

**Mountain Vista Fire District Board Meeting
2292 W Magee Rd, Suite 180-190**

Monday, July 18, 2011

Meeting Minutes

Agenda

- I. CALL TO ORDER at 6:30 PM by Chairman Archuleta followed by ROLL CALL

Members Present

Absent

Staff Present

Peter Archuleta, Chairman

Mike Treece, Treasurer

Donna Heidinger, Clerk

Jerry Phillips, Director (present by phone)

Earle Ruhnke, Director

Lorrie Palmquist, Admin Asst

Eric Hawkins, Attorney

(present by phone) Chuck Sweet, Consultant

The Pledge of Allegiance was recited by all present.

- II. CALL TO THE PUBLIC

There were no applications to speak from the public.

- III. CONSENT AGENDA

- a. Meeting minutes and Executive Session minutes from June 20, 2011
- b. Meeting minutes and Executive Session minutes from June 27, 2011
- c. Meeting minutes and Executive Session minutes from July 6, 2011

Clerk Heidinger motioned to approve the consent agenda in its entirety.

Director Ruhnke seconded.

Motion passed unanimously.

Chairman Archuleta opened a discussion of the NW Fire District Annexation process. Mr. Jay Haevert, resident, was in attendance to observe the meeting and learn what is happening with the annexation process. Chairman Archuleta stated that an annexation is currently taking place by the NW Fire District. He directed everyone's attention to a map provided by Rural Metro. He continued by stating his understanding that there was an agreement between the Fire Chief's of Golder Ranch, NW Fire, MVFD and RM prior to the annexation process which stated that once RM services cease in the annexation area, MVFD will provide services to those residents while the annexation process is still going on.

RM Chief Brandhuber addressed the Board. He stated that RM stopped servicing the annexation area as of May 1, therefore, MVFD began servicing the area as of that date. Chairman Archuleta again commented that MVFD will provide services while the annexation process is ongoing. Counsel Hawkins added that the cutoff date is sometime in October/November 2011. Chairman Archuleta inquired about how long MVFD will continue to provide services with no charges to residents. Counsel Hawkins pointed out that MVFD cannot provide free services out of the District with no charge. Therefore, the

District must address two questions: 1. Do we proceed in charging for services in the annexation area? And 2. How long do we do that?

Treasurer Treece clarified with Chief Brandhuber that May 1 was the date RM subscription services ended. Chief Brandhuber commented it was previously discussed that any prior RM subscribers would not be billed by MVFD. He further stated that Chief Stoltenberg has provided a report of Out-of-District billings to MVFD. Treasurer Treece inquired about MVFD responding Out-of-District on several occasions this month with no corresponding billings. Chief Brandhuber further commented that the Mutual Aid Agreement between MVFD and RM allows MVFD to bill people outside the District. He again stated that RM has provided information on response calls.

Counsel Hawkins clarified that there is a Mutual Aid Agreement between MVFD and RM, and that RM is stating that the decision as to whether or not to bill for services belongs to MVFD. Counsel pointed out that 'Addendum A' addresses Golder Ranch and NW Fire annexation, further commenting that the Chief's of those Districts met and agreed to provide response in the annexation area. Director Ruhnke pointed out that the Mutual Aid Agreement was signed April 11, 2011. Counsel Hawkins directed the Board to make a determination about what length of time these services will be provided and whether or not to bill for the services. Counsel Hawkins also directed the Board to appoint someone to handle discussions with NW Fire throughout the annexation process. Treasurer Treece inquired, "If RM has no liability in those areas, then who are we mutual-aiding?" Chief Brandhuber clarified that no District is servicing that area right now. Counsel Hawkins clarified that the annexation area was coordinated with RM and NW Fire, and that MVFD agreed to provide services for the duration of the annexation process. Counsel Hawkins also stated the RM was the responding agency prior to May 1, but now has no subscriptions in the area. Treasurer Treece clarified, then, that there is no responding agency for the area under NW annexation unless MVFD responds.

Chief Brandhuber stressed that Chief Butler wanted to put into place a seamless response throughout the annexation process so that is why the District worked with Golder Ranch, NW Fire, and RM to provide services to the public and protection to the people. Chief Brandhuber commented that RM did the "stand-up" thing by refunding subscriptions in the area after May 1. Treasurer Treece inquired if this is legal for the District to send our equipment out-of-District with no compensation. Chief Brandhuber pointed out that the Board did approve a rate schedule for such services. Counsel Hawkins clarified that the Board needs to come up with a plan and someone to coordinate with all the parties involved in the annexation process. He further stated that the District is entitled to charge for out-of-District services and it is the proper thing to do.

Chairman Archuleta inquired if the Board should establish an entire committee or simply a point-person. The Chairman further commented that based on his discussion with NW Fire, they are anxious to get the annexation done and want a timeframe of how long MVFD will provide services. Counsel Hawkins stated that he spoke with Chief Butler on June 30 to clarify that the agreement was for MVFD to provide services to the annexation area while the annexation is being actively pursued. Counsel again stated that the Board needs to address the two questions: 1. Strategy for approaching the current services to the annexation area AND 2. Does the District charge a fee, and if so, as of when?

Director Phillips inquired if MVFD needs to charge RM for the services. He stated that it is appropriate to charge RM for using our vehicles for services performed outside our District. Counsel Hawkins confirmed that the District did approve fees for services out-of-District. Director Phillips said, "But that's with RM." Counsel Hawkins clarified that within the Mutual Aid Agreement, the District did reserve the right to charge in those circumstances. Counsel further stated that if the services are reasonable, and

a District doesn't have an agreement with those residents, there is a mechanism under state statute for being allowed to charge.

Treasurer Treece inquired why NW Fire is not responding since they appear to be closest to the residents in the annexation area. He commented that our District is providing Mutual Aid to *RM*, and it is curious how MVFD is providing service in *NW Fire's* annexation area when we are not even the closest station. Chief Brandhuber stated that all parties involved were trying to provide a platform for seamless coverage for residents during the annexation process. Counsel Hawkins again stated that the reality is -- the Board and the District need to reach a decision on how to handle going forward. He recommends that there are legal issues best worked out in Executive Session.

Clerk Heidinger inquired if the Board has to finalize this issue right now. Counsel strongly recommended appointing someone to handle communications with NW Fire. Chief Brandhuber stated that he wants to be a part of those conversations as a partnership going forward on these issues. Chairman Archuleta clarified that if we have a committee then we need to have notices announced. Chairman Archuleta called for nominations.

Clerk Heidinger nominated Chairman Archuleta. Director Ruhnke seconded. **Vote: Unanimous.** Chairman Archuleta will get together with Chief Brandhuber and Counsel.

The question arose, "Do we charge now pending coming up with a plan or wait until come up with solution?" Treasurer Treece commented that we should wait. There was a general consensus among Board members to wait until a solution has been reached on the matter before starting any billing process. Counsel Hawkins commented that the Board needs to figure out all working parts before starting the billing process. Chairman Archuleta stated that the Board needs to come up with a platform of who, when, and how to bill.

IV. REPORTS AND UPDATES

a. June 2011 Financial Statements

Treasurer Treece stated that he met with Lorrie and is comfortable with the figures. He spoke with the auditor and the annual audit will be all inclusive.

b. District Correspondence

Lorrie stated that the Auditor wants to do the audit September 8-9.

c. AFDA Conference attendees reports

Director Ruhnke addressed the Board. He stated that he and Director Phillips attended the AFDA conference in Tucson July 7-9. He commented that they attended several seminars including, Public Safety, Personnel Retirement, Open Meeting Laws, Legislative Wrapup of Upcoming Bills, and Public/Private Partner for Ambulance. He further shared that on Saturday morning of the conference, NW Fire gave an informative overview of the January 8 shootings. Director Ruhnke commented that he learned from the seminars that Executive Session could be taped and complete written minutes taken. Director Phillips had nothing else to add. Chairman Archuleta said, "Good report, Earle."

d. Reports from Board members regarding progress of assigned tasks

Director Ruhnke gave a report on the progress of the Magee Station. The admin building has truss work done and duct work starting. The A/C and electric is in the dorm rooms. The project is on schedule and on budget, with an estimated completion date of Novemberish. The District will have to purchase AV equipment for the training area. Directors Ruhnke and Phillips will be following up. The District will have to look at the office furniture and get a buildout floorplan to decide where we can use current office furniture or what will need to be purchased, because it takes 6-8 months to receive.

Peter stated he has been meeting with Lorrie to keep up with her weekly tasks. Lorrie is doing research on developing administrative and financial policies and procedures. Chairman Archuleta stated that the District needs a written process. Counsel Hawkins stated that the MVFD Policies & Procedures reference administrative and financial P & P, so this is a good idea. Director Phillips commented that the Board may need to direct that a petty cash fund be established for interim purposes until a CEO is hired. Treasurer Treece suggested that the District just reimburse Lorrie for any necessary office supplies, etc. Director Phillips expressed that it would be more appropriate to use a petty cash fund. Chairman Archuleta responded that the recommendation for an interim petty cash fund is appropriate. Chairman Archuleta stated that he will speak with Lorrie to come up with a reasonable amount.

e. Rural Metro reports

Chief Stoltenberg addressed the Board. He commented that the current report is for the period ended June 30, 2011, and, therefore, contains data for the entire fiscal year. There were 13 exceptions for the month of June, all within the District. Chief Stoltenberg stated that June had more exceptions than any other month of the year, with an average monthly exception rate being 6.25. Treasurer Treece inquired, "Why?" Chief Stoltenberg responded that the majority of the exceptions were due to distance. He further explained that the responses were at the edge of the District. He advised the District that the month of July may contain exceptions due to all the road construction.

f. Update on status of MOU

Counsel stated that MOU was signed by Chief Brandhuber and Chairman Archuleta, so the District does have an understanding in place. However, most projects are on hold right now while the District is in the process of hiring a CEO.

V. DISCUSSION AND/OR ACTION ITEMS

a. Proposal and Discussion of proposed changes to Policies & Procedures

Counsel Hawkins handed out the draft copies of the P&P. He stated that both he and Chairman Archuleta have been through the P&P and made their suggested amendments. He further commented that the District needs to verify that the P&P match up with the direction of the Board. Treasurer Treece recommended a work study session to hash it out. Counsel Hawkins noted that Clerk Heidinger suggested a few changes, and that there are 13 pages of actual changes. He further explained that he prepared a list of all the proposed changes and will email the Board members with those suggestions. Director Ruhnke agreed that the Board needs a workstudy session and reminded the Board that the original P&P took 19 months to develop. Discussion ensued about obtaining a digital copy of the P&P. Clerk Heidinger suggested to schedule a workstudy session on August 1. Counsel Hawkins commented that it is a substantial job. Chairman Archuleta moved to give Counsel Hawkins and Lorrie permission to look at the Chief's computer in order to

pull a digital copy of the P&P and all other necessary documents. Clerk Heidinger seconded. **Vote: Unanimous.**

Counsel Hawkins suggested that Lorrie make hard copies for the Board members by Friday, July 22.

b. Discussion and approval of supplemental questions for potential candidates

Consultant Chuck Sweet joined the meeting by conference call. Discussion ensued as to whether or not this discussion should be in Executive Session. Consultant Sweet suggested that some of the information regarding the CEO position relates to the hiring process, and is, therefore, confidential.

Director Phillips motioned to adjourn to Executive Session.
Clerk Heidinger seconded.

Meeting adjourned to Executive Session at 7:25 PM.

c. Discussion and action regarding NW Fire District annexation areas

This item was moved up as the first order of business after the Consent Agenda. See Above.

Regular Session reconvened at: 8:35 PM

VI. ADJOURNMENT

Director Ruhnke moved to adjourn the meeting. Clerk Heidinger seconded.
Meeting adjourned at 8:35 PM.

Approved By: _____

Date: _____