

**Minutes of a Regular Meeting of the Board of Directors of the Clarkdale Fire District
Meeting Held July 16, 2009**

A Regular meeting of the Clarkdale Fire District Board of Directors was held on July 16, 2009 at 4:00 p.m. at the Clarkdale Fire District Station #21, 895 First South Street, Clarkdale, Arizona.

Board of Directors:

Jim Elmer, Chairman
Seth Murphy, Clerk
Ron Ballatore
Bill Snyder
Vacant

Staff:

Joe Moore, Fire Chief
Joyce Driscoll, Administrative Assistant
Mike McClellan, Firefighter
Donny Minardi, Reserve Firefighter
Matt Poe, Engineer

Others Present: Jerry Brown.

CALL TO ORDER. The meeting was called to order at 4:03 p.m. by Chairman Elmer.

ROLL CALL. All members were present. A quorum was present.

CALL TO THE PUBLIC. None

MINUTES – Consideration of the minutes of the meeting held June 18, 2009. It was noted that the minutes state that it was a special meeting, however it was a regular meeting. Boardmember Ballatore moved to approve the minutes as corrected. Boardmember Snyder seconded. The motion passed unanimously.

SHIFT REPORT – A presentation by C Shift Staff regarding day-to-day operations. Engineer Poe reported on the following:

- His duties regarding public education.
- The Life and Fire Safety (LAFS) regional committee and the safety issues they focus on.
- He and a few other participants on LAFS will be starting to write the script for the next LAFS presentation at the area schools.
- He will be attending a clown and puppeteering training. One area he is interested in is public education geared toward senior citizens. There is no program targeting this age group in the Verde Valley.
- He is also the physical fitness coordinator. He thanked the Board for their support of the physical fitness program.
- There was a rumor that their medical provider was looking into shifting from the Davis to the Gerkin protocol for determining firefighter fitness for duty. He explained that under the Davis test persons can push themselves farther than what is healthy, whereas the Gerkin test is based more on actual cardiac performance.

- He wants to move to tracking cardio health in house by using the Gerkin testing.

Firefighter McClellan reported on the following:

- He is now responsible for the District's apparatus, he took it over from Engineer Turner.
- He is also assisting Engineer Poe with public education.
- He reviewed the current status of the apparatus.

FINANCIAL REPORT – Discussion and consideration of the Monthly Financial Report. Chief Moore noted that the District is 100% into the fiscal year. He noted that property tax income is at 99.91% as of June 30, 2009. He noted that a Social Security tax refund was received and recorded under "Miscellaneous Income". Overall the District expended approximately 88% of the budgeted expenses. He noted that the Other Administrative Expenses line item includes Social Security tax refunds which were issued back out to the employees who had this incorrectly deducted from their paychecks. Chief Moore noted that the District still expects to receive about \$25,000 more in income (SAFER Grant Reimbursement) and has about \$800 of outstanding expenses for the fiscal year. Boardmember Snyder moved to approve the financial report. Boardmember Ballatore seconded. The motion passed unanimously.

INFORMATIONAL AND OTHER REPORTS

SHIFT REPORTS – Written monthly reports by personnel regarding day-to-day operations. No discussion.

CHAIRPERSON'S REPORT – A report from the Chairperson on current events. No report.

FIRE CHIEF'S REPORT – A report from the Fire Chief on current events. Chief Moore reported on the following:

- There are no updates on the Highlands and Mountain Gate subdivisions.
- Calls for the week of June 21-28.
- The funeral for Berry Van Hook.
- The building construction grant was submitted.
- 1,444 pancakes were served at the July 4th breakfast.
- He stated that Governor Brewer signed a bill into law limiting the amount the fire districts can increase their tax levy to 8%. The law includes two over-ride provisions. One is to override the maximum 3.25 tax rate up to five years with the levy amount not exceeding 5% per year. The other is to override the maximum tax levy.

ACTIVITY REPORTS – Written monthly reports regarding calls for service. No discussion.

MISCELLANEOUS REPORTS AND CORRESPONDENCE – Letters, news articles and other items of interest. No discussion.

CONSENT AGENDA

Boardmember Snyder moved to remove the regional training center agreement resolution from the consent agenda. Boardmember Ballitore seconded. The motion passed unanimously.

REGIONAL TRAINING CENTER AGREEMENT – Approval of a resolution entering into a Joint Powers Agreement with other area fire service agencies regarding the use and management of the Regional Fire Service Training Center. Boardmember Snyder moved to approve Resolution #2009-09 to enter into a Joint Powers Agreement with other area fire service agencies regarding the use and management of the Regional Fire Service Training Center. Boardmember Ballitore seconded. The motion passed unanimously.

CONFLICT OF INTEREST DECLARATIONS – Acknowledgement of Declaration of Interest forms received from District personnel.

Clerk Murphy moved to approve the consent agenda. Boardmember Ballitore seconded. The motion passed unanimously.

NEW BUSINESS

EMPLOYMENT AGREEMENT – Discussion and consideration of a resolution entering into an employment agreement with the Fire Chief.

Boardmember Snyder inquired as to paragraph 1.2 which states that the Chief hires people and board fires people. Chief Moore explained that this is a safeguard to make sure that the Chief is correctly following the termination process. Boardmember Snyder stated that he does not agree that the Board be involved in the termination process. The consensus of the Board was to change the verbiage in 1.2 to read “Hire, terminate and supervise all paid and reserve personnel. The authority to discipline all personnel, including the authority to suspend, demote or reprimand all personnel”.

Boardmember Snyder suggested that in paragraph 2.1 “shall” be changed to by “may”.

Discussion followed regarding creating a paragraph 2.4 to address the fact that the Chief uses a District vehicle. Clerk Murphy stated that by the Chief having the vehicle the Chief is expected to respond to emergencies twenty-four hours a day, seven days a week.

Chairman Elmer stated that IRS does not see the Chief having a District vehicle as being a benefit, as long as he uses it per their guidelines. He stated that he feels this is covered under paragraph 4 which states “The Chief shall be furnished with such facilities, equipment and personnel as are required for the adequate performance of the duties and within the budget limitations of the District.” He stated that he feels that as long as the Board is comfortable with what is happening, and there is no shortcoming, that the wording should not be changed.

The consensus of the Board was not to change any contract verbiage regarding use of the District command vehicle.

Boardmember Snyder stated that he wants a paragraph added that states that the Fire Chief may be terminated without cause. It was noted that if employment is with or without cause, then the causes listed under paragraph 7. should be removed. The consensus was to change paragraph 7. to "Duration of Employment. Both parties agree and understand that the Fire Chief is an 'at will' employee of the District."

Clerk Murphy moved to adopt Resolution 2009-10 entering into an employment agreement with the Fire Chief as amended. Boardmember Ballitore seconded. The motion passed unanimously.

INTERVIEW QUESTIONS – Discussion and consideration of developing questions for the Boardmember interview process. Boardmember Snyder stated that the items being submitted by candidates will contain a great deal of information.

Without objection the agenda item was opened for public comment. Jerry Brown stated that he feels the requirement for a Letter of Interest is a redundant requirement.

It was noted that the District Bylaws require a letter of interest and an oral interview. It was also noted that the questions must be the same for every applicant for fairness.

Boardmember Snyder moved that the Board designate Boardmember Ballatore and Chairman Elmer to work with the staff to develop the questions. Clerk Murphy seconded. The motion passed unanimously.

FUTURE AGENDA ITEMS – A listing of items to be placed on a future agenda. The following item(s) were listed:

- Changing the requirement for a Letter of Interest for filling a board vacancy.

ADJOURNMENT. With no further business before the Board, the meeting adjourned at 4:20 p.m.

Jim Elmer, Chairman

Date

Seth Murphy, Clerk

Date