



ANDERSON FIRE PROTECTION DISTRICT

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July 13, 2010

The Honorable Stephen Baker
Presiding Judge of the Superior Courts
1500 Court Street
Redding, CA 96002

RE: Response to 2009/2010 Grand Jury Report
Pursuant to California Penal Code 993(c)

Dear Judge Baker:

As a public agency with an elected board whose members took office on December 8, 2009, and which sets policies for its agency operations, we find the recent Grand Jury Report particularly misguided and having little facts to support the Grand Jury's conclusions. The report is based on information gathered without having heard from one of the key witnesses, the District's legal counsel. Even the finest organizations, with the strongest of internal controls, can get a bad employee from time to time. What matters is how the agency deals with it. The Anderson Fire Protection District dealt with it as swiftly and appropriately as possible. The Grand Jury put too much blame on the Board and the agency's legal counsel for some of the issues with the former Fire Chief (Piccinini). In fact, the target should have been Piccinini himself. Below are our Responses to the five "Recommendations of the Grand Jury."

Recommendations of the Grand Jury:

- 1. "When advertising for new employees, the Board must clearly list required certifications and qualifications in the advertisement."**

Response: The Fire Chief is hired directly by the Board of Directors. Similar to other agencies, there are no pre-established job qualifications for the Fire Chief. Rather, those qualifications are established each time the position is filled, based on current state laws, trends in the job market place, and particular needs of the District at the time. Once established, these qualifications are, and will continue to be, included in any job advertisements and recruiting materials.

The remainder of the employees is hired by the Fire Chief. Each position at the District has an adopted job description which includes the specific requirements for the job. These job requirements are, and will continue to be, included in any job advertisements and recruiting materials.

- 2. “The Policies and Procedures Manual needs to be revised and enforced by the Board to ensure certifications is current and valid for all firefighters and emergency medical technicians prior to and during employment.”**

Response: The District agrees that all employee certifications required for employment should be current and valid at all times and the District presently does, and will continue, to monitor the status of these certifications through a tracking system.

- 3. “The Board needs to exercise closer oversight of the operational and fiscal activities of the District.”**

Response: The Fire Board agrees there should be more interfacing and interactivities between the volunteer firefighters and paid staff. This will be achieved by having numerous committees that involve the Fire Board, the Fire Chief and his staff, as well as the many volunteers. Concerning the operational activities of the District, per an Employment Agreement between the current Fire Chief and the Anderson Fire Protection District, the “Employee (Fire Chief) is responsible for all daily operations, non-emergency operations, and emergency operations of the Employer. Employee (Fire Chief) shall however, keep the Employer informed of all situations which might extend beyond the operations of the organization.”

- 4. “The Board should establish a method for employees to confidentially report misconduct to the Board.”**

Response: It is customary that at least one of the board members talks to staff and volunteers on a weekly if not daily basis. On many occasions, the Board communicates with all paid staff as well as volunteers. The current Board of Directors is keenly aware of the misconduct of the former Fire Chief. Board members continue to work on creating a trustworthy and open relationship with the paid staff and volunteers while still remaining professional in their conduct. Additionally, we will be surveying other districts to see what policies they might have in place.

- 5. “The Board should consider contracting the California Special Districts Association regarding training for all Board members. To reduce cost. The Board should consider consolidating training with other special district and agency boards.”**

Response: The Board currently is working through our Fire Chief to get consolidated training with other special district boards in Shasta County. California Special Districts Association does have training for fire districts but regularly holds them in the southern part of the state. Due to the cost of travel, meals, lodging, and the registration fees, it is cost prohibitive for smaller districts such as ours to send one or two members at a time to these training seminars.

Sincerely,

Marsha Kelley, Chairwoman – Board of Directors
Anderson Fire Protection District