



Superstition Fire & Medical District

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Governing Board Special Meeting Minutes June 6, 2017

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 TUESDAY, JUNE 6, 2017. 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 4:00 P.M.

A. Call to Order

Chairman Cross called the meeting to order at 4:00 P.M.

B. Pledge of Allegiance

Pledge of Allegiance was led by Director House.

C. Roll Call

Chairman Jeff Cross, Clerk Gene Gehrt (telephonically), Director Todd House, Director Jason Moeller, and Director Larry Strand as present.

Senior Leadership Team in attendance: Assistant Chief Jerome Schirmer, Assistant Chief Brett Broman, Assistant Chief Mike Farber, and Finance Director Roger Wood.

Legal Counsel Donna Aversa was also present for the meeting.

1. Discussion, review, and possible approval of the Intergovernmental Agreement with the Town of Florence, for fire apparatus maintenance services performed by the SFMD. (BOD #2017-06-01)

Finance Director Wood introduced this item to the board and explained that the new Florence IGA that was approved at the May 17, 2017 BOD Meeting (BOD #2017-05-06), had been reviewed by authorities at the Town of Florence. They returned it requesting two additional comments / clarifications. Mr. Wood stated the requested changes being made by the Town of Florence did not affect the intent or the roles and authority of the SFMD in the original IGA. Wood recommended that the Board approve resigned the revised Town of Florence IGA.

Motion by Director House to approve the new three (3) year Intergovernmental Agreement between Superstition Fire & Medical District and the Town of Florence for fire apparatus maintenance with a term starting on July 1, 2017. **Seconded** by Director Strand.

Vote 5 ayes, 0 nays. **MOTION PASSED.**

4. Call to the Public. (BOD #2017-06-N/A)

Chairman Cross asked for this item to be moved up to Item #2 on the agenda.

None.

2. **Executive Session for Legal Advice.** The Board may vote to go into executive session pursuant to ARS §38-431.03(A)(3) and/or ARS §38-431.03(A)(4) for discussion or consultation for legal advice with an attorney for the district in order to consider the board's position regarding contracts that are subject of negotiations, in contemplated litigation, or in settlement discussions to avoid or resolve litigation as related to the fire chief's employment contract, district's by-laws, and the letter dated May 24, 2017 from fire chief's attorney regarding breach of contract. (BOD #2017-06-02)

Motion by Director House at 4:04 P.M. to go into Executive Session pursuant to ARS §38-431(A)(3) and/or ARS §38-431(A)(4) for discussion or consultation for legal advice with an attorney for the district, in order to consider the board's position regarding contracts that are the subject of negotiations, in contemplated litigation, or in settlement discussions to avoid or resolve litigation as related to the fire chief's employment contract, district's by-laws, and the letter dated May 24, 2017 from the fire chief's attorney regarding breach of contract. **Seconded** by Director Moeller.

Vote 5 ayes, 0 nays. **MOTION PASSED.**

****Back in Regular Session at 5:15 P.M. Chairman Cross reminded everyone that items discussed in the executive session is confidential up to returning to regular session.****

3. **Review, discussion, and possible action regarding the fire chief's employment contract and the letter dated May 24, 2017 from the fire chief's attorney regarding breach of contract. (BOD #2017-06-03)**

Director House stated the following:

"Mr. Chairman, budgets have always have everybody all excited and I was offering an opinion on the budget a couple of meetings ago, and unfortunately some of my comments were taken the wrong way and I want to correct that. I don't like the idea that somebody didn't exactly understand what I was trying to get across or say.

When I, was talking about administrative location and administrative positions, I was talking solely as one board member. Talking about a variety of administrative positions and a possible cure for the budget shortfall. I found out that there were some people that were very affected by that conversation. So, I want, to apologize to anybody that I might of upset, in administration for my comments. Because, ultimately what I am trying to do here is balance the budget. I have been here ten years, this is our family. I do not under any circumstances, ever want to upset anybody in the fire district and unfortunately, it was taken that way. So I apologize to the administration portion of the fire district for doing that.

One of the other things that I mentioned during my budget conversation was an error. I look back now and see the error of my conversation was I used a term that is commonly referred to as 'Rob Peter to pay Paul'. What I should have said was, I don't want to take money from our capital reserve fund and use it to balance the budget. For whatever reason, some people misconstrued that to say that I was saying something about our Chief, Chief Bourgeois. That was not the intent, that was not what I was trying to say, I was using a commonly referred comment of 'Robbing Peter to pay Paul'. Looking at it afterwards, it was not the best phrase to use. So, I apologize to the Chief if he took that the wrong way, it wasn't meant that way. It was meant that, I didn't want to take money from the capital reserves to fix the budget.

One of the other things that is coming up, from all of this budget negotiations is a lot of blame is being placed on the Chief about the budget shortfalls, or the budget problems with this district. I think I said in my prelude to my conversation at the meeting was, I am responsible as anybody of this board or this district for the position that we are in. I have been on this board longer than anybody. So, I am just as much responsible for whatever position we are in, we're in, the Chief isn't.

One of the things that was inaccurately reported was the Chief was spending a lot of money, on certain issues and items. The Chief just can't spend money, we, the board have to approve any expenditures that the Chief makes. So, I think those comments were misguided and they shouldn't have been made. And I wanted to set the record straight that, this board is who spends the money in this district, not necessarily the Chief.

One of the other things that has come up in all of this is evidently somewhere along the line, the robo-dial occurred and went out to the district. That robo-dial I can assure you was not issued from this board of directors, by anybody on the board of directors. We've discussed it, and no one on this board had anything to do with that robo-dial, and that robo-dial was just continuing some misguided information that was not accurate to this. To this district and it shouldn't have been done. Shouldn't have been circulated as a robo-dial as a case for this district.

One of the other issues that may have been misconstrued and I apologize if it was, is the blue card is very valuable to the Superstition Fire & Medical District because it has leadership training. It presents a position to where firemen and senior leadership knows how to react during a fire. I am sorry if I down played the ability of the blue card, because it is very important to have that. It is a very very good guide for our men. The last thing I want to do is have any kind of deaths or incidental deaths at this district based on we don't have the training or the ability to handle a fire. That's the last thing that this board ever wants to hear. So, I am going to apologize to Chief Schirmer if he took those remarks on blue card, to heart. I was just merely saying that I think we have staffed enough staff training in in that issue. But, I do see the importance of blue card and I don't want to down play the importance of that.

One of the other things is that the budget, the budget is balanced now. After this last meeting, with the PSPRS relief we have, we now have a balanced budget. And we did balance the budget without laying anybody off, without firing anybody, or without cutting anybody's pay. Which is the important thing that we want to try to get done in this district.

So, I think that the board, has learned a, I myself has learned a very valuable lesson from this budget year. That we always have to keep sight of that the district is more important than any one entity of the district. And we need to make sure that the district has good solid footing going forward, because no one wants a district that is failing or falling apart.

So, with that being said, I will let anybody else make a comment from the board if they want and I think that I think that the budget shortfall again, was that we faced was not the Chief's fault. That it could be construed as that. But this board of directors that had the final decision on how the money is spent in this district. And so I don't think that that is accurate blaming the shortfall on the Chief. So with that I'll, I'll, let other members of the board speak."

Chairman Cross asked if there were any other comments, the other members did not have any comments. Director House then made a motion.

Motion by Director House to authorize the chairman to draw up a letter or statement, in the AJ News and Independent, the local papers, to correct any inaccurate information and to clarify some rumors that have been out and taking place. **Seconded** by Director Strand.

Vote 5 ayes, 0 nays. **MOTION PASSED.**

5. Adjourn (BOD #2017-06-04)

Motion by Director House at 5:24 P.M. to adjourn the meeting. **Seconded** by Director Strand.

Vote 5 ayes, 0 nays. **MOTION PASSED.**

Governing Board Approval:



Gene Gehrt, Board Clerk

Jasmin Jones