

Regular Meeting of Pinetop Fire Board
Monday May 20, 2019
Pinetop Fire District Station 110
1845 S. Pine Lake Rd, Pinetop AZ 85935

I. Call the meeting to Order: Ed Cibbarelli called the meeting to order at 5:00 pm

Roll Call of Board Members Ed Cibbarelli, Kurt Alcumbrac, Carla Bowen, Doug Wright and John Rowlinson was excused

II. Call to the Public: None

III. Consent Agenda Board Business

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 of Board Meeting held on April 15, 2019
2. Approval of Warrants paid in April 2019

Carla Bowen made the motion to approve the consent agenda as presented, seconded by Kurt Alcumbrac, motion carried 3-0
Doug did not vote

IV. Board Business

1. Discussion/Consideration/Possible Action re: Accepting Board member Dr. Doug Wright letter of resignation

Discussion began with Chief Morgan explaining the AZ State Statute regarding Title 38, Public Officers and Employees need to vacate a board position if 3 consecutive meetings are missed and board duties have not been carried out. Attorney Bill Whittington cited A.R.S. §38-291 missing 3 consecutive meetings constitutes vacancy. He discussed accepting a resignation and then appointing a new member, or Dr. Wright if he so chooses continue until reelection, or simply remain an active member depending on interpretation of the wording in the Statute.

Dr. Wright read aloud his understanding of the statute, specifically “the person holding the office ceasing to discharge the duties of office for the period of three consecutive months”. He explained that he has physically signed checks, logged into bill.com and actively paid bills, discharging his board duties while unable to attend the last three meetings. There was much discussion about the law, common law, risk and interpretation of the word “any” where it referred to doing “any” district business, if he resigned and then decided to remain, he would have to do the required classes again. Dr. Wright said he could not do the classes a second time in a year.

The argument was made that Dr. Wright had done his due diligence and had been discharging district business during the three-month period. After more discussion, it was decided that his resignation would be removed and he would continue his duties as a board member, he will however abstain from the budget vote and any direct motions or seconds until such time as Attorney Bill Whittington drafts a letter to the Arizona Attorney General to define what the word “any” means in continuing to do ones duties and if it is sufficient

enough to excuse Dr. Wright's unavoidable absences. All were in agreement. It was also discussed that during all of the meetings at AFDA there wasn't any information about Title 38, they will ask that it be added with clear understanding of the word "any duties" and a fair interpretation of the statute.

Dr. Wright made it clear that he had withdrawn his resignation.

Carla Bowen made a motion to NOT accept Dr. Doug Wright's resignation. Dr. Wright asked that we still seek direction from the attorney general to interpret the word "any duties" in the statute.

The motion on the table died after more discussion due to a lack of second.

Carla Bowen then made a motion to remove consideration and acceptance of Dr. Wright's resignation from the agenda, as it has been withdrawn, and to further seek a letter to the attorney general requesting interpretation of the Statute A.R.S. §38-291 including the word "any" referring to duties performed by Dr. Wright during his absence. Seconded by Kurt Alcumbrac, the motion passed unanimously 3-0.

2. Discussion/Consideration/Possible Action re: Appointment to vacant board position
No action necessary as the resignation was withdrawn

6. Discussion/Consideration/Possible Action re: Ratify IGA with Summit Healthcare for Grant Equipment
Note: Item 6 was moved up due to Clint Peck being present to speak.

Chief Morgan explained to the board that he has made an executive decision and accepted the IGA with Summit Hospital for the new interface with them to implement telemedicine in our Ambulances and 1 Engine for our service area. This is formal board approval. Summit has already done a trial period with TMFMD and it has been working well so they are adding other districts, Pinetop being one of them. We have been working on something like this for years and now it is here. Clint Peck from Summit was present to speak to the program. He explained the money provided by the 2 grants being approximately \$600,000.00, it is a telemedicine program installed in ambulance, a WIFI service. A patient in the field can get a Dr. in real time before they ever get to the ER and a decision can be made if they should be transported by air or land depending on severity of the situation.

Clint Peck, said they can provide 5 units for Pinetop Fire District with 1 in the primary engine. The grant pays for modems and installation. They hope in the third year to provide tablets for the participating departments which would provide video capability, a huge benefit to patients. Few have this direct contact and the whole world is going towards telemedicine. Soon you will not have to go to a Dr. for routine problems, you can login and face to face with a physician and they would diagnose and call meds in – without even touching the patient, this new direction of telemedicine is starting now for the White Mountains, this is very exciting for the district and its patients. Ilison Moseley said they have been trying to get a treat and refer program for nearly 5 years now, this is a great first step in that direction. We are very fortunate in the white mountains to have this exciting and ground breaking technology.

Carla made the motion ratifying acceptance of the Summit Healthcare Regional Medical Center (SHRMC) MOU for participation in the rural health network telehealth technology. Seconded by Kurt Alcumbrac, motion carried 3-0.

Doug Wright abstained from the vote due to him being an employee of SHRMC

3. *Discussion/Consideration/Possible Action re: Presentation of the April 2019 Financial Reports* Gabe Burla from the James Vincent Group gave the financial presentation. All financial reports were included in Packet. Some Highlights are that the District is still doing very well heading into the next budget season.

Total Revenue this month is still under budget coming from our non-tax revenue. Tax revenue was slightly under budget, both were most likely due to timing of grant revenue income. Total expenses are also under for the month, these go hand in hand with the grants and timing.

The majority of Expenses are trending under budget for the month; personnel, professional expenses, grants, managerial, buildings and Vehicles & maintenance.

Fiscal year to date our total revenue is over budget, driven mostly by our non-tax revenue. Non-tax revenue is still over budget which is wildland driven. Total Expenses for the year are over, mostly due to personnel and grant timing. Personnel is due to Wildland wage expenses.

The overall breakdown is Personnel 68% Operations 28% and Managerial is at 4%.

Our Cash position is ahead due to payment timing of property taxes and we anticipate another \$20,000.00 from our Wildland Fire income.

Carla Bowen made the motion to approve the April 2019 Financial Report as presented. Seconded by Kurt Alcumbrac, motion carried unanimously 4-0

4. *Discussion/Consideration/Possible Action re: Presentation of proposed draft 2019/2020 budget*

Chief Morgan; all budget draft proposal documents are included in the board packets. John Rowlinson and Kurt Alcumbrac were the board committee members. This year our AV was a little more than we projected coming in at approximately 4.22%. It was a nice surprise but we still need to be conservative in order to stay ahead. The summary page will be posted if the budget is approved today. Melissa Tomlinson has our worker's compensation quote and it is under what we thought it would be, the levy rate will be around 3.1755.

The labor group was charged with coming up with a fair COLA increase proposal and it was very reasonable at an overall percentage of 2.8%, based on the 2018 CPI and SS increase. There was some discussion about the many grants the chief has written and expects to write in the future. Gabe Buldra explained the posting schedule and told the board that this is a balanced budget maintaining our capital replacement schedule and keeping district solvent. In the event that something could change we can always move around the capital replacement, which would be disappointing but it is always something we have if the need arises. Presently we are looking very good.

Gabe Buldra gave a breakdown of the budget line by line and then there was discussion about Wildland Fire and the coming season.

Melissa Tomlinson by teleconference, said that a few years ago the state of PFD was looking a little grim, now we are funding reserves and things are very positive, now we are totally solvent. Chief Morgan said, we have as a district done a lot of things to turn our bleak future around to something very strong and positive. We all should be proud. He also said that

the same company that is working on the Strategic Plan also did our Merge study a few years ago and they cannot believe how we have turned things around in our favor.

Gabe Buldra said, we should also be proud of our CAFR audit, the transparency and the team effort to get us here. Everyone had a hand in the success of the district.

Kurt Alcumbrac commented on how nice and easy it was to work with our labor group, he said he has worked with several labor groups and none of them were so easy and respectful of the process as PFD.

Carla Bowen made the motion to approve and tentatively adopt the 2019/2020 fiscal budget, fee schedule and wage scale as presented. Seconded by Kurt Alcumbrac, motion carried unanimously 4-0.

5. *Discussion/Consideration/Possible Action re: Presentation and possible adoption of 2019 Draft 5yr Strategic Plan*

The draft plan is included in the packets, Chief Morgan explained the process again and told the board that he is very proud of the participation and work on the plan so far. He said you can actually see results, what is improving and the focus for the next 5 years. Everything has been discussed and vetted out by the employee group and is ready for your review. Chief Morgan has color-coded the pages so the board can see the progression of the timeline.

He told them there would be a June meeting with all employees to assign task leaders and work groups to stay on task. Discussion about grant writing and Chief hoping to get others involved in the process. There was a comment about Water Companies in Pinetop needing improvement and discussion.

Kurt Alcumbrac noted that the urgency he noticed was about response times from the public.

Carla Bowen would like an update on the Water Companies next meeting.

Carla Bowen made the motion to adopt the district strategic plan as presented and to include authority for the Chief, the Chairman of the board and the Labor Group to draft letters to be included appropriately. Kurt Alcumbrac seconded the motion, Motion carried unanimously 4-0.

Note: number 6. Was moved to the second board business place due to speaker's schedule

7. *Discussion/Consideration/Possible Action re: PSPRS refunds of Excess Contributions*

Chief Morgan; Public Safety Personnel Retirement System's problems continue on, now we are looking at employees that were either overpaid or underpaid, we have one of both. The person who was underpaid is already being credited through our payment system for their amount. Then we have another separated employee from as far back as 2012 who elected to take his retirement out and was subsequently overpaid by PSPRS due to the Hall & Parker Case. It was an overpayment of approximately \$318.00, as you know as a district, we cannot just gift monies. Chief Morgan stated that he had a problem with billing someone for the mismanagement of PSPRS but the statute is clear on gifting. Attorney Bill Whittington advised PFD cannot just gift money, the district must show a good faith effort on the record. Chief Morgan explained there is a draft letter included in the packet and we should at least send a copy of it to the former employee. Carla Bowen and Kurt Alcumbrac

suggested we send the letter and wait until the next meeting (21days), if no money is received it will be written off.

Carla Bowen made the motion to send the letter of demand from PSPRS to party involved with overpayment due to Pinetop Fire District as submitted due to the Parker case, to be remanded in 21 days as authorized. Seconded by Kurt Alcumbrac, motion passed unanimously 4-0.

8. Discussion/Consideration/Possible Action re: 2019 Wildfire Season Updates

Carla Bowen requested a monthly update on our area Wildfire Season, included in the packet is our current ERC bar graph. Chief Morgan explained that according to the data, the White Mountains would be having a mild if any wildland fire season. He explained that there are other areas around the United States that aren't quite so lucky, so more than likely, will see an out of State Wildland Season. Parts of New Mexico are still having a drought season and will probably experience a wildland season unfortunately. He told the board that we have an employee in Alaska on a fire currently.

Carla Bowen said she felt this is sufficient unless we have changes, the chief will update the board if any changes occur.

VI. Summary of Current Events

1. Fire Chief's Report regarding district activities
2. May 20th meeting needs to have executive session minutes to approve.
3. Posting of tentative budget

VII. Future Meeting Dates

Next meeting is June 17, 2019 at 5:00pm

Announcements: AFDA/AFCA meeting is coming up, July 9-11. If anyone is interested in attending.

Adjournment-

Motion to adjourn by Carla Bowen at 7:00, seconded by Kurt Alcumbrac, motion passed unanimously 3-0.

Respectfully Submitted

Karen Robbins