

1 **NORTH LAKE TAHOE FIRE PROTECTION DISTRICT**
2 **BOARD OF DIRECTORS MEETING MINUTES**

3
4 **MAY 17, 2017**

5
6 **LOCATION:** 863 Tanager, Incline Village, Nevada.

7
8 **MEETING CALLED TO ORDER:** Chair Perry called the meeting to order at
9 12:00 p.m.

10
11 **ROLL CALL OF THE NORTH LAKE TAHOE FIRE PROTECTION BOARD OF**
12 **DIRECTORS:** Upon roll call, the following Board Members were present:
13 Dennis Perry, Chairman, Susan Herron, Vice-Chairman; Denise Bremer,
14 Secretary Treasurer; James Costalupes, Director; Greg McKay, Director; and
15 Beckie Dunn-Spomer, Secretary.

16
17 **GUESTS PRESENT:** Ryan Sommers, NLTFPD; Sharon Cary, NLTFPD; Devon
18 Reese, Legal Counsel; Bryan Calder, NLTFPD; Tia Rancourt, NLTFPD; Mark
19 Regan, Assistant Fire Marshal; Alan Green, NLTFPD; Monte Santos, NLTFPD;
20 Isaac Powning, NLTFPD; Thomas Rores, NLTFPD; Michele Norris, Crystal
21 Realty; Ron Falstad, Resident; Dennis Diullo, CSMI; Blane Johnson, Realtor;
22 Heather Linsford, Carrara Nevada/IVBOR; Jenny Reese, Carrara Nevada/NV
23 Realtors; Ramona Bigelow, Berkshire Hathaway Real Estate; Mike
24 Chamberlain, Coldwell Banker-Realtor; Doug Flaherty, Resident; Edee
25 Campbell, Broker-Realtor; Cathi Colvin, Homeowner-Realtor; Cal Diloeres,
26 Realtor; Valerie Flynn, Realtor; Terry Barbery, Realtor; Mike Fisher, Property
27 Manager; Rachel Flowers, Owner; Michael McManus, Owner; Christopher
28 Armstrong, Owner; Doug Klotz, Owner; Chris Plastiras, Realtor; Charlene
29 Meenan, Realtor; John Frankovich, Incline Village Board of Realtors (IVBOR);
30 Don Cauley, Vacation Station, Inc.; Jerry Nerlove, Realtor; Carl Deloras,
31 Realtor; Ken Cash, Broker-Realtor; Jim Nadeau, Carrara Nevada/Realtor;
32 Ken Veil, Property Manager; Terry Moore, Realtor; Reza Almani, h,
33 Homeowner; Alexandra Forma, Realtor; Tamara Lightfoot, Realtor; Sabrina
34 Billeci, Realtor; Mary Mosher-Armstrong, IVBOR; Bruce Vandenbrouace,
35 Photographer; Gary Stewart, Resident; Jeff Poindexter, Sierra Nevada
36 Properties (SNP); Scott Tieche, Realtor; Bruce Soli, Realtor; Lynn Karol,
37 Realtor; Elise Fett, Architect Engineer; Sandy Soli, Realtor.

38
39 **APPROVAL OF AGENDA:** Chair Perry proposed the Public Hearing on the
40 budget be moved to the end of the meeting, item number one be moved to
41 item number four, and item number four be moved to item number one.

42
43 **NRS 241.020 RE: PUBLIC COMMENT: This is a Time for the Public to**
44 **Comment on any Matter, Whether or Not it is Included on the**
45 **Agenda of this Meeting.** Chair Perry said if there are any comments
46 regarding the reading of item number one on the agenda, Resolution 17-1;

1 to please hold their comments till item number one is discussed. There will
2 be time for public comment after item number one is read. Devon Reese,
3 Legal Counsel; clarified that there will be three public comment sections for
4 this meeting, one at the beginning, one at the end and one after item
5 number one is read. Chair Perry confirmed this was correct. A resident
6 asked what Resolution 17-1 was. Chair Perry explained Resolution 17-1 is
7 the resolution to discuss the regulation of vacation rentals.

8
9 **CONSENT AGENDA** - Chair Perry asked for any changes. No changes were
10 made to the consent agenda items; Chair Perry deemed them approved as
11 submitted.

12
13 **Approval of Minutes of the April 12, 2017 Board of Directors Meeting.**

14
15 **Review of Accounts Payable for April 2017.**

16
17 **Approval of the April 2017 Monthly Management Report.**

18
19 **NEW BUSINESS:**

- 20
21 1. **First reading of resolution no. 17-1, resolution requiring**
22 **vacation home rentals to obtain a yearly operational permit and**
23 **inspection. In accordance with the 2012 International Fire**
24 **Code, Section 105 and Section 113 for certain rental activities**
25 **related to fire prevention and life safety as a matter of policy**
26 **and the Nevada Revised Statutes, Chapter 118A, the North**
27 **Lake Tahoe Fire Protection District is holding a first reading of**
28 **proposed Resolution 17-1, Resolution requiring vacation home**
29 **rentals to obtain a yearly operational permit and inspection.**
30 **The purpose of this first reading is to hear from members of**
31 **our community. North Lake Tahoe Fire Protection District is**
32 **taking no action on this resolution at this time. We welcome**
33 **any and all interested members of our community to come to**
34 **our meeting and provide us with their constructive input to this**
35 **proposed resolution. (Presented by Fire Chief Ryan Sommers**
36 **and Assistant Fire Marshal Mark Regan)** Fire Chief Ryan Sommers
37 introduced Assistant Fire Marshal Mark Regan. Assistant Fire Marshal
38 Regan presented the Resolution. He read through most of the
39 Resolution and he explained that the resolution was not to stop
40 vacation rentals in the Incline Village and Crystal Bay area. The
41 district is focused on the life safety issue and keeping the visitors and
42 local community safe. In the last two years, the district has been
43 working on gathering information on how many vacation rentals are
44 located in Incline Village and Crystal Bay. He explained he has been
45 working with other agencies and groups to help come up with this
46 proposed resolution. There is estimated at least 940 vacation rentals in

1 the Incline Village and Crystal Bay area. Assistant Fire Marshal Regan
2 stated this District is the only district in the Basin that does not have a
3 regulated program for Vacation Rentals. Most of the Districts around
4 the Lake have a program in place. He stated a lot of these properties
5 are converted from an R3 property (*Residential Group R-3. -*
6 *Residential occupancies where the occupants are primarily permanent*
7 *in nature and not classified as Group R-1, R-2, R-4 or I) to an R1*
8 *property (Residential Group R-1. - Residential occupancies contain-ing*
9 *sleeping units where the occupants are primarily tran-sient in nature;*
10 *2012 INTERNATIONAL FIRE CODE). He quoted parts from section 25*
11 *from the Washoe County Code. (Washoe County Code 25.1501*
12 *"Transient Guest" and 25.1502 "Transient Lodging" other than ongoing*
13 *month-to-month tenancy granted to the same renter for the same unit*
14 *pursuant to Chapter 118A of Nevada Revised Statutes (NRS). He then*
15 *explained changing the occupancy from R1 to R3 is a change in code*
16 *and should require property owners to report this change and have an*
17 *inspection done to verify that the property is up to the codes for the*
18 *change in occupancy. [A] 102.3 Change of use or occupancy. No*
19 *change shall be made in the use or occupancy of any structure that*
20 *would place the structure in a different division of the same group or*
21 *occupancy or in a different group of occupancies, unless such structure*
22 *is made to comply with the requirements of this code and the*
23 *International Building Code. Subject to the approval of the fire code*
24 *official, the use or occupancy of an existing structure shall be allowed*
25 *to be changed and the structure is allowed to be occupied for purposes*
26 *in other groups without conforming to all of the requirements of this*
27 *code and the International Building Code for those groups, provided*
28 *the new or proposed use is less hazardous, based on life and fire risk,*
29 *than the existing use (2012 INTERNATIONAL FIRE CODE). He*
30 *explained and discussed more items in the resolution. Fire Chief*
31 *Sommers asked Assistant Fire Marshal Regan to skip to items that*
32 *might have specific questions. Assistant Fire Marshal Regan explained*
33 *a few sections and his concerns that were laid out in the resolution. He*
34 *explained the District offers free smoke detectors and ash cans for any*
35 *resident of the Incline Village and Crystal Bay areas. He showed*
36 *pictures from local rental sites of vacation rentals and others that*
37 *clearly did not meet standard codes mentioned above. He explained if*
38 *this resolution were to go forward the District would hire an inspector*
39 *to carry out the proposed inspections and there would be no delay in*
40 *rental income to the property owners, the process would be a smooth*
41 *transition.*

42 Assistant Fire Marshal Regan asked if there were questions.
43 Director Herron said that she heard Assistant Fire Marshal Regan
44 mention Heather in his comments; who is she and what her
45 relationship to this situation is. Assistant Fire Marshal Regan replied
46 he had spoken with Gail Krolick, the president of the Incline Village

1 Realtors Board, and he addressed her concerns. Ms. Krolick then
2 asked him to meet with Heather Linsford, who is a lobbyist for the
3 Nevada Realtors Association, to address their concerns as well.
4 Assistant Fire Marshal Regan said they both had a chance to look at
5 the resolution and make suggestions on changes but there has not
6 been a complete agreement on all issues.
7 A resident asked if this Resolution would apply to residences only or to
8 condominiums as well. Assistant Fire Marshal Regan replied a
9 condominium as a Vacation Rental, yes. He then said had reached out
10 to a few of the home owner associations in the area.
11 Chair Perry asked for any other questions from the Board members.
12 None were heard.

13
14 **NRS 241.020 RE: PUBLIC COMMENT: This is a Time for the**
15 **Public to Comment on the matter of resolution no. 17-1,**
16 **Resolution requiring vacation home rentals to obtain a yearly**
17 **operational permit and inspection. In accordance with the 2012**
18 **International Fire Code, Section 105 and Section 113 for certain**
19 **rental activities related to fire prevention and life safety as a matter**
20 **of policy and the Nevada Revised Statutes, Chapter 118A**

21 Chair Perry stated a few guidelines to follow before opening to public
22 comment. Guests wishing to make public comments must state their
23 name and affiliation for the record and all comments will be held to
24 three minutes. He said for the sake of order any representative or
25 legal counsel will go first. A resident asked if the three minutes of
26 dialog was for all questions and answers because he had about 20
27 questions.

28 Devon Reese, Legal counsel responded this is a time for public
29 comment; the Board will not answer questions at this time and if there
30 are questions that need to be answered, please bring them to the Fire
31 Chief or the Board members after the meeting.

32
33 Chair Perry opened the meeting for public comment.

34
35 John Frankovich representing the Incline Village Board of Realtors
36 (IVBOR); is opposed to the resolution. He believes the district does
37 not have the authority to enforce this resolution as a fire district, and
38 the designation between 28 days and 30 days is not valid. He
39 submitted a letter to be available with these minutes as part of the
40 record.

41
42 Reza Almani, homeowner; is opposed to the resolution. He stated
43 there would be a decrease in vacation rental income and believed
44 policy was not the answer this situation.

45
46 Blane Johnson, Owner and Property Manager for Sun Bear Property

1 Management; is opposed to the Resolution. He expressed the need for
2 safety, but would like more education and information on this subject.
3 He is open to volunteering to find a better solution to this situation.

4

5 Ron Falstad, Resident and retired former Assistant Fire Chief of
6 Berkeley Fire Department; is opposed to the resolution on principle.
7 Said it will invade personal property privacy and thinks the controlled
8 burns need to be our focus and wants property owners to be self-
9 regulated through their websites and rental contracts.

10

11 Ramona Bigelow, Berkshire Hathaway Real Estate; is opposed to
12 resolution. She wants to help educate all residents' not just vacation
13 rentals.

14

15 Valerie Flynn, Coldwell Bankers; is opposed to resolution. She wants
16 item numbers 19 and 20 of the resolution to be addressed concerning
17 water heaters and hot tub inspections.

18

19 Cathi Colvin, Homeowner and Realtor; is opposed to resolution. She
20 agrees with everything that was said, stated she has lost sales
21 because of this situation. She is thankful for the freebies that the
22 District offers and wants to be a part of discussing a new solution to
23 avoid any further life safety issues.

24

25 Jim Nadeau, Carrara Nevada/Realtor; is opposed to resolution. He
26 wants to work with the district to come up with a solution. He thanked
27 the Board, Fire Chief and Assistant Fire Marshal Mark Regan for
28 postponing last month's action to allow more time for businesses and
29 residents to have a chance to speak on the matter.

30

31 Edie Campbell, Realtor and past President of IVBOR, is opposed to the
32 resolution. She concurs with all that has been said and she does not
33 want to see any more loss of life. However, she does not believe that
34 this resolution will stop the unsafe situations in vacation rentals. She
35 wants more education not more fees.

36

37 Don Cauley, Vacation Station Inc.; is opposed to resolution. He stated
38 regular business inspections do not cost, so why should this cost and
39 why is the District picking items out of the fire code to enforce and not
40 the full code.

41

42 Michael McManus, Homeowner; is opposed to resolution. He stated as
43 a resident he does not want more regulation and law enforcement.

44

45 Ken Cash, Coldwell Banker; is opposed to resolution. He concurs with
46 all that has been said. He is concerned about the lack of information

1 available to the community prior to this meeting and the speed of
2 which this resolution has been brought to the community.

3

4 Doug Flaherty, past Fire Division Chief and Fire Marshal of Orange
5 County; is opposed to resolution. He does not believe that a case has
6 been made for the resolution as written. He wants more community
7 meetings. He suggested a monthly newsletter for vacation rental
8 owners written by the Fire Department.

9

10 Chris Armstrong, Resident; is opposed to resolution. He stated it is a
11 slippery slope and the community needs more education. He does not
12 want more regulation.

13

14 Mike Chamberlain, Coldwell Banker-Realtor; is opposed to resolution.
15 He states it should be a voluntary approach not the big Brother
16 approach.

17

18 Scott Teach, Realtor; is opposed to resolution. He wants to see a
19 partnership with community property managers and the District.

20

21 Dennis Diullo, Community Property Manager; is opposed to resolution.
22 He wants to see changes to item 2, 4 and 5.

23

24 Elise Fett, Architect/Engineer; Understands the concern with local
25 homes being unsafe and agrees there needs to be more information
26 and education.

27

28 Chair Perry asked for more comments. No more comments were
29 heard. Chair Perry stated if there is anyone with questions regarding
30 this resolution please direct them to Assistant Fire Marshal Mark
31 Regan, Fire Chief Ryan Sommers, or the members of the Board
32 directly.

33

34 Chair Perry asked if the board members had any comments.

35

36 Director McKay thanked the visitors for attending and stated he would
37 like to have a group come together and find a better solution.

38

39 Director Costalupes stated he understands the concern as a
40 community builder for too much government, and would like to help
41 find a solution.

42

43 Chair Perry asked if Fire Chief Sommers had any comments.

44

45 Fire Chief Sommers stated Assistant Fire Marshal Regan had a couple
46 things to say. Assistant Fire Marshal Regan thanked everyone for

1 attending and for their comments and input. He would like more input
2 from online providers and welcomes any questions regarding this
3 resolution.

4 Fire Chief Sommers expressed that he is open to any concerns or
5 questions and appreciates everyone for attending and sharing their
6 opinions.

7 Chair Perry adjourned the Public Comment section of the meeting and
8 then called for a ten minute recess. Meeting recessed at 1:22 p.m. and
9 reconvened at 1:35 p.m.

10

11 **NEW BUSINESS:**

12

13 **1. Discussion of and possible action to approve of the Interlocal** 14 **Agreement between Washoe County on behalf of the Washoe** 15 **County Sheriff's Office (WCSO) and the North Lake Tahoe Fire** 16 **Protection District for dispatch and communication services in the** 17 **amount of \$300,000.00 for the for fiscal years 17/18-18/19.** 18 **(Presented By Fire Chief, Ryan Sommers)**

19

Fire Chief Ryan Sommers discussed and asked for approval of the
20 contract with the WCSO dispatch. He stated we have been working with
21 WCSO for the last ten years. There is no increase in the contracted
22 amount from last year. He asked for questions from the Board.

23

Director Herron asked if this was a 3 year contract, stated that is how she
24 reads it, as a two year contract with an auto for a third year, she also
25 confirmed that the District pays it annually according to our budget.

26

Business Manager Cary said yes it is paid annually.

27

Director Bremer asked if everything was running smoothly and are we
28 happy with their service.

29

Fire Chief Sommers stated for the most part everything is running
30 smoothly, he understands dispatch has a high turnover rate due to the
31 nature of the job. He stated there are a few items in the contract that
32 are not being followed through on such as: Section 8, (P) "WCSO shall
33 provide a monthly National Emergency Number Association (NENA)
34 compliance report", is not happening monthly. He asked for permission to
35 enforce these responsibilities in section 8 of the contract with to WCSO
36 dispatch.

37

Director Herron said Fire Chief Sommers has permission from the Board
38 to tell WCSO dispatch that the Board wants these items enforced.

39

Chair Perry asked for a motion to approve the contract.

40

Director Herron made a motion to approve of the Interlocal Agreement
41 between Washoe County on behalf of the Washoe County Sheriff's Office
42 (WCSO) and the North Lake Tahoe Fire Protection District for dispatch
43 and communication services as presented.

44

Director Bremer seconded the motion.

45

Motion passed 5-0

46

1 **2. Discussion for Possible Action to Approve the Cooperative**
2 **Agreement between Truckee Meadows Fire Protection District and**
3 **the North Lake Tahoe Fire Protection District. (Presented By Fire**
4 **Chief, Ryan Sommers)**

5 Fire Chief Sommers explained this is a blanket agreement to cover
6 services for both districts and provide services to the residents between
7 our two districts. It is at no expense to the District and can be cancelled
8 with a 30 day written notice.

9 Director McKay asked about the differences in equipment prices. Fire Chief
10 Sommers explained the District rates represent those in our California
11 Fire Assistance Agreement (CFAA) and he is unaware of where they get
12 their rates.

13 Director McKay made a motion to approve the the Cooperative Agreement
14 between Truckee Meadows Fire Protection District and the North Lake
15 Tahoe Fire Protection District as presented.

16 Director Bremer seconded the motion.

17 Motion passed 5-0
18

19 **3. Discussion and Possible Action to Approve an Inter-Local**
20 **Agreement Between North Lake Tahoe Fire Protection District and**
21 **The County of Washoe on Behalf of the Washoe County Sheriff's**
22 **Office for Raven Fire Training, Monitoring and Suppression**
23 **Personnel and Equipment as Managed by the Washoe County**
24 **Sheriff's Department. (Presented By Fire Chief, Ryan Sommers)**

25 Fire Chief Sommers explained this is a contract to allow us the use of
26 Raven helicopter and the services included. WSCO has been more
27 involved with the Wildland Fire services in the last few years. This
28 contract will allow us to request Raven for multiple situations at no cost.

29 Director Herron asked if the deposit will be paid in this fiscal year.

30 Business Manager Sharon Cary responded that yes it will be paid in this
31 fiscal year.

32 Director Herron asked if the District does not use the service is the
33 deposit refunded. Fire Chief Sommers said no, however the District will
34 be using their services.

35 Director Perry asked in regards to Search and Rescue can the District use
36 them. Fire Chief Sommers answered; yes it is part of the contract.

37 Director Costalupes asked do we get billed hourly for them, are there
38 hourly rates in the contract, and is this one helicopter enough for the
39 district. Fire Chief Sommers answered; yes the rates are stated in the
40 contract and Raven is our closest and best resource for air support.

41 Director Herron made the motion to approve an Inter-Local Agreement
42 between North Lake Tahoe Fire Protection District and The County of
43 Washoe on Behalf of the Washoe County Sheriff's Office for Raven Fire
44 Training, Monitoring and Suppression Personnel and Equipment as
45 Managed by the Washoe County Sheriff's Department.

46 Director McKay seconded the motion.

1 Motion passed 5-0

2

3 **OLD BUSINESS:** None.

4

5 **REPORTS**

6

7 ***Legal Counsel Reports:**

8 None.

9

10 ***Board of Directors' Comments/Reports.**

11 Director Herron volunteered to serve as a representative of the Board during
12 discussions and meetings to explore options for Resolution 17-1.

13

14 ***Fire Chief Reports. (Fire Chief, Ryan Sommers)**

15 The District is gearing up for Wildland season, regardless of the snow
16 yesterday. The district will be announcing the retirement of two employees.
17 Forest Schafer will be leaving the District; his last day will be May 25, 2017.
18 He has taken a position with the Tahoe Conservancy District. He will be
19 available for consulting to the District.

20 Battalion Chief Steve Eikam will be retiring as well in July.

21 The situation with the Department of Insurance is still in process to settle
22 the claim on the wrecked ambulance.

23 The reimbursement from the Federal Emergency Management Agency
24 (FEMA) is still in process. Erick Rodriguez, Compliance Manager has taken
25 over the project and will be keeping the Board updated.

26 Fire Chief Sommers attended the Washoe County Board Meeting in Reno on
27 May 16, 2017 where the County Deeded a proclamation to the Lake Tahoe
28 Basin for Wildland Fire Awareness Month in June. They also deeded a
29 proclamation for Emergency Medical Services (EMS) week to this week and
30 the State of Nevada Wildland Fire Awareness month, which is May. There will
31 be many activities happening in June, with the Tahoe Fire and Fuels Team
32 (TFFT), the Tahoe Living with Fire and a ten year anniversary of the Angora
33 Fire.

34 Mr. Reese mentioned that Fire Chief Sommer and Assistant Fire Marshal
35 Regan along with himself met with the IVBOR and their various lobbyists to
36 discuss Resolution 17-1 and is in communication with them to find an
37 agreement on this situation.

38

39 ***Chief Officers Report (Assistant Fire Chief, Bryan Calder)**

40 The Engineering Academy just completed last week and that this program
41 allows current employees to train on various pieces of equipment and build
42 their skills in the Engineering field. There are currently five task books for
43 the Engineer level.

44 There is a Rescue Boat course coordinated by Battalion Chief Eikam next
45 week.

46 There is a rescue swimmer course coming up soon as well.

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***Fuels Management Reports. (Fuels Management Officer, Isaac Powning)**

Hand crews will be starting next Monday the 22nd on a 40 hour week and then switch to staggered shifts for the season.

The fuels team has started with urban lots and will be working in the Tyrolian Village area for a while.

The crews have been involved in training with the Air National Guard, the media and North Tahoe Fire Protection District as well this last couple of weeks.

Chipping has started in the local area this week and North Tahoe area next week. Truckee fire will not be using our services this year due to funding on their part not being available.

Director Costalupes asked about the piles of brush on Fairway. Isaac replied it is the Forest Service jurisdiction and when they give us an agreement the District will proceed with disposing of them, the District is anticipating being able to remove them next fall.

***Business Manager Reports. (Business Manager, Sharon Cary)**

Business Manager Cary stated Director McKay had pointed out a few minor changes to the minutes from the last month's meeting; they have been changed and are ready for a signature.

***Public Education Information Officer Reports. (Public Education Information Officer, Tia Rancourt)**

Business Manager Cary stated that Public Information Officer Tia Rancourt will email the Board her report as she is unable to attend the meeting.

***Local 2139 Union Reports.**

No Report

NRS 241.020 RE: PUBLIC COMMENT. This is a time for the public to comment on any matter, whether or not it is Included on the agenda of this meeting.

Dennis Duillo stated he wanted to make a comment regarding resolution 17-1. He stated he wants the Board to base their decisions on the safety of the community not the opinions of Realtors.

PUBLIC HEARING (TIME CERTAIN FOR 1:05 P.M.)

Discussion of and Possible Action to Approve the North Lake Tahoe Fire Protection District's Fiscal Year 2017 – 2018 Budget as Presented at the April 12, 2017 Budget Workshop Meeting.

Director Herron made a motion to open the public hearing on the Budget.

Director Bremer seconded the motion.

Motion passed 5-0

- 1 Chair Perry opened the Public Hearing at 2:07 p.m.
- 2 Business Manager Cary stated there have been no changes to the budget
- 3 since it was presented at the April 12th Board of Directors' Budget Workshop
- 4 meeting.
- 5 Director Bremer made a motion to accept and approve the North Lake Tahoe
- 6 Fire Protection District's Fiscal Year 2017 – 2018 Budget as presented at the
- 7 April 12, 2017 budget workshop with the current tax rate .6291.
- 8 Director Herron seconded the motion.
- 9 Motion passed 5-0.
- 10 Director Herron made a motion to close the public hearing.
- 11 Director McKay seconded the motion.
- 12 Motion passed 5-0.

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14 **Meeting Adjournment.**

15 Chair Perry adjourned the meeting at 2:09pm

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Beckie Dunn-Spomer, Secretary


Dennis Perry, Chairman