

CENTRAL YAVAPAI FIRE DISTRICT
FIRE BOARD
REGULAR SESSION

April 21, 2015

MINUTES

1. CALL TO ORDER / ROLL CALL OF BOARD MEMBERS

Chairman Rutherford called the Fire Board meeting to order on Tuesday, April 21, 2015 at 2:03 p.m. at Prescott Valley Public Library Auditorium, 7401 E. Civic Circle, Prescott Valley, Arizona.

Members Present: Board Chairman Steve Rutherford, Board Clerk Bob Page, Board Members, ViciLee Jacobs, Darlene Packard, and Tom Steele

Members Absent: None

Staff: Fire Chief Scott Freitag, Assistant Chief of Administration Dave Tharp, Administrative/IT Assistant Laura Mowrer

Others in Attendance: Attorney Nick Cornelius

2. PLEDGE OF ALLEGIANCE

Chairman Rutherford led the recitation of the Pledge of Allegiance

3. PRESENTATION

A. Appreciation - ChemPro 100i Hazardous Materials Gas Monitor Donation

Chief Polacek requested that the Board accept a substantial donation from Steve Maslansky. Steve donated a ChempPro 100i hazardous materials gas monitor to the District for use by the Prescott Area Hazardous Materials Response Team. He has volunteered for many years assisting with the District's hazardous materials program. Steve Maslansky provided the Fire Board with an overview of the meter which will replace a 15 year old meter that was obtained through a grant. The old meter was the size of a vacuum and only detected chemical warfare agents and items like teargas and mace. He explained that the new meter weighs about two pounds and has seven sensors that will detect the chemicals that may be found after a fire, during overhaul procedures such as carbon dioxide and cyanide. This meter detects hundreds of other chemicals that we have not been able to detect in the past. The unit only has three buttons and is very firefighter friendly.

Chairperson Rutherford thanked Mr. Maslansky for the generous donation.

Chief Polacek mentioned that this meter was on the wish list for equipment that was needed for the new hazardous material vehicle that is on order. He also explained that this meter will assist in keeping our firefighters safe as it detects gases that cause cancer. After the training is complete, this meter will be housed at Station 58 and will be shared with the City of Prescott until we can obtain another meter for that side of the hill.

Chief Freitag explained that Prescott Fire Chief Light will present this to the Prescott City Council. In addition, it will also be presented to the Yavapai County Board of Supervisors so they may assist in obtaining another unit since these are for the Prescott Regional Hazardous Materials Team, not just Central Yavapai. He explained that this meter also detects hydrogen cyanide that may cause heart attacks in firefighters.

B. Prescott Valley Town Council Report

Prescott Valley Town Council Member Mike Whiting presented information related to Town building permits that were issued in March.

C. Wage and Benefits Presentation by Labor Representative

Labor Representative Dibble requested that the Board approve a modified wage scale reducing the annual pay increase from 5% to 3%. He explained that the result of this will be that firefighters of today will not be making as much as firefighters of yesterday; however, the cost of living such as food, fuel, and health insurance is continuing to rise. This is partially due to the limitations placed on the District by Prop 117.

He then explained that Yavapai Regional Medical Center (YRMC), as the District's base hospital, requires paramedics to attend 12 classes over a 2 year period to remain an active paramedic. Firefighter Dibble explained that paramedics attend these classes on their own time without compensation. He asked that the Board consider compensating paramedics for their time required in attending these classes. He estimated it would cost \$18,000 on the high end to cover the two-year training for the current 36 paramedics to be paid overtime. He expounded by saying if paramedics were paid \$25 per hour assignment pay, the cost would be approximately \$11,000.

Chief Tharp explained that Yavapai Regional Medical Center is mandating that all paramedics attend 12 hours of continuing education classes over a two-year period. The hospital is researching the possibility of offering teleconferencing to allow paramedics to attend at either hospital. This would provide 24 opportunities to attend 12 required sessions. The hospital has suspended a few paramedics

for not having their required training hours. He stated that there is not a current policy covering this issue.

The plan for future in-house paramedic refresher training was discussed.

Board Member Jacobs explained that some valley agencies provide overtime for personnel to attend paramedic classes and others obtained trades.

Chief Freitag explained that there has been little support for paramedics to attend training in order to maintain their certifications. He expressed concern for Chino members having to travel back and forth to Flagstaff for a week-long course in addition to having to finish their shift after the day of training.

4. CALL TO THE PUBLIC

Those wishing to address the Central Yavapai Fire District Board need not request permission in advance. The Fire District Board is not permitted to discuss or take action on any item raised in the Call to the Public due to restrictions of the Open Meeting Law; however, individual Board members may be permitted to respond to criticism directed to them. Otherwise, the Board may direct the staff to review the matter or the matter be placed on a future agenda.

No public comments.

5. CONSENT AGENDA

All matters listed under Consent Agenda are considered to be routine by the Central Yavapai Fire District Board and will be enacted by one motion. There will be no separate discussion on these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately for discussion and possible action.

- A. Approve March 17, 2015 Regular Session Minutes
- B. Approve March 17, 2015 Executive Session Minutes
- C. Approve April 1, 2015 Special Session Minutes
- D. Approve General Fund Financial Statements
- E. Approve Bond Debt Service Financial Statements
- F. Fire Protection Agreement - Knobel

Board Member Steele made a motion to approve items A thru F on the consent agenda. Board Member Jacobs seconded the motion. MOTION CARRIED

AYES: Jacobs, Packard, Page, Rutherford, Steele
NAYS: None

6. REPORTS AND CORRESPONDENCE

A. Letters from the Public

Chairman Rutherford mentioned that we received some very nice comments from the public and appreciates that people take the time to send cards.

B. Monthly Division Reports-Report from the Fire Chief and staff in regard to current activities of the Fire District and the status and progress relating thereto

Chief Freitag indicated that the recent media coverage has been addressing the Proposition 117 issues and increased expenses related to the Public Safety Personnel Retirement System (PSPRS) as it is the largest item that continues to increase. He stated that PSPRS Board of Directors and their administration are working on these issues. He was surprised that Phoenix news reporters contacted him as there are many departments in the Phoenix area that are also experiencing financial difficulties. PSPRS has a viable option on the table; however, there is not one for Prop 117. Chief Freitag and Sedona Fire Chief Kris Kazian met with Senator Lesko and Representative Fann to discuss legal concerns. They are pursuing legislative changes that are planned to be addressed on a referendum in November 2016.

Board Member Steele requested that the safety tips provided in the Division Report be televised. Chief Freitag stated that we would look into displaying these items during executive session or prior to the meeting.

Chief Tharp explained that staff has been reviewing the District's insurance policies: workers' compensation, health insurance, liability, and casualty policies to ensure we are receiving the best service for our dollar. He explained that the workers' compensation carrier, CopperPoint, has divided a portion of their business and our policy is now under Minard-Ames Insurance Services. He met with Andrew Atkinson, a broker with Minard-Ames, and determined that our EMOD rate is 1.11; however, we anticipate that to decrease. He also provided direction on how we may be able to reduce our claims. It was also determined that there was a negative impact against the District when the primary claim value was adjusted from \$5,000 to \$15,000. We are anticipating an 11% premium increase this year. Chief Tharp clarified that the District's EMOD was .98 last year and increased to 1.11 due to a \$500,000 claim and the primary claim value increase to \$15,000. However, the majority of claims fall under \$15,000. Our current year claims have been significantly reduced and Mr. Atkinson provided ways in which future costs may also be reduced.

Board Member Jacobs asked what training has been done to improve our safety. Chief Tharp responded that we hold quarterly Safety Committee meetings and the majority of our claims are back and knee injury claims due to the nature of

our business. He explained that in emergency situations, we do not have time to obtain a hoist or additional personnel to remove a patient from a confined area. Mr. Atkinson is going to ride with some of our crews to learn our business and determine how he can benefit our organization.

CopperPoint currently covers 94% of all fire agencies within the state and a third of them have received 60-day cancellation notifications. A lot of these districts that only have \$500,000 budget are now being forced into a higher risk pool in which the premium is three to four times higher.

Chief Chase mentioned that he participated in the Wildfire Expo this past weekend and thanked Board Member Packard, Steve Maslansky, and others for assisting with the event.

7. NEW BUSINESS

A. Approve Policy Amendments: Joint Policy J201 Background Check; Fire Mechanic I Job Description; Fire Mechanic II Job Description; Joint Policy J710 Employees Use of Technology and IT Devices; 221 Full Time Firefighter Preliminary / Promotional / Probationary Requirements; Discuss Fire Mechanic III and Fleet Services Manager Job Descriptions; Discuss Fleet Maintenance Succession Plan and Associated Wage Scales

Chief Freitag asked the Board to consider making the Background Check and Employees Use of Technology and IT Devices Policies joint policies. Chief Freitag stated that the Chino Valley Fire District Board approved the joint policies at their Board meeting last week.

Chief Bliss asked the Board to approve the job descriptions for Fire Mechanic I and Fire Mechanic II positions as there is a position that needs to be filled. He explained that the Fire Mechanic II position is the current position and Fire Mechanic I has been added to allow for hiring of mechanics that can be trained on fire apparatus. He stated that area wages have been reviewed. The Fire Mechanic III and Fleet Services Manager job descriptions have been provided for reference.

Board Clerk Page made a motion to approve Joint Policy J201, Fire Mechanic I Job Description, Fire Mechanic II Job Description, Joint Policy J710, 221 Full Time Firefighter requirements, and associated wage scales. Board Member Steele seconded the motion. MOTION CARRIED

AYES: Jacobs, Packard, Page, Rutherford, Steele

NAYS: None

B. Discuss Fiscal Year 2015-2016 Draft Budget

Chief Bliss explained that the Board was presented with a draft budget in which staff has been able to keep the overall increase within 2%. This includes the 5% annual pay increase; however, other wage scales were provided showing options of a 2%, 2.5%, or 3% annual pay increases. Chief Bliss asked for the Board's recommendation related to the wage scale percentage. The net assessed value increase is 2.53% and the current draft budget is showing an M&O increase of 2%.

Chairman Rutherford stated that there appears to be a savings of \$50,000 in reducing the annual wage increase from 5% to 3%; however, he recommended that the wage scales be modified to 2.5% per year. Board Member Steele was in agreement of the 3% wage scale as presented by Labor Representative Dibble. Board Clerk Page recommended the 2.5% wage scale, and Board Member Packard was also in agreement. Board Member Jacobs verified that the wage scale will be reviewed annually. Chairman Rutherford voiced concerns related to the 20% PSPRS increase and asked Chief Bliss to provide the 2.5% wage scales with the draft budget to be presented to the Fire Board for the May meeting.

Chief Tharp informed the Board that the tentative budget will be presented at the May meeting. He asked if the Board would like staff to consider adding the paramedic training pay into the budget. They affirmed to include the proposed costs and he verified that Board Members did not have any other issues with the budget. Chief Bliss stated that he will provide a budget line item for the paramedic training pay. Chairman Rutherford also asked that a paramedic training pay policy be drafted.

Chairman Rutherford voiced concern related to the level of the contingency fund. Chief Bliss explained that with other costs increasing, we may not have an option to keep the contingency fund at a level that we would like.

Chief Freitag mentioned for clarification that Central Yavapai Fire District is not in a position to lay off any employees. He thanked the Fire Board and the Union for their support and explained that Central has four retirements coming up which enables Central to offer positions to the Chino Valley Fire District members that are being laid off at the end of June. These members went through the academy with Central members and have also been training together.

C. Approval to Purchase Extrication Tool

Chief Polacek stated that the TNT extrication tools are in the capital replacement schedule and the plan is to maintain the same brand of equipment on all apparatus. He also mentioned that our Fleet Maintenance personnel are TNT certified technicians.

Board Member Steele made a motion to approve the purchase of TNT extrication tools from Western States Fire Equipment for \$19,196.21 including tax. Board Member Packard seconded the motion. MOTION CARRIED

AYES: Jacobs, Packard, Page, Rutherford, Steele
NAYS: None

D. Approve Capital Purchase – Replacement of Existing Handheld Radios

Chief Bliss explained that he is requesting approval to purchase 10 handheld radios since the current radios are being discontinued in a few years and will no longer be serviced. This replacement process will extend over 3 or 4 years. The District has used Motorola radios for quite some time, and they can be purchased through State contract.

Board Clerk Page made a motion to approve the purchase of ten APX600XE radios. Board Member Jacobs seconded the motion. MOTION CARRIED

AYES: Jacobs, Packard, Page, Rutherford, Steele
NAYS: None

9. OLD BUSINESS

A. Discussion and Possible Action Related to Training Center Drainage Issues

Attorney Cornelius explained that he and outside counsel had been in contact with all related parties: ACE Hardware, Fain Signature, and Superior Industries and are trying to resolve the drainage issues. The complaint was filed on March 27, 2015; although, no parties have been served at this point as we are providing time for them to respond. All parties will be served 60 days after March 27 if there is no resolution.

B. Discussion and Possible Action Related to the Yarnell Hill Fire Incident and Legal Claims

Attorney Cornelius stated that Captain Todd Abel and his wife have been removed from the claims. The plaintiff's counsel and counsel for the State Forester on behalf of various agencies that would work for the State Forester are continuing to negotiate a joint stipulation to request an additional 45 days for further negotiations. He believes this includes CYFD. The portion related to the issues State Forester and ADOSH are probably not part of that discussion.

Attorney Cornelius mentioned that Brendan McDonough has continued to refuse to appear for a deposition. He also mentioned that Brendan has signed a book

deal. Attorney Cornelius stated that Brendan has been subpoenaed for deposition, and he has not appeared.

8. VOTE TO GO INTO EXECUTIVE SESSION

- A. Legal Advice Pursuant to A.R.S. §38-431.03(A)(3) and Instruction to District Legal Counsel Pursuant to A.R.S. §38-431.03(A)(4) Re: Training Center Drainage
- B. Legal Advice Pursuant to A.R.S. §38-431.03(A)(3) and Instruction to District Legal Counsel Pursuant to A.R.S. §38-431.03(A)(4) Re: Yarnell Hill Fire Incident and Legal Claims

Board Clerk Page made a motion to go into Executive Session. Board Member Steele seconded the motion. MOTION CARRIED

AYES: Jacobs, Packard, Page, Rutherford, Steele
NAYS: None

Chairman Rutherford adjourned into Executive Session at 3:45 p.m.

Board Clerk Page made a motion to reconvene into Open Session. Board Member Packard seconded the motion. MOTION CARRIED

AYES: Jacobs, Packard, Page, Rutherford, Steele
NAYS: None

Chairman Rutherford reconvened into Open Session at 4:49 p.m.

9. OLD BUSINESS

- A. Discussion and Possible Action Related to Training Center Drainage Issues

Board Clerk Page made a motion that Steve Rutherford and Bob Page should attend any meeting to be scheduled with the parties to the ACE matter with Board Member Packard as a backup in the event that there is a scheduling conflict. Board Member Steele seconded the motion. MOTION CARRIED

AYES: Jacobs, Packard, Page, Rutherford, Steele
NAYS: None

Attorney Cornelius explained that the estimate for the preliminary work including the engineering and hydrology studies was about \$43,000 in which the Board had approved paying up to one third or \$13,500. We have expended approximately \$8,000 to \$9,000 for the litigation portion, with approximately

\$5,000 remaining. Chairman Rutherford suggested increasing the expenditure to a maximum of \$18,000 in an effort to expedite this matter.

Chairman Rutherford made a motion for the maximum authorization for the attorneys to enter into discussions regarding the payment of the study at \$10,000.

Board Member Steele clarified that based on the original approval of \$13,000; we have spent \$8,000 to bring other parties to the table; leaving a balance of \$5,000. If we approve \$10,000, that would be \$5,000 plus the \$5,000 that was already approval. Chairman Rutherford was in agreement that it increases the total amount to expend from \$13,000 to \$18,000 in an effort to expedite movement on this issue.

Board Member Steele seconded the original motion. MOTION CARRIED

AYES: Jacobs, Packard, Page, Rutherford, Steele

NAYS: None

B. Discussion and Possible Action Related to the Yarnell Hill Fire Incident and Legal Claims

No discussion.

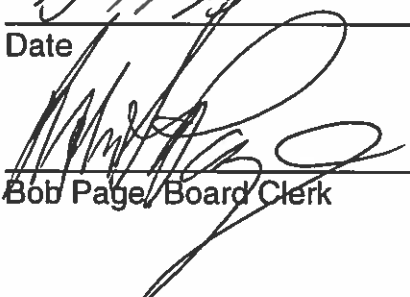
10. ADJOURNMENT

Board Member Steele made a motion to adjourn. Board Clerk Page seconded the motion. MOTION CARRIED

AYES: Jacobs, Packard, Page, Rutherford, Steele

NAYS: None

Meeting adjourned at 4:56 p.m.

5-19-15
Date

Bob Page, Board Clerk