



CRESCENT FIRE PROTECTION DISTRICT

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MINUTES OF THE CRESCENT FIRE PROTECTION DISTRICT BOARD OF DIRECTORS

**REGULAR MEETING HELD
MONDAY, JULY 12, 2021
AT 5:00 P.M.**

DIRECTORS PRESENT:

Chairman Jim Nelson Director
Vice Chairman Dave Short
Director Jim Erler
Director Kelley
Director Joe Gregorio – present at 5:15PM

ABSENT:

OTHERS PRESENT:

Bill Gillespie, Fire Chief
Vanessa Duncan, Clerk of the Board
Colette Metz-Santsche, Senior Planner, Planwest Partners, Inc.
Alicia Northrup, Del Norte County Registrar of Voters/Election Officer

ROLL CALL:

Chairman Nelson called the meeting to order at 5:03 PM. The Pledge of Allegiance was led by Director Erler.

PUBLIC PARTICIPATION

Roger Gitlin: questioned if the Board will be talking about the assessment during this agenda? *The Clerk of the Board confirmed that there will be an agenda item regarding the assessment which he will be able to speak on.*

Thomas Barnes: noted that he sent an email with comments he will be bringing up later in meeting.

Linda Sutter: suggested the Board considers that there is no public confidence or trust in the recount. She also stated if the Board approves the results of the recount

there will be an immediate recall of the Board Members and the Del Norte County Registrar of Voters.

Henry Geiger: Expressed his frustration with the benefit assessment.

CONSENT CALENDAR

3.1 APPROVE MINUTES OF THE REGULAR MEETING OF JUNE 14, 2021, MINUTES OF THE SPECIAL MEETING OF JUNE 17, 2021, AND MINUTES OF THE SPECIAL MEETING OF JUNE 30, 2021

3.2 APPROVAL OF WARRANT CLAIMS FOR PERIOD COVERED JUNE 2021

On a motion by Director Erler, seconded by Vice Chair Short, motion carried 4/0/1 with Director Gregorio being absent; the Board of Directors approved the Consent Calendar.

NEW BUSINESS

Take action as necessary and appropriate.

4.1 REVIEW AND ADOPT CERTIFICATION OF CRESCENT FIRE PROTECTION DISTRICT BENEFIT ASSESSMENT BALLOT TABULATION RESULTS SUMMARY

RECOMMENDATION

1. Receive staff report and presentation
2. Take public comment
3. Board Discussion
4. Consider and adopt to certify CRESCENT FIRE PROTECTION DISTRICT BENEFIT ASSESSMENT BALLOT TABULATION RESULTS SUMMARY DATED JUNE 28, 2021.

Chief Gillespie presented the staff report and presentation to the Board, stating the ballots were tabulated in a public viewable format at the Board of Supervisors Chamber on Tuesday June 15, 2021 at 10:00 AM. The unofficial ballot tabulation results from June 15, 2021, were reviewed by the CFPD Board at a special meeting on June 17th. The unofficial results showed that 1,734 ballots were received of 5,253 ballots mailed (33% return rate). There were 26 ballots that were invalid due to no signature or no marked vote. The assessment received 858 "Yes" votes valued at \$72,348.40 (49.99%) and 876 "No" votes valued at \$72,367.60 (50.01%). The difference between Yes and No votes following the June 15th count was 0.013% with a value difference of \$19.20. Because of how close the ballot count was, and the chance for human error when tabulating the ballots, the CFPD Board officially requested a ballot recount by the Del Norte County Elections Office.

The recount was tabulated in a public viewable format at the Board of Supervisors Chamber on Monday, June 28, 2021 at 9:00 AM. The results show a total of 1,738 valid ballots cast of 5,253 ballots mailed. There were 26 ballots that were invalid due to no signature or no marked vote. The assessment received 860 "Yes" votes valued at \$72,503.80 (50.01%) and 878 "No" votes valued at \$72,486.00 (49.99%). The difference between Yes and No votes following this count is 0.012% and a value difference of \$17.80.

Chief Gillespie also reported that the passage of the 2021 Fire District Assessment ballot measure is dire for the District. With the coming sunset of the 2006 assessment, and no increase in revenues from the 1987 assessment, there is a short window of funding through reserves that will be depleted in the coming 2–3-year period. Passage and implementation of the 2021 assessment brings revenue potential of \$421,404 annually beginning in FY 2021-22.

Staff recommended that the District Board receive the report and adopt to certify the Crescent Fire Protection Benefit Assessment Ballot Tabulation Results Summary dated June 28, 2021.

The following citizens addressed the Board:

Roger Gitlin: Urged the Board to vote against the benefit assessment certification results.

Thomas Barnes: Stated his concerns with the benefit assessment proceedings and would like the Board to invalidate the results of the benefit assessment tabulation.

Henry Geiger: Expressed his desire for the Board to vote against the tabulation results.

Linda Sutter: Stated the Board needs to have more input from the public regarding the benefit assessment.

Hank Akin: Expressed his concerns that the Board of Directors are not present on screen.

Donna Westfall: Urged the Board to vote no on the tabulation results, stating that there were property owners that did not receive their ballots and there needs to be more public input on the benefit assessment process.

Chairman Nelson spoke about his 29 years as a firefighter at Crescent Fire Protection District. Chairman Nelson noted the dedication of the volunteers, stating that all money received from the benefit assessment will go directly to Crescent Fire Protection District. He also stated that although it is a close victory, it is a victory.

Director Gregorio stated he understands the frustrations from the members of the public, also stating that the Board hired consultants to assure that the process was

done in a fair and legal manner. Director Gregorio recommended the Board to move forward in a timely manner to continue to provide quality service the citizens in Del Norte County.

Director Kelley reported that every meeting the Board has had thus far has been open to the public and the Board has always encourage public input. Director Kelley expressed his belief that the public should have voiced their opinions at an earlier date. Director Kelley noted that there have been many dedicated people to help pass the benefit assessment and the benefit assessment has been done in a legal manner.

Director Erler stated it has been strongly suggested that the Board does not pass the certification results, also stating that it's not viable for Crescent Fire Protection District to fund the annual budget off reserves. Director Erler expressed his concerns, stating that if Crescent Fire Protection District's reserve are meant to emergencies and not for daily purchases.

On a motion by Vice Chair Short, seconded by Director Erler, motion carried unanimously 5/0, the Board of Directors adopts the CERTIFICATION OF CRESCENT FIRE PROTECTION DISTRICT BENEFIT ASSESSMENT BALLOT TABULATION RESULTS SUMMARY.

PASSED AND ADOPTED by the Board Members of the
CRESCENT FIRE PROTECTION DISTRICT

This 12th day of JULY 2021, by the following polled vote:

YES: 5

NOES: 0

ABSENT:0

**4.2 CONSIDER AND ADOPT ORDINANCE 21-001 AN ORDINANCE OF THE
CRESCENT FIRE PROTECTION DISTRICT LEVYING A FIRE SUPPRESSION
ASSESSMENT, BEGINNING IN FISCAL YEAR 2021/22**

RECOMMENDATION

1. Receive staff report and presentation
2. Take public comment
3. Board Discussion
4. Waive full reading, read by title only and adopt Ordinance No. 21-001, AN ORDINANCE OF THE CRESCENT FIRE PROTECTION DISTRICT LEVYING A FIRE SUPPRESSION ASSESSMENT, BEGINNING IN FISCAL 2021/22

Chief Gillespie briefed the Board stating after the meeting on March 8th, a combined notice and ballot was mailed to each owner of record of developed properties located within the District as identified by the names and addresses appearing on

the last equalized secured property tax assessment roll of Del Norte County. The notice and ballot included information about the proposed assessment, a summary of the procedures for completing and returning ballots, information about the public hearing, and the total amount of assessment proposed for the owner's particular parcel.

Chief Gillespie also reported at the June 14, 2021 regular meeting of the District, the Board held a public hearing to mark the end of the ballot period. Ballots were mailed 45 days in advance of the hearing to owners of properties within the District boundaries that would be subject to this assessment, based on the most recent County records. Owners of properties that would not be assessed, including undeveloped parcels, were not mailed ballots. Each ballot included the total assessment proposed for the owner's particular parcel and a summary of the procedures applicable to the completion, return and location of the public hearing. Individuals who owned more than one applicable property within CFPD that would be assessed were mailed one ballot for each property. Each ballot is weighted by the amount of the assessment it represents. To be counted, mail-in and in-person assessment ballots were required to be received by the close of the public hearing on June 14, 2021. Tabulation of the returned ballots commenced after the close of the public hearing by the Del Norte County Elections Office and was conducted on June 15th beginning at 10:00AM in the Board of Supervisors Chamber, 981 H Street in Crescent City. The Del Norte County Election's Office (County Registrar) handled all ballots, conducted tabulation, and will retain all ballots in their archives for a minimum of two years. At this meeting, the Board shall hear and determine any and all controversies concerning the regularity of the balloting. The determination of the governing body shall be final. If a majority of weighted ballots returned are in support, the Board will conduct a second reading and adopt Ordinance No. 21-001.

The following citizens addressed the Board:

Thomas Barnes: Expressed his disappointment with the Board, stating the Board is approving the tabulation results when the Board is not representing the members of the District properly, he also stated he is disturbed by the way the Board has spoken to the public.

Linda Sutter: Declared there is no professionalism with the Board and that there will be a total recall of all Board members and a lawsuit to come.

Hank Akin: Stated that Chairman Nelson and Director Kelley should recuse themselves for personal beliefs. He also stated that there are several ways to save money as a fire department.

Henry Geiger: Expressed his concerns, stating that the Board did not take the public comments seriously. He also stated no matter what the outcome is he supports each and every firefighter but there are some things he cannot stand behind, and this vote is one of them.

On a motion by Vice Chair Short, seconded by Director Kelley, motion carried unanimously 4/1/0, with an opposing vote from Director Erler, the Board of Directors adopts the CERTIFICATION OF CRESCENT FIRE PROTECTION DISTRICT BENEFIT ASSESSMENT BALLOT TABULATION RESULTS SUMMARY.

PASSED AND ADOPTED by the Board Members of the
CRESCENT FIRE PROTECTION DISTRICT

This 12th day of JULY 2021, by the following polled vote:

YES: 4 Chairman Nelson, Vice Chair Short, Director Gregorio, Director Kelley

NOES: 1, Director Erler

ABSENT:0

OLD BUSINESS - None

CHIEF'S REPORT

Take action as necessary and appropriate.

UPDATE ON CURRENT MATTERS AND THOSE IN PROGRESS.

6.1 RESPONSES OCCURRED BETWEEN: 06/01 – 06/30/2021

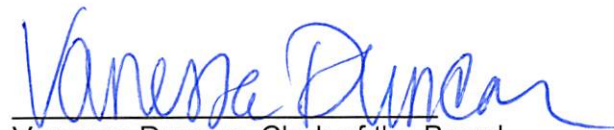
Chief Gillespie reported the total number of calls in the City and the District.

BOARD COMMENTS

Chairman Nelson thanked members of the public who called in expressing their concerns, noting that it was a close vote, but a victory nonetheless and the Board will follow the wish of the public. Chairman Nelson encourages members of the public to voice their questions or concerns at all Board meetings.

ADJOURNMENT

There being no further business to come before the Board, Director Gregorio adjourned the meeting at 6:17 pm of the Crescent Fire Protection District Board of Directors to the next regularly scheduled meeting on August 9, 2021 at 5:00PM.



Vanessa Duncan, Clerk of the Board
Crescent Fire Protection District