

CENTRAL ARIZONA FIRE AND MEDICAL AUTHORITY
BOARD OF DIRECTORS
REGULAR SESSION

November 15, 2016

MINUTES

1. CALL TO ORDER / ROLL CALL OF BOARD MEMBERS

Chairman Rutherford called the Central Arizona Fire and Medical Authority (CAFMA) Board of Directors' meeting to order on Tuesday, November 15, 2016, at 4:51 p.m. at the Town of Prescott Valley, Library Auditorium, 7401 E. Civic Circle, Prescott Valley, Arizona.

Members Present: Board Chairman Steve Rutherford, Board Clerk Julie Pettit, Board Members Darlene Packard and Bob Page

Members Absent: Board Member Dave Dobbs

Staff: Fire Chief Scott Freitag, Assistant Chief of Administration Dave Tharp, Administrative Manager Susanne Dixon, Administrative Assistant III Laura Mowrer

Others in Attendance: Attorney Nick Cornelius

2. PLEDGE OF ALLEGIANCE

Chairman Rutherford led the recitation of the Pledge of Allegiance.

3. PRESENTATIONS

A. Prescott Valley Town Council Report

No report was given.

4. CALL TO THE PUBLIC

Chairman Rutherford opened the meeting for public comments.

There were no public comments.

5. CONSENT AGENDA

All matters listed under Consent Agenda are considered to be routine by the Central Arizona Fire and Medical Authority Board and will be enacted by one motion. There

will be no separate discussion on these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately for discussion and possible action.

- A. Approve Regular Session Minutes - October 18, 2016
- B. Approve Executive Session Minutes - October 18, 2016
- C. Approve General Fund Financial Statements
- D. Approve Fire Protection Agreements: Irwin, Gray Wolf Regional Facility Waste Management of N. AZ

Board Clerk Pettit made a motion to accept the Consent Agenda items 5A through D. Board Member Page seconded the motion. MOTION CARRIED

AYES: Packard, Page, Pettit, Rutherford

NAYS: None

6. CORRESPONDENCE

A. Letters from the Public

Chairman Rutherford mentioned the internal appreciation letter to the Fleet Maintenance members for getting their engine running again. Chief Freitag also explained that The Chino Valley Machine Shop came in on a Sunday to rebuild the driveshaft for the engine.

Board Member Packard mentioned a letter from the school for the Training Division. Chief Freitag described how the Agency is working with local schools to encourage students in anatomy and physiology, chemistry, and vehicle maintenance.

B. Monthly Division Reports from the Fire Chief and staff in regard to current activities of the Fire Authority and the status and progress relating thereto

Chief Freitag mentioned that there was a meeting with the State Fire Marshal's Office. Arizona does not report call statistics to the federal government; therefore, missing some opportunities for funding. The Federal Government flew a member to Arizona to discuss the process of implementing online reporting. He also mentioned that there are a number of small agencies that can report their data for free.

Chief Freitag shared some financial challenges the Agency is facing due to on and off-duty personnel injuries. These injuries create issues with staffing and the overtime budget. Chairman Rutherford confirmed that we will probably max out the personnel budget line item. Chief Freitag stated that staff has already been reviewing the budget and making adjustments. He mentioned that due to the

costs associated with numerous personnel off, we will apply for the SAFER Grant next year. A member is going on active military duty for six months and we have a retirement in the near future. We will utilize funds from the active duty member and the upcoming retirement to hire a replacement.

Chief Tharp explained that the Hall Case has been decided relative to elected officials, and this also affects PSPRS. There will be additional legal matters that need to be resolved prior to a proposal of how overpaid funds will be paid back to employees. There has not been a determination yet as to whether PSPRS refunds money to the employer or if the employer is responsible for the funds. Chief Tharp stated that he will keep the Board apprised of the status and share the complete documents if the Board would like. This will have a profound impact on organizations across the State.

Chief Freitag stated that we do not know the long-term effect of this decision as we do not know all the implications of this decision. We are working on figuring what is due to employees; however, the long-term liabilities have not been determined yet.

Chairman Rutherford mentioned that this was not unexpected; the lawsuit has been going on for several years. The implications of this decision are unknown; PSPRS has to decide how it is going to be handled.

Board Clerk Pettit mentioned that the audit is complete, and she commended Chief Tharp and his staff for their hard work. Chief Tharp shared his appreciation of his staff for their compliance with standards, professionalism, and hard work.

Fire Marshal Chase shared the upcoming community events:

- The Flying High Turkey Drive (food drive) is Monday, November 21st from 12:00 p.m. to 6:00 p.m. at the Prescott Valley Fry's parking lot.
- Prescott Valley Light Parade is December 2nd, and Board Members are welcome to participate.
- Prescott Christmas Parade is December 3rd at 1:00 p.m. We will have two engines in the parade; one supporting the Prescott Wildland Urban Interface Commission and the other will be for the Firefighter Angel Program.
- Early Bird Lions will start selling Christmas trees in the Prescott Valley Event Center parking lot soon.

Board Clerk Pettit mentioned her appreciation of our community partnerships and mentioned the outreach event held at Mountain Valley Park in conjunction with Prescott Valley Police Department.

Board Member Packard shared that our partnerships have substantially increased over the past four years.

7. NEW BUSINESS

A. Approve Resolution 2016-15 Accepting the Amendment to the 2012 International Fire Code as Adopted by the Central Yavapai Fire District and the Chino Valley Fire District

Chief Freitag mentioned that CAFMA had adopted previous amendments, and this is presented for consistency. We will be presenting another resolution so that future amendments will be automatically adopted after the other Boards approve.

Chairman Rutherford explained that this is changing the 96' diameter cul-de-sac requirement to 82' drivable diameter with No Parking signs posted.

Board Member Page made a motion to accept 2012 International Fire Code amendment and Resolution 2016-15. Board Member Packard seconded the motion. MOTION CARRIED

AYES: Packard, Page, Pettit, Rutherford

NAYS: None

B. Approve Amendments: Policy 800 Vehicle and Equipment Inspection, Policy for Public Records Request

Chief Freitag mentioned that the Public Records Request Form was not presented to the Policy Committee; however, it will be. The form was amended to reflect State Statute.

Attorney Cornelius mentioned that we have received numerous freedom of information requests and explained that we are only allowed to bill for time and materials for copying; no other fees are allowed for research time for non-commercial requests.

Chief Freitag explained that the most recent request may include 1,500 emails in addition to the time required to review and redact emails prior to release. This is a very expensive process, and we will only be able to recover the time spent at the copy machine and the cost of the copies.

Board Clerk Pettit made a motion to approve Policy 800 Vehicle and Equipment Inspection and Policy for Public Records Request. Board member Packard seconded the motion. MOTION CARRIED

AYES: Packard, Page, Pettit, Rutherford
NAYS: None

C. Discussion and Approval to Purchase a Truck Company and an Engine

Chief Bliss asked for the Board's approval to purchase two apparatus to replace the 2000 Ladder Truck and a 1994 Engine. This is part of the regular capital replacement program that is reviewed annually. The 1994 Engine is currently assigned to training. We initially projected the Ladder Truck to have a ten-year life cycle prior to being placed into reserve status. However, with routine maintenance and use we have been able to keep it longer. Additionally, we determined that we only need one ladder truck; therefore, it is not required to be kept in reserve and will be sold as surplus. We have been reviewing this replacement annually. The cycle for a new engine is about 18 months for delivery; these apparatus are in this year's budget. The bid for the ladder truck is \$930,527.00.

Chief Bliss explained that the Reserve Fund was eventually to be reduced to about \$4.5 mil, and we are projecting an increase to \$8 mil with revising the replacement schedule. The replacement schedule will be presented to the Board at a future meeting for approval. He explained that we have two water tenders that were purchased in 1980. He mentioned we have significantly decreased the purchases of Water Tenders and Type 6 Engines. We have been able to extend the life of the water tenders.

We budgeted \$562,247 for the engine and the bid is more than \$100,000 less at about \$447,915. There are other expenses for outfitting the engine, but we are still well under budget.

Chief Bliss explained that we originally anticipated a replacement Ladder Truck at \$1.5 mil. We have \$1.25 mil budgeted; the bid is under a million dollars at about \$930,527. He mentioned these are very good prices and includes discounts of about \$25,000 for a multi-unit purchase and prepaid chassis.

Fleet Services Manager Scaife explained that the Ladder Truck is about 17 years old and is still in front-line service. He gave a detailed explanation of how Diversified Ladders performs annual Ladder Truck inspections and notifies him of items that need to be repaired. The repairs are made and Diversified Ladders then certifies the Ladder Truck. The needed repairs are increasing which increases safety concerns. This ladder truck would not go into reserve status, but could be sold to a company in Colorado. Current similar engines have a value of about \$100,000 to \$150,000. Sometimes the engines are refurbished and sold to a smaller agency.

Chairman Rutherford voiced concerns regarding issues outside the Agency's control such as the Hall Case. He mentioned that we have an apparatus that is wearing out, and we should not put people at risk. He is concerned about spending the money today with the uncertainty of PSPRS. He recommended waiting three or four months and stated that the purchases could be split; however, we would lose the multi-vehicle discount.

Attorney Cornelius confirmed the initial price of the chassis and that the balance would be due in 18 months.

Chief Bliss acknowledged that the Hall Case will have a significant impact on the budget. However, there are usually apparatus price increases in January and added that the capital expense items are purchased from the capital expense account, not the account that will be impacted by the Hall case.

Chief Freitag explained that some of the cost variances with holding off on the purchase along with the plan for improving the Reserve Fund. He also mentioned that there is only one engine on the plan for next fiscal year. He believes it would be better to purchase the apparatus this year and delay next year's single purchase.

Board Clerk Pettit mentioned that there is a trend of needing more repairs, and the resolution of the Hall Case may take 18 months. Chief Bliss confirmed if the ladder is deemed unsafe, it will be pulled from service, and we will operate without a ladder company until it can be replaced rather than placing the employees or public in harm.

Chairman Rutherford confirmed the bid of \$447,915 for the engine and \$947,517 for the Ladder Truck; there are also options.

Chief Bliss recommended that the Board approve the proposals "as submitted" rather than an exact dollar amount so that the options may be selected.

Board Member Packard made a motion to approve the proposals as submitted.
Board Member Page seconded the motion. MOTION CARRIED

AYES: Packard, Page, Pettit

NAYS: Rutherford

**D. Discussion and Possible Approval of Headwaters Architectural Contract for 8603
E. Eastridge Building**

Chief Freitag stated the architectural contract has been reviewed by legal counsel and our addendum has been attached.

Board Member Page made a motion to approve Headwaters Architecture contract for 8603 E. Eastridge Drive building. Board Clerk Pettit seconded the motion. MOTION CARRIED

AYES: Packard, Page, Pettit, Rutherford
NAYS: None

8. VOTE TO GO INTO EXECUTIVE SESSION

- A. Legal Advice Pursuant to A.R.S. §38-431.03(A)(3) Regarding Serial Meeting Communications
- B. Legal Advice Pursuant to A.R.S. §38-431.03(A)(3) and Personnel Issues Pursuant to A.R.S. §38-431.03(A)(1) Regarding Chief Freitag Personnel Issues

Board Member Packard made a motion to go into Executive Session. Board Clerk Pettit seconded the motion. MOTION CARRIED

AYES: Packard, Page, Pettit, Rutherford
NAYS: None

Chairman Rutherford recessed to go into Executive Session at 5:59 p.m.

Board Member Packard made a motion to reconvene into Open Session. Board Clerk Pettit seconded the motion. MOTION CARRIED

AYES: Packard, Page, Pettit, Rutherford
NAYS: None

Chairman Rutherford reconvened into Public Session at 6:20 p.m.

9. NEW BUSINESS CONTINUED

- A. Discussion and Any Necessary Action Regarding Serial Meeting Communications

Attorney Cornelius admonished the Board and directed them to be aware of issues related to messages between Board Members. Members must be careful when communicating regarding Board matters with any other elected or appointed Board Member. He stated that if a Board Member has a question or concern regarding a matter related to the Agency, they should direct comment to senior staff or legal counsel rather than creating an inadvertent quorum by sending directly or by sending to one member and they forward to another member. Many times the messages are sent with blind copy and include a message that states "do not respond to all or forward to other Board members".

B. Discussion and Any Necessary Action Regarding Chief Freitag Personnel Issues

Attorney Cornelius explained that Chief Freitag is this Board's only employee. This issue arose due to comments he received from Central Yavapai Fire District Board Member Jacobs. Attorney Cornelius will provide correspondence that he received to this Board.

Chair Rutherford provided positive comments regarding Chief Freitag's and his staff's performance.

Board Clerk Pettit asked that the freedom of information requests along with the cost estimates and the amount that the Agency can recoup be placed on future agendas.

10. ADJOURNMENT

Board Member Packard made a motion to adjourn. Board Clerk Pettit seconded the motion. MOTION CARRIED

AYES: Packard, Page, Pettit, Rutherford

NAYS: None

Chairman Rutherford adjourned the meeting at 6:23 p.m.


Clerk Date