

**CENTRAL YAVAPAI FIRE DISTRICT
FIRE BOARD
SPECIAL SESSION**

September 2, 2015

Minutes

1. CALL TO ORDER / ROLL CALL OF BOARD MEMBERS

Board Chairman Rutherford called the Fire Board meeting to order on Wednesday, September 2, 2015 at 2:02 p.m. at Central Yavapai Fire District, Regional Training Academy, 9601 E. Valley Road, 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, Assistant Chief of Support Services Scott Bliss, 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. 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 may be placed on a future agenda.

No Comments.

4. CONSENT AGENDA

A. Intergovernmental Agreement for Purchasing – Humboldt Unified School District

Board Clerk Page made a motion to approve the consent agenda. Board Member Steele seconded the motion. MOTION CARRIED

AYES: Jacobs, Packard, Page, Rutherford, Steele

NAYS: None

5. WORK / STUDY SESSION

A. Discuss Revisions to Joint Powers Authority Agreement and Resolution

Chief Tharp presented two copies of a draft Joint Powers Authority Agreement: one was an older edition with handwritten comments, and the other was the most recently edited copy. The most recent revision was distributed to both Central Yavapai Fire District and Chino Valley Fire Districts on September 1, 2015.

Issues addressed in the most recent draft are:

- For language that is detailed in statutes; only the statute is referenced.
- Fire Board Policies are referenced versus detailed policy.
- Indemnification sections have been detailed.
- Language related to pending lawsuits was also added.

The Board reviewed the Joint Powers Authority (JPA) Agreement in detail.

Chief Freitag noted that the principal place of business shall be Central Yavapai Fire District's administrative building due to its size and the fact that the address has already been updated for Chino Valley Fire District to allow for processing bills.

It was suggested that Board Member terms be in alignment with the election cycle and that Board Members missing three consecutive JPA Board meetings may be removed from the Board.

The Board is considering special district statute language while creating this agreement due to limited JPA statutes. In these cases, the detailed language will be included instead of the statute reference.

Attorney Cornelius stated that there is statutory authority allowing for the creation of a Joint Powers Authority. No additional business or limited liability company needs to be formed. The Board directed Attorney Cornelius to request a written opinion from the Attorney General to confirm that an additional entity is not required

Chief Tharp explained that the property and casualty insurance company we

currently have also covers Chino Valley Fire District. He explained that he has already provided an application to the insurance company, and we anticipate paying a reduced rate under the JPA.

Attorney Cornelius suggested obtaining title insurance for property transfers to the JPA, and he will research the associated costs.

Chief Tharp excused himself from the meeting.

The Board discussed prepayment of financial obligations and recommended that the "No Prepayment of Financial Obligations" paragraph be removed.

Chief Bliss suggested that the Volunteer Relief and Pension Plan (VR&P) remain with Central Yavapai and not be transferred to the JPA as Central has a reserve program and Chino does not.

Chief Bliss mentioned that language in VI Pre-Creation Agreements Paragraphs B and C needed to be revised as the Board is anticipating approving the JPA in October 2015 and the budgets will not be finalized until approximately May or June 2016.

Chief Freitag stated that he spoke with Mark Reader regarding the Districts' business credit ratings. Mr. Reader outlined the areas that the credit rating is based on: Structure of management, overall budget, economy, and agency debts. Since the JPA will allow for a better management structure and improvement of budgets in his professional opinion the JPA should have no negative effect on either District's credit rating. Senior staff will try to meet with a credit rating company directly prior to the September Board meeting.

The Board discussed that if the JPA is approved in October 2015, the JPA Board would also need to be established prior to July 1, 2016 to process all of the required approvals in order to start business July 1, 2016. Attorney Cornelius agreed that the Fire Authority Board may need to be established in January or February 2016 in order to accept assets and approve agreements such as insurance policies, retirement plans, etc.

Chief Freitag stated that the statewide trend has been to add "medical" to fire agency names. He explained that some grants are specifically geared toward medical funds. Having the word "medical" in the name of the organization shows that we are providing those services. Board Members suggested using Central Arizona Fire and Medical Authority as the entity name. The individual Boards will have to agree to this name.

Attorney Cornelius stated that there is language in the agreement that will allow

for other entities to join the JPA in the future. He also explained that there is language outlining asset distribution in the event the JPA is dissolved.

Chino Valley Fire District will be reviewing the draft JPA Agreement on September 3, 2015. All proposed changes will then be distributed to all Board Members.

Chief Freitag stated that he will be presenting the JPA concept to the Yavapai County Board of Supervisors at Central Yavapai's Training Academy on September 8, 2015 at their regularly scheduled meeting. He will be attending the Prescott Valley Town Manager's Smorgasbord on September 9. There will be an opportunity after the meeting to provide a tour to the community leaders.

The Board discussed that Attorney Cornelius has been retained by Chino Valley Fire District as their legal counsel. He will present Central Yavapai Board with a waiver of conflict of interest for their approval. He will also add related language to the JPA agreement.

6. ADJOURNMENT

Board Member Jacobs made a motion to adjourn. Board Member Packard seconded the motion. MOTION CARRIED

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

Meeting adjourned at 4:16 p.m.

Date: Sept 15, 2015

Bob Page

Bob Page, Board Clerk