



**Governing Board Meeting Minutes
 December 16, 2015**

PURSUANT TO A.R.S. §38.431.02, NOTICE IS HEREBY GIVEN TO THE GENERAL PUBLIC THAT THE SUPERSTITION FIRE & MEDICAL DISTRICT GOVERNING BOARD OF DIRECTORS HELD A MEETING ON WEDNESDAY, DECEMBER 16, 2015. THE MEETING WAS HELD AT THE SUPERSTITION FIRE & MEDICAL DISTRICT'S ADMINISTRATION OFFICE, 565 N. IDAHO ROAD, APACHE JUNCTION, ARIZONA. THIS MEETING WAS OPEN TO THE GENERAL PUBLIC AND BEGAN AT 5:30 P.M.

- A. Chairman Cross called the meeting to order at 5:30 p.m.
- B. The Pledge of Allegiance was led by Director Fox.
- C. Roll Call showed Chairman Jeff Cross, Clerk Gene Gehrt, Director Todd House, Director Charlie Fox, and Director Jason Moeller as present.

Senior Leadership in attendance: Fire Chief Paul Bourgeois, Assistant Chief Dave Montgomery, Assistant Chief Mike Farber, Assistant Chief Brett Broman, and Finance Director Roger Wood were present.

Legal Counsel Donna Aversa and Executive Assistant acting as Board Secretary Jasmin Jones were also present for the meeting.

Item 1: *Review and approval of the November 2015 financial reports and bank reconciliations. (BOD #2015-12-01)*

Motion by Director House to approve the November 2015 financial reports and reconciliations. Seconded by Director Fox.

Vote 5 ayes, 0 nays. Motion passed.

Item 2: *Recognition of employee performance, achievements and special recognition for community members. (BOD #2015-12-02)*

Assistant Chief Dave Montgomery read the list of the following December Service Anniversaries

Fire Captain Jack Hafer	24 Years
Fire Captain / Paramedic Doug Taylor	23 Years
Deputy Fire Marshal / Paramedic John Suniga	23 Years
Mechanic I George Nasello	3 Years

Item 3: *Call to the Public. (BOD #2015-12-n/a)*
 None

Item 4: *Consideration and possible approval of all consent agenda items listed below: (BOD #2015-12-03)*

- a) *Board Meeting Minutes from November 18, 2015*
- b) *Executive Session Meeting Minutes from November 18, 2015 (Personnel Matters).*
- c) *Executive Session Meeting Minutes from November 18, 2015 (Attorney Advice).*

- d) *Approval of 10 Panasonic Toughbook's CF-C2's for ePCR and Fire Reporting*
- e) *Amended and restated Intergovernmental Agreement with Topaz Regional Wireless Cooperative (TRWC)*

Motion by Director Moeller to approve consent agenda items for December 16, 2015. Seconded by Clerk Gehrt.

Vote 5 ayes, 0 nays. Motion passed.

Item 5: *Discussion and possible action regarding conflict of interest of potential conflict of interest of Governing Board Members. (BOD #2015-12-04)*

Legal Counsel Donna Aversa stated per ARS §38-503, in conjunction with the SFMD Governing Board By-Laws, Article II, Item #12, the Board should update its Disclosure Forms each December and be kept in a separate file. The board members each disclosed the following:

Chairman Jeff Cross stated he works for Mesa Fire & Medical Department, is a paying member of Local 2260, and is co-founder of White Helmet Tech which designs software for the fire service.

Clerk Gene Gehrt does not have a Conflict of Interest.

Director Todd House stated he is the Pinal County Supervisor.

Director Charlie Fox does not have a Conflict of Interest.

Director Jason Moeller stated he is a substitute nurse for the AJUSD, works in the Emergency Department at Gilbert Mercy, and is a Director on the Industrial Deployment Authority.

Item 6: *Approval of disclosure statement of meeting notice posting locations and dates for Superstition Fire & Medical District Governing Board meetings and Local Pension Board Meetings for 2016. (BOD #2015-12-05)*

Legal Counsel Donna Aversa stated this is a house keeping item per ARS §38-431.02(A)(3) the district is required to execute a Disclosure Statement identifying the locations where the district will post notices of its public meetings; including governing board meetings, and local pension board meetings. In addition to these locations, the district will continue to post its meeting notices and agendas on its website.

Motion by Clerk Gehrt to approve filing the disclosure statement with board meeting dates and times for 2016 with the Pinal County Board of Supervisors and for posting meeting notices and agendas on the district website. Seconded by Director House.

Vote 5 ayes, 0 nays. Motion passed.

Item 7: *Discussion and possible action regarding the approval and adoption of a planning calendar and process for the Fiscal Year 2016/2017 SFMD Revenue and Expenditure Budget. (BOD #2015-12-06)*

Finance Director Roger Wood referenced the enclosed Budget Planning Calendar for the 2016/2017 Fiscal Year. The schedule represents a streamlined version of similar and successful methodologies and processes used in the past years to ensure the most efficient use of Staff time.

Motion by Director House to adopt the Fiscal Year 2016/2017 Budget Planning Calendar as presented and to schedule the July Governing Board Meeting for Wednesday, July 13, 2016 at 5:30 p.m. Seconded by Chairman Cross.

Vote 5 ayes, 0 nays. Motion passed.

Item 8: *Discussion and possible action regarding transferring funds for the January 1, 2016 Debt Services Interest Payment. (BOD #2015-12-07)*

Finance Director Roger Wood explained that this is a house keeping item for the GADA Debt Service Payment due on January 1, 2016.

Motion by Clerk Gehrt to authorize payment by executing letter of direction to Pinal County Treasurer's Office to wire transfer funds for the GADA debt service payments on December 31, 2015 due to U.S. Bank on January 1, 2016. Seconded by Director Fox.

Vote 5 ayes, 0 nays. Motion passed.

Item 9: *Discussion and possible approval providing the Finance Director with the authorization to transfer money between funds. (BOD #2015-12-08)*

Finance Director Roger Wood stated that the result of the launch of the Transport Services Division and the creation of the corresponding 150 Fund, combined with the way the Transport Services Division is being funded in its initial months / years, there is a need to transfer money between the 200, 150, and 100 funds on a periodic basis. For example, the Transport Services Division employee's payroll will be funded from the 100 fund, which creates the need for the 150 fund to reimburse the 100 fund.

He went on to explain to ensure timely availability of money in each fund, and to clarify / document the Governing Board's approval of all money transfer funds as needed to facilitate the District's business. Each transfer will be supported by a Transfer Request form which will; be included in the weekly check run, and will be signed by two Board Members prior to the money being transferred. As an additional control, each transfer will be documented in the monthly bank account reconciliations to provide the public and the Governing Board complete transparency.

The first request for authority to transfer money between funds represents transferring \$500,000 from the 200 fund to the 150 fund to establish the checking for the Transport Services payroll and payables activity.

Motion by Director House to approve the Finance Director with the authority to transfer money between funds based on a properly approved Transfer Request form signed by two Board Members, and approve the initial transfer of \$500,000 from the 200 fund to the 150 fund. Seconded by Chairman Cross.

Vote 5 ayes, 0 nays. Motion passed.

Item 10: *Discussion and possible approval of Tyler Technologies proposal to terminate the contract with SFMD. (BOD #2015-12-09)*

Fire Chief Paul Bourgeois stated that at the direction of the Board, Staff has been in negotiations with Tyler Technologies to reach a mutually agreed upon termination of the contract. The District's position is that Tyler breached the terms of the contract and initially requested full restitution of all monies paid to Tyler over the term of the contract. Tyler's counter is that the District's breach of contract position lacks a "defect" and that a "cure period was not triggered" and therefore the cure period "never lapsed", therefore they do not concede to the District's position that Tyler breached the terms of the contract. They initially offered to allow the District to terminate the contract for "convenience" if the District paid the \$70,068.75 in invoices outstanding.

After additional negotiations, Tyler has offered to facilitate a mutually agreeable contract termination and waive the payment of the \$70,068.75. Chief Bourgeois went on to explain if this offer is not acceptable to the District, then non-binding mediation would be the next step in the process per the Tyler contract's terms. Non-binding mediation would require a great deal of Staff time and result in legal expenses with no guarantee of success. He went on to say that Staff recommends terminating the contract and waiving the \$70,068.75 in invoices. Finance Director Roger Wood stated we will recover the monies spent over the next four (4) years in annual fees.

Clerk Gehrt stated that it is a fair assumption that we would spend as much legal fees to move forward with the non-binding mediation.

Motion by Clerk Gehrt to approve Tyler's November 25, 2015, proposal to terminate the contract between Tyler Technologies and Superstition Fire & Medical District resulting in the waiver of all invoices outstanding as of December 16, 2015. Seconded by Director House.

Vote 5 ayes, 0 nays. Motion passed.

Item 11: *Discussion and possible approval of the SFMD's billing policies and procedures and mailing profile for Intermedix regarding billing transport services. (BOD #2015-12-10)*

Assistant Chief Mike Farber presented to the Governing Board the recommended billing procedures regarding the billing transport services. Chief Farber fielded questions from the Governing Board regarding the presentation.

Fire Chief Paul Bourgeois stated we would do our due diligence on behalf of all of our taxpayer's to collect funds that are due. As a District we will be refining the billing procedures for the foreseeable future and bring items to the Governing Board when needed because our business model may expand when necessary.

Motion by Clerk Gehrt to approve the SFMD Billing Policies and Procedures and the SFMD Mailing Profile to be used by Intermedix when billing transport services on the SFMD's behalf. Seconded by Director Fox.

Vote 5 ayes, 0 nays. Motion passed.

Item 12: *Discussion and possible approval of the Arizona Public Safety Personnel Retirement System Qualifying Report for Fiscal Year 2016/2017. (BOD# 2015-12-11)*

Finance Director Roger Wood explained the district applies for its share of the Volunteer Firefighter Relief Pension Fund credit that is associated with the Arizona's Fire Insurance Premium program. The District's application is accompanied by the annual audit which is completed by ARS §48-253. Ms. Mays, from Henry & Horne LLP will be attending the January 2016 Board meeting to present information regarding the audit, and will be available to answer questions from the Board at that time.

The application and audit report are due no later than January 31st of each year to qualify for the credit for the upcoming fiscal year. Missing the deadline means the District will miss out on its potential share of the Volunteer Firefighter Relief Pension Fund credit valued at approximately \$100,000. The District has been advised to submit the application in December to ensure we are included in the credit process, and to submit the application in January when it becomes available.

Motion by Director Moeller to approve the Arizona Public Safety Personnel Retirement System Qualifying Report for Fiscal Year 2016/2017. Seconded by Director House.

Vote 5 ayes, 0 nays. Motion passed.

Item 13: *Discussion and possible approval regarding changing to 7710 for the District's Worker's Compensation Company. (BOD# 2015-12-12)*

Finance Director Roger Wood and Assistant Chief Mike Farber introduced the agenda topic to the Governing Board with a presentation regarding the District's current insurance, CopperPoint and a comparison with 7710. Staff has been working to find ways to lower the District's worker's compensation (WC) insurance premium costs. Efforts to-date have included refining the employee compensation applicable to WC premium fees, and reclassifying employees into the correct Arizona WC rate classification.

CopperPoint only recognized two rate classifications for the District, 7710 – Firefighter and 8810 – Clerical Worker. In October, based on the results of an NICC audit, CopperPoint reluctantly expanded the District's rate classification to also include 8380 – Mechanics and 8411 – Clerical Volunteers.

Staff still believed that there were numerous other positions that did not warrant the rating and cost of the 7710 – Firefighter classification. After talking to other fire agencies, 7710 Insurance was identified as a potential alternative to CopperPoint. An on-site audit by 7710's Director – Loss Control, a retired Chicago Firefighter, identified the opportunity to reclassify a range of positions including Fire Chief, Assistant Chief, Battalion Chief, Battalion Safety Officer, Captain, Deputy Fire Inspector, Multi-Media Specialist, Mechanic Supervisor, Division Chief – Training, Captain – Training Officer, and Fire & Life Safety Specialist. In addition to the on-site audit, Staff spent significant time checking references for 7710, including Sun City Fire District and Summit Fire & Medical District in Arizona. All references were extremely complimentary of 7710's customer service and claims support. Because of the reclassifications, 7710's estimated annual premium for worker's compensation insurance is significantly lower than the current premium charged by CopperPoint, even after considering the estimated cancellation fee from CopperPoint.

Motion by Director House to approve retaining 7710 Insurance as the District's Worker's Compensation Insurance provider and cancelling the current Worker's Compensation Insurance plan with CopperPoint, both actions effective as soon as feasible. Seconded by Clerk Gehrt.

Vote 5 ayes, 0 nays. Motion passed.

Item 14: *Discussion and possible adoption of Resolution 2015-11 Adopting the SFMD Strategic Plan 2015-2020 and Resolution 2015-12 Adopting the Operational Plan for Fiscal Year 2015/2016. (BOD# 2015-12-13)*

Clerk Gehrt stated at the November 18, 2015 Board Meeting, the Governing Board motioned to formerly adopt the Strategic Plan (as needed) and the Operational Plan (every Fiscal Year), to coincide with the Fire Chief's evaluation (BOD# 2015-11-08).

Motion by Director House to adopt Resolution 2015-11: Adopting the 2015-2020 Strategic Plan and Resolution 2015-12: Adopting the 2015/2016 Operational Plan. Seconded by Director Moeller.

Vote 5 ayes, 0 nays. Motion passed.

Item 15: *Discussion and possible action concerning the Fire Chief's Performance Evaluation. (BOD# 2015-12-14)*

Legal Counsel Donna Aversa stated last month the Board gave a verbal evaluation to the Fire Chief and gave direction to Staff to have a written document prepared according to the direction given. The verbal evaluation given at the November, the Board unanimously gave the Fire Chief an A – Exceeds Expectations in all categories

Legal Counsel Donna Aversa stated a follow up item could be on the next board agenda with the direction of the Governing Board with an updated contract for Chief Bourgeois as well as any other items the Board would like addressed regarding the Fire Chief's contract.

Clerk Gehrt proposed that the Governing Board modify the Fire Chief's current contract to reflect that the Fire Chief monitor his own vacation time, without a cap on how many hours he can take per fiscal year. His vacation time will still be tracked by Finance for transparency reason. The Board mentioned at the last Board Meeting that they were concerned Chief Bourgeois may burn himself out working non-stop, this gives him the ability to utilize time when appropriate. Clerk Gehrt went on to say that this is a great opportunity for the board to demonstrate their support for the hard work Chief Bourgeois does without costing the District or the taxpayers any additional money.

Ms. Aversa stated she can go forward with drafting language and updating the Fire Chief's contract for the next board meeting.

Motion by Director House to adopt the Fire Chief evaluation as written. Seconded by Clerk Gehrt.

Vote 5 ayes, 0 nays. Motion passed.

Item 16: Senior Leadership Team Reports. (BOD# 2015-12-15)

➤ **Fire Chief Report**

- 2016 AFDA Winter Conference – January 14th – 16th
 - Conference will be in NV time this year
- Required Training Classes Per SB1387
 - Now Available as correspondence classes through AFDA
 - Classes are \$50 per class – see Jasmin for further details
- Save Our Fire Districts Arizona
 - www.saveourfiredistrictsaz.com
 - Please Contact Your Legislature – simple steps on their website with a letter already written and will go directly to your legislature.

➤ **Emergency Services / Operations**

- Ambulance Operations
 - Everything is going as planned, still on target to launch the Transportation Services on January 4, 2016 at 0700.
 - Photo with all 5 ambulances and the Full Time Members were taken

➤ **Technical & Community Services**

- Community Services
 - City Holiday Event
 - 300 people exposed to Hands ONLY CPR
 - Over 2000 contacts with educational material provided
 - Display of our new ambulances, with much support from the public
 - School CPR / CCR Pub Ed Program Started
 - All 70 teachers at Desert Vista Elementary School were exposed to Hands ONLY CPR
 - Compliance Engine is already starting to provide us with reports for our district businesses with fire protection systems.
- Technical Services
 - All Transport Personnel have been trained in Computer Services
 - Completed an Advanced Video Conferencing Training on December 14th
 - Working through significant implementation issues for the ImageTrend Elite RMS platform.

➤ **Administrative Services**

- Policy Revisions
 - Working closely with the Labor Group on revisions
 - Creating new policies for Ambulance Operations
- Ramping up for the 2016 Benefits Renewals
 - Meeting with Brokers, etc.
- New Hire Orientation was successful for the EMS Division

➤ **Financial Services**

- Medicare Application
 - No initial instructions or direction received from End User Services (EUS)
 - Medicare's newly implemented procedures to address fraud concerns has created numerous conflicting directions
 - The District's application has been successfully submitted.
- Medicaid Application
 - Received confirmation that the application was submitted
- Intermedix Integration
 - Established billing protocols and Standard Operating Procedures
 - Coordinated Intermedix training of Transport Staff on ICD-10 codes.

- Transport Services Integration
 - Continued working with Pinal County and Wells Fargo to set up bank accounts to support the Transport Services operations.
 - Working through details on how to handle payroll and payables related activity.
- Annual Audit
 - Working with Henry & Horne staff in finalizing audit and related financial statements.
 - Preparing draft Management Report and Audit Report Preamble for the Audit Report.
 - Presentation to the Board at the January Board Meeting.
- Fiscal Year 2016/2017 Budget Pre-Planning
 - Started updating wage and budget schedules for upcoming budget season.
- CYMA
 - Looking into ways to expand CYMA use to gain some of the functionality expected from Tyler
 - Examples include Time & Attendance reporting, templates for repetitive invoices and journal entries, payroll file uploads, and Human Resources

Item 17: *Announcements (BOD# 2015-12-n/a)*

Fire Chief Paul Bourgeois thanked Finance Director Roger Wood and Assistant Chief Mike Farber for their continued hard work saving taxpayers money.

Director House stated he is doing his annual diaper drive. He also stated he was nominated to serve as the Board Chairman of the Pinal County Board of Supervisors.

Item 18: *Adjourn (BOD# 2015-12-16)*

Motion by Chairman Cross at 7:17 p.m. to adjourn the meeting. Seconded by Clerk Gehrt.

Vote 5 ayes, 0 nays. Motion passed.

Governing Board Approval:



 Gene Gehrt, Board Clerk

Jasmin Jones