

2012-2013
Madera County Grand Jury
Final Report
Madera County Fire Department

Introduction:

The Grand Jury (GJ) elected to review the paid-call/volunteer fire companies within the county. The purpose of this review was to inspect the stations along with its equipment and to examine their management of fire company funds. After visiting a number of stations and interviewing both paid-call/volunteers (PCF) and career firefighters, the GJ uncovered numerous concerns.

It became apparent that an in depth evaluation of the overall county fire department would take up more time then the GJ current session would allow. Some areas of concerns to evaluate include:

- staffing
- station location/replacement
- water supply
- equipment & replacement
- Insurance Services Office (ISO) ratings
- Paid-call firefighting program/recruitment & retention
- PCF compensation

Due to these concerns fire protection on a county-wide basis has serious deficiencies that impact the health, safety, fire insurance cost and well-being of the citizens of Madera County. Because of time restrictions, the GJ elected to focus its review and report on the PCF program and their importance to the overall fire protection services to Madera County.

Facts:

1. The County of Madera provides the following services to the unincorporated areas of the county:
 - fire suppression
 - fire prevention
 - arson and fire investigation
 - emergency medical response
 - hazardous material response
2. The County provides these services through support of volunteer fire companies and by contractual agreement with the Department of Forestry and Fire Protection/Cal Fire (Cal Fire).

3. Contractual agreements between Madera County and Cal Fire date back to the 1920's.
4. Under the contractual agreement, PCF's receive supervision, direction and training from Cal Fire.
5. On April 12, 1988, the Madera County Board of Supervisors (BoS) approved the Madera County Fire Department (MCFD) "Administrative and Operational Policies". This document provides policy for:
 - support of the volunteer fire companies through a contractual agreement with Cal Fire
 - financial responsibility of the county as it relates to:
 - fire equipment
 - utility bills
 - communication equipment
 - worker's compensation and liability insurance
 - overall organization
 - requirements and procedures for becoming a PCF
 - training for PCFs
 - establishing the "Fire Department Executive Committee"
 - requiring PCF fire companies to operate under their own adopted bylaws
6. On April 12, 1988, the BoS approved the "Madera County Fire Department Policy Statement". This document specifies policy for:
 - the annual renewal of the contract between Madera County and Cal Fire
 - services received from Cal Fire for fire protection under Schedule "A", "B" & "C"
 - duties of PCF fire company officer (Captain)
 - county support of PCF fire companies
 - requirements and general orders for PCFs
 - PCF grievance and complaint procedures
 - duties and responsibilities of PCFs:
 - Captains
 - Line officers
 - Property officers
 - Training officers
 - Equipment and maintenance officer
 - Secretary/Treasurer
7. The "Madera County Fire Department Policy Statement" delineates the MCFD organizational structure.
8. On April 19, 1988, the BoS approved Ordinance No: 515. The ordinance defines:
 - the Madera County Fire Department (MCFD)
 - authority for BoS to appoint a County Fire Chief

- administrative powers and duties of MCFD
 - field line authority
 - financial responsibility of the county to provide personnel and equipment
9. On June 14, 1988, the BoS approved Resolution Number 88-187. This resolution sets policy and directions for:
- county providing fire protection to the unincorporated areas of Madera County through a contractual agreement with Cal Fire
 - appointing the incumbent Cal Fire Unit Chief as the Madera County Fire Chief
 - duties and responsibilities of the fire chief
 - PCF fire company captains
10. In February, 1994, the BoS adopted MCFD “Paid-Call Volunteer Operating Policy”. This policy outlines:
- a cooperative fire protection system, its background, organization and authority
 - PCF company membership procedures
 - training
 - administration
 - bylaws
 - discipline and appeal process
 - rules of conduct
 - equipment issue and accountability
 - fund raising
 - pay guidelines
 - insurance coverage
 - emergency operations
11. The “Paid-Call Volunteer Operating Policy” is being re-written by Cal Fire.
12. The MCFD has ten “PCF only” staffed fire stations throughout the county:
- Station #2 Chowchilla
 - Station #4 Dairyland
 - Station #10 Yosemite Lakes Park
 - Station #11 North Fork
 - Station #13 Coarsegold
 - Station #14 Bass Lake
 - Station #15 Raymond
 - Station #16 Ahwahnee
 - Station #17 O’Neal
 - Station #18 Cedar Valley
13. In addition, the county is served by six career staffed fire stations which can be augmented by PCF:
- Station #1 Madera

- Station #3 Madera Acres
- Station #8 Chukchansi
- Station #9 Rolling Hills
- Station #12 Oakhurst
- Station #19 Bonadelle

14. The County also funds the wintertime staffing of the following seasonal fire stations which are not solely dedicated to Madera County (known as the “Amador Plan”):

- Ahwahnee
- Bass Lake
- Raymond
- Rancheria

15. Volunteer fire companies adhere to a set of approved bylaws that describe and outline:

- code of ethics
- objectives
- operations
- membership
- structure
- disciplinary action

16. Each PCF fire station is authorized 20 PCFs. If a station has a squad, water tender or another engine the authorization can be increased.

17. Volunteer fire companies receive support from the county and local fund raising.

18. Only a few PCF fire companies have nonprofit status under the IRS rule 501(c).

19. Some PCF fire companies have auxiliaries that handle fire company funds.

20. Most fire companies do not have auxiliaries and handle their own funds.

21. California regulations require PCFs to have the same basic training as career firefighters.

22. The required basic training for PCFs is mostly conducted out of county.

23. PCFs do not receive compensation or mileage to attend training.

24. The payroll system for PCFs was changed from a State system to a County system. This change was intended for payroll purposes only to reduce processing cost; however, this changed the job classification of PCFs to “Extra Help”.

25. The GJ has received complaints regarding a contentious work environment within the MCFD.

26. The Federal Emergency Management Authority (FEMA) provides federal grants for the Staffing and Adequate Fire and Emergency Response (SAFER) program.

Findings:

1. PCFs are essential to the overall fire services to the county.
2. The BoS is not overseeing the on-going application of ordinances and resolutions already in effect pertaining to the MCFD.
3. The Madera County Fire Chief is not following the policies set in Resolution No: 88-187 and other directives and ordinances adopted by the BoS.
4. The proposed new Policy and Procedures Manual being prepared by Cal Fire has not yet been vetted by PCFs.
5. Some PCF fire companies do not have or follow the approved bylaws which outline their basic authority, responsibilities of the fire company and its officers and members.
6. PCF fire companies need to have nonprofit status as defined in IRS Rule 501(c) to control and support their fund raising activities.
7. The total number of PCFs throughout the county has significantly decreased over the past few years. The 10 “PCF only” staffed fire stations, which have an authorized allocation of 200, currently have approximately 44 active PCFs.
8. Recruitment and retention of PCFs has become more challenging due to:
 - increased training requirements
 - increased time commitments to the fire service
 - increased commitments to family and jobs
 - the changing demographics of rural communities
9. The required basic training scheduled out of area for PCFs causes a time and financial hardship.
10. The change of job classification for PCFs to “Extra Help” has caused the reduction in PCF benefits and rights which conflict with policies, ordinances and resolutions adopted by the BoS.
11. A contentious work environment for PCFs regarding numerous forms of discrimination exists.
12. Neither the BoS nor the Fire Chief has sought funding for PCF’s through the SAFER or other programs/grants.

Recommendations:

1. The BoS direct the County Fire Chief to work cooperatively and transparently with PCFs on updating the operating policies that were adopted by the Board of Supervisors in February, 1994. This manual, at a minimum, should cover the following:
 - chain of command
 - complaint and grievance process
 - work place issues, bias, racial, sexual harassment
 - training; including fire and EMS, basic requirements, advanced and academy levels, plus day to day drills to enhance incident performance
 - safety
 - administration
 - rules of conduct
 - accountability
2. The BoS direct the County Fire Chief to adhere to the Madera County Ordinance #515 adopted and codified April 19, 1988 entitled “Madera County Fire Department” and Resolution No. 88-187, “Policy Statement/Madera County Fire Chief” dated June 14, 1988.
3. The BoS direct the County Fire Chief to include PCF representation in the Madera County Fire Department’s Executive Committee. Document all meetings with copies of minutes sent to the Clerk of the Board of Supervisors and County Administrative Officer.
4. The BoS direct the Madera County Fire Chief to insure each volunteer fire company have and adhere to a set of bylaws which has been reviewed and approved by the Madera County Fire Chief and the Executive Committee.
5. The BoS direct the Madera County Fire Chief to assist and advise PCF fire companies and auxiliaries to obtain tax-exempt status under IRS Rule 501(c).
6. The BoS direct the Madera County Fire Chief to immediately establish a recruitment and retention program to increase PCF staffing.
7. The BoS direct the Madera County Fire Chief to explore local training possibilities to reduce travel time and inconvenience to volunteers.
8. Reimburse PCFs when required training is out of county.
9. The BoS direct that County Administration, Human Resources and the County Fire Chief work together to establish a new classification for PCFs. The new classification should include volunteer/paid call firefighters, driver operators, station company captains, rights and pay rates.

10. Human Resources investigate the concerns of the PCFs relating to the contentious work environment.
11. The BoS seek funding for additional PCF compensation through the SAFER or other programs/grants.

Respondents:

Madera County Board of Supervisors
200 West Fourth Street
Madera, CA 93637

MMU Unit Chief/Cal Fire
5366 Highway 49 North
Mariposa, CA 95338

County Administrative Officer
200 West Fourth Street
Madera, CA 93637

Director, Human Resources
200 West Fourth Street
Madera, CA 93637

Informational:

Director, Cal Fire
1416 9th Street
Sacramento, CA 94244-2460

Cal Fire Region Chief
2524 Mulberry Street
Riverside, CA 92501

Cal Fire Asst. Region Chief
1234 East Shaw Avenue
Fresno, CA 93710