

## MINUTES

**Central Arizona Fire and Medical Authority  
Central Arizona Fire and Medical Authority Board of Directors  
CA Work / Study Session  
Monday, August 20, 2018, 8:00 am - 10:00 am  
Central Arizona Fire and Medical Authority, Administration,  
8603 E. Eastridge Drive, Prescott Valley, Arizona**

### **In Attendance**

Darlene Packard; Dave Dobbs; Dave Tharp; Jeff Wasowicz; Laura Mowrer; Matt Zurcher; Nicolas Cornelius; Scott A Freitag; Susanne Dixon

### **Not In Attendance**

Julie Pettit

## **NOTICE OF MEETING**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Central Arizona Fire and Medical Authority Board of Directors and the general public that the **Central Arizona Fire and Medical Authority** will hold a Work / Study Session open to the public on **Monday, August 20, 2018 at 8:00 a.m.** The meeting will be held at **Central Arizona Fire and Medical Authority, Administration, 8603 E. Eastridge Drive, Prescott Valley, Arizona.** The Board may vote to go into Executive Session on any agenda item, pursuant to A.R.S. §38-431.03(A) (3) for discussion and consultation for legal advice with Authority's Attorney on matters as set forth in the agenda item. The following topics and any variables thereto, will be subject to Board consideration, discussion, approval, or other action. All items are set for possible action.

### **1. CALL TO ORDER / ROLL CALL OF BOARD MEMBERS**

**Clerk Packard called the Central Arizona Fire and Medical Authority Board meeting to order on August 20, 2018 at 8:05 a.m.**

**Attorney Cornelius attended telephonically. Central Yavapai Fire District Director Tom Steele attended as a visitor; no CYFD business was discussed.**

### **2. PLEDGE OF ALLEGIANCE**

**Clerk Packard led the Pledge of Allegiance.**

### **3. VOTE TO GO INTO EXECUTIVE SESSION**

**A. Legal Advice Pursuant to A.R.S. §38-431.03(A)(3) Regarding Fire Board Policy Amendments**

**The Board decided to review the Fire Board policies and go into Executive Session if needed. Continued with Public Session.**

### **4. NEW BUSINESS**

**A. Motion, Discussion, and Action Regarding Fire Board Policy Amendments**

The Board had previously been given the Fire Board policies for review; Administrative Manager Dixson explained that typographical and clerical changes had been made.

#### **Policy 200 History of CAFMA**

This is Agency background; no changes requested.

#### **203 Fire Authority Management**

Change Governing to CAFMA Board (The Fire Chief operates under the direction of the CAFMA Board).

#### **300 Governing Board Member Qualifications**

Remove precinct reference.

#### **301 Board Member Responsibilities**

Add emphasis to "should" on second page (In order to function effectively as a member of a board, each Board Member "should":) Suggested adding language: Board Members may volunteer or be called upon to participate in the approval and signing of checks according to established procedures.

#### **302 Code of Ethics**

Board discussed a recommendation to change the age requirement to 21 or 25. Attorney Cornelius advised that age limit is driven by the particular role; federal government, EEOC, etc. The legal requirement is 18 years old. Unless there is a rational basis, it could be problematic. Chief Freitag mentioned that the age limitation and place of residency comes from Central Yavapai and Chino Valley Fire Districts.

Recommendation was made to change "timely" related to agenda items being requested on Item 10 to "three business days prior to the Board packet being distributed unless there is a true emergency" for a last minute item.

Board members agreed that the periodical review and adoption of policies including the Ethics Policy should occur bi-annually.

Chief Freitag suggested that a schedule be created for reviewing policies.

Attorney Cornelius advised that regarding CYFD there will be training for open meeting law and there should be annual/periodical review and adoption of the Ethics Policy. The Board suggested reviewing half the policies each year.

#### **311 Conflict Resolution / Complaint Process.**

No discussion.

#### **312 Board Mandatory Training**

New policy outlining recommended and mandatory Board Member training.

#### **400 Meeting Agendas**

The Board discussed meeting agendas including the Call to the Public item and the timeline and process for adding items. Language was suggested requiring agenda items to be presented three business days prior to the posting of the agenda which is 10 days prior to the Board meeting.

Director Zurcher stepped out of meeting.

**It was suggested that Paragraph 3 be changed to reflect that any Board Member may place items on the agenda if the item falls within the jurisdiction of the Board; all agenda items are under the review of legal counsel. Agenda items shall be submitted to the Fire Chief and the Fire Chief shall submit to legal counsel and to the Board Chair; legal counsel will then respond. The Fire Chief is not making a decision; he is only preventing the creation of a Board quorum.**

**Director Zurcher returned.**

#### **401 Meeting Minutes**

**The question was asked if by providing the executive minutes on BoardPaq was that the same as removing executive minutes from the premises.**

**Attorney Cornelius advised that recordings of executive sessions and written minutes, absent a court order, shall not be removed; the minutes should not be leaving the building. If someone acts inappropriately, they are subject to Board action. Minutes must remain confidential, and recordings should not be removed from the control of the Agency per State Law.**

#### **404 Parliamentary Procedure**

**The reference to Sturgis Standard Code of Parliamentary Procedure may be changed to Roberts Rule of Order; however, Chair Pettit had some other suggestions. The Board agreed to wait for comments from Chair Pettit prior to moving forward.**

#### **405 Public Participation**

**Attorney Cornelius advised that there are good points including the reference to the time and other limits as set forth under Call to the Public section of the agenda. The reference is better than writing the specific detail. Language will be added to 400 referencing 405. Attorney Cornelius advised that the sample agenda should be updated and if there are time constants, the chair may remove the Call to the Public. He stated that if items have already been discussed or are outside Board jurisdiction, the Board does not need to hear the subject matter. If the majority of the Board disagrees, they may state so and may request the speaker to finish.**

**Director Zurcher referred back to Policy 400 Meeting Agendas.**

**There was a discussion regarding the purpose of the Call to the Public and how other organizations conduct their meetings. Attorney Cornelius advised that some agencies do not have Call to the Public. A recommendation was made to reduce the agenda language. Attorney Cornelius advised that we are trying to capture some of the legal concerns from the past two years. The language in Policy 400 provides guidelines to hold the Call to the Public. He advised that if Call to the Public is unevenly applied, it opens the Agency to liability.**

**Chief Tharp joined the meeting at 9:00 a.m.**

**A recommendation was made that the Policy state if there is a Call to the Public, the Chair can administer as they see fit; the Chair has control of the meeting. It was mentioned that some Chairs explain the Call to the Public process and rules of decorum at the beginning of each meeting.**

**Attorney Cornelius advised that the first paragraph of the Call to the Public is**

State statute - that paragraph does not need to be read; the second paragraph can be read. He advised that we are dealing with complaints to State Bar, AG's office, and possibly other enforcement entities. He advised that it is acceptable to have a policy and not have the language on the agenda; however, we have to be consistent with whoever is running the meeting.

The Board was in agreement with removing the agenda sample and language related to the Call to the Public from the Policy Manual, and state that the agenda is a mechanical item at the discretion of the Board Chair.

Attorney Cornelius recommended language be added: all items included on the agenda are at the Chair's discretion and/or the majority of the Board.

#### **407 Public Meetings**

The Board agreed to add "including social media" to the second paragraph to include items that are specifically permitted by law. Attorney Cornelius confirmed that these items are specifically addressed and "specifically subject to open meeting law"; notice of all such meetings is required.

#### **501 Policies and Procedures**

Chief Freitag suggested that minor Agency policies that do not impact finances or alter the intent of the policy be placed on the consent agenda.

Director Dobbs left the meeting at 9:17 a.m.

Chief Freitag suggested that simple changes or grammatical changes could be approved by the fire chief.

The Board was in agreement that all Agency policy changes could be placed under the consent agenda along with routine items such as annexations for Central Yavapai and Chino Valley.

Director Dobbs rejoined the meeting telephonically at 9:20 a.m.

#### **505 Americans with Disabilities Act**

The Board agreed no changes were needed as this was standard ADA language.

Chief Freitag stepped out of the meeting at 9:23 a.m.

#### **506 Employee Pay and Benefits**

Background information was provided that CYFD had previously tried to maintain wages between 50th and 75th percentile ; however, with the economic downturn, wages are below this range. CYFD was at the 10th percentile at one point and it increased the tax rate considerably to increase the wages; the Board held staff accountable to maintain the wages.

Chief Freitag rejoined the meeting at 9:27 a.m.

Board members agreed that the percentages be removed; however, retain that the wages should be competitive. (Item 2)

#### **600 Compliance with State Budget Law**

Chief Tharp explained that this policy lists the parameters that must be followed

by State law.

#### **602 Audits**

The policy explains the audit process and references the State statute.

#### **603 Obtaining Public Records**

The Board asked that the fee schedule be included in the Board Policy Manual. Attorney Cornelius advised that the Agency can charge for commercial records requests. We cannot charge for staff time for noncommercial records. There was a discussion of the evolution of electronic communications and the Board will reach out to state representatives to address statute limitations.

Attorney Cornelius advised that we are addressing requests that are vague, broad, or over burdensome.

Administrative Manager Susanne will attach the fee schedule to this policy.

#### **704 Uniforms**

It was clarified that this policy is for Agency personnel.

It was explained that new Board members should be issued a photo ID and shirt. The Board agreed that language should be added listing items that are issued to new Board member.

#### **705 Annexation, Merger, and Consolidation**

No changes.

#### **706 Public Records Access**

A suggestion was made to combine this policy with 603 Obtaining Public Records and remove Policy 706; the Board was in agreement.

#### **708 Legal Counsel**

Attorney Cornelius advised that this policy relates to all legal counsel as issues arise, including outside counsel for the ACE Hardware issue for CYFD. No changes were recommended.

#### **801 Training Programs**

No additional changes.

#### **803 Station and Facility Maintenance**

Adding "Baby drop off when staff is present" was discussed; however after consideration was determined it did not add value or understanding to the policy.

#### **900 Fire Corps Program**

Fire Corps Volunteers are still utilized; these are not volunteer firefighters.

#### **1000 Response Into Unprotected Lands**

Chief Tharp explained the Operations' process when someone outside of the Agency boundary calls 911. We may respond to Life safety issues or a potential catastrophic incident. It was discussed that the Agency could potentially recoup costs with responding to homes located outside of the boundaries; however, those homeowners typically do not have homeowner's insurance because they do not have fire protection. Attorney Cornelius advised that the Policy states the Fire Chief or his designee would have the final discretion.

Chief Freitag explained that Staff had tried to no avail to change legislation to require realtors to include fire coverage in the seller's disclosure to potential home buyers.

**1001 State Wide Mutual Aid Plan**

Chief Freitag explained that a new State Wide Mutual Aid Plan will be implemented in January; the policy may need to be revised at that time. The Arizona Fire Chief's Association creates the plan.

**1002 Automatic / Mutual Aid**

This is an internal process for how we operate with the City of Prescott. The Board was in agreement to combine Policies 1001 Automatic / Mutual Aid and 1002 State Wide Mutual Aid Plan with language, "endorse and participate in the Automatic/Mutual Aid Agreements in the form of formal intergovernmental agreements".

Attorney Cornelius verified that the Board did not need an executive session.

5. ADJOURNMENT

Motion to adjourn at 10:03 a.m.

Move: Matt Zurcher Second: Jeff Wasowicz Status: Passed

Yes: Dave Dobbs, Darlene Packard, Jeff Wasowicz, Matt Zurcher

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Clerk / Date

Signature indicating approval on next page

**Signature Page For: 2018 08 20 CAFMA Special Minutes-Approved.pdf - Central Arizona Fire and Medical Authority Board of Directors - CA Regular Meeting - 9/24/2018**

A handwritten signature in black ink, appearing to read "Darlene Packard". The signature is written in a cursive style with a large initial "D" and "P".

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Darlene Packard , Board Clerk      09/25/2018