

MINUTES

AVRA VALLEY FIRE DISTRICT

REGULAR MEETING OF THE BOARD OF DIRECTORS

Meeting Date: **Wednesday, March 27, 2013**

Meeting Time: 10:00 AM

Location: 15790 W. Silvervell Road, Marana, AZ 85653

1) **CALL TO ORDER**

THE MEETING WAS CALLED TO ORDER BY CHAIRMAN CASTANEDA AT 10:05 AM.

2) **PLEDGE OF ALLEGIANCE**

CHIEF DELFS LED THE PLEDGE OF ALLEGIANCE.

3) **ROLL CALL**

THE ROLL WAS CALLED BY LORRIE PALMQUIST.

IN ATTENDANCE:

BOARD MEMBERS

CHAIRMAN CASTANEDA, JR

VICE-CHAIRMAN LASSEN (BY PHONE)

CLERK BAUER

DIRECTOR NEILSON

STAFF

CHIEF DELFS

ASST CHIEF KLEIN

F/A MANAGER PALMQUIST

ATTORNEY CHRIS WENCKER

Chaiman Castaneda stated that a quorum is present.

4) **APPROVAL OF MINUTES FROM THE REGULAR MEETING AND THE PUBLIC HEARING HELD FEBRUARY 27, 2013**

Vice-Chairman Lassen moved to approve and accept the minutes for the regular Board meeting held on February 27, 2013. The motion was seconded by Clerk Bauer. ***Motion carried 4/0.***

Clerk Bauer moved to approve and accept the minutes for the Public Hearing held on February 27, 2013. The motion was seconded by Vice-Chairman Lassen. ***Motion carried 4/0.***

5) **PRESENTATION OF PERSONNEL**

- *Paramedic Badge – Joseph Loehr*

Chief Delfs introduced Joseph Loehr as a shining star who has done an outstanding job at Avra Valley first as a Reserve then as a Fulltime firefighter. Mr. Loehr holds an Associate's Degree from Pima College and has completed paramedic training during the last 10 months. Chief Delfs commented that Mr. Loehr is very hardworking and is great with the public. Mr. Loehr's mother was present to pin the Paramedic badge.

- *Retirement Plaque – Engineer Cory Lakosky*

Chief Delfs reported that Cory Lakosky has been approved for disability retirement and his last day will be March 30, 2013. Chief Delfs further stated that Mr. Lakosky has been with our District since 2004, and served in other districts prior to AVFD. The Chief opined that Mr. Lakosky is possibly the most aggressive firefighter he has seen. He further stated that Mr. Lakosky has outstanding integrity and enthusiasm, and has touched many lives in our District. The Union has invited the Board to attend a retirement celebration for Mr. Lakosky on Saturday, March 30, at 2:00 PM in Station 191. A plaque will be presented to him at that time. On behalf of the District, Chairman Castaneda extended deepest gratitude to Engineer Lakosky for his service.

6) CALL TO THE PUBLIC

NONE

7) ANNOUNCEMENTS, CURRENT EVENTS & CORRESPONDENCE

Chief Delfs stated that there is no public correspondence to report at this time.

Chief Delfs shared that the District has recently conducted an in-house "values exercise" with the purpose of identifying a set of core values. The five core values are as follows: Professionalism, Responsibility, Integrity, Dedication and Service. The next step is to develop a Mission Statement for the District. Chairman Castaneda expressed thanks to all who participated.

Chairman Castaneda reminded everyone that Sunday is Easter and extended good wishes for a safe weekend.

8) FINANCIAL REPORT

- REVENUES & EXPENDITURES
- BUDGET PERFORMANCE
- MONTHLY, BUDGET AND QUARTERLY REVIEWS
- REVIEW OF FY BUDGET

Chief Delfs directed the Board to the Cash Flow Statement in their packets. He stated that this is a new format showing a one-page snapshot of the financial activity tied to the most recent month-end reconciliation. The statement begins with cash on hand at the beginning of the fiscal year adds sources/revenues and deducts uses/expenditures to reconcile to the cash on hand currently. The statement provides a budget comparison for the revenue and expense categories. Grant monies and the Pima County Treasurer's Account are listed separately at the bottom of the statement. The Chief stated that the District has written Warrants during March and we are still expecting Wildland income and tax monies. He commented that the District is showing some improvement and should close the fiscal year in the positive. On behalf of the Board, Chairman Castaneda expressed thanks for preparing this one-page snapshot. Vice-Chairman Lassen concurred and expressed a desire to see this new format continue for future presentations.

9) CHIEF'S REPORT/OPERATIONS REPORT BY ASSISTANT CHIEF KLEIN

- **TRAINING**

CHIEF DELFS REPORTED THAT HE AND CHIEF KLEIN COLLABORATED ON THIS REPORT. HE EXPRESSED TO THE BOARD THAT THE PIMA COMMUNITY COLLEGE IN-HOUSE TRAINING PROGRAM TO BE CONDUCTED AT AVRA VALLEY IS THE FIRST OF ITS KIND IN THE STATE. HE EMPHASIZED THAT BY THE END OF THE PROCESS, OUR DISTRICT WILL HAVE CREDENTIALLED AND BETTER TRAINED FIREFIGHTERS.

- **VEHICLE MAINTENANCE**

CHIEF DELFS STATED THAT DISTRICT MECHANIC, TOM WEBB, WILL BE FLYING OUT TO FLORIDA ON APRIL 8 TO TAKE DELIVERY OF OUR NEW PUMPER WHICH HE WILL BE DRIVE BACK TO TUCSON.

CHIEF DELFS STATED THAT THE MAIN FIRETRUCK 217 MAY HAVE TO BE DOWNGRADED BECAUSE IT PROBABLY WILL NOT PASS THE PUMP TEST. THE CHIEF EXPLAINED THAT IF IT DOES NOT PASS THE PUMP TEST, IT CAN BE DOWNGRADED FOR ONLY ONE YEAR AND WILL HAVE TO BE REPLACED THE FOLLOWING YEAR. DIRECTOR NEILSON INQUIRED ABOUT REPAIRING THE ENGINE UP TO PUMPING CAPACITY. CHIEF DELFS RESPONDED THAT THE PUMPING CAPACITY IS RELATED TO THE HORSEPOWER OF THE TRUCK WHICH DECREASES OVER TIME. DIRECTOR NEILSON INQUIRED IF IT WOULD BE LESS EXPENSIVE TO REFURBISH THE CURRENT UNIT RATHER THAN PURCHASE A NEW ONE. CHIEF DELFS RESPONDED IN THE AFFIRMATIVE, STATING THAT REFURBISHING THE CURRENT PUMPER WOULD BE HALF THE COST OF PURCHASING A NEW UNIT. CHIEF DELFS FURTHER COMMENTED THAT THE DISTRICT HAS BEEN WAITING FOR THE NEW GRANT FUNDED PUMPER BEFORE ENGINE 217 CAN BE REMOVED FROM SERVICE, BECAUSE IT COULD TAKE UP TO ONE YEAR TO COMPLETE THE REFURBISHMENT.

CHAIRMAN CASTANEDA INSTRUCTED CHIEF DELFS TO BRING TO THE BOARD A TIMEFRAME CONCERNING THIS ISSUE.

- **LABOR RELATIONS AND PERSONNEL**

CHIEF DELFS REPORTED THAT JEREMIAH ENRIQUEZ AND TROY MATTHEWS HAVE BEEN PROMOTED FROM RESERVE TO FULL-TIME FIREFIGHTERS EFFECTIVE APRIL 8, 2013.

- **STATIONS**

CHIEF DELFS REPORTED THAT THE DISTRICT HAS SUCCESSFULLY PASSED THE ZONING COMMITTEE FOR THE TRANSWORLD COMMUNICATIONS TOWER.

- **FINANCE & BUDGET**

CHAIRMAN CASTANEDA WELCOMED LORRIE PALMQUIST AS THE NEW FINANCE/ADMINISTRATIVE MANAGER. CHIEF DELFS OFFERED ACCOLADES, STATING HER EDUCATION AND CPA CERTIFICATION HELP TO INCREASE THE LEVEL OF PROFESSIONALISM FOR THE DISTRICT. HE FURTHER STATED THAT HE PLACED A FOLLOWUP CALL TO THE DISTRICT'S AUDITOR, AND MR. SAUNDERS EXPRESSED HIS PLEASURE THAT SHE IS ON BOARD AT AVRA VALLEY.

BOARD MEMBER REPORTS

- **LUIS CASTANEDA JR. - CHAIRMAN**

CHAIRMAN CASTANEDA REPORTED THAT HE ATTENDED THE FOLLOWING FUNCTIONS:

FEBRUARY 17, 2013 PINAL COUNTY SPECIAL DISTRICTS MEETING IN CASA GRANDE - ATTENDED WITH DIRECTOR NEILSON; MET WITH SUPERVISORS MILLER AND SMITH, PINAL COUNTY AUDITOR GENERAL; SECRETARY OF STATE, KEN BENNET, GAVE A PRESENTATION ON ELECTION CHANGES; ATTORNEY DONNA AVERSA GAVE A PRESENTATION ON OPEN MEETING LAWS.

MARCH 12, 2013 PINAL PARTNERSHIP BREAKFAST IN FLORENCE - ATTENDED WITH CHIEF DELFS. THE DISCUSSION PANEL INCLUDED REPRESENTATIVE KWASMAN, THE WALDEN GROUP, VICE-PRESIDENT OF HUMAN RESOURCES FOR CENTRAL COLLEGE, AND OTHERS.

- **SARA BAUER - CLERK**

DIRECTOR BAUER ASKED THE THE BOARD REVIEW, DISCUSS, AND TAKE POSSIBLE ACTION ON THE TOPIC OF A BOARD RETREAT AT THE NEXT BOARD MEETING

10) REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING THE LOSS OF RECORDED INFORMATION TO INCLUDE THE BOARD MEETING MINUTES FROM THE MEETING DATED DECEMBER 19, 2012, AND TO RATIFY AND AFFIRM THAT ON DECEMBER 19, 2012, THERE WAS A QUORUM OF DIRECTORS PRESENT.

CHAIRMAN CASTANEDA ASKED COUNSEL WENCKER TO ADDRESS THE BOARD. COUNSEL WENCKER EXPLAINED THAT IT WAS DETERMINED THAT MINUTES FROM SEVERAL PAST MEETINGS WERE NOT IN FINALIZED FORM, AND THAT MINUTES FOR THE DECEMBER 19 MEETING ARE NEITHER RECORDED NOR ACCURATELY WRITTEN. THE PURPOSE OF THIS AGENDA ITEM IS TO RECTIFY THAT SITUATION. CLERK BAUER INQUIRED IF THE BOARD CAN RATIFY ALL MINUTES AT ONCE OR DOES EACH DATE NEED SEPARATE APPROVAL. COUNSEL WENCKER RESPONDED THAT THE PURPOSE OF THIS RATIFICATION IS TO AFFIRM ACTION TAKEN. HE ADDED THAT THERE IS NO INDICATION OF ANY VIOLATION OF OPEN MEETING LAWS. THIS AGENDA ITEM IS PARTICULAR TO THE DECEMBER 19 MEETING BECAUSE THE DISTRICT DOES NOT HAVE A RECORDING OR DRAFT MINUTES. ALL OTHER DATES LISTED HAVE DRAFT MINUTES WHICH HAVE NOT BEEN FINALIZED.

CHIEF DELFS ADDRESSED THE BOARD. THE ISSUE IS THAT THE RECORDING WAS LOST BEFORE MINUTES WERE TRANSCRIBED. ALL THE OTHER MEETINGS NOW HAVE HARD COPIES OF THE MINUTES PROVIDED IN A NOTEBOOK, BUT ALL HAVE THE LANGUAGE "DRAFT" OR "NOT APPROVED BY THE BOARD". THEREFORE, WE NEED THE BOARD TO RELOOK AT THIS. COUNSEL WENCKER STATED THAT IN AN ABUNDANCE OF CAUTION AND TO BE OPEN TO THE PUBLIC, IT IS A GOOD IDEA TO AFFIRM THOSE MINUTES.

CHAIR CASTANEDA CALLED FOR THE PLEASURE OF THE BOARD. CLERK BAUER MOVED TO RATIFY AND AFFIRM THAT ON DECEMBER 19, 2012, A BOARD MEETING WAS HELD WHERE A QUORUM OF DIRECTORS WERE PRESENT AND THE FOLLOWING ACTIONS WERE TAKEN:

THE BOARD APPROVED AND AUTHORIZED THE EXECUTION OF AN IGA TO OPERATE, MAINTAIN, SUSTAIN, IMPROVE, GOVERN AND FINANCE THE PIMA COUNTY WIRELESS INTEGRATED NETWORK (PCWIN); AND APPOINTED CHIEF DELFS AS THE DISTRICT'S REPRESENTATIVE AND CHIEF KLEIN AS THE ALTERNATE REPRESENTATIVE TO THE PCWIN GOVERNING BOARD. ALSO, THE BOARD TOOK ACTION TO APPROVE AND ACCEPT THE FY 2011-12 AUDIT FROM JAMES SAUNDERS. THE BOARD ALSO TOOK ACTION IN ACCORDANCE WITH THE BOARD BYLAWS AND PARLIAMENTARY PROCEDURE TO RE-ELECT MR. LUIS CASTANEDA, JR. TO THE POSITION OF BOARD CHAIRMAN, MRS. ALEYNA LASSEN TO THE POSITION OF BOARD VICE-CHAIRWOMAN, AND MS. SARA BAUER TO THE POSITION OF BOARD CLERK.

THE MOTION WAS SECONDED BY VICE-CHAIRMAN LASSEN.

A ROLL CALL VOTE WAS TAKEN:

CHAIRMAN CASTANEDA: AY; CLERK BAUER: AY; DIRECTOR NEILSON: AY; DIRECTOR LASSEN: AY
MOTION CARRIED 4/0.

11) REVIEW, DISCUSSION AND POSSIBLE ACTION TO RATIFY THE MINUTES FROM THE BOARD MEETINGS, SPECIAL MEETINGS AND PUBLIC HEARINGS OF:

VICE CHAIR LASSEN MOVED TO RATIFY AND AFFIRM THE MINUTES FROM THE FOLLOWING BOARD MEETINGS:

JULY 25, 2012

JULY 26, 2012

AUGUST 22, 2012

SEPTEMBER 27, 2012

OCTOBER 24, 2012

NOVEMBER 28, 2012

FEBRUARY 15, 2013

THE MOTION WAS SECONDED BY CLERK BAUER. MOTION CARRIED 4/0.

12) DISCUSSION REGARDING POTENTIAL EMPLOYMENT OF LORENE PALMQUIST AND PAY THE CONTRACT FEE TO ACQUAEMPMS

CHIEF DELFS ADDRESSED THE BOARD AND EXPLAINED THAT THIS AGENDA ITEM IS FOR INFORMATION PURPOSES, NO MOTION IS NECESSARY. THE CHIEF STATED THAT UNLESS THE BOARD EXPRESSES OBJECTION, THE DISTRICT WILL MOVE FORWARD TO HIRE LORRIE PALMQUIST AND BUY OUT THE ACQUAEMPMS CONTRACT. CHIEF DELFS EXPLAINED THAT THE DISTRICT CONTACTED ACQUAEMPMS IN ORDER TO GET A QUALIFIED AND VETTED EMPLOYEE WHO COULD COME IN AND TAKEOVER IN A RELATIVELY SHORT PERIOD OF TIME. IN ORDER TO HIRE LORRIE, THE DISTRICT HAS TO BUY OUT THE CONTRACT. CHIEF KLEIN ESTIMATED THAT IT WILL SAVE THE DISTRICT \$4,500 - \$5,000 TO BUY OUT THE CONTRACT NOW RATHER THAN CONTINUE TO PAY THE HOURLY RATE TO ACQUAEMPMS.

CHIEF DELFS STATED THAT IT IS HIS INTENTION TO PROCEED AND HIRE LORRIE PALMQUIST AS OF APRIL 1, 2013. THERE WERE NO OBJECTIONS FROM THE FLOOR.

13) REVIEW, DISCUSSION AND POSSIBLE ACTION TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT BETWEEN AVRA VALLEY FIRE DISTRICT AND GOLDFER RANCH FIRE DISTRICT FOR BILLING SERVICES FOR EMERGENCY AND NON-EMERGENCY MEDICAL AND RELATED SERVICES INCLUDING AMBULANCE TRANSPORTS.

CHIEF DELFS STATED THAT CHIEF KLEIN IS DEALING CLOSELY WITH GOLDFER RANCH FIRE DISTRICT (GRFD). CHIEF KLEIN ADDRESSED THE BOARD, STATING THAT THE IGA DESCRIBES THE ARRANGEMENT FOR GRFD TO TAKE OVER THE AMBULANCE BILLING FOR OUR DISTRICT AT A FEE WHICH IS 3.5% LESS THAN WHAT WE PAID AMBISERVE. GRFD NOW EMPLOYS 2 QUALIFIED PEOPLE WITH OVER 20 YEARS EXPERIENCE IN THIS FIELD. WE ARE TAKING STEPS TO STREAMLINE THIS PROCESS. CLERK BAUER INQUIRED ABOUT THE TERMINATION AGREEMENT IN THE IGA, AND HOW OUR DISTRICT FITS IN THE BILLING PROCESS. CHIEF KLEIN RESPONDED THAT GRFD WILL BE HANDLING BOTH GOLDFER AND AVRA BILLINGS. CLERK BAUER INQUIRED IF THE DISTRICT WILL CONSIDER BRINGING THE BILLING BACK IN-HOUSE. CHIEF DELFS RESPONDED THAT THE DISTRICT WILL LOOK AT THAT AGAIN, STATING THAT THE ARRANGEMENT WITH AMBISERVE DID NOT WORK FOR US, AND THAT THE DISTRICT HAD TO MAKE ADJUSTMENTS AND MOVE FORWARD. THE RESULT IS, THE DISTRICT WILL END UP WITH A BETTER PROCESS AND A LOWER FEE. DIRECTOR NEILSON INQUIRED ABOUT THE STANDARD RATE FOR OUTSOURCE BILLING. CHIEF KLEIN RESPONDED THAT THE GRFD RATE IS LOWER THAN THE STANDARD 7 - 10% RATES. CLERK

BAUER INQUIRED ABOUT THE IT RELATIONSHIP WITH LEE SHANOOK. CHIEF KLEIN RESPONDED THAT THE DISTRICT IS PURSUING AN IGA WITH GRFD TO HANDLE OUR IT ISSUES

AFTER NO FURTHER DISCUSSION, VICE CHAIRMAN LASSEN MOVED TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT BETWEEN AVRA VALLEY FIRE DISTRICT AND GOLDER RANCH FIRE DISTRICT FOR BILLING SERVICES FOR EMERGENCY AND NON-EMERGENCY MEDICAL AND RELATED SERVICES INCLUDING AMBULANCE TRANSPORTS. THE MOTION WAS SECONDED BY CLERK BAUER. **MOTION CARRIED 4/0.**

14) REVIEW, DISCUSSION AND POSSIBLE ACTION REGARDING DISTRICT BOND (RECURRING ITEM)

CHIEF DELFS STATED THAT THERE IS LITTLE TO REPORT. COUNSEL WENCKER STATED THAT THE BOND FILING IS READY TO GO TO THE DEPARTMENT OF JUSTICE THIS WEEK. THERE ARE NO PRE-CLEARANCE REQUESTS, SO NO PROBLEMS ARE ANTICIPATED.

15) DISCUSSION & REVIEW OF EMPLOYMENT CONTRACT FOR THE CHIEF

Executive Session:

Pursuant to A.R.S. section 38-431.03(A)(1), the Governing Board may vote to enter Executive Session for discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salary, disciplining, or resignation of Fire Chief Brian Delfs.

CHIEF DELFS STATED THAT HE WAS GIVEN 24 HOURS NOTICE OF THE DISCUSSION TO TAKE PLACE AND HE WAIVES HIS RIGHTS TO DISCUSS THE ISSUE IN OPEN SESSION.

AT 10:55 AM, CLERK BAUER MOVED THAT THE GOVERNING BOARD ENTER INTO EXECUTIVE SESSION FOR DISCUSSION OR CONSIDERATION OF EMPLOYMENT, ASSIGNMENT, APPOINTMENT, PROMOTION, DEMOTION, DISMISSAL, SALARY, DISCIPLINING, OR RESIGNATION OF FIRE CHIEF BRIAN DELFS. THE VOTE WAS UNANIMOUS. THE BOARD MEMBERS, COUNSEL WENCKER AND CHIEF DELFS CONVENED IN EXECUTIVE SESSION.

RECORDING OFF.

REGULAR BOARD MEETING RECONVENED AT: 12:15

Recording On.

16) DISCUSSION AND ACTION REGARDING EXECUTIVE SESSION RELATING TO THE REVIEW OF EMPLOYMENT CONTRACT FOR CHIEF DELFS

CLERK BAUER MOVED TO APPROVE THE EMPLOYMENT OF CHIEF BRIAN DELFS FOR THE CONTRACT AMOUNT OF \$75,000 WITH AN ADDITIONAL \$10,400 GOING INTO A 401A AND 5% FOR INCIDENTALS FOR A 5 YEAR CONTRACT TO INCLUDE AN ANNUAL PERFORMANCE REVIEW. I DIRECT ATTORNEY WENCKER TO MEMORIALIZE THE AGREEMENT IN A WRITTEN CONTRACT FOR SIGNATURE.

THE MOTION WAS SECONDED BY VICE- CHAIRMAN LASSEN. A ROLL CALL VOTE WAS TAKEN:

CHAIRMAN CASTANEDA: AY; CLERK BAUER: AY; DIRECTOR NEILSON: AY; DIRECTOR LASSEN: AY.
MOTION CARRIED 4/0.

17) FUTURE AGENDA ITEMS

Board Retreat discussion and possible action.
State of the Town meeting April 26 at the Ritz-Carlton in Dove Mountain.
AFDA June 27

18) Date of Next Board Meeting: April 24, 2013 10:00 AM

19) Adjournment

At 12:19 Chairman Castaneda motioned to adjourn the meeting. The motion was seconded by Clerk Bauer. **Motion carried 4/0.** Meeting adjourned at: 12:19 PM

APPROVED ON:

April 30, 2013

SIGNED:

Sara Bauer

Board Members

Luis Castaneda, Jr., Aleya Lassen, Sara Bauer, Eric Neilson, Brian Horch

In accordance with the Federal law and the U.S. Department of Agriculture policy, Avra Valley Fire District is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202)720-6382 (TDD).