuff, may not be what somebody wants to do, if they want to, they can, but there is a synopsis I would like to put together that just kind of does the basic business terms and distribute that along and make it available to the community after they have all been agreed to and signed. That is my intent. Chief Gerren addressed Bruce stating that based on legal counsel, I was advised that as soon as you guys finalize the contract and get everything worked out then we will publish it and send it to anybody that request it. But it will also be published. Director Hart stated good. President Cathcart asked for any further discussion.

President Cathcart reported the motion that Director Hart made is up for a vote. All in favor 3 and 1 opposed. That motion passes.

## **ADMINISTRATIVE MATTERS**

### **A. Approval of Agenda**

President Cathcart requested item to be added to the Agenda under New Business Item E assigning a board member to the **Fallen Leaf Lake Basin Protection Coalition** with the understanding it is being proposed by Ruth, Jeff Campen and John Kleppe. A motion by Director Casey to approve agenda for March 5, 2022. Motion seconded by Director Hart. President Cathcart asked if there was any discussion. All were in favor and motion passed.

President Cathcart reported that the agendas are prepared during the days leading up to the meeting, circulated with the board packet. Perhaps we need to do better about when we prepare them and distribute them and how matters get on them. Have a script sheet on how somebody how they can get on something on them, but basically all you have to do is ask. That is the way it has been done for 15 or 20 years I have been following what the CSD does. I think the addition of the New Business E on the coalition membership issue is an example of and all you have to do is ask. We will get to that in terms user friendly in a moment.

### **B. Approve Minutes of Regular Meeting of December 4, 2021**

President Cathcart reported next under Administrative Matters is the approval of the minutes of the December 4, 2021 meeting. We need a motion and then second and then discussion. A motion by Director Malley to approve minutes from Board Meeting December 4, 2021. Motion was seconded by Director Hart. President Cathcart asked for any discussion or comments about the minutes. Ruth stated she had one thing. I don't mean to make it as nitpicky as it will come across, and I'm glad that the minutes as presented do answer the question that was not answered at the meeting with respect to the negative line items in bank accounts. Gary thank you for getting the answer to that, but technically that was not part of that meeting. President Cathcart asked if that is not in the minutes, right? Ruth stated I believe that it is. There is a sentence about how it was answered. President Cathcart stated while we are looking for that and I don't see it. On second page after the report coming out of the closed session there are some missing words, the word agenda should be put after the meeting and after March in the second paragraph we can correct those and that is not subtenant. Any other comments or discussion about the minutes. Director Casey said no. President Cathcart asked all in favor for the motion to approve is called for the question. All were in favor and minutes were approved.

### **C. Approve Financial Reports F/Y 2021-22 through February 21, 2022**

President Cathcart reported that the next item is to approve the financials report to the fiscal year 2021-22 through the end of February 21, 2022. Does anybody have any comments about them, if not we will move forward with a motion? Again, does anyone have any comments regarding the financials reports that are part of the board packet. Director Malley wanted to ask Gary if there are any, I looked at them, but is there anything in particular that we should focus on, on these reports. I don't see issues. Director Casey pointed out one thing he was not sure about was on the fire departments balance sheet, I do not see any reference to receivables. Chief Gerren reported no sir, that is not one there

on the income of the receivables. The way Shawn keeps that she doesn't have that listed in the balance sheet. But we have approximately \$450 000 or \$480,000 still receivable coming in. President Cathcart asked where is that reported in the financials reports or is it. Chief Gerren reported its not in the financial reports, there is not a receivable section on this. Just the monies that come in that she gets actually in are deposited either by the US government direct to our account or come in from the State of California. Director Casey asked does our auditors suggest that we not have a receivables line item. I think we should unless there is a reason not to. Chief Gerren stated it was suggested a couple of years ago that we not have that item on there. Now that was Bob at that time and I can defiantly talk to Kelly about it now, but as you have the audit report in front of you, the current audit report she didn't mention anything about it again this year. Director Casey stated right. President Cathcart reported that he thinks he should ask her. Chief Gerren responded ok. Director Malley stated we used to have that. Director Casey stated they are big numbers. Director Malley stated yep. President Cathcart stated ok, do you want to postponed the approval of these until we find out whether or not should have the receivables reported. Director Hart stated, I wouldn't, I would just say to have them, depending the outcome of the discussion with the auditor, if there is not a reason to have it just have it in the next published financial balance sheet. President Cathcart said ok. Director Hart stated to Mike that Ruth has her hand up. President said Ruth. Ruth said thank you. I think if between now and May you are going to undertake a contract discussion and resolution, knowing that the information is important now or sooner, what is receivable and what is owed. I'm curious with respect to the 2018 audit and the 2019 recommendations, whether there still are, as are that are marked at website pending item and if there are dollar amounts associated with that and if there are or if we can safely guess there might be, we probably ought to show those as liabilities outstanding. President Cathcart called on John. John reported that the one thing that needs to be also is the aging of the receivables, because most companies, if you have a receivable that is over 5 years you write it off. So, I think the receivables are totally important in a role to any financial state. President Cathcart asked Chief Gerren if he could talk to Kelly about that. Chief Gerren responded sure, that absolutely will. I call her and talk with her on Monday. Director Malley reported that yes, we do know what receivables are, because Gary discloses that to us. We are not a cash basis taxpayer so we should probably amend that. Chief Gerren reported that these receivables are from no outside vendors, they are from the State of California or from the USDA. There are no private vendors that may or may not pay us. President Cathcart asked any further discussion. Barbara had a question, that it is my understanding that every organization that I have been in with is that you don't approve a financial report, you accept it. So, that might give you the wiggle room in terms of well, there things that need to be added, corrected or changed. So, I have never been in an organization where you approve the financial report you accept it. President Cathcart stated, so we are intellectually flexible, so does it meet everybody's else's approval. Director Malley stated of course. President Cathcart stated we will change that to accept. So is there a motion to accept the financial statements. Director Casey stated yes. Director Malley seconded. Director Hart stated that he would, move it and I would change your representation was it was through the end of February and actually on through the end of February 21, 2022. President Cathcart apologized and said to Bruce that he was right through February 21. Director Hart

stated I think you have a motion that has been seconded. President Cathcart asked the question all in favor. All were in favor.

President Cathcart stated to Gary to report next on the COVID-19 Report and the General's Manager's Report. If you want to give the General Manager's Report and Fire Chief's Report and mention what you think is appropriate for COVID-19 that's ok. Chief Gerren said ok and asked if Tom and Jennifer are on. Tom and Jennifer stated yes, they are.

#### **D. COVID-19 Report**

Chief Gerren reported to let Tom give his COVID-19 report along with his report, if he wants to do that. President Cathcart asked to report out of order. Chief Gerren said yes. President Cathcart reported that the COVID-19 and Concessionaire Report will be out of order. Is that ok Tom. Tom stated yes.

#### **G. Concessionaire Report**

Tom Melendez reported thank everyone who has faith in us to come back. We're excited about that and we have put in a lot of hours preparing for it and thank you for that. Bruce thank you for all the work you have put on the contract, I know it's a lot of work and you're doing a great job, so, we appreciate that. As far as COVID, we are just as we always done, following State, Federal and local laws and as we get closer to the season, we'll update according to the direction from those organizations. As far, as our concessionaire report wonderful things, Jen has spent hundreds of hours hiring staff and are trying to find a place to put them, but we will get them there. We have spent a bunch of money; we have 2 platoon boats on order and we should hopefully have those for the beginning of the season. Everything looks good and they are ready to get started. President Cathcart asked if anybody had any questions. Director Malley stated yes, he had a question. Tom, on your letter that was circulated here and I don't know if anybody has seen this letter or the public has seen this letter. President Cathcart asked which one. Director Malley stated it was describing what you will be doing. You don't have in here the business about the internet advertising that you had before. Do you want to comment on that? Tom stated there is no change in what we are doing as far as advertising from the past contract. The wording is exactly the same. So, we don't see any changes there. The only think that we were requesting, was because we were going to have 3 platoon boats now, thankfully, we may need to set up a reservation system temporarily. That has not been approved, but it is something, if we can do that, without advertising. It's something that people can go to on-line to reserve their boats, pay for their boats, so, that we could have a better track of that. That is all that we are looking for there. Director Malley stated that his question is, in my mind, you know my motion would not get very far. How do you expect people to make that reservation on-line if you're not advertising that they can do it? Tom reported, when they call the store, we can direct them to that website or that reservation system without advertisement. Director Malley stated, that you will have a website out there with that information out there it. The website is going to out to the public. Tom stated right, we have not set that up yet, so, we can probably set up secured link to make sure that is appropriate. Again, when we do, or if we do, provide that system it will be approved by the board first. We are not going to implement something without that. Director Malley stated that he appreciates that and thank you. Tom stated thank you and no problem.

President Cathcart asked for any more questions. I think we ought to mention ins Steve's comment about the groceries and the supplies, the contract drafted, and I assume, it is your intent does have the provision that you'll try your best to answer needs and requests from members of the community, including services to answer what their needs are, if they are not being met with supplies and products. Is that pretty fair? Jen stated, absolutely. One of the things we knew from last year, is that the local residence kind of didn't get the priority that they deserved. So, one of the things I've done in the office in the off-season, I have hired, drum roll please, a resident director and her main goal is to make sure the residents get everything they need, up to even private groceries, if they want to do that. Obviously, including the layout in the store to any of the resident in-house accounts. All of that will be through the resident director. She is going to be full-time and available for everything and I think that will take care of a lot or mitigate a lot of the issues we had last season with the locals not getting what they have come to respect with their store. Director Malley stated if he had, had the opportunity to talk to them before, I would have changed my vote. Tom also stated to Steve, the other thing I want you to know, is we can't designate a specific square footage of our store to the residence, but I promise you'll see a great improvement in that aspect. Jen also added to that. Now that CLM acquired and all that, we have the ability to take over more of the store in-house and I know CLM had been farming out the retail side of things, we are going to be pulling that in-house as well and not relying on outside sources. That way I can get the locals ion-put to what they want in the store, including a smoothie machine or an ATM or any those resident needs, we have the ability to try and do that now. So, we are excited. Director Malley stated, we are glad to hear it and your comments. Director Hart stated to Mike that Wanda had a question. President Cathcart stated, go ahead Wanda. Wanda, stated that she has said this once before, but I think, but first all I wanted to thank everybody who was involved in getting together for the contract with the store and marina, because it is very important, obviously for all of us to have those kinds of services. So, I really happy about that and Tom and Jen, I've said it before, you guys do a great job and you're really trying hard. Last summer was insane because we had to be closed for so long, it was just crazy, but I'm so glad you are back and all your ideas sound really great and look forward to the summer. Tom stated thank you. Director Malley reported that he had one more question. Where are we at with the liquor license for wine or beer. Tom stated Mike Cathcart. President Cathcart stated I know where you are because it is in the agreement that you have the right to own a wine and beer license or to get one. Do you have one? I thought we had decided that there was not going to be sales of wine and beer, but I can't remember. Tom stated that we were under that impression as well. I don't know if that was a last year's specific only item. Now, I will tell you this, I don't know how many people know, Warren, owner of this recreation, has acquired a company called "Base Camp Hospitality". They run marinas stores and cafes within California. We're in Laughlin, Nevada now and we have a week-long conference, with that company, actually it is our company now and we are going to discuss that with them and if that is something that needs to happen. But I believe it is the board's decision on whether we are required to do that or not. President Cathcart responded that what we think or talked about last year, or whenever it came up, was not having any alcohol sold that would be consumed on the premises or to be taken out and, in the agreement, you have the right, to I guess, to beer or wine license for off premise use or consumption. But I know we had a discussion; I remember that Warren agreed that we

don't want people buying a case of beer and going off in a boat in it. So, that is part of the problem. Let alone not using the beach in the various physical areas around the lake to consume whatever they bought, but I think that is something important to the community. Director Malley reported issue last year was that there were two entities involved and that you were going to be using someone else's license and you voluntarily agreed that it just could not happen. So, that is why we said no wine last year, but I guess it is something we should look at and decide. Tom stated that he will say that Warren's stance is the same as last year. So, if that is something that needs to be approved than as far as we agree with that stance and if the board gives us approval, we will not sale beer and wine. Director Malley stated to Tom that is think what the issue was that you can't use someone else's license on the premises. We spent a lot of time looking at that. So, if that is still the same issue, I don't think you can sale beer or wine. President Cathcart reported that the other thing was also, in my mind, a community objection to serving alcohol out of the store, because of the propensity of people to drink and consume on the beach and on the boats and other places we don't want to encourage. So, I guess what we want to do is to figure out if it is appropriate RRM come to us if they want to have any kind of alcohol sales Director Hart stated that I am going to tell that the liquor license issue is a vestige that I missed it and didn't delete. I will say the board and RRM have been in agreement that RRM will not sale on premises or off premises alcohol period right now. If the board wants to change it, it is a different agenda item, but right now the concessionaire will not sale it and I will work with Warren and Tom to take that little item out so, it does not cause confusion. President Cathcart said ok, thank you. Any other discussions. Ok, next is the General Manager's / Fire Chief's Report.

#### **E. General Manager's / Fire Chief's Report**

Chief Gerren stated thank you Mr. President. I to would like to thank Tom and Jennifer for a job well done last year. Even with the smoke evacuation and actually evacuation they did a great job and ended up having a great season. As far as COVID goes with the fire department, we will follow the current State, County and Federal guidelines. A lot of the masks and other requirements have been lifted and/or will be lifted. So, whatever is in place we will follow.

Chief stated let me get into my report and if anybody wants to ask questions when I'm finished, I will be happy to go through those. Our responses have not changed since the last report. There is no training, because we are in the middle of winter. Training will actually be stating the first of part of May. Our volunteer personnel and our interns and our paid personnel will be staffed to the same levels if not more this season. All our apparatus is functional, either in storage or on location at the district. All our local agency agreements are in place. We are working on a new AOP with the US forest service. An AOP is Area Operations Plan and that will be a new agreement that we are looking at and that Lake Valley looks at them and also, I think the city, is working on an agreement. So, they are in the process of redoing all of our agreements for the basin fire departments. Projects and Prevention, the Caldor Fire was considered a national disaster by FEMA and as such we have been working with FEMA to recover for some excess salary costs and one of the items later on in the agenda deals with that. We have applied to County of El Dorado fore requesting funds from the American Rescue Plan. Funding is to recover loses through the fire department either for fund raising or in other loses and the county received so much

or received \$39 million dollars from the feds for the American Rescue Plan. They authorized the Fire Chiefs Association, which we are part of for the El Dorado County, they gave the whole association \$500,000 to be distributed which we will be the beneficiary of around \$22,000 that can be used for either uniforms purchases or decon equipment. Such as, washers or extractors, they can be used for deconning uniforms. That hasn't been finalized yet nor has the resolution been finalized with the county. We applied for funding authorized by Assembly Bill 128 and Senate Bill 129 and that's the money that we received was \$308,000. It was an open grant just for recovery of equipment that we should have had and didn't have and for improvements in the department and from other things that could be used for any other situation like this in future. We applied for actually \$400,000 something and we were awarded \$308,000. We applied to Cal Parks for the grant to replace the launch ramp and I think I discussed this at the last meeting. We were not awarded that funding and have been advised through communications over the last couple of weeks, and we will just reapply with them on the next round. That round closed and we didn't make it and we not approved and are able to apply again and we will apply.

President Cathcart asked the Chief what is the cost to replacing the launch ramp the pier. Chief Gerren reported from a survey I did a couple of years ago with the engineer that came out and looked at the for the launch ramp only, it was upwards to anywhere from \$250,000 to \$300,000, at that time and that has been a couple of years ago. That was the engineer that came out and looked at it and did a partial study and gave him a report on that. President Cathcart asked modifications to address the fact that the concrete is too high off the ground where you can't launch boats? Chief Gerren replied yes, that was a complete remake of the current launch ramp. It would be put at a different approach, wider, go further out and would all be concrete. It was a complete remake or makeover on the current launch ramp. To try and solve those problems that we currently have with the all the sand and everything in the way it drops off. President Cathcart asked if we lose the grant if we do the repairs first? Chief Gerren, I sorry. President Cathcart asked can we do the repairs seek a reimbursement through the grant or do we lose the grant if we pay for it. Chief Gerren replied that this grant would have to be approved before we can get reimbursed. This is a reimbursable grant, is what these are, the repairs would have to be done and then we would send or submit a billing. But without it being approved, before the grant, if we didn't have the grant approved, we wouldn't get anything from the grant, because we hadn't been approved yet. That is why I say we have to go in on the next round and apply for the next round. Director Hart asked Gary in the risk in making your report a little longer, I apologize, but in talking to the concessionaire and Tom mentioned earlier they have bought a marina operating company/ There may be ways to prefab that whole new ramp and slide that could be far more economical and Warren and Tom I have not talk with you, and Warren said to make sure we talk to him and maybe they can put us in touch with somebody with the new company that may come up with, at least, an alternative for a more economical solution to it. Chief Gerren stated that is great and I know Tom made me aware of it the other day and you can bet I will definitely be talking with Tom and Warren about this as soon as we get the season. Because any input I can get would help us. I mean I've done a lot of research on this for different methods and that is one reason why we brought the engineer in to take a look at it and tell us what we were dealing with. So, yes, I am

open for any solution we can get. Obviously, though, I would like to get a grant to make that solution happen, but if we can do it for a lot less money that is a very durably thing.

Chief Gerren also reported we are applying for and we do it every year, for our Rural Fire Capacity Grant. It used to be called the Volunteer Fire Grant, but they have changed the name now. So, it is the same grant we've applied for since I've been here and it's a 50/50 grant and we have received it each year I have applied. We have applied for a DHS SAFER Grant just for personnel, full time personnel grant. We won't know thing about it probably not until mid-summer or maybe later. This grant is for payroll of personnel and it's a 100% grant for over a three-year period. These SAFER grants change periodically. We were award one several years back but the financing was from our part of it was more money than we had available to finance our portion. This is a new twist on this grant that DHS is putting out for fire departments. It is a 100% funded grant for 3 years. So, if this were to or we were to be fortunate to get this grant it would do a lot for us in personnel and payroll. It would basically pay the payroll and benefits for that 3-year period. WE have applied to DHS AFG Grant to purchase new SCBA's that's self-contained breathing apparatus, that we currently use. Ours are all 2004 models which is pretty much of all of our tanks have timed out and can't be rehydro. We purchased some tanks over that last couple of years to keep enough breathing apparatus viable for use, but we are at the bare minimum. So, I put a grant in to try to and replace our whole system. The website updates, I know that is something that I'm definitely want to do and get done and have been for a couple of years, but is just hasn't happened and we have used our same website master and I am not really happy with the response I get from him from time to time. So, I'm looking at two different web providers currently, and I'm trying to being a new website proposal to the board and get it up and user friendly, and is more current with the modern websites that are out there now and would make life a lot easier for everybody when they are trying to find things on it. Not only for our residents but also for us on our end when we are trying to load data in and make changes on our end to make the website contain the information you guys are looking for. A couple things on the website I also want to talk on this particular point, is our auditor this year did request, by state law, that we add and I put links in my report that you see. I've contacted our web host now to add these 2 links, that needed to be added per state law to the front page of the website and as of point today, I do not think that have been added yet. But I'm still continuously been working on that. These will be things that will be changed in our new website. The next thing is the Firewise USA is offering a website and I think maybe Peggy might have signed up for the website. I know I got an email from her. This is a thing we have been working on for quite a while over the winter and even last year with TRBC and NFPA is going to be there to do this deal. I posted a link that you can put in your browser and it will take you to the Firewise USA and also another link in there that takes you over to the public education portion and then there is also a link that takes you to the current insurance offering you discounts. Leona Allen, who is a board member over at the Lake Valley, has helped me out a lot on this and got me a lot of good information. I hope that anybody that can attend the workshop will be and I think they may even make the workshop available on line. Not sure yet, because I have not talked to Amanda over at the TRBC in the last few days. But they were working on trying to make that accessible. This has a lot of your stuff about the Firewise neighborhoods and these links will take you in and give you a better understanding what is



available under the Firewise neighborhood and also for the insurance carriers that do offer discounts when you do come under the Firewise neighborhood. I talked with Amanda and Amanda has said that the way our terrain is and our layout, that she would probably think that we would be considered to be one, two or three neighborhoods, depending one neighborhood on the east side, on the west and one in the Stanford Hill area. The one thing that has to happen with Firewise and is not all the fire departments. The fire department has one component in this, but it's the community itself and the residence in those neighborhoods that have to get together and start the process. Next would be the Caldor Fire has brought attention to the fuels and the dry conditions, so in the Tahoe Basin area we have been working with the USFS to request for removal of slash piles, log decking and has been placed in our direct over the past ten years and has not been removed. This is now underway and that is the good news I have to report. The USFS prior to the snow started removing the log decks that were there near the Fallen Leaf Road and Tahoe Mountain and also up alongside Tahoe Mountain. They got a lot of that done and I'm not sure what their total progress is. I've been in conversations with them over the past few weeks and they started burn piles in the Angora Ridge area this past week and they are going to move down to some more piles by Taylor Creek and inside the Cathedral corridor between Taylor Creek and through this next week they are going to start burning some piles in there. I guess, ultimately, I'm trying to say is progress is happening with the forest service. So, hopefully they will continue to keep doing the good work they are doing right now. I'll report on that as it comes available. The fire department will be doing again this year and we are going to do more and more of the PRC 4291 inspections, that is the defensible space inspections. We attempted to do some last year, we did some road clearing on the west side and that is going to continue, plus more this year. We have had Rob Kimball last year, basically he worked on a as needed basis for use to either remove trees, heavy limbs or do all of our slash we produced and also slash that was produced by any homeowners, either on the main road in or on west side or on Stanford Hill. I think some you called last year and we got Rob up there and he took care of most of that stuff. I think he does a good job and he has people that can operate his chipper and they do a good job and it makes good sense to use him because he is familiar with the area and get in there and get our slash piles taken care of. Of course, as usual it is going to be dry this year and based on our weather reports, fire weather it is going to be another dry season. So, you are going to see our people out and about and as I said, we are going to try and do more defensible space work and more of the 4291 inspections. So, if you have any questions on 4291 guidance feel free to call, call the office, call the station, but I think you will see a substantial change in how we are out doing the inspections. The one thing that everybody will have to remember is we are basically surrounded by US forest service and the areas that are private we can definitely do defensible space inspections and I have already have been talking with CalFire the past week about a coordinated effort and training program as far as our people. The feds said some point, I talked with their chief and the gentleman that is over the burn piles, about the continued progress they are doing and I'm also talking to them about inspections in they, for instance, the Stanford Hill area or anything where there are forest service cabins. That is a bit different and that has to have approval from the forest service. So, if we can work things out with them, I have offered to and, in the past, and, they have not wanted to get in to that. But I have offered again this year since the Caldor to help them get rid of the piles at the first of the season and hopefully they are

making progress now that they have done it over the last few years. Our meetings are still on zoom and hopefully the May meeting will be in person at the community building for the scheduled meeting on the 28<sup>th</sup> for Memorial Day and look forward to seeing everybody at that meeting. I did add to my report, if you look, there is a Firewise USA agenda that everybody can look at and the last 3 pages, the insurance, this is the insurance offering discounts and it gives a list of those and websites. So, I tried to include that into my report, so that anybody that has that can find those links and be able to contact the state for the insurance discounts or go and look at the Firewise programs that are coming up. Thank you. President Cathcart any questions, John Kleppe. Mac Irvin stated that he had a question when you get to it.

John Kleppe commented the largest risk, I think, to the Fallen Leaf houses was appointed out during Caldor, and, I asked several times if they would move equipment into Fallen Leaf or is it too dangerous to protect those homes. I listened to the meetings that were going on with the strike team meetings, every day and I asked this question which was never responded to. We have such fuel loading and such a minimum entry and exit plan; it is very dangerous to move fire equipment from outside into Fallen Leaf to protect the cabins. I heard that was basically, let Fallen Leaf burn, because we don't have the ability to get equipment in and it is too dangerous and something should be done even though there were dozers that were used to go along from Spring Creek and the decision was to drive the dozers to keep the fire from going into South Lake Tahoe and not to protect Fallen Leaf. So, it seems to me that we need to have fuel reduction, fuel reduction, fuel reduction. You can do it by around your house, ok, and then you can't do it on the private and you don't it. I tried to pay and say I would clean next to the private homes at Fallen Leaf and the forest service would not allow us to do it. So, there needs to be, I think, mechanical and there are going to be billions of dollars of infrastructure money and I do not know who does it, but somebody needs to have proposals to put our face in front of mechanical fuel reduction, millions of dollars which, now it burned all around where it do not come down through desolation and we got lucky with the embers not flowing into it like Angora. Somebody needs to take responsibility for leading up and making it aware that our biggest threat is reduction of fuel needs to be done and also ability to have a plan to doze in so that equipment can be brought in to save the 400 structures in the Fallen Leaf Basin. I know this is good to burn the piles, but we need to go beyond that, I think, to find out how we could and the forest service would like money. Is there a way, Gary, you can write proposals that you can bring in money that would be matched with the forest service, like 10 to 1, to get the millions required to really do the mechanical? It is great to have Rob go in and chew up a few things, but I think there needs to be a major fuel reduction plan for the Fallen Leaf Basin before it burns down. End of comment. Chief Gerren asked the President to address John. President Cathcart said go ahead. Chief Gerren stated John you are right. We haven't and we have been working on plans for years with the forest service and they are very slow about doing anything. There are more funds available now and we realize that and we are working with them now. What you have to remember is, the funds that are available are distributed by the feds or by the other agencies to the feds because its forest that is on their property. But we have had a good working relationship with them. The fact that they even doing pile burns now is something that I can feel good about, because they have not been doing that and that was basically just because the last

fire, we just stayed on them and stayed on them and stayed on them about it and now they're probably doing something. The conversations that I have had most recently is, there is a lot of funds available and they're going to be funds available. But it also, goes through the federal process and it also goes through the forest service process and absolutely I want to get them in there to clear forest service area. Which is the majority of the area covered that needs to be and have fuel reduction is forest service property. So, I agree with you 100% and that we are doing that and we have a plan and I will say this, I am not sure where you go your information about where they are going to let Fallen Leaf burn. That is totally 100% incorrect. I was in all those meetings for 3 weeks and we had plans in place on what was going to happen. Those plans we used locally, in our district, with our people, and there were also plans available to me that were there so if we did have a fire started, we would have resources coming in. So, the conception of the case that it is too hard to get in and too hard to get out is incorrect. There were a lot of places that were in the county that Caldor Fire was too hard to get into and get out of and we still had equipment down in them and they still came out. So, I am not sure and I'm going to have to dispel that particular rumor that the is absolutely incorrect, because I was there day and night and I know what we did and how we did it and I'm proud of everybody that worked it and did a good. As you can see, everything is still standing and had we had issues of the fire coming in we would have people in there, strike team after strike team to make sure it did not spread any further than what they could control. So, you understand that there was a plan in place, that plan was operated for 21 days or how many days we had and I was on top of it every day. John asked maybe it is possible to look for private sources of funding that would match what the forest service to give Fallen Leaf Basin a priority with some of those billions that will go in. If we had a plan maybe it can be political phone calls made for support to senators or whatever it takes to making noises to help. You either get squeaky wheel greased or replaced. Ok, so Fallen Leaf can use some political pull and say look how close it came. It's going to be 400 homes that are at risk and we should have a percent. If we need to raise money, we or you, raise matching money that way and that really puts your priority up. Instead of 10 years burning a few piles we can get right in the middle of having the proper mechanical done because there is justification, a lot more people going into desolation. There is a need because of the input of the extra recreational population that you won't be able to control it without getting a head of it. That's all. President Cathcart stated that Mac Irvin had his hand up.

Mac Irvin wanted to run back to the ramp question for a minute. Gary I am going to try and repeat the 3 things I thought I heard and you can correct me if I heard incorrectly and the related questions. The first was the funding grant was not accepted and the question is do we know why. The second was we missed the next round to apply, why that and when is the next window for the application. In the not-too-distant past, we had a rough estimate of replacement or refurbishing value to \$250,000-\$300,000 and is that reflected in any reserve item at that time and has it been continued to be reflected now. The big question is, is it wise for us to be reliant on a grant. Chief responded that, no it is not reflected, \$250-\$300 is not reflected in the possible replacement. We were trying to be reliant on the grants because we have received one grant from the state parks that hopefully will be and is set up to run through 2024. It hasn't started yet. The grant that we applied for which is the RAIHB grant, I think, was through Cal Parks, a division as our last one. They had

already made their awards when we applied. So, the grant person contacted me and said that when that grant opens back up, we can apply for it again. So, it should be sometime this summer and we will apply for that grant again. I'm not sure when it opens and the gentleman, I talked to with the parks was not sure when either, but will open and we will apply for at that point. Mac stated thank you. Chief Gerren stated, he thinks that answer his questions. Mac stated yes, thank you.

Chief Gerren reported to let him make one more note here and I know Mac would be interested and as well as a lot people. I did not have this in my report. But I did have in my report an update on the cell tower. My understanding from the people supposedly in the know, the cell tower should be completed this summer. I know they have not started yet, but it won't take long once they start. Whether it's on everybody this summer, I do not know, I was told that 2 weeks ago. Also, the fiber that was coming in, as you guys know, most of you know they brought the conduit in for the fiber and its all the way in, I think, pretty much in to the, not to the fire station yet, down quite a way and back to and from the campground and its stops there. I have had two reasons why it hasn't been finished. One is Liberty Electric has not allowed them to do anymore because AT&T hadn't finalized the agreement and the other information, I had was the Hwy 89 corridor project, which will bring new road off of 89 down to at least the campground and they may move those poles. That's the other information I had. So, to say we are going to have fiber before the summer is out, I cannot say that. Although, last year they told us we would, but things have changed. I just wanted to give you an update.

Peggy L. stated she thinks Franz might be wanting to ask a question. But he is on the phone and I know he had some questions for Gary during his report. That's all, I didn't know if you could see or hear him.

Franz stated he is here, can you hear me, this is Franz. Chief Gerren stated yes. Franz stated to Gary that he had two questions. One is the update on the new year-round fire boat, when that is going to be launched and operational and then also, something that has been talked about before that is signage on roads for emergency vehicles. I know Lilly Lake and Cathedral, Rontoni, this goes along what John was saying about emergency vehicles being able to access the tracts. So, if you can give updates on those two things, I would appreciate it. Chief Gerren stated as you know last year you and I talked quite a bit over there about sign placement and things like that and we did try and put emergency parking signs in and that terrain does not lead to my personnel by hand doing it. So, it is going to have to be mechanical means with a hole drill, but that is still on the table for this year. Also, fire boat, I get an update every Friday and I just got one yesterday. Fire boat is about 91% complete, they are laying up equipment on it now and everything is done and I have watched the whole procedure every Friday when I get updates. Its scheduled-on track around May 1<sup>st</sup>, providing we get a motor. The motors are a big supply chain problem, not only for everybody else, but for the boat builders too. So, that is the latest, they think everything is going to be ready by the 1st of May and if it is they will be having it delivered and it will go into service. Franz stated thank you.

Director Casey asked Franz if he wanted to mention about the blue bags. Franz reported that the blue bags are available in 3 locations, on the west side at his cabin, down at the store and at the fire house down at the south end of the lake and as soon as those facilities are open and operational, people will be able to pick up blue bags. We had a great response last summer, it was huge. Thank you everyone for supporting the blue bag recycle program and keep going.

Wanda K. stated to President Cathcart that she had a question. President Cathcart said go ahead. Thank you so much Gary for the fuel reduction discussion was well received and very important. So, that was good. Couple of quick questions. One is we talked about the ramp to the marina. The marina itself though and the break water and all of that, to me, I am not an expert, it looks like it requires a lot of repairs at some point. Was that discussed or do we have any plans for that? Chief Gerren stated the he has looked at different options for and you are absolutely right, the break water to me is one of problems we have. We have problems with it every year and by virtue of the wind coming in from the north and we just have a lot of problems. But John has always been good about getting it fixed and taking care of it and fixed it for us and does a good job for us in that manner. Hopefully, Tom and Jennifer and Warren are involved with this other company and Tom told me that they do manage marinas. Hopefully they will have some ideas or some input on different solutions that maybe we can come up with because I would definitely like to have something different than what we currently have. Because ours is just an on-going issue from time to time. We have improved it quite a bit last year with some new logs. We got another new log to put in that John will put in for us at the beginning of this season. It is always just an on-going thing and on-going maintenance issue. But I would definitely like to have either a purpose built for that from a supplier that would be something that we could put in and that we would not have to worry about. Wanda stated thank you and had one other question. You said that the next board meeting might be in person. So, my question. President Cathcart reported that it would be the May meeting, not March. So, my question is will we have some way to participate without being in person. Chief Gerren stated absolutely. We started the plan last year because we thought we be able to have the meetings at the end of the season and we didn't because virtue of the COVID. But I plan on having a zoom link and we always had a phone link and to me the zoom link we have the ability to get internet down there. So, our intentions are to have the in person and also the zoom link, so you can attend by this as if you are not there. I just think this can be just perfect solution to that rather than the phone and it gives you a little more mobility because you can be seen and heard rather than just on the phone. Wanda stated thank you very much, that is great, very good, thanks a lot.

Patty Working asked if she can say something. President Cathcart said go ahead. Patty stated she wanted to go back to defensible space and fuel burning and so forth. I have worked for years on Stanford Hill with people on doing defensible space and getting trees cut down and burn piles down and Stanford Hill is just desperate from everything from the fire inspections on people's property and just getting more help. It's a little tricky up there and there is a lot of trees and fuel that is down and that I don't even know how to get out. I would certainly be willing to work with Gary and the fire department or somebody with the forest service. Because even getting inspections, we're forest service land, so it is very

difficult and we need help. Because if one segment goes up in flames it is going to take down everybody else. So, we are working hard up there, but we for sure need help with everything from thinning the trees out, that is on nobody's land in particular, it's in the forest that hasn't been done. There has been talk for over 5 years that the forest service was going to be coming through and doing a lot of thinning and a whole variety of things. If it's occurring, I am not aware of it. So, I would just like to throw my hat out to help and see how we can get help for us up there. Chief Gerren stated thanks to Patty and that she has been great up there working with the neighbors and trying to get things cleaned up over the years. I think you had some piles up there last year the we tried to get Rob to get out of there for you. We have been definitely been working with the forest service and we're working with the new fire chief over there and we are going to work on and get these inspections programs figured out. If they are not going to them, at least let us go and do them, where we can see what is actually happening up there and do defensible space inspections around the cabins. The forest service has a different defensible space protocol than 4291, but it is pretty close and we've been talking about that and I even talked to them about that over this winter. So, hopefully they'll be able to let us come in do those and make recommendations or remove stuff. Even if you make a recommendation that has to be moved, they still will have to approve it. You know depending upon the size and what it is, as you know how it gone all these years. But we definitely want to continue and want and thanks for all your hard work. Patty stated that she is happy to do that, because it is for the benefit of the community and my neighbors up on the hill and the whole lake. I think, I will obviously come off-line for a different time to meet. We talked about a plan a while ago, you and I, there is a couple of other people who mentioned to me that they would like to get involved in as well. I will not bring their names up here, out of respect, but there are people who have thrown in their hats as well. So, I think, we just need to start the season with meeting and seeing what we can come up with as well and organize Stanford Hill to do our part hugely and get your help and input with working with the different agencies, because you got the contacts and I certainly do not. So, anything we can do together to make it more positive to get some real results would be great. So, thanks for the time on this topic. Chief stated no problem to Patty and if you get a chance take a look at Firewise, USA link, so you can look at that and I know you were involved with Living with Fire back in previous time and that was a different set up at that time. But look at the Firewise because that is the neighborhood generated type thing and with your folks up there on Stanford Hill, I definitely hope you guys take a look at that and see if we can get that started and expanded up there. Patty stated ok, alright, thank you very much.

Ruth stated that she would like to add something to that because I'm aware of, I believe that the lodge group has coordinated themselves and are talking about how they are going to move forward with the Firewise construct. Stanford Hill, Patty, we will need to do that and other areas. I know the west side needs to do that and all these things are true, but we do need to get better organized and hopefully we can do that ourselves and invite, like Gary, to participate and help guide us. But I will let you know that; maybe Chief you might not know this yet or maybe you do; Leona Allen as has been rehired to do the inspections for the forest service parties. But as a friend of mine, she said and I know it's been four years, so the problem is all over the basin and she has a big job. We may be able to leverage ourselves as a place of concern and egress problems or access problems, so we can work

on that and try and get this done. But I can tell you from the last inspection we had up on our cabin, the document and that's four years ago, gives permission to the homeowner or once the approval has been passed, you can do 100-foot radius around your property. You will need to work with your neighbors, if you are closer and our cabin, that is not the case. They were very welcoming of us doing more work and the same has happened in our neighborhood with neighbors who are, like us, they have adjoining property with the forest service and the forest service has let them do things. So, it is a process, be it can be achieved, we just need to get on it. Chief Gerren stated that it is great and glad that Leonne is in that position. She was working last year with them part time as a patrol and now she is in that and she is a great asset to have and I look forward to working with her and I think we can get a lot accomplished. President Cathcart called on Lyda.

Lyda stated what you can do is call Amanda Maliche, she is a part of the Tahoe Fire Adapted Communities and she will help with getting you into the Firewise thing. There is a Firewise portal that you can go onto, it only takes 5 members to create a neighborhood community. If you want to do just 8, 8 and 8 or whatever, you do not have to have everybody involved. You can get 8 houses at a time to do it and Amanda Malice is her name and I have her phone number 530-539-9163 and she is part of the fire adapted community; she is the one that will help you with this and might have her come and talk. You might have her come and talk to the CSD, you can have her come and talk to the Fallen Leaf Lake group, also. She is willing to do that and she can help us all without us all having to do it by ourselves. She is in there and she knows what she is talking about. So, I would definitely contact her.

Ruth stated that she would like to add that Leona shared with me all the documents she would need and the process steps needed in her neighborhood and getting the adjoining neighborhood. Also, Firewise compliance, so we have a ton of work already done and that is available for anybody who would like it. I think, I have shared it with you Gary, if not let me know and you can be the point to distribute it. Chief Gerren stated that Leona and I have been back and forth. She gave me that and along with Amanda too, that Lyda was talking about. You can give her a call and you can look on those links I've noted in my report also and that will give you more fire advice. I spoke with Amanda last week and she has some great ideas for what we may do this season as far as different neighborhoods in creating what we need to create to make it work. President Cathcart asked is there is anything else and anybody else has any comments. Thank you, Gary.

President Cathcart stated if there is nobody further, thank you very much.

Bill Neidig stated he had a question. Gary, we listed a bunch of entities that you have applied to grants. How have find them all? Chief responded that a lot of them we get through our Chief's Association. I'm part of the Lake Tahoe Regional Chiefs, which is the basin chiefs and, also the county chiefs. So, we get a lot of information through the county chiefs where opportunities are coming out of the county and I have emails that bombard me with information on different and available grants and I know what sites to go to find the federal grants and the things that are opening. They have certain open dates and closed, so, I just try and keep up with all that so I can get any grants that are available. I'm working

on as this morning before the meeting, I've been working another grant with the county that is going to be approved and we have not even processed yet, but it will be a grant for funding of TOT money for the fire department out of the county. So, Joe Harn, the CEO up there sent that out to us just most recently, a few days ago, and I'm putting paperwork together and trying to get ready for that. President Cathcart asked for anything further.

Patty Working thanked everyone on the defensible space, I'll be in contact with various folks to see what we can do. We did work with the Nevada Safe Fire Council was in business and I chaired there and did work up on the hill and it was huge. We just need to get somebody like that again, so, I'll work between working with the various people and we'll just get it going more again. It's been suffering the last couple of years with COVID and getting sources out and things, but it's time to re-hit it again hard. Thank you all very much for with the different information input that I can check out. President Cathcart asked for anything further.

Lyda just wanted to say as far as the Nevada Safe Fire Council, it was disbanded and they restructured it as Fire Adapted Nevada and it is not using the living with fire model as much as the Firewise model. So, it is just different, the Fire Safe Council had a fire hose of money, it had salary leaders and it had a lot of things, it had dedicated grant writers going for it and we do not have that now. So, there is no way that you will find someone similar to the Nevada Safe Council, but there are other things in place and I believe that Amanda Maliche and the Tahoe Fire Adapted Community as well as Firewise groups will make a difference if we get involved with them. President Cathcart said thank you and thank you Gary.

President Cathcart reported the next item on the agenda is the President's Report.

## **F. President's Report**

President Cathcart wanted to say thank you to the 20 or 25 people who sent me emails regarding their concerns some were illuminous and a few were just 1 or 2 paragraphs. That is everybody from, and I will miss names, but Ruth, Sarah Marx, Peggy and others. Thank you very much. I've gone through almost all of them and I have read all of them, and have gone through many of them to try to and tried to make a list of what the concerns were and I'm going to try and get that in some sort of organized fashion, so we can get a laundry list of things I can go over with Gary and hopefully we can cure whatever the concerns are that are curable by the Memorial Day meeting. I know I've talked with Gary about the website and his comments earlier about website in his report are indicative of how important it is to make sure, to the extent that our real problem is communication and getting the information out and having the information that the CSD does have be easily available to everyone. The website is the key, to me, or at least part of it, my feeling is that we need to have some sort of quick dashboard that allows you to look at the schedule of meetings. The meetings have been in March, Memorial Day, Labor Day and December that are on the first Saturday of the month, except for the July 4<sup>th</sup> weekend and then the Labor Day weekend and it's been the same time for years. We just need to make sure there is a place on the website where you could look at them and they are the currently operated ones so



that you have to go back and look see what we have voted on and established those dates. That goes for a lot of the other concerns that people have expressed whether is in addition to the schedule of meetings, getting access to the agendas in the past and they are all there, just hard to find and they need to be accessed by a link of some sort. The same is true of minutes, the minutes as I've said earlier in this meeting, we don't publish draft minutes and won't. We will publish minutes as soon as they are approved, but there will at least a month lapse or a 3-month lag from meeting to meeting before the final minutes to be posted of what he had, for example December which we did not approve until today. We can probably have a summary prepared or a synopsis that was discussed from each meeting or we can provide a quick annotation of the agenda of each meeting a week later for people, so they can have a record of what we talked about or forgetting or don't want to see where the information is, could be harder to get. There also needs to be more attention paid to special events updates on activities that are being done. There has been a fairly good effort to do that in the past, but obviously not enough to satisfy most people. I had a list of items of one that Wanda referred to earlier and that's basically who and what is the Fallen Leaf fire department and what they are supposed to be doing and actually could be expanded to the CSD. In terms of the basin wide responsibilities of the organization, if any, to the extent where we can work with other agencies like the fire department, the forest service and their fire people. I know in the past, I understand from Gary and others we have not been able to go on to forest service property or do some activities in the forest lands because they won't let us or authorize us won't do it themselves and that is a problem that needs to be overcome, but it sounds like efforts are being made to do that, but we need to focus on it. This includes all the Firewise stuff, inspections, and inspections need to be done where we have the authorities to do them, we should do them and if we don't have the authority, I agree with Ruth and others that have said "If we don't have the authority, we ought to figure out and get it" and make sure someone can get out there and do the inspections. The tree removal and fuel reduction are obviously important. I know in the past Gary has tried to get other people and agencies to do it to the extent that is outside our control. We have done a fair job recently, at least on CSD property but we need to look at some of the private properties and get people in contact with entities and companies that can remove the stuff, if we are not going to do it, to remove it some other way. I know above Price Lane is all forest land, but that stuff is 2 to 3 feet thick of fuel waiting to burn and that needs to get removed. I guess we need to figure out the extent how we can do it or make sure the forest service does. Writing letters to the forest service, which I have done, hopefully will be exhibits of where if we ever have a, or some sort of a, eminent domain action if the property got destroyed, but that is not the where we want to go. There have been some comments about the state audit and people saying a couple of comments about the state audit itself has been complied by us. We believe, first of all, to the extent that there is any validity to the state audit's comments or statements even down to the supposition of that there is a \$700,000 amount that was supposedly overpaid and needs to be repaid back to the state. We have complied with every single request in that state audit that I am aware of with a couple of minor almost typographical error kind of issues. The whole issue on that \$370,000 supposed claim that state audit said we should owe back to the state was: First of all, agencies of the state would be the beneficiaries of any re-payment have denied that we owe one. We were instructed to work with the OES to figure out how we could resolve a whole bunch of issues such as reporting and establishment of wages, clearing up

employee status issues and the rest of it and all of which we have done. As past prolong, we can see how the OES has been treating us, they agree with us. A lot of people as Mike Casey mentioned earlier in this meeting, a lot of people don't like the state auditing agency we don't quite know or I don't quite know whether to just engage and make work or what their issue is. But I know that they have an on-going battle with OES and others that we don't need to do much more than to stand back and take a look at and see who destroys whom. There is a strategic plan that is on the website that is not very accessible and Gary has said that he has all the SOG's (Standard Operating Guidelines) that the CSD and fire department follow and in the next couple months as the website is improved there will be an effort made to pull those together and publish what exists in a way of a strategic plan that will answer some of the questions such as: what is the job description and what is the function of the fire department and so on. We will try and get all of that stuff gathered and I appreciate the comments that everyone has made and I will get back to several people some of whom I said I would and I apologize for not doing it. Particularly for the emails that came in as of late last week and earlier this week. I will try and get back to whomever I can, but we will try and address all of those things and have everything pretty much cleaned up by Memorial Day. I hope that answers a few questions that may have been on the table and that were mentioned today. If anyone has any questions, I can answer them and go over, but we do have some other business we need to finish. President Cathcart called on Ruth.

Ruth asked in the proposal that Mike put forth, there was a suggestion putting together a committee. Is that something you're consider doing today, for some of the discussion of items that you just went through. President Cathcart, said no, I think it would be done in connection of that, but I think we put that to the next meeting. Is that right Mike. Director Casey responded yes. Ruth responded that will come after the bonus and contract discussion. President Cathcart responded yes; it will be done s part of that discussion. Ruth responded ok and that. Director Casey stated the idea Ruth is to the extent the fire chief agrees that there are excess funds that are not needed by the department, that this committee might take a look at those and determine whether they should be continually saved or whether they should be used for these particular purposes and it would be a committee of the board. It has not gone beyond just the initial discussion stage. Ruth stated thank you for your answer.

#### **H. Voting Rights Committee Report / Communications Report**

President Cathcart asked if there have been any other developments on the voting rights committee, Mike? Director Casey responded yes. As you know I was pretty bleak about it last December when I reported. Senator McGuire has just been elevated actually from the Senate to a higher position, but one of the after effects of that is that he is no long the chair of committee that he was on and it's the committee that we have to go through. So, right now we are in the midst of trying to talk with the new chair of that committee to see whether or not that person might have interest in any appetite for following up on what we have been trying to do for these many, many years of trying to getting voting rights on specific CSD matters. I don't know or have anything positive to report, but it is a little more hopeful. We also have some expression form LAFCO that they would be potentially interested in taking a lead role on this as well, because they also have representative of

clients that have similar problems to those that we have. So, not much substance, but at least a little bit of glimmer of hope. Director Malley reported the LAFCO thing is a very positive development. You want to say something about our Lobbyist. Director Casey stated that the only thing that he can say about our Lobbyist is that, without Nat efforts we would be nowhere. Nat has done a phenomenal job and continues to do so. He is a bull dog and he is really working with our best interest. President Cathcart asked if there is anything further.

Peggy said yes. One really minor thing, is that, on the communication I noticed today and yesterday that the board packet is not available on the website and I didn't get to download everything, like the minutes. I don't know, there was a whole big, bunch of pdf files. So, I'm not sure if that was intentional or not. So, if you guys can put it back up for a little while longer that would be great. The other thing was the questions that Mike just answered about creating a committee, because really Ruth was just asking about it and I'm looking at Mike's proposal that he says he will commit, as a proposal at this meeting, create a committee. So, I'm sure there are more than just one or two of us who would be interested in learning more about that. That's all. Ruth stated that she would like to add, the brown act really does hamstringing you guys, and if you decide you are going to have a committee of two plus the fire chief and then you end up with a lot of community input at a point where you want to be moving forward, I don't think that is as functional as you might want your committee to be. Director Casey stated thank you Ruth, I'm still trying to figure out the brown act. Ruth stated it is pretty clear can't talk amongst yourselves unless it is the two of you and then you get to here's our board packet and you can have your conversation. Director Casey stated, I know, I know and yet it's important. It involves typically large sums of money and I think the community has to have a clear understanding and some valuable input into what happens with any of those funds. It's serious money. Peggy stated thanks Mike. Barbara asked to Mike before you finish and go off on your last subject matter, can I make a comment. It's Barbara. I've been sitting here looking at my screen and more than 55 people from the community have been on this zoom call, which says a lot in terms of the interest of the community in what is going on. Thank you to the board members, thank you to you Mike and thank you to Gary, but please understand we want usable information and we are going to be looking for it, because the future of these fires woke up everybody and now everybody's heads are out of the sand and we really do care and we care about each other. So, thank you for your efforts and thanks for all you're doing Mike Cathcart and Mike Casey because you guys, Bruce all of you work really, really hard and we appreciate it. President Cathcart said thank you and we wish could be all answers to all people, but sometimes that is hard.

President Cathcart reported next is the Boating Safety Report.

## **I. Boating Safety Report**

Director Casey reported apologies and that he does not have anything new on this. He is way over due to do and what was intended to get the survey out to the community last fall. He thought he had somebody who was put that survey together and has not happened yet. So, I will try my best to get it done within the next month or so. So, going into the season we will have a bit more input in to what other people thought last year and how last year

went. I am sorry I do not have anything. President Cathcart said ok. Next item is the JPA Report.

#### **J. JPA Report**

President Cathcart reported that the JPA (Joint Powers Agreement) is responsible for arranging and coordinating emergency medical access, services, transportation in the Basin and Tahoe regional area as well, where we are among several agencies all that are a part of that. They are up and running under a new operating agreement and new funding and new headquarters buildings, which he believes is the old jail in South Lake Tahoe, but he cannot confirm that. But anyway, they are up and running and hopefully we will be pretty helpful if anybody needs services, I know that I dislocated my artificial hip last September up at the lake and after a 30-minute wait for an ambulance after calling 911, the JPA ambulance proceeded to take me back to Barton where they proceeded to make it hard for me to walk without a cane, but that is a different issue. Anyway, that is all for JPA report.

**OLD BUSINESS** – Discussed above under Report out of Closed Session above

President Cathcart reported that Old Business we covered.

#### **NEW BUSINESS**

##### **A. Cal OES Resolution 2022-1 Designation of Applicant's Agent Resolution for Non – State Agencies**

Chief Gerren presented Board Resolution 2022-1 Designation of Applicant's Agent Resolution for Non-State Agencies. It is a resolution that we have to declare that we are who we are and our CAL OES ID is 179030, it shows that he is the agent in charge of the fire department and it shows three of the board members and this has to be approved for us to receive our FEMA funding. Our FEMA funding for Caldor our excess funding for personnel has been approved by FEMA and then the money will be distributed to the State and in turn the state distributes to OES and OES distributes to us. This allows them to distribute to us. I would ask for a motion to move that it be approved. Director Hart moved to approve Resolution 2022-1 and seconded by Director Casey. Motion was passed unanimously.

##### **B. To authorize the Concessionaire Vista Recreation CLM-RRM to collect a \$40 fee for the purchase of a TRPA regulatory sticker for boats on Fallen Leaf Lake. The boat sticker is \$33 and service fee for Vista Recreation is \$7 to cover data entry and operational cost.**

President Cathcart introduced this item for discussion and possible motion to allow the concessionaire to determine how to collect the fee process for the AIS sticker that is now going to be required by the TRPA. We can ask Jen or Tom if they have any questions about it or want to describe it. As I understand it, it is a sticker that is required by TRPA and boat owners have to pay it and it is easily collected. Is it all boat owners or boat people who launch? Tom reported that it is anyone who accesses Fallen Leaf Lake. That anyone that launches or has a boat on the lake is required to have a sticker either attached to the boat or in the glove box. President Cathcart stated he assumes that the most convenient way to do this is that to have the concessionaire recover it from the boat owners. Is there a motion to approve that? Director Casey reported that he makes

the motion to approve and give a little more description you want. President Cathcart stated go ahead. Director Casey reported that it is something actually has been in place for well over a decade. Somehow, we were overlooked and TRPA has not collected it from us. It has been collecting it from the residences from all other marinas with boats in the lake, but somehow, we were under the radar. They are catching up with us and are charging \$33.00 and in addition CLM would tack on an additional \$7.00 for the paperwork involved. What they are asking from us is a number that is less than the lakes in the Tahoe Basin pay because we don't have any AIS and so there is part of what they do which does not have to be done because we are free of AIS. And in recognition of that the fee is a little bit less than what otherwise would be. Director Malley seconded the motion and was passed unanimously.

### **C. Annual Audit Review**

Next President Cathcart moved to motion and discussion for the audit prepared by the Robert W. Johnson firm for the fiscal year ending June 2021 and it is in the board packet. Anyone have any comments about that audit? Director Malley stated he thinks he must point out that should be accept it, we don't have to approve it. President Cathcart stated ok. Is there a motion to accept it? Director Malley motioned to accept annual audit prepared by the Robert W. Johnson firm for the fiscal year ending June 21. Director Hart seconded. President Cathcart asked for any comments. Director Hart reported that in the past boards that he has been on and it may it doesn't matter, but we were always to receive it not to accept it. Because accept it implies it is approved. President Cathcart asked if there is a motion to receive it. Director Hart moved to receive the audit prepared by Robert W. Johnson firm for the fiscal year ending June 2021. Director Casey seconded the motion. Motion passed unanimously to receive it.

### **D. To authorize an increase in the Marina, Slip Rental Fees to \$1,750 for residents and \$2,150 for Non-Residents**

President Cathcart introduced next item to authorize an increase in the Marina, Slip Rental Fees to \$1,750 for residents and \$2,150 for Non-Residents. President Cathcart asked Bruce if he wanted to report any comments. Director Hart reported our slip fees are significantly below market rate in the basin which is the standard. They are an interquel part of the gross revenue which enables our concessionaire to perform and provide the services that they do at both the marina and at the store. I think that the proposal to separate resident from non-resident and at first, I was not quite sure it was appropriate but now, I do. I think it's something we ought to do and I support it. President Cathcart report that he believes that the resident is only going up about \$100.00 and the non-resident fee is going up about \$400.00. Any more comments on this? Director Malley reported that he is basically opposed to constant increase of costs to residents. The \$1,750 that is a proposed fee the locals who are putting their boats in. It's not insignificant, I know it is pro-rated over a week, two weeks or over 5 weeks, I am not sure how that works. President Cathcart reported that this increase is for a full year, correct? Chief Gerren reported yes, for the season. President Cathcart asked is there a different increase for daily, weekly or monthly use? Chief Gerren asked Tom that he only referenced the increase in his request, was for seasonal. Tom reported yes, we want to leave everything else the same. He also reported the \$100.00 annually for the residents we're putting in a lot of work and they are doing a lot of things to help residents and need to increase that. This is an extremely small amount of money and will help offset the costs for some of the things they want to do around, really in the store. It is very important to us for what they need to do. Director Malley asked how is a local charged for two weeks or month. Tom reported

that locals are charged the same rate as anyone else would be for weekly, monthly, daily rentals. Director Malley reported that what that means is that you put a boat in for two weeks. You are there for 1 week and put your boat in for two weeks you charge the non-resident rate, right? Tom responded you are charged the rate that you were charged last year. Director Malley asked what was last year rates for? Tom responded daily, weekly and monthly are all last year's rates. The only thing we have increased are the mooring rates for annual slip rental. Director Malley responded he understand. President Cathcart responded to Direct Malley that he is probably right there are residents and non-residents and because there is no distinction and has not been in the past, but it is not being changed. Director Malley reported it is expensive for residents and he is not quite sure how many residents put in for seasonal mooring. Tom reported quite a few. President Cathcart agreed, quite a few. President asked all in favor. Director Hart reported that there was no motion. Director Hart motioned to approve the increase in the Marina, Slip Rental Fees to \$1,750 for residents and \$2,150 for Non-Residents. Motion was seconded by Director Casey.

Mac Irvin, resident want to express his support and what he would like to see some concurrent plan for the improvement for the rest of the slips that have not been improved. I realize that is a capital item obligation to the district, but again we are in this situation relying on grants and that could be a very lengthy and sometimes unsuccessful process. President Cathcart asked Chief Gerren if we were in need of replacing two of the slips? Chief Gerren reported we are going to replace two on the west side. The furthest one out and the one next to the launch ramp. The other two by the fire boat are the newer ones. Director Casey reported that he believes we are not waiting for grants on that is budgeted. Chief Gerren reported that is budgeted we just have not started the project yet. Mac Irvin thanked the board and the he might have been un the apprehension that it was a grant subject in the past. When is that work intended to be done? Chief Gerren reported hopefully that will start this summer at the end of the season. President Cathcart stated to Mac maybe he was thinking about the launch ramp grant. Chief Gerren reported that the launch ramp grant was denied and we have to re-apply. President Cathcart asked can we just go ahead and do it or do we have to wait for the funding. Chief Gerren reported that would be up to the board. I am a bit pumped about the fact that Vista Recreation has hired this marina company or acquired a marina company and they may have some great ideas to bring to us. So, I am looking forward to working with Tom and Jennifer on that and the new people. President Cathcart asked the question to approve the increase in slip fees. Motion passed unanimously.

#### **F. Fallen Leaf Lake Basin Protection Coalition**

President Cathcart reported last item on agenda is to discussion and appoint a CSD board member to serve on the Fallen Leaf Lake Basin Protection Coalition put together by Ruth Rich, John Kleppe, Jeff Campen and others. President Cathcart as Ruth Rich to describe briefly what this is all about. Ruth Rich reported that over the last few years and definitely the last year, the CSD has talked about who might at the lake be an entity that might or could represent the community and there was no home for it. When I say represent the community, that means with respect for the recreational developments that we are seeing happen and, in some ways, seen in maybe ways aren't telling protocols are prescribed by MOUs with the forest service, TRPA and things like. Plus, of course, road rehabilitation projects that might not be in the best interest of Fallen Leaf Lake by creating a larger, faster to drive funnel, things like that. So, to protection association that exists has one primary focus and does not want to put existing agreements on the table in a conversation with the forest service or with TRPA and the CSD is not the entity. Of course, the security group

isn't because we represent one side of the lake and the same would be true for the tract association. So, it is not just the three of us having had this conversation, me, Jeff, and John, but over all of this time it has become clear that we need to do something. So, the idea about behind the coalition is to coaloless all of our entities hoping that community members will have avenues through those existing entities to come to coalition and say that these are the things we are worried about and the things were are interested in helping existing entities fund and the entity that is are the articles of corporation have already been filed. The entity is being recognized by existing agencies in the basin who are happy to have us at the table. So, we can make no promises, but we are making efforts to try to make a difference in the Fallen Leaf Basin and to protect it or safe guard it in the future and collaborate with these other entities that of course of have interest at Fallen Leaf. John, would you like to say something? John Kleppe asked if he could share scene? President Cathcart asked Chief Gerren if he knew how to share the screen? Chief Gerren responded to John that he thinks he can share it from your end. Chief Gerren reported that he has the share option open. John Kleppe continued verbally. I noticed, when the trails put in between Angora down to Lilly Lake there was a lot of equipment and people moving rocks and falling trees; and that side slope is most sensitive in the Tahoe Basin. So, it bothered me how you could do that. If I were to do that on private property I owned, I would be in jail. So, I basically wrote a letter from Fallen Leaf Protection that we were concerned about the water. Water level and quality, AIS, etc. But I thought I'd write letter to the TRPA saying how can this happen. Does the forest service have a right to do anything? They are talking about putting a bicycle path all around Fallen Leaf. They are talking about blasting out between Stanford Camp and allowing bicycles to go up in and to all around the lake. So, my letter I wrote was asking, there is a MOU that restricts the forest service to no more than 1,000 feet in new trails and they can do new maintenance, but if they have anything that changes the amount of use on the trail or general use, horses or bikes. What happen here? I did not get a response for six months, so I followed up and said "I need to have a response to my inquiry in how this could happen". I did get a reply from the compliance service officer of the TRPA saying ok, we need to look into what happened here. I basically have what was posted by TAMBA, the bicycle people, on what they did to that side hill. I was going to share with you if you have not seen it. It's almost unbelievable. The TRPA says that the forest service does not fill out a project permit, so, it is not a project and can't see if it complies or not. So, the whole thing fell through the cracks and gee, this is not the right thing to do. Then it dawned on me, we need to have something more than the Fallen Leaf Lake Protection, we need to have the Fallen Leaf Basin. I have a picture of what the basin is, but I can't show you that. It is basically the watershed of 16 sq. miles that all the water that comes into the basin and into the lake is called the Fallen Leaf Basin. That includes everything you know about Fallen Leaf, except going up and over Tahoe Mountain right up into the neighborhood where Ruth and John live and that is included in part of the basin. Should that become a sub-basin and a lot of people in the Tahoe Basin don't know where Fallen Leaf is. If you say Fallen Leaf, they say "Where the hell is that?" and if you go to Incline. So, do we need to have it recognized as a separate area within the Lake Tahoe Basin that has special problems and when you approach the agencies they'll say "Well because of COVID and all this we have some many people coming in, we just don't know what to do about it". "We have more tourists, we have more moving here and having zoom meetings, instead of going to work", and I basically said "maybe the thing to do is to recognize all that, but try and control it in a reasonable manner, so you don't do what you did on that trail between Lilly Lake and Angora. In the process, I learned that the TRPA board of governors really didn't understand that trail building is construction. So, Ruth and I held a meeting with some of the board of governor's

representatives thanks to Barbara, through Carson City and I personally know Clem Shoe who was on the board of governors for years and approach them with "Can you do this kind of thing?" The board of governors said "well, trails are not really construction" and I said, "Do you want to see these videos and if you take a look at the video, you could have built 10 McDonalds up that side hill." They were shocked. So, they set up a meeting with the TRPA staff, it was just 4 or 5 people, Ruth, myself, the forest service and TRPA. We did this same thing as I'm telling you now. I went through "how could this happen". Is this possible? The next step is, if you know, the Taggart property was purchased by the forest service of 75 acres and the biggest land owner is now on the east side of the lake. Nobody knows what they are doing with it, they the forest service does not know. The now have demolished the Fredrick's cabin. The only thing left is the chimney. So, I thought there needs to be something here that ties together and now another proposal popped up to increase the width of the Fallen Leaf Road from 89 and take it all the way in to where Tahoe Mountain Road turns off. They are widening it and paralleling a bike trail. You know what that is going to do with funnel all the traffic and there right there by the Taggart area. There are proposals to put a snow park up there where you turn off to go to Angora. None of this is done with thoughts of garbage, sewage and all the things that go into recreational commitments of an environmental space. Ruth and I have had several meetings now with a different, TRPA, forest service and it boils down to we represent the Fallen Leaf community and really, we don't. The way to represent you, is in my opinion, like Fallen Leaf Protection did in 1954, when the forest service took over the dam from the Baldwin's. They don't know how to run dams. The forest service lets the utilities run dams. So, the dam was left alone and nothing was done and that is way the private property owners filed suit against the forest service to properly control the dam. Then it came up to "how do you control the dam?" So, they hired a hydrologist, Toby Haens, who did a study, a very good study back in the 60's about how you satisfy the bald eagles and the people and the residences and the boat use and they tied that all together and came up with a target for the dam for the year. I have monitored that for Fallen Leaf Protection, myself personally, for the past 22 years. That is why I send out things on how they are doing. We are still in the drought area and we are going to worry about it. But I didn't think the Fallen Leaf Protection will get into a battle with the forest service and probably have to trade away that control we have for things that are happening like the Lily Lake trail. So, I felt, and approached Ruth who agreed and other people, Jeff Campen, that we need to form another non-profit entity that represents more than just the water level. It represents those other things that occur like proposals on what to do, do you want to appear occurring and the lake to become Folsom Lake because they are going to have public access and boating and everything in the Fallen Leaf area. Or, do you try and take control of your own destiny by defining clearly that we feel Fallen Leaf Basin is unique. It has its own unique problems than the Lake Tahoe Basin. But why start all over, we can overlay the control of TRPA who already has standards they say apply to Fallen Leaf and they would not go about recognizing, especially, Fallen Leaf Basin as a sub-set. But they would recognize if we represented the whole basin and we felt the best way to do that was to have the existing agencies. In Fallen Leaf Lake Protection, I have sent out to protection for consideration to join the consortium. The consortium would be the existing homeowners, the west side, Fallen Leaf Protection and should include the CSD. The CSD who has their finger on the poles of the community and various and Ruth as the homeowner's association. So, the idea was not to have a club and not to raise money by baking sales, but to have a group that would have a voice that could very quickly get involved. When we found out, you know who the voices are now in the planning process, TAMBA (The Tahoe Area Mountain Bike Association) and other associations. They basically, are the groups



that are doing the planning. Guess we don't know if we should have individuals, we need to have organizations. Ok, then we will have a Fallen Leaf Basin Protection Organization that will get involved in the planning. Then, I was told, will gee you need to have an area plan. What is an area plan? Well, Washoe County just did one for Incline. Washoe County just submitted the Tahoe area plan that lists the land use property, what can go on there, what can't go on there. The first one on our side of the lake is Meyers. Meyers formed a plan and they have submitted it for approval for that little area. Now, I'm hearing the South Lake Tahoe is going to do a plan and include Fallen Leaf Lake. Aren't we different than South Lake Tahoe? Casinos, different kind of activity, recreational uses, we have the main access to the Desolation Wilderness. So, we basically, Ruth and I in these meetings have said, we think we are representing Fallen Leaf Lake Basin Coalition. Plus, it is not basically formed yet. Ruth stated for the interest of. But the idea, I feel, are representing through Fallen Leaf Protection as one entity in the coalition. We felt if you agree, you will have, but it has to be a director, not a member. In other words, I am an officer and does not have to be the president of the protection and it can be somebody else. But I sent out, as you know Steve and Mike that we are considering and I owe you more information. I have some questions about whose writing this thing and whose pushing it and all that. I will answer all those questions for protection to vote to represent the representatives, one entity in the coalition. So, that is sort of a quick history without showing you the horrible pictures of destroying that hillside to get you to be aware of where we are. So, we are asking the CSD to have one of the directors, and, a lot of times we can have somebody volunteer to do that for protection. Even though we are not official yet. But as soon as I get it, I'll be sending out all of the information to the protection to vote on being part of the coalition. That's all. So, that is why we are here today with this added thing is to get a member of the CSD to volunteer or to be approved to be a member of the coalition, which we will then say, Fallen Leaf Protection, the CSD, the homeowner's association, as there are about 6 or 7 that we will be approaching.

President Cathcart asked if anybody has any questions. I think a motion would be appropriate. I will say, the CSD has obvious interest in all the things that John just described. I certainly think the fire department does in terms of what is going to happen and deal with if these things go forward and get developed. So, I think it is a good idea. I can see saying what we would do was appoint somebody that would participate with you and behalf of the CSD in trying to formulate whatever legal entity that you got to formulate. To set up rules, by-laws and all the rest of it and ultimately have a vote reserved for after that for the CSD to formally participate in the coalition after you file the legal editing. Director Malley state he has a question that does not have to do with this wildness of this whole thing, which is obviously wonderful. If somebody from the CSD or appoint someone from the CSD to this coalition, that means that the CSD, itself, is part of the coalition. President Cathcart reported that the coalition is in its formation stage and there is no legal entity yet. What we would do is be voting for the CSD to participate at least in the formulation of that and possibly joining it once the entity is formed through whoever we appoint as the representative to just participate in the discussion and be at the table. We kind of already do that with the JPA. So, I don't know what's wrong with the concept. Ruth reported the next set for us we are 2 or 3 weeks out for getting our articles stamped and received. Then we will get e-file the same day probably with our corporation number and then we would be in the position to have our first meeting. At which we would, certify the minutes from that meeting and talk about how we are constructing ourselves. I mean, we given some information to the attorney is doing

this, or working for us, and his is an expert in the 50134c formation and I have a lot of confidence in that and he is doing it pro bono. Because he believes in this mission. So, I think we're and Steve, I think you are concern about something? Director Malley would like to talk directly board members here. To appoint someone from the CSD or the CSD person, to go on this coalition, it means the CSD is a member of this coalition. It means the CSD will be voting on issues that the president or whoever the officers are bring to us. The CSD mandate its authority extends only to the operating the common areas that belong to the CSD, by contract. President Cathcart also stated the fire department also. The fire department which has responsibilities based on why. President Cathcart asked John is it would be better to have a board member to participate with you on the same basis you are from the protective association until it is formulated then it comes to time when the CSD can be a member? John responded absolutely, because as I have said it's a living document. What we wrote as the mission statement is flexible. We got to have more in-put than some of us trying look for the long-term land use problems, recreational use problems, fire problems that are much more widely concerning than just water quality and the lake level. Yes, I think we need a board member. President Cathcart responded that maybe what he is saying is we just have somebody sign-up. Director Malley stated it is possible to define a role with fire department and so forth. So, yes, we want to find a way to participate. There are no questions about that. John stated the participation though wants to be on, not an employee level or like myself, it would have to be one of the board members, only protection, no somebody I would appoint to represent us. Because I think only the acting directors and board members have been voted on or least elevated to a position within the organization, so it does not get passed off. President Cathcart stated that I or one of the other board members would probably be happy to help you in the capacity you are saying, so ask and you will receive. We can vote on it later after we see what the animal is that you are creating and what the scope of issues might be and what the CSD role should be. We can decide if the CSD formally joins. Director Casey stated we are at this point, according to LAFCO and according to the California State's Senate. We are an entity that has the right to get involved in two services. One is Parks and Rec and the other fire department. I do not know whether by joining another organization, if we violate the terms under which we are founded. I just think and not that I disagree at all, but in fact I would be happy to join as an individual. But I don't know, without an opinion of counsel whether or not the CSD actually can do this. Director Malley stated I don't think we can, but I think there can be a way for us to be involved. Director Casey stated if there is that would be great. Director Malley requested that they take a look at the by-laws that you come up with. John stated they are writing them, so they will put them in there to allow the CSD to join without them to change the charter. Director Malley stated that he will send him a couple of ideas.

Barbara commented in the last year or two years, she has been involved with people from the TRPA and have gotten folks together. I need to tell you, I've been told by the TRPA reps that in the last 18 months, do you know how many people have visited the Fallen Leaf Lake Basin? There have been 20 million, million. They are finding every place to go to and Fallen Leaf is in the cross hairs. So, my question to all of you, and I am an old person, my question is what is Fallen Leaf experience be in 25 years? What are your grandchildren and great-grandchildren going to have here to enjoy the experience of Fallen Leaf Lake? That is the whole point. Director Malley stated that you are preaching to the choir. We are all in favor of this. Barbara stated she knows that, she

knows that. Steve, I want you to smile, smile. It's Ok Steve. Director Malley reported that we need to find a way to participate in as Mike pointed out. We have a mandate constrain, but I've got some ideas. I'll talk to John about it. John asked, in the mean time we have a volunteer in Cathcart to help us during the by-law's formation, which needs to be edited to properly represent without agendas. The people who live and visit the Fallen Leaf Basin. That's it in a nutshell. I think that all these organizations will have to think a little differently than about themselves and the homeowners will have to think about expanding that to their impact on the basin as a whole. That will give us a voice and already we are getting the voice with TRPA because I've mentioned that part of this mission of this entity will be to develop an area plan for the Fallen Leaf Basin that's separate from South Lake Tahoe. That is a big project. It is going to take a couple of hundred thousand dollars to get consultants to do it right. It is going to take 5 years to do it. So, it is a way of looking ahead to what you want this place to look like for your next generation. Director Malley stated that there is no question about it. I don't there is nobody you talked to that is not in favor of what you plan to do, but what the CSD is constrained to what it can do and we also trying to get some private legislation if that issue is not dead. So, we need to know how the CSD gets involved. John let me talk to you about that. John stated ok. Director Hart reported as a cabin owner and a bay area resident and a CSD director, if you ask me to volunteer with those names all behind me, but not representing any one of them, I might be happy to help you out. John stated great. Barbara stated bravo. President Cathcart reported that they will postpone the motion. John stated that is fine. Just, so you know what we are doing, it takes the rumors away on what the agendas are of the people doing this.

President Cathcart reported that is it on the meeting and if anyone has anything else let him know, otherwise the meeting will end. Director Hart reported for Peggy to know, the amended agenda and the board packet from March 5 are posted under 2021 because we do not have a 2022. President Cathcart reported that he thought she or somebody recognized that and asked that to be changed. Ruth reported that John is here and has a question. John Rich reported to President Cathcart. I am speaking up about which you all just approved for differential pricing in the marina, slip fees. That came up when they were running the store and marina and it was quickly shut down because it was considered discriminatory to let the Fallen Leaf people, however you are going to define them, pay a different rate than the public or the town people or however you are going to define them, and after it was brought up, a few different times and a few different years, it never passed under Jane's twotaledge. So, I'm concerned, hopefully you don't get in trouble for it, but there was a ton of static about when it was being discussed 20 years ago. That's it. President Cathcart responded that it could be John and I appreciate what you are saying. There could be a colorable equal protection argument, but sometimes, I think we as a group running the CSD, have to sort of play this whole game as though we are playing baseball, where you lead off from second base and you get a further and further lead on, then you get picked off until you start over. John responded ok, just didn't want to saddle on an operator. Tom and Jen have enough challenges in running that place. The last thing they want to do is try and collect another \$40 from everybody at the launch ramp and tell them that they need to decide if they qualify to be a Fallen Leafer. I'm just trying to smooth out what could be only a few thousand dollars gross at stake, that could be a big hassle for you guys. President Cathcart responded; we will see what happens. The good news

is we are only talking about is the annual fee, so that some local user is going to pay the same rate, so he would not have an equal protection claim.

With no other further business, President Cathcart adjourned the meeting at 2:30 pm.