

COUNTY OF NEVADA
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BOARD OF SUPERVISORS



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August 20, 2024

The Honorable Judge Scott Thomsen
Presiding Judge of the Grand Jury
201 Church Street
Nevada City, CA 95959

**RE: County of Nevada Reponses to Grand Jury 2023-2024 Report entitled FIRE!
Challenges of a Small, Rural Fire District**

Honorable Judge Scott Thomsen,

Please find enclosed the County of Nevada's responses to the Grand Jury's 2023-2024 Report *FIRE! Challenges of a Small, Rural Fire District* as approved by the Board of Supervisors at their regularly scheduled meeting on August 20, 2024.

Sincerely,

Hardy Bullock
Chair, Board of Supervisors

Encl.

NEVADA COUNTY BOARD OF SUPERVISORS RESPONSES TO

2024 Nevada County Civil Grand Jury Report

Report on responses to the 2023-2024 Grand Jury Report: FIRE! Challenges of a Small, Rural Fire District

DATED August 20, 2024

In accordance with California Penal Code § 933.05(b), the Nevada County Board of Supervisors is responding to the Nevada County Civil Grand Jury FY 2023/24 Report entitled "*FIRE! Challenges of a Small, Rural Fire District*". The responses to findings and recommendations are based on examination of official County records, review of the responses by the County Executive Officer, County Counsel, and County staff.

A. RESPONSES TO FINDINGS

Finding 3: OHF's lacks the finances to hire the staff it needs.
Agree.

The Ophir Hill Fire Protection District, a small special district whose Board of Directors are responsible for its fiscal assessment and overall stability, have agreed that the district lacks the funding to adequately staff the station with two personnel twenty-four hours a day, seven days a week.

Finding 4: OHF's finances as a stand-alone district will not improve without increasing the annual tax assessment.

Partially Disagree.

The Ophir Hill Fire Protection District is a small special district whose Board of Directors are responsible for its fiscal assessment and overall stability including any evaluation of its tax assessment which is only one fiscal mechanism to generate revenue. The Board of Supervisors do not possess the jurisdictional authority to determine if an increase in tax assessment is the the only mechanism to improve the district's finances. While taxation is a critical funding mechanism for special districts, other revenue opportunities available to the district may include, but are not limited to, administrative and operational efficiencies, state and federal grants, and other ongoing revenue generating mechanisms.

B. RESPONSES TO RECOMMENDATIONS

Recommendation 3: If the OHF Board of Directors has not taken either of the actions in Recommendations 1 or 2 within 60 days, the Nevada County Board of Supervisors should immediately conduct an assessment of OHF operations to determine if the community continues to be at risk.

This recommendation will not be implemented.

The Ophir Hill Fire Protection District Board of Directors recently voted to join discussions to consider consolidating with Nevada County Consolidated Fire District, Penn Valley Fire Protection District, and Rough and Ready Fire Protection District. The County is assisting in the facilitation of discussion between fire authorities and consideration for consolidation of districts.

Recommendation 4: If the Board of Supervisors determines that the Ophir Hill community is at risk, it should ask Local Area Formation Commission to initiate consolidation of OHF with other districts:

This recommendation will not be implemented.

The Ophir Hill Fire Protection District Board of Directors recently voted to join discussions to consider consolidating with Nevada County Consolidated Fire District, Penn Valley Fire Protection District, and Rough and Ready Fire Protection District. The County is assisting in facilitating discussions between fire authorities to consider the consolidation of districts. In addition, staff for the Local Government Formation Commission (LAFCo) are participating in the discussions as applicable.

FIRE!

Challenges of a Small, Rural Fire District

2023-2024 Nevada County Grand Jury

Report Date: June 3, 2024

Release Date: June 7, 2024

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Summary

Effective fire departments require sufficient funding for two things:

1. to recruit and retain enough well-trained permanent staff to respond promptly to emergency calls without undue reliance on outside assistance,
2. to maintain enough appropriate equipment and facilities to respond to emergencies with the equipment the situation demands,

Ophir Hill Fire Protection District lacks the funding for either.

The permanent staff is well qualified, but there are too few. The district has not been able to attract and retain additional personnel. The district had to give up one important piece of equipment because it could not afford to repair it. The results are reliance on help from surrounding districts whenever more than one piece of fire equipment is necessary. Ophir Hill Fire Protection District needs to increase its revenue, or consolidate with Nevada County Consolidated Fire District to be effective.

Glossary

Jury	2023-2024 Nevada County Civil Grand Jury
OHF	Ophir Hill Fire Protection District
PCF	Paid Call Firefighters
Consolidated	Nevada County Consolidated Fire District

Background

The jury initiated this investigation after receiving a complaint regarding operations at Ophir Hill Fire Protection District (OHF). OHF serves approximately 1,600 properties in a nine-square-mile area of western Nevada County. OHF typically receives one to two calls per day, primarily medical-assistance calls. Additional emergency support is availa-

ble from surrounding fire districts. OHF evolved from an all-volunteer fire district to today's mix of full-time, seasonal, and paid-call firefighters (PCF). PCF's are volunteers, and most are not fully trained as firefighters. Can OHF, as currently constituted, offer sufficient emergency services to its district and fully provide assistance to other districts?

Approach

The jury interviewed current and former members of OHF, county officials, and current and former OHF board members. The jury reviewed public documents and those provided by OHF.

Discussion

The jury's investigation was like peeling back the layers of an onion. Each new layer revealed new issues concerning the district's level of preparedness and service, including inadequate first-responder staffing, high rates of turnover because of uncompetitive employee compensation, and other continuing financial issues.

A. UNDERSTAFFING AND UNDERFUNDING

OHF is understaffed and underfunded. Current authorized staffing is one chief, three captains, two seasonal firefighters, and PCFs, but OHF does not have all of those positions filled. It now has one chief, only two captains, two seasonal firefighters, and ten PCFs (who get paid for responding to individual calls and for training time). One captain left two years ago, and OHF has not been able to fill that position. Only two staff (a captain and a seasonal firefighter) are scheduled for each shift.

OHF has two engines, a water tender, and various other pieces of equipment. Only four staff (usually only one person per shift) are qualified to operate the engines and the water tender. Without enough staff, a fire station is just a building filled with expensive equipment. When a call comes in, the captain and firefighter on duty respond. Medical calls require only one vehicle to respond, but fires require more. The Nevada County dispatch center sends at least three engines to structure fires. (National standards call for at least five engines for structure fires.) Due to limited staff, OHF can provide only one piece of equipment at a time. When calls come in that require more, other fire districts or departments may also respond, pursuant to a joint operating agreement.

OHF cannot afford wages competitive with other districts. It attracts people to its training program but cannot retain them because its compensation packages are too low. Chiefs, and captains get salaries and benefits, but seasonal firefighters receive no retirement or health benefits. Seasonal firefighters are available year-round. Witnesses describe Ophir Hill as a training center and résumé builder for firefighters, who then move on to better paying jobs with benefits. Inability to recruit and retain qualified applicants has two effects: (1) increasing training costs as newly trained firefighters leave and OHF hires untrained replacements, and (2) leaving OHF with less experienced firefighters.

B. SHIFTS

OHF has a problem staffing work shifts. For proper coverage, the district needs three captains. Ophir Hill has two, and the two-year search for a third goes on. Qualified applicants go where the salary and opportunities are better, including other fire agencies within Nevada County.

A common firefighter's schedule calls for 2 days on duty and 4 days off. Because of their inability to fully staff, OHF cannot follow that or any other typical schedule. A few years ago, an OHF captain moved to Arizona but retained his job at OHF. The Board of

Directors accepted the situation because it values the employee and fears it cannot readily find a replacement. The Board of Directors' continuing inability to hire a captain for the third allocated captain's job suggests that the Board's concern is well founded.

To accommodate the captain living in Arizona, because commuting from Arizona to OHF twice a week is not realistic, the captain's schedule is 10 days on duty and 20 days off. That warps the chief's and remaining captain's schedules, because they must now work around the Arizona captain coming in once a month for his extended shift. When the jury asked senior firefighters whether such work schedules are safe for the staff and the community, they said, "No." OHF has no current prospect of improving its personnel shortage. At current staffing levels, some calls come in that OHF cannot cover by itself. Mutual aid is common for fire districts because no district can respond to every emergency. Responding to adjacent districts' calls removes Ophir Hill's firefighters from the Ophir Hill community. When an incident occurs, all districts in the area are ready to help if they can, and they expect help when they have incidents, under the terms of a joint operating agreement. Understaffed districts such as OHF must rely too heavily on that agreement, and personnel shortages affect surrounding communities because understaffed districts cannot respond as fully to other communities' need when necessary.

If OHF were to lose another senior officer, it would be even less able to function. Surrounding areas would have to respond far more often to OHF incidents, and OHF would be less able to respond appropriately to incidents in neighboring areas. As it is, OHF is understaffed and that potentially affects other districts.

C. CONSOLIDATION

Nevada County originally had many more volunteer fire districts. They have evolved into what we have today—several fire districts, each with its own management structure. The county's three cities (Nevada City, Grass Valley, and Truckee) have fire departments as part of city services. The remaining communities in the county have special fire districts:

- Chicago-Peardale,
- Higgins,
- Nevada County Consolidated,
- North San Juan,
- Ophir Hill,
- Penn Valley,
- Rough & Ready, and
- Washington.

Consolidated began with the consolidation of the Gold Flat and Bullion fire districts in 1991 and expanded over the next dozen years. Consolidation in other areas in California has helped the areas they serve. It reduces overall management expenses by eliminating duplicative management services and staff, facilitates coordination among different fire stations and makes shift scheduling more flexible because there are more firefighters available. That saves taxpayer dollars. Penn Valley and Rough & Ready are now seeking to join Consolidated, making it a larger district.

The existing joint operating agreement helps districts protect themselves but it does not assure consistency of fire protection from district to district, and it does nothing to alleviate the costs of duplicative management. A large, consolidated district under single management addresses both problems and helps to ensure that the quality of fire protection in one neighborhood is comparable to the next.