

**APPROVED MINUTES OF A REGULAR MEETING OF THE MISCAL-J6 FIRE DISTRICT
HELD ON MONDAY, FEBRUARY 2ND, 2015**

Meeting called to order at 18:31 by Board Chair Lee. Present at roll call were Board Members Mark Lee, Mary Bowen, Dan Simmons and Jerry Conrad. Mr. Hoffman absent; a quorum existed. Sue Dupee informed the Board that two long-time residents of the District, Jim Hostettler and Marie Ladeaux recently passed away. Board Chair Lee opted to rearrange the Agenda to address Item 5 first, so as to release the gentlemen from ASF early.

Item 5: Controlled Burn: Mr. Gene Beaudoin, District Forester from Arizona State Forestry's Tucson office addressed the Board. Mr. Beaudoin was member of the MJFD from 1994-2001, served as the Interim Fire Chief at one time and is currently the District Forester in our area. Mr. Beaudoin stated that ASF is planning a controlled burn on approximately 130 acres of State trust land, zone commercial, along the East end of Navajo. The tentative date for this project is March 24th or 25th, depending on weather and resource availability. Mr. Beaudoin stated that the burn will not only provide for fuel abatement in a relatively hazardous area of our District, but include a training class on topics to include firing and suppression. The entire parcel will not be burned, and what will be burned will be accomplished in designated blocks in one day. He anticipates minimal smoke issues and remarked that the burn is planned in conjunction with /dependent upon final approval from ASF's headquarters in Phoenix. Mr. Beaudoin informed the Board of the recent appointment of Jeff Whitney as Arizona State Forester. Mr. Lee asked about the cost to conduct this burn. Mr. Beaudoin stated that all costs are provided for via Grant money from the State. Mr. Lee stated that regardless of the grant, it costs money to conduct these burns. Mr. Lee further remarked as to what a huge expense it must be to conduct these burns all over the State and asked if there were any plans to rezone these kinds of parcels and sell them, so the state doesn't have to continual burden of burning them. Mr. Beaudoin replied that was not the responsibility of ASF. Mr. Beaudoin voiced his understanding of Mr. Lee's concerns and remarked that there is over 500 acres of State Trust Land within Sierra Vista. Several members of the audience inquired as to the safety hazards associated with this burn and the need to let the public know this will take place. Mr. Beaudoin remarked that this burn will include the resources of four hand crews (80 people) Six Type 6 engines, two water tenders, a Burn Boss, Safety Officer and PIO; while he would never say it couldn't get out of control, it was very unlikely. Mrs. McCool requested a map and further updates so as to inform CDO members of the project. Mrs. Dupee remarked that the riding club could possibly ride the area a day prior to look for and warn any illegal campers. Mr. Lee inquired as to the possibility of them answering questions from residents at the next Board meeting; Mr. Beaudoin stated that both he and Flip Elliot will attend the March meeting to bring maps, provide more information, and they would be happy to answer questions at that time. He also stated that a press release will be published. Mr. Lee remarked that this was informational in nature and that no Board action was necessary.

Item 1: Minutes: Board members were provided with the minutes from the January 5th, regular meeting. Motion to approve the minutes as presented by Mr. Simmons, second by Mr. Conrad, motion passed 4-0.

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- Item 2: Treasurer/ Admin Report: Treasurer Bowen presented copies of the December HB 2572 report to board members. Motion to approve the December HB2572 report as presented by Mr. Simmons, second by Mr. Conrad, motion carried 4-0.
- Item 3: Warrant Report: Treasurer Bowen provided copies of the financial reports and balances as follows: Warrant Account \$51,963.12; National Bank \$20,841.56; Reserve Account \$108,216.84 and Petty Cash \$132.39. Motion to approve the account balances and checks as reported by Mr. Simmons, second by Mr. Conrad. Treasurer Bowen abstained, motion carried 3-0. Mr. Lee remarked that the Warrant balance was significantly lower this month as we made \$30,551.89 in vehicle payments, which are non-recurring expenses, and transferred \$20,000 to the payroll account, which should cover the next two or three months of payroll expenses. Treasurer Bowen remarked that she received checks specifically for the Reserve account from the County, and wrote the checks directly to the vendors, instead of first transferring the funds to the Warrant account and writing checks out of that account. This made the entire process easier.
- Item 4: Fire Chief Report: Chief Moran presented his Chief's report. Chief Moran reported 22 incidents for the month of January, including 2 grass fires, 13 EMS calls and 7 miscellaneous incidents. Recent training involved Highway Safety for Vehicle Response. Hose testing was cancelled as the testing unit was discovered to be out of service; will be rescheduled for a later date. Rescue 171 received new rear rotors and brakes all around. E171 is currently at United Fire for pump repairs and annual testing. Payment for Support171 was delivered, title received, and will be insured soon. HVAC inspection performed on the Administration building; no issues but we were cautioned against running the ac units in the winter months as they are not designed to do so. New septic tank installed at Admin and just waiting on the inspection. Chief Moran inquired as to the acoustics of the meeting room and stated his desire to get our existing overhead projector mounted in the ceiling and add some wireless speakers for training purposes. Chief Moran stated the ISO inspection was completed on January 27th; this inspection noted some missing equipment and those purchases, totaling approximately \$2000.00 will need to be made. Firefighter Josh Olander was recently promoted to Lieutenant. Stacey Hower is currently working on some grants; the most pressing being the ASF Wildland grant. Chief Moran attended the CDO Community regarding the Cochise County Long Range Transportation Plan and stated that staff is preparing comments to submit on behalf of the District in March. Staff has been making good use of the probationary personnel to provide for grounds maintenance. Chief Moran stated that MJFD responded to 373 incidents in 2014, an increase of 49 incidents from 2013. Our average "turnout time" (the time from notice of call until we are responding) in 2014 was 4:06, an improvement of 1:44 from 2013. Chief Moran stated this can only be attributed to the staffing program and the dedication of our people. Chief Moran stated a total of seven applicants for the Administrative Assistant / Secretary position and we will be hosting interviews soon.

Board Chair Lee rearranged the Agenda to address Items 7 and 8 next.....

- Item 7: Legal Representation: Mr. Lee introduced Cochise County Attorney Lauri Owen, Civil Deputy County Attorney. Ms. Owen introduced herself to the Board and stated that the County offers low cost, high quality representation; the District will have the benefit of

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the legal experience of the entire County legal office, at a very low rate of \$73.00 an hour. Ms. Owen stated her goal as our attorney is to make the community a better place for all of us, and to protect us and give us the best advice. She explained that her role is listen to our concerns and to provide us with possible solutions, as well as the anticipated outcome of taking / refusing said advice. Mr. Simmons inquired as to what her role would be if the District were to experience a conflict with the County. Ms. Owen stated that the County is composed of many different departments; if a possible conflict arose, she would advise us as so and recommend that we seek outside counsel.

- Item 8: Arizona Open Meeting Law: Ms. Owen presented the Board Members with a presentation regarding the Open Meeting law, stating this was a broad overview that could be summed up as “Anytime you have a public body, any action or discussion regarding the public body must be open to the public as posted as such.” She remarked that the County Attorney’s Office (CAO) will always interpret the law on the side of the Open Meeting Law”. Mr. Simmons stated his opinion that the presentations statement the “CAO Must Interpret Law in Favor of Open Meetings” is inappropriate. Ms. Owen disagreed. Mr. Simmons provided an example whereby he attended a County Supervisor Meeting regarding a County ordinance that stated, in summary, if the County doesn’t state you can do something, you can’t do it.... which is in direct conflict with the US Constitution. There was additional discussion regarding the interpretation of laws. Ms. Owen stated that they (CAO) interpret laws to give us advice and it’s up to us to decide what to do with said advice.
- Item 6: Medical Control Extension Agreement: Chief Moran remarked that the District’s EMS operations take place under the guidance of a Medical Control Director provided via an agreement with Sierra Vista Regional Health Center. This agreement is usually renewed annually in September via a Medical Control Extension Agreement Motion but was not done so. Chief Moran urged the Board to renew the agreement. Mr. Lee confirmed that the same agreement would again be due for renewal in several months, to reestablish the normal schedule. Motion to approve the Medical Control Extension Agreement by Mr. Simmons, second by Mr. Conrad, motion carried 4-0.
- Item 9: Mutual Aid Agreement with Sundance Fire Protection: Chief Moran presented a Mutual Aid request from Sundance Fire Protection and explained that Sundance is working to establish a subscription fire department in the Willow Lakes area. There was some discussion as to our responsibilities with this agreement, including if this agreement would *require* us to respond. Chief Moran confirmed that it would not require us to respond; our primary concern is to provide fire protection to our residents first, but this agreement allows us to assist neighboring agencies as we can. Mr. Conrad inquired as to if we would be paid for our services, since Sundance was a subscription fire service. Chief Moran replied that he would investigate the billing issue if so directed, but disagreed with the idea of charging neighboring any neighboring agency for assistance. Chief Moran stated that Sundance has provided a water tender to us in the past and never expected payment in return. Motion by Mrs. Bowen to approve the Mutual Aid Agreement with Sundance Fire Protection, second by Mr. Conrad, motion carried 4-0.
- Item 10: 5-Year Plan Work Session: Mr. Lee stated need to begin work on next year’s budget. There was some discussion as to how taxes would be calculated this year, percentage of

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collection, etc. Board Chair directed Chief Moran to arrange for a special meeting regarding the 5-Year plan for February 23rd, 2015. Same place and time as regularly scheduled board meetings.

- Item 11: District Credit Card Spending Limits: Chief Moran requested that the limit on his District Credit be increased to match his spending limit; the current limit is much lower and presented some issues when attempting to purchase equipment. Motion to increase the Fire Chief's credit card to \$2500 Mr. Simmons, Second by Mr. Conrad, motion carried 4-0.
- Item 12: Call to the Public: Mary McCool, CDO Chair claimed that Executive Session minutes must be approved in a regular meeting and this is not reflected in any of the minutes. Mrs. McCool inquired as to the status of the cash flow projection sheets for HB2572 and inquired as to if the Board had intended to take action to secure legal services from Cochise County at this evening's meeting.
- Item 13: Adjourn: Motion to adjourn the meeting by Mr. Simmons, second by Mrs. Bowen, Board Chair Lee declared the meeting adjourned at 2000 hours.

Minutes compiled and submitted by:


John Moran, February 5th, 2015