

Regular Meeting of Pinetop Fire Board
Monday July 20, 2015 4:30pm
Pinetop fire District Station 12
5976 Buck Springs Rd, Pinetop AZ 85935

- I. Call the meeting to order: Dr. Doug Wright called the meeting to order at 4:30 pm

Roll Call of Board Members: Board members present, Doug Wright, Carla Bowen, Bob Scheuneman, Ed Cibbarelli, and John Rowlinson was absent.

- II. *Call to the Public: None*

- III. Consent Agenda

The items on the consent agenda are considered routine and will be adopted in one motion unless a board member, staff, or member of the public in the audience requests, before the vote on the motion, to have the item considered separately. If any item is removed from the Consent Agenda, the Board chairman will indicate when it will be discussed in the regular agenda

1. Approval of Minutes for the Board Meeting held on May 11, 2015, June 15, 2015 and Executive Session from June 15, 2015
2. Approval of warrants paid in June of 2015
3. Approval of Financial Reports
4. Approval of Chief Report
5. Approval of Board Chairman Report

The board Chairman, John Rowlinson will be out of district for most of the month.

Carla Bowen moved to approve the consent agenda as amended. Motion seconded by Ed Cibbarelli. Motion passed unanimously 4-0

- IV. Board Business:

1. *Discussion/Consideration/Possible action:* Approval of Audit Engagement Proposal from Accounting Professionals, LLC.

There was discussion regarding annual statutorily required audit of district financial transactions. Chief Morgan included the engagement letter in the Board Packet for their review. He stated that Accounting Professionals were holding their fees for service at the same amount they charged Pinetop Fire District last year. Discussion was that everyone is happy with their services.

Carla Bowen made the motion to retain Accounting professionals for full Statutory Annual Audit of financial Statements for Pinetop Fire district for the period of year ending 2015, not to exceed the amount of \$11,500 as presented. Ed Cibbarelli seconded the motion. Motion passed unanimously 4-0.

2. *Discussion/Consideration/ Possible action:* Transfer of Budgeted Capital Reserve funds for the 2014-2015 fiscal year to the Capital Reserve Account.

The board was provided with Policy decision to transfer the Capital Reserve funds to the Capital Reserve Account. Chief explained that this is just a "paper transfer" from the expense line item account to the "savings account". We have implemented a new Capital Replacement Plan; in order to proceed we would need to use those funds. He explained that this is formalizing the paper transfer. Not including interest we should have \$755,326.43 in the account.

Ed Cibbarelli moved to to authorize the transfer of Capital Reserve Funds in the amount of \$150,000.00 into the Capital Reserve Account. Second by Carla Bowen. Motion was passed unanimously 4-0.

3. *Discussion/Consideration/Possible Action:* Call for election for vacant board positions on Volunteer Retirement Board.

Chief Morgan explained to the Board that the district has three pension plans, Public Safety, Arizona Retirement System and the Volunteer Retirement Program, each has a board respectively, this board consisted of 5 members. Mr. Cibbarelli and Guy Wilson are on that retirement board as well as the 3 positions from within the body of volunteers or Reserve Firefighters, those Firefighters will decide how the assets will be divided and where it will be invested along with their investment advisor. The bylaws state the board must formalize call to elections and the body of reserves firefighters would decide who they want on the board.

Carla made a motion to make an announcement to call for elections for vacant positions on the Volunteer Firefighter Retirement Board as presented. Seconded by ED Cibbarelli. Motion passed unanimously 4-0.

4. *Discussion/Consideration and Possible Action:* June 20, 2015 Firewise Day after Action Review and Wildland Preparedness report.

The Board was given notes that were taken for next year's planning of the block party. It was noted that Accolades should be given for the partnership with Pinetop Community Association, as it made significant difference in the community. Chief Morgan said that we probably had contact with at least 300 community members, he knew that 166 came through and visited the actual Firewise Presentation. In addition we signed up a number of homeowners for Firewise Inspections during and after the event. Bob Scheuneman wanted to commend Chief Morgan, Staff and Pinetop Community Association for doing something he had hoped for decades. It was a positive first step. Chief Morgan informed the board he has two of the Firewise mitigation Insurance letters on his desk, the letters just specify the property owner is doing their part to keep their property safe, he will not issue a letter if the property is not compliant.

The next date for Firewise day will be June 18, 2016, Bob Scheuneman commented that the music festival probably helped our turnout. All in all this is great public contact; we strive for improved public education. This will take years, like the annual business maintenance inspections they become more compliant every year, it's hard to break the "tree culture" in the White Mountains. Bob Scheuneman said he thinks there is visibility if we are in one yard the neighbor will want to then comply. Carla Bowen had some concerns about follow ups; she doesn't want it to be a one-time thing not having the ability to see progress on the mitigation efforts. Chief told her he would implement follow-ups process, whether by phone call, letter, or re-inspection. Chief Morgan is hoping that next year Pinetop Country Club HOA will partner with Pinetop Community H.O.A. – they are looking at their by-laws and CCRs hopefully we can apply firewise in the process. Chief Morgan made notes to add a follow up plan to the inspections.

Regarding the Wildland preparedness report, Chief Morgan informed the board that this year we have been blessed with rain keeping the ERC low. The Burn Coordination Group was disbanded and would not reconvene unless we have a late fire season, we may see a drying of all the fine fuels growth we have now and we aren't entirely out of the woods. Dr. Doug Wright is concerned that this will affect our budget not having a fire season, Chief Morgan told them that it could still happen, there still is fall season of California, Nevada and Washington and we could send resources to those areas.

There was no board motion

5. *Discussion/Consideration and Possible Action:* Update and recommendations regarding the Truck works Lawsuit and guidance regarding a replacement purchase Tender.

There are 2 judgements for Pinetop Fire District, according to Attorney Peter Kelly's information the first one is for small, attorney fees and the second larger is for recovery of apparatus. Mr. Kelly said we need to retain another Attorney with the expertise in judgement recovery to do the next stage of our lawsuit; Chief Morgan put information in the packet regarding the law firms credentials. Due to filing deadlines we have to execute the agreement quickly so they can begin. We have to substantiate that fraud occurred and go forward. The new attorney advised; if we can "pierce the corporate veil" the individual can be held responsible. Chief Morgan noted that we are still early in this process- we should let the legal process proceed. Carla Bowen said she would contact the State Attorney General and see if something could be

done there. Bob Scheuneman is very concerned about the tax payers being defrauded and if title changed hands. He agrees to let the legal system run out its course, instead of collection route that probably would lose a lot of money. Doug Wright also wants to know about the title. Chief said he would follow-up and check with MVD to see if this information could be disclosed.

Carla Bowen Made the motion to Retain the Law firm Stenson & Street LLP for service agreement to recover the judgements awarded to Pinetop Fire District against TW2015 formally known as Truck Works, Inc. Motion Seconded by Ed Cibbarelli. Motion passed unanimously 4-0.

6. *Discussion/Consideration/Possible Action:* Regarding recommended Purchase of an EMS Mannequin. Discussion about EMS training and Pinetop Fire District, Chief Morgan told the board that we are behind in our EMS training; crews only get recertification training every 2 years. Pinetop Fire should be doing EMS invasive training all year and not just at the end of their 2 yr recertification period. By doing scenarios with the manikin, crews could keep up on all important skills. Chief Morgan would like to spend the entire \$8500 budgeted amount plus shipping and handling. Bob Scheuneman questioned the use of a Sims Unit, if it was included. Chief Morgan explained we don't need it but it would be a nice addition, our monitors will hook up to the manikin and function. Carla Bowen is concerned that we don't have Child and Infant manikins; we will be looking at that next? Chief Morgan explained that we will be continuing to build our EMS training program. There was some discussion about letting other agencies use the mannequin, for now the priority is to get our personnel trained and will stay in district initially. Doug Wright explained how important it is that we share training equipment, Chief agreed, but our crews should get up and going first. Chief Morgan is hoping to eventually get a regional grant to help provide a training center, to take care of things like this.

Carla Bowen made the motion to purchase the Mega Code Manikin not to exceed \$8500. Exclusive of taxes and shipping as presented. Second by Bob Scheuneman, Motion passed unanimously 4-0.

7. *Discussion/Consideration/Possible Action:* Regarding Joint Representation in Automatic Aid IGA.

Discussion regarding revising our current Automatic Aid agreement is needed as a result on the Timber Mesa Fire and Medical District merger and a request by Heber Overgaard to join the agreement. The legal review for a Joint Representation IGA with Bill Whittington of Boyle, Pecharich, Cline, Whittington & Sallings, P.L.L.C., is required. He is with the legal firm that reviews fire district contracts to make sure State Statutes are being met, as well as protecting individual district interests. The instrument provided is for Bill Whittington to represent all three entities, Pinetop, Timber Mesa Fire and Medical and Heber- Overgaard Fire District, who would be joining the IGA. The tribe is considered in the IGA too, but they aren't represented in this particular agreement, because they are a sovereign nation. The 3 departments will split the cost.

Ed Cibbarelli made the motion to Retain Boyle, Pecharich, Cline, Whittington & Sallings, and P.L.L.C. to perform the Joint Representation for Automatic Aid IGA for Pinetop Fire District as presented. Carla Bowen Second. Motion passed unanimously 4-0

8. *Discussion/Consideration/Possible Action:* Update on Deputy County Attorney Review of the Overtime & Compensation Policy and the Meet and Confer Resolution.

Chairman Rowlinson asked Chief to present both the Overtime & Compensation policy and the Meet and Confer Resolution to the Deputy County Attorney – Mr. Jason Moore. Mr. Moore had concerns with both of the policies and noted them on his emails to Chief Morgan. Mr. Moore agreed with the recommended changes to the Overtime & Compensation policy. Ed Ciberalli did agree with some of what Mr. Moore said, but noted that it had already passed. It was informational only and should go forward with decisions made in the last board meeting. Carla Bowen is concerned that Mr. Moore probably wrote this after being familiar

with what happened in the past. Bob Scheuneman thought Mr. Moore came off a bit heavy handed. Doug Wright thought it has a lot of negativity, but still gave the board the final say, he also was concerned about possibly seeking another legal opinion. Chief Morgan reminded the board that they would be doing a Federal Mediation Training for the Meet and Confer Process, having another legal opinion may be premature and costly. Carla Bowen was happy with the process and wants to let it proceed. They all agreed that this was all informational only and the process would go forward.

No Board Actions

- V. Summary of Current Events: We have had an extensive internet and phone outage due to vandalism to Frontier's infrastructure in the County. It not only affected the phone and internet but more importantly the 911 system here in Pinetop and surrounding areas. Fortunately, 911 calls roll to the backup PSAP's and we can still receive emergency calls through Show Low and Navajo County but routing can take precious time. Chief Morgan; speaking about redundancy, we signed a CableOne agreement for internet service as a primary provider and Frontier as the backup provider. If, Frontier goes out we have CableOne, hopefully this will solve some of our internal business process issues. Chief Morgan told the board that he has been appointed by Governor Ducey to sit on the Regional Advisory Council from an Emergency Management Perspective; he will be the fire district Representative for Northern AZ. This will help distribute different resources to our region. The board congratulated Chief Morgan. Chief Morgan is also participating in an economic Development group through the Town of Pinetop-Lakeside. This was the first meeting where a small group will be looking at economic development for Pinetop/Lakeside and Navajo County. The group is discussing infrastructure like schools, fire districts and utilities to encourage, improve and speed up economic development in the community. The board wants to see about having a meeting with Verizon, Chief Morgan said he would look into it; Bob Scheuneman is concerned that in time of crisis, it is difficult to get Information to the public. He thinks it's a good idea to have someone from Frontier to come Speak at one of our meetings also. There was a brief discussion about the D-Block and Federal Legislation for Data and Radio network but we won't see system use until 2018 or later.
- VI Future meeting Dates and Meeting Items for Future Agendas: Hydrants and Flow testing: Chief Morgan is going to start attending Water Board Meetings for Flow testing compliance. Next meeting is on August 17, 2015 at 4:30pm, Station 12
- VII Announcements: None
- VIII Doug Wright made the motion to adjourn, Carla Bowen Seconded the motion. Motion passed unanimously 4-0.
- Meeting Adjourned at 5:48pm.
- Respectfully Submitted

Karen Robbins