

**FRY FIRE DISTRICT  
MINUTES OF REGULAR MEETING  
March 16, 2016**

**CALL TO ORDER**

Mr. Nash called the Regular Meeting of the Fry Fire District Board to order at 7:00 p.m.

**ATTENDANCE**

Board Members in Attendance:      Arthur Nash, Board Chairman  
James Barnett, Board Clerk  
Bess Banister, Board Member  
Gilbert Gil, Board Member

Board Members Absent:              Robert McMurtrie, Board Member

Others in Attendance:              William Miller, Fire Chief  
Maria Gordon, Administrative Manager

**INVOCATION/PLEDGE OF ALLEGIENCE**

Mr. Nash led the pledge of allegiance and Mr. Gil delivered the invocation.

**CALL TO THE PUBLIC**

Mr. Nash opened the call to the public at 7:01 p.m.

There was no one to appear before the board at this time.

Call to the public closed at 7:01 p.m.

\*Note: Business agenda, item A, engineer badge presentation, was moved and done immediately after the invocation.

**FIRE CHIEF'S REPORT/SUMMARY OF CURRENT EVENTS**

Chief Miller reported on the following:

Fire Chief testing process:

- Advertising started today (3-16-16)
- Applications close on April 22
- Vet applications
- Phone interviews

- Assessment center (budgeting, presentation, in/out basket, written report, open discussion, situational disciplinary action/role play) May 24-25<sup>th</sup>.
- Evaluators will brief the Governing Board on their perspectives about the candidates on May 25<sup>th</sup> around 4:30.
- The Governing Board will go into executive session to interview top candidates May 25<sup>th</sup> early evening around 5:30.
- The Governing Board may take a vote out of executive to offer employment/contract to top candidate.

We had a small damage reported on tender 365 where a 2 ½ hose took out a side door. Replacement door and hinges on order. We also had a damage report for M366 due to a backing incident.

We did not receive the award for the Community Development Block Grant for roof repairs to Station 361 or the possible purchase of radios. The grant went to a very worthy cause, which was the Childress Center in Huachuca City that burnt down.

We're working with the City of Sierra Vista to renew our automatic aid agreement which will be on next month's agenda for discussion. No significant changes were made to the existing language.

James and several of the employees are preparing all of our wildland apparatus for the fire season.

A reminder that we have our annual awards banquet this coming Saturday (March 19<sup>th</sup>) at Manda Le starting at 5:30 for cocktails with dinner being served at 6:30.

Also, the AFDA summer conference will be held in conjunction with the AZ Fire Chief's Association's conference on July 14-16, 2016 at the Renaissance Hotel in Glendale. The conferences were combined in an effort to save money for the departments that attend both conferences.

We had 844 responses for the month of February.

## **FINANCIAL REPORT**

- A. Review, discussion and possible action on the monthly financial reports for February 2016.

Maria explained to the board that the report from the Cochise County Treasurer's Office had not yet been received; therefore, both February and March will have to be presented at next month's meeting. She did give an update from the District's Cyma Accounting Software. The District had \$957,919.18 in available operating

funds as of February 29<sup>th</sup>, but the actual balances, to include taxes received, will be presented next month.

Mr. Barnett made a motion that the board table the item until next month's meeting. Mr. Gil seconded the motion.

VOTE: 4-0  
Motion Carried

B. Review and discussion for the warrants issued for the month of February 2016.

There were no questions regarding the warrants for February 2016.

### **APPROVAL OF MINUTES**

A. Regular board minutes of February 17, 2016.

Ms. Banister made a motion to accept the regular meeting minutes of February 17, 2016, as presented. Mr. Barnett seconded the motion.

VOTE: 4-0  
Motion Carried

### **BUSINESS AGENDA**

A. Presentation of engineer badges

Chief Miller told the board and audience that this will be the last promotion ceremony for him prior to his retirement and that he is very proud to announce our three newest engineers Adam Short, Ed Shiver and Jonathan Wayne. Congratulations Adam, Ed and Jonathan!

B. Arizona Fire District Association Report

Chief Miller reported on the following bills:

- 1,219 bills posted
- 105 resolutions posted
- 26 bills passed
- 5 bills signed by Governor / 0 vetoed

Chief Miller, along with six other Fire Chiefs around Arizona, was requested to participate in a stakeholder meeting with the administration of the Arizona Tax Research Association on February 29th. The purpose of the meeting was to work

with them on finding a temporary solution to the \$3.25 cap while working on a more permanent funding source for fire districts. Chief Miller has invited them to visit us in Southern Arizona to really witness how we have been working with our emergency responding partners, while trying to keep the tax rate low to the citizens we all serve.

HB2531: FIRE DISTRICTS; DISTRICT ASSISTANCE TAX (tax rate cap removal bill) has been assigned to the House Ways & Means Committee and has had two readings. This bill is DEAD but we're looking to add it on as a striker bill. The Arizona Tax Research Association (ATRA) will support us on the following, but we still need to get a house/senate bill approved.

1. Allow fire districts to exceed the \$3.25 tax rate cap with voter approval.
2. The maximum tax rate cap would rise to 3.50 if approved by the district's voters.
3. The tax rate cap override would be subject to a maximum term of five years (at which time the law would sunset).
4. There would be a commitment by fire districts, ATRA and legislature to work through a stakeholder process to find a long-term solution to fire district funding.

SB1244: FIRE DISTRICTS; WILDLAND FIRES; BUDGETS. Addresses wildland fire prompt pay and fire district merger/consolidation. If a federal agency does not pay a claim within 30 days after the State Forester forwards the claim, the State Forester is required to pay the claim from available monies in the Fire Suppression Revolving Fund. Also, beginning with FY2016-17, a consolidated fire district may receive fire district assistance tax monies as otherwise prescribed by statute, without regard to whether the district is located in more than one county. Passed the Senate, but the Governor doesn't like the bill so he will most likely veto it.

S1209: FIRE DISTRICTS; VEHICLES; SALES TAX. The list of exemptions from the retail classification of transaction privilege and use taxes is expanded to include the sale of emergency motor vehicles and emergency equipment to a fire district. Referred to Senate Finance. HOLD

H2076: ANNEXATION; SINGLE PROPERTY OWNER; EXCEPTION. For the purposes of municipal annexation, a territory is considered contiguous if the territory adjoins the exterior boundary of the annexing municipality for at least 300 feet, if all of the real property in the territory is owned by one person, and the municipality and the property owner agree to the annexation.

HB2197: FIRE DISTRICTS; MERGER; CONSOLIDATION. Beginning with FY2016-17, a consolidated fire district may continue to receive monies in an amount not to exceed the allowable amount that each district received at the time of the merger or consolidation. HB2197 is an AFDA proposed measure to

eliminate the current financial disincentive associated with FDAT funding caps when fire districts merge or consolidate. Is currently working its way through the House, with a new amendment of a start date of July 1, 2014.

**HB2198: FIRE DISTRICTS; VACANCIES; BOARD OPERATIONS.** If a vacancy occurs on a fire district board, a quorum of the remaining board members is required in order to fill the vacancy by appointment of an interim member. If the board lacks sufficient members to constitute a quorum, the board of supervisors is required to appoint an administrator to administer the district and serve until the board members take office after the next general election or until a special election is called to fill vacancies on the board.

**HB2517 Business Professionals; Regulation Restrictions.** Creates the Right to Earn a Living Act that requires municipalities, counties and agencies to limit entry regulations that apply to businesses and professions as necessary to ensure the public health, safety and welfare.

Establishes the Right to Earn a Living Act and declares the Legislature's finding that all individuals are entitled to pursue a business or profession free from government intrusion and excessive regulations. This is a CON bill that will allow privates to compete for interfacility transfers without having to go through all the same steps.

## **OLD BUSINESS**

- A. Discussion of pending or contemplated litigation with the Copper Queen Hospital regarding patient transports. No action will be taken during the executive session.

Chief Miller told the board that he met with our attorney and gave them a list of potential witnesses. The attorneys have hired Roy Ryals as an expert witness. The litigation will likely cost the insurance company between \$120,000 and \$130,000.

## **ACTION ITEM**

- A. Discussion and possible action to meet with the Palominas Fire District board to explore or consider merging services.

Chief Miller explained to the board that the Palominas Fire District Board sent a letter, addressed to our board, wanting to have a meeting between the two boards to discuss pros and cons of a possible merging of services. Chief Matthews was also in attendance and explained that while there were issues in the past, he and his board would rather look at the possibilities for sustainability in the future. He

stated that we have been working together on other projects, such as the Per Diem Firefighter position, and thinks that there are many possibilities.

Mr. Barnett made a motion that the board meet with the Palominas Fire District board to open discussions on the pros and cons of merging services. Ms. Banister seconded the motion.

VOTE: 4-0  
Motion Carried

B. Discussion and possible action to have Chief Miller and the district's attorney to enter into negotiations with the Novation Group Consulting, Ltd for the replacement of a new shared communication tower at Fry Fire Station #3.

Chief Miller told the board that the Novation Group would like to replace our existing tower at station #3 with a 190 foot tower (current tower is 140 feet). The tower would be maintained by them and they would pay us \$1,100 monthly, along with an additional \$200 per month, per provider using the tower.

Mr. Barnett made a motion that the board allow Chief Miller and the district's attorney to enter into negotiations regarding the tower replacement at station #3. Mr. Gil seconded the motion.

VOTE: 4-0  
Motion Carried

### **REQUESTS FROM BOARD MEMBERS FOR FUTURE AGENDA ITEMS**

Mr. Barnett stated that he will be gone for work from March 31<sup>st</sup> through May 14<sup>th</sup>.

There were no additional questions/comments/requests from the board for future agenda items.

### **ADJOURNMENT**

Ms. Banister made a motion to adjourn the Regular Meeting at 8:09 p.m. Motion seconded by Mr. Barnett.

Meeting adjourned at 8:09 p.m.

DATED THIS 17<sup>th</sup> DAY OF MARCH 2016.

A handwritten signature in black ink, appearing to read "James Barnett", with a stylized flourish at the end.

James Barnett  
Board Clerk  
Fry Fire District Board