

# PIONEER FIRE PROTECTION DISTRICT

## Board of Directors Special Board Meeting

June 2, 2020, at 6 p.m.

Jerry Jumper - Board Chair, Marie Fitts - Vice Chair,  
Eileen Strangfeld - Board Secretary, Michael Irish – Director, Vacant - Director

### ***Mission Statement***

*To provide a professional and compassionate level of community fire protection, emergency medical and rescue services to the citizens and property owners within the Fire District, in order to prevent or minimize the loss of life, pain, suffering and property damage as a result of fire or other types of emergency.*

The Special Board Meeting June 2, 2020 6:00 PM meeting will be conducted via Teleconference only. Members of the public may call in during the meeting and are encouraged to submit public comment via email to [admin@pioneerfire.org](mailto:admin@pioneerfire.org) up until the start of the meeting. Written comments will be entered into the meeting's minutes and the Board will consider all comments at the appropriate time. Members of the public may address any items on the agenda prior to board action, comments will be limited to no more than three (3) minutes. Members of the public wishing to attend the meeting must email [admin@pioneerfire.org](mailto:admin@pioneerfire.org) or call 530 620-4444 to receive the Participate Phone Number and the Meeting ID Number prior to the start of the meeting.

These meetings will be conducted pursuant to the provisions of California Executive Order N29-20, which suspends certain requirements of the Ralph M. Brown Act to allow for greater flexibility in conducting public meetings via teleconferencing and allowing the public participation telephonically. These measures will only apply during the period in which state or local public health officials have imposed or recommended social distancing measures.

### **MINUTES**

#### **1. CALL TO ORDER**

##### **1.1 Roll Call**

Present: Strangfeld, Jumper, Irish, Fitts

Absent: 0

Administrative Staff Present: Chief Matthews, Joy Vierra AA,

Audience in attendance: Dan & Lynette Dywer, & Judy Hobson

##### **1.2 Pledge of Allegiance**

#### **2. DETERMINATION OF QUORUM AND CONFIRMATION OF AGENDA**

##### **2.1 Adoption of Agenda**

Motion to adopt the agenda with the change of Date of next regularly scheduled Board meeting from June 12<sup>th</sup> 2020 to June 9, 2020

(M/S) Irish/Strangfeld

Roll call vote

Ayes: Irish, Strangfeld, Fitts, Jumper

Nay: 0

Abstain: 0

Absent: 0

Passed 4/0 passed

#### **3. SPECIAL ANNOUNCEMENT / PRESENTATIONS / GENERAL BUSINESS**

#### **4. PUBLIC COMMENT**

# PIONEER FIRE PROTECTION DISTRICT

## Board of Directors Special Board Meeting

Any person may address the District Board on any subject pertaining to District business, which is not listed on the agenda. This comment is provided by the Ralph M. Brown Open Meeting Act (Government Code § 54950 et. seq) and may be limited to three (3) minutes for any person addressing the Board.

**5. OLD BUSINESS** (The Board may elect to review, discuss, take action or vote on any old business. The Board Chair may request a roll call vote on items)

**5.1 Conflict of Interest – Complaint (letter/investigation regarding Director Jumper)**

Director Fitts brought up the need to review the information in the Letter of Investigation that was provided by Chief Matthews to the Board related to the citizen concern letter received by the district. Director Strangfeld reviewed several items contained in the citizen complaint letter. Director Strangfeld pointed out the fact that it is a concern related to attitude, and not a concern of actions or any misconduct taken. Director Fitts asked Director Jumper if he feels as a member of the board that he may have done or said things in such a manner that could have been taken by or perceived by others as wrong. Director Jumper provided a response to the question, stating he has not done or said any of the things that the letter infers. Only misunderstanding that may have occurred was to his definition as to how the board works and that the 5 member BOD is the Chief's boss. Director Jumper felt the investigation was not performed correctly and may have been a conflict of interest for the Chief to perform. Chief Matthews clarified information provided in the investigation and expressed his concerns at Director Jumper's feelings and response related to the investigation. Director Fitts stated that the concern is how any one member or members of the BOD and their actions reflect upon the BOD as a whole. The perceptions of the district and its constituents and how they perceive how the BOD is operating. Director Fitts stated that the bottom line is that each Board member must be above reproach with the community at large and be completely transparent and above board as a representative of the district. The concern is the lack of acknowledgement on Director Jumper's part of the concerns expressed. Motion made that the Board is officially censoring Director Jumper for his disregard of the Chief's report and the findings there of, and that it will be entered into the public record should any occurrences happen in the future.

M/S Fitts/Strangfeld

Roll call vote

Ayes: Irish, Strangfeld, Fitts,

Nay: Jumper

Abstain: 0

Absent: 0

Passed 3/1 passed

**6. NEW BUSINESS** (The Board may review, discuss, take action or vote on any new business. The Board Chair may request a roll call vote on items).

**6.1 Policy 2.2 Potential conflict and violation by BOD**

Chief Matthews let the board know that Policy 2.2 already exists in the Board Policy and Procedure manual, and that Director Jumper was operating in violation under this policy acting as a director and a volunteer of PFPD at the same time. It was an honest mistake on the Board's and Director Jumper's part that the conflict of interest existed. It has been resolved and is no longer an issue since Director Jumper resigned as a volunteer. The question was raised if there is any retroactive action needed. Chief Matthews had a conversation with Counsel and no laws have been violated, but our own policies were violated. Director Jumper acknowledges on record

# PIONEER FIRE PROTECTION DISTRICT

## Board of Directors Special Board Meeting

on the Board's behalf that they did make a mistake and violated board policy 2.2 and that the Board will not let this take place again.

### 6.2 Fire Chief's Employment Contract (Part-Time to Full Time)

The Chief has the option to have this heard during open session or in closed session and opts to have it heard during closed session.

The BOD's has extended an offer contract to the Chief for a Full Time position from Part-Time. The Chief and the BOD have approved the contract. The Chief was offered the new contract for Full Time and has accepted that Contract.

Motion to extend an offer to the Chief of the Full-Time contract and to accept the Chief's acceptance of the new Full-Time Fire Chief's Contract

M/S Fitts/Irish

Roll call vote

Ayes: Strangfeld, Jumper, Irish, Fitts

Nay:

Abstain: 0

Absent: 0

Passed 4/0 passed

### 7. GOOD OF THE ORDER

Statement made by Director Jumper after they returned form Closed session. Director Jumper offered and apology to Chief Matthews for his comments related to the investigation report and stated he was speaking out of frustration. Director Jumper apologized to the BOD for his response to the conflict of interest concerns and coming across aggressively.

### 8. CLOSED SESSION started at 6:52pm

8.1 ANTICIPATED LITIGATION (Initiation of litigation pursuant to Gov't. Code sec. 54956.9(d)(4))  
Number of potential cases: one.

8.2 Fire Chief Performance Evaluation Government Code Section 54957

8.3 CONFERENCE WITH LABOR NEGOTIATORS

District designated representatives: (Directors Jumper, Fitts, Strangfeld and Irish given authority by the Board to negotiate with the Chief) Unrepresented employee: Fire Chief

8.4 Public Employment pursuant to Government Code Section 54957 contract negotiation with Fire Chief possibly changing position from Part-time to Full-time contract

### 9. RETURN TO OPEN SESSION at 8:19 p.m.

#### 10. Roll Call return form Closed Session to Conference call

Directors Fitts, Jumper, Irish, Strangfeld, Chief Mathews, Dan & Lynette Dwyer, and Admin Vierra

### 11. REPORT UPON RETURN FROM CLOS, Chief MED SESSION (if applicable)

11.1 ANTICIPATED LITIGATION pursuant to Gov't. Code sec. 54956.9(d)(4))  
Number of potential cases: one  
Nothing to Report

11.2 Fire Chief Performance Evaluation Government Code Section 54957  
The BOD gave the Fire Chief his performance evaluation.

11.3 CONFERENCE WITH LABOR NEGOTIATORS

District designated representatives: (Directors Jumper, Fitts, Strangfeld and Irish given authority by the Board to negotiate with the Chief) Unrepresented employee: Fire Chief  
Nothing to report

11.4 Public Employment pursuant to Government Code Section 54957 contract negotiation with Fire Chief possibly changing position from Part-time to Full-time contract

# PIONEER FIRE PROTECTION DISTRICT

## Board of Directors Special Board Meeting

Reported out in item 6.2

**ADJOURNMENT TO THE NEXT REGULAR BOARD MEETING SCHEDULED FOR Tuesday June 9 2020 at 6 p.m.**

Motion to Adjourn

(M/S) Strangfeld/Fitts

Passed: 4/0

Meeting adjourned at 8:25 p.m.

Prepared by:



Joy Sierra District Administrative Assistant

*The Pioneer Fire Protection District ("District"), in complying with the Americans with Disabilities Act ("ADA"), requests individuals who require special accommodations to access, attend and/or participate in District board meetings due to a disability, may be requested by calling (530) 622-4444 no later than 72 hours in advance of the scheduled meeting time. In compliance with Government Code Section 54957.5, non-exempt writings that are distributed to a majority or all of the Board in advance of a meeting, may be viewed at 7061 Mount Aukum Road, Somerset, California. In addition, if you would like a copy of any record related to an item on the agenda, please contact the District Administrative Assistant at (530) 620-4444. Station 38 has disabled access and facilities. All Board meeting are recorded. Office hours Tuesday through Thursday 9am to 3pm.*

Board Signature

