

**SIX HUNDRED FORTY SEVENTH MEETING OF THE BOARD OF DIRECTORS  
OF THE  
EI DORADO HILLS COUNTY WATER DISTRICT**

The six hundred forty seventh meeting of the Board of Directors of the El Dorado Hills County Water District was held on Thursday, February 18, 2010 at 6:00 p.m. at the regular meeting place of the District, the District Office, 1050 Wilson Blvd., El Dorado Hills, California. Present were Directors Durante, Hartley, Hidahl, and Winn with President Hartley presiding. Director Thomsen was absent. Counsel Cook was also in attendance. Chief Veerkamp, Chief O’Camb and Chief Financial Officer Bair were also in attendance.

President Hartley called the meeting to order at 6:05 p.m. and Deputy Chief O’Camb led the Pledge of Allegiance.

Director Hidahl made a motion to approve the consent calendar which included the minutes of the 646<sup>th</sup> meeting held January 21, 2010 (as corrected) as well as the Financial Statements for January 2010. The motion was seconded by President Hartley and unanimously carried.

The Correspondence Report was received and filed. President Hartley acknowledged receipt of three letters of support in renewal of the Chief’s contract; the letters were received by Rotary Club members/El Dorado Hills residents Robert S. Leon, Kathy Witherow and Dale G. Adams.

President Hartley stated that all Closed Session items be moved to the end of the meeting to include Item V-A, Legal Counsel – Anticipated Litigation (two potential matters);

Item VI.A-1, Personnel Matter – Grievance; Item VI.A-2, Public Employee Discipline/Dismissal/Release; Item IV.A-3, Public Employee Discipline/Dismissal/Release; Item VI.A-4, Real Property Negotiations; and Item VI.B-1, develop terms and conditions of employment Contract for Fire Chief.

Chief O’Camb gave an update on the Training Facility stating that at the request of the Planning Commission, a more detailed landscape plan had been completed and submitted. He also filed a fee waiver letter with the Board of Supervisors. A date for the Planning Commission Meeting has not yet been scheduled but is anticipated to take place in April. Counsel Cook suggested that Chief O’Camb contact the Business Park Association to ensure that there are no concerns.

Chief Veerkamp reported on the last Ad Hoc Reorganization Committee Meeting with representation from the Diamond Springs/El Dorado, Rescue and Cameron Park Fire Departments stating that more discussion took place regarding the Mission/Vision Statement and the feasibility of joint purchasing and consolidating administrative functions. He also stated that Latrobe will be brought into the discussions. The meetings will take place on the third Wednesday of the month at a rotating location; however, the March meeting is scheduled for March 24. Chief Veerkamp thanked the Associated Firefighters for their representation at these meetings.

The Operations Report was received and filed.

Chief Veerkamp gave an update on the JPA stating that response times have again been in compliance with the contract. Executive Director Hackett has completed the two year review with all ten Districts; all ten Districts have reaffirmed to continue with the Chiefs as Directors for another two years with review thereafter. The JPA has begun their budgetary

process and will be meeting with the County to receive the five year forecast figures. Chief Veerkamp is also in the process of starting the negotiation process with Executive Director Hackett as his one year contract is coming up for renewal in July. Chief Veerkamp recognized Firefighter Dale Hemstark for the good work he has done in leading the Electronic Patient Care Report project and stated that our Department will have the opportunity to be a pilot test location.

Chief O'Camb reviewed the request from Mr. Theodore Woodruff to approve a 50 percent reduction in Development Fees in the amount of \$2,170.56 to offset the mandated installation of fire sprinklers in his home at 2757 Via Fiori Drive in the Villadoro Subdivision. (This reduction was previously approved at the February 18, 2004 Board Meeting for 24 lots in the Villadoro Subdivision that were mandated to install fire sprinklers.)

Director Winn made the motion to approve Staff's recommendation to approve the refund to Mr. Woodruff in the amount of \$2,170.56 as agreed upon. The motion was seconded by Director Durante and unanimously carried.

The 2009 Annual Report was received and filed. Chief Veerkamp thanked Staff for the hard work that went into preparing the report; also Chief Financial Officer Bair recognized Systems Administrator Angelica Silveira for the nice job she did in compiling the data and publishing the report.

Chief Veerkamp gave a fiscal report stating that areas that are over budget are anticipated to even out as the year progresses such as the overtime and the salaries and wages categories. President Hartley requested that the Fire Committee and Staff work together to provide a Mid Year Report.

Director Hidahl informed the Board of a phone call from a resident outside of our jurisdiction regarding a structure fire that took place on Salmon Falls Road on February 4, 2010, with a concern that we did not utilize an available water supply. After researching the situation, Chief O’Camb reported that the water supply was a half mile further down the road and although we are aware of all hydrants and water supplies within our District, this data is currently not available to us when responding outside of our jurisdiction. Chief Piper stated that work is being done with the mapping program to address this concern.

Chief Veerkamp reminded everyone of the upcoming February Dinner and thanked everyone for their participation at the Senior Luncheon.

President Hartley congratulated Chief Veerkamp on his recognition from the Boy Scouts of America stating that it brings credit to the Chief and the organization.

Chief O’Camb stated that two letters had been received from Dr. Brazzel commending the crews for an outstanding job in two CPR life saves in November and December. Also, letters of appreciation were received from a Latrobe resident for the care that he received during an ambulance transport to the hospital as well as a letter from Carson City Fire thanking Captain Beckett for attending and providing guidance during a Fallen Firefighter event on his own time.

Chief Financial Officer Bair requested that the Fair Political Practice Form 700 be completed and brought back to the March Board Meeting.

Engineer Robert Karnow addressed the Board regarding a personnel matter, a grievance in response to the recent Captains’ promotional process. He stated that he had two concerns regarding this process: 1) There had been a deviation from the Rules and Regulations; 2) He challenges the validity of the Captain’s Testing Process. Engineer Karnow stated that

historically, the Department has always ranked personnel numerically and published a promotional list with the highest scorer ranking number one. He stated that the Department has always promoted personnel in order of their ranking on the promotional list with the well understood Article VII of the Rules and Regulations that the Chief reserves the right to utilize the “rule of six”. Because the most recent list utilized for promotions was absent any numeric ranking, Engineer Karnow believes that the Rules and Regulations, Article VII, Section 5 has been changed without the mandated “meet and confer” process. Engineer Karnow requested that a published list of rankings based on test scores be made available as well as confirmation that the Rules and Regulations were correctly followed. Additionally, he has requested that the President and Vice President of the El Dorado Hills Associated Firefighters act as observers and auditors of the test score tabulation process.

In order to address the concern regarding the validity of the Captains’ Test, Engineer Karnow suggests that questions be administered that can be quantifiably measured and not be based on subjectivity. He also suggested that they be administered by unbiased, outside proctors and that the tests be standardized. Engineer Karnow stated two desired outcomes to his grievance: 1) Have the Chief follow the Rules and Regulations and reinstitute past practice of publicly published numerically ranked promotional lists for all positions; 2) Would like the El Dorado Hills Associated Firefighters/Board of Directors to validate all aspects of the Captains’ promotional exams including grading parameters.

Chief Veerkamp stated that there have been times in the past when promotions were made without a numerically ranked list.

Counsel Cook commented that the original grievance did not contain the second issue regarding the validity of the testing process; therefore, it was necessary to take any new

grievance concerns back through the informal process for resolution before bringing those issues to the Board. Engineer Karnow requested a short recess.

*A short recess was taken from 7:37 p.m. to 7:42 p.m.*

Engineer Karnow requested a response from the Board to his original grievance and stated that he would be filing an additional grievance to address the other concerns.

Chief Veerkamp read the letter in response to Engineer Karnow's grievance dated January 7, 2010 from Chief O'Camb stating that Engineer Karnow's statements that "this organization has always ranked personnel numerically" and "the organization has always promoted personnel in order of their ranking on the promotional list" were not true. He also read a statement from Counsel Sheston with her recommendation to deny the grievance based on her interpretation of the Rules and Regulations and Engineer Karnow's. Counsel Sheston also stated that the grievance was not within legal timelines.

President Hartley stated that the Board would take the grievance into consideration during closed session and prepare a response to Engineer Karnow in writing within five days.

The meeting adjourned to closed session at 8:18 p.m. to discuss Item V-A, Legal Counsel – Anticipated Litigation (two potential matters); Item VI.A-1, Personnel Matter – Grievance; Item VI.A-2, Public Employee Discipline/Dismissal/Release; Item VI.A-3, Public Employee Discipline/Dismissal/Release; Item VI.A-4, Real Property Negotiations; and Item VI.B-1, develop terms and conditions of employment contract for Fire Chief.

The Board Meeting reconvened at 9:20 p.m.

President Hartley reported that during closed session regarding Item VI-A.1, Personnel Matter – Grievance, the Board met and conferred giving direction to the President to

prepare a response within five days per the Rules and Regulations to be reviewed by the Administrative Committee.

Regarding Items VI-A.2 and 3, Public Employee/Discipline/Dismissal/Release, an update was received and no action was taken.

Regarding Item VI-A.4, Real Property Negotiation, an update was received and the Board gave direction to obtain a more current appraisal of the property from a different appraiser.

Item V-A, Conference with Legal Counsel-Anticipated Litigation, was discussed. President Hartley reported that the Board voted in closed session 3-1 to reject the 910 claims. (Barbara Winn was the dissenting vote and stated for the minutes that she felt that the rejection was an operation of law and not necessary for the Board to reject the claims.)

Regarding item VI-B.1, the Fire Chief's contract, the Board was updated and awaits further action from the Committee.

President Hartley made a motion to adjourn the meeting in memory of Firefighter Brian Silveria of the Sacramento Fire Department, seconded by Director Durante and unanimously carried.

The meeting was adjourned at 9:25 p.m.

Approved:

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Connie Bair, Board Secretary

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Jim Hartley, President