Superstition Fire & Medical District



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Governing Board Meeting Minutes March 21, 2018

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, MARCH 21, 2018. 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 PM.

A. Call to Order

Chairman Cross called the meeting to order at 5:30 PM.

B. Pledge of Allegiance

Pledge of Allegiance was led by Clerk Gehrt.

C. Roll Call

Chairman Jeff Cross, Clerk Gene Gehrt, Director Todd House, Director Jason Moeller, and Director Larry Strand was present.

Senior Leadership Team in attendance were: Interim Fire Chief Mike Farber, Acting Assistant Chief Richard Ochs, Acting Assistant Chief Richard Mooney, Finance Director Roger Wood, and Acting Administrative Director Anna Butel.

Legal Counsel William Whittington and Board Secretary Sherry Mueller were also present for the meeting.

1. Review and approval of February 2018 financial reports and bank reconciliations. (BOD #2018-03-01)

Motion by Director House to approve the February 2018 financial reports and bank reconciliations. **Seconded** by Director Strand.

Vote 5 ayes, 0 nays. MOTION PASSED.

2. Recognition of employee performance, achievements, and special recognition for community members. (BOD #2018-03-02)

Acting Assistant Chief Ochs recognized Firefighter / Paramedic Ken Simkins as the 2017 Firefighter of the Year. Ken arrived and introduced his wife and his Father-in-law, who is a 3-tour Vietnam Vet. Ken came to us with Firefighter/Paramedic experience from Minnesota. He is always focused on excellence, para-medicine and teaching. Ken has been an instructor for many of our in-house EMS classes that we teach. Ken has been utilized for years as a preceptor, coaching and mentoring Paramedics who are going through school. He currently serves as an instructor for Arizona Central College, which is also where we send our Paramedic students. Ken holds instructor credentials

through the American Heart Association for advanced cardiac life support, pediatric life support, and prehospital trauma life support. He is a very well versed gentleman. Safe Hearts of Arizona Registry (SHAR program) recently awarded Ken an educational award. It's a really big deal. They select very few recipients for that award each year. Last year, Ken was chosen as the Arizona E M S Aces of Hearts Award. Both of those awards that he received were because of the numerous cardiac arrest saves that Ken had. I'm certain that the Board remembers how many times we brought Ken forward. He holds the record in our organization for cardiac saves. A great Paramedic. Ken will have a lot of events to attend this year. He will be the recipient of a few awards. Congratulations, Ken.

Employee Service Anniversaries were recognized: Fleet & Facilities Support Specialist Barb Duffel has 12 years of service. The following employees all have 6 years of service: Firefighter/Paramedic Matt Dold, Firefighter/Paramedic Dan Elliott, Firefighter Wayne Emerson, Firefighter/Paramedic Lance Frawley, Firefighter/Paramedic Brian Garten, Engineer Bryan Heun, Firefighter/Paramedic Ryan Ledbetter, Firefighter/Paramedic Matt Perez, Firefighter/Paramedic Ryan Philips and Firefighter/Paramedic Adam Rodriguez. 1 year of service: Paramedic Chris Huson and Paramedic Joe Potter.

3. Call to the Public. (BOD #2018-03-N/A)

N/A

- 4. Consideration and possible approval of all consent agenda items listed below: (BOD #2018-03 03)
 - A. Board Meeting Minutes from February 21, 2018
 - B. ProShred Security Document Destruction Agreement
 - C. Intergovernmental Agreement for provisions of Services by Pinal County Recorder and Elections Department
 - **D.** Emergency Purchase Mobile Radios

Motion by Director Strand to approve consent agenda items A, B, C and D. **Seconded** by Director Moeller and Clerk Gehrt.

Vote 5 ayes, 0 nays. MOTION PASSED.

5. Discussion and possible action regarding the legal services decision in the February 21, 2018 Board meeting. (BOD #2018-03-04)

Chairman Cross stated that we will move item 5 after we discuss item 11, which will also be moved.

6. Discussion and possible approval of Policy 100.01: Fair Employment / Anti-Discrimination / Retaliation brought for review at the February 21, 2018 Board Meeting (BOD #2018-02-07) for final approval at the March 21, 2018 Board Meeting. (BOD #2018-03-05)

Motion by Clerk Gehrt to approve the Fair Employment / Anti-Discrimination / Retaliation Policy 100.01. **Seconded** by Director Moeller.

Vote 5 ayes, 0 nays. MOTION PASSED.

Discussion and possible approval of Policy 102.11: Work Criteria – Public Safety – Shift Assignments (which includes the Work Trade policy) brought for review at the March 21, 2018 Board Meeting for final approval at the March 21, 2018 Board Meeting. (BOD #2018-03-06)

Chairman Cross stated that he has some issues with this policy. I would like this policy to be reviewed by legal counsel. We do have some items in this policy that have cause for concern for myself. Chief Farber and I had a discussion regarding the starting time of 6:45 AM. It is my understanding that if we require an employee to be there at 6:45 AM, that we would have to pay them to be there at 6:45 AM. The City of Gilbert went through this and got sued by their employees and ultimately lost and went through the whole hassle. If there are no objections, I would like to pull this agenda item until next month so legal can actually go through and look at it. There were no objections by the Board Members, Labor and Fire Chief. Chairman Cross pulled agenda item number 7.

Motion: N/A

8. Discussion and possible approval for Staffing for Adequate Fire & Emergency Response (SAFER) Grant.

Interim Fire Chief Mike Farber stated that SFMD is going for a SAFER Grant to replace manpower for the additional unit that we brought up. We did the pilot study, which is, to date, perfect. We wanted to see if having the new unit would result in less sick time usage, better response time lowering the ISO and also being able to reduce travel time, which ultimately leads to less fire loss and more survivability for our citizens when they're in cardiac arrest. As a result of that, we utilized a lot of our leave pool in order to get this truck up and running, funding it with overtime so that unit can stay up. As we were looking at doing a SAFER Grant to replace the manpower, we decided to get a consultant because it was too important of a Grant to make a mistake on. We met with the consultant and as it turns out, there are 3 things that are in SFMD's favor for getting a SAFER Grant, 1 of which is using a lot of overtime. Number 2, are we showing, based off of NFPA1710 (which is a requirement for response emergency Engines), does the new unit have an impact on our response times specifically as it relates to NFPA1710? NFPA1710 says we should have 2 Engines and a Ladder there in 8 minutes or less, 90% of the time. That also goes along with the accreditation, which is 9 minutes and 16 seconds, an effective response force is the other measurement for accreditation ISO NFPA which is 15 to 17 persons in a medium risk community which is what we have. By having this extra unit up, we are showing that we're making a big difference in NFPA1710.

The Valley has a unique system that is one of the best in the country called AutoAid. The AutoAid requires 4-person staffing on all units, which is known to be the safest. Most recently, Northwest Fire District and North County received the SAFER Grant. One of the things that has been shown to receive a Safer Grant is not meeting that requirement of 4-person staffing. Not meeting that requirement looks very favorable on us to receive a SAFER Grant. The person we would like to hire to write this grant, and you have the contract in front of you, has written 3 in a row and has been successful 3 in a row with Northwest Fire District. The last Grant, he got 24 people, 12 for the leave pool and 12 for a new station. The \$2,500 is well worth it based on potential of what we could receive on this. The previous SAFER Grant was for 5 years; 100% for the first 3 years and then 50% and then 25%. Congress has recently changed it this year to 3 years; 75%, 75%, then 35% in that third year. Nonetheless, with the manpower that's leaving, by the time we got the Safer Grant, we will have 4 people gone within the third year. Roger and I are working on showing what that blend would look like and how much money it actually saves the District. We were very impressed with the individual that came and met with us. He was a wealth of knowledge regarding the SAFER Grant and what is required. If we are successful with this, I wouldn't

mind utilizing him on some of our other grants as we are going for other types of purchases such as equipment or manpower.

Before you is a \$2,500 contract which is the max that it would be. The rate is \$50 an hour. We have done a lot of the legwork already, and it is Staff's recommendation that we support the Motion of contracting out Grant writing consulting services.

Motion by Director House to approve the agreement with James F. Grasham, Grant Consultant for the 2018 SAFER Grant not to exceed \$2,500. **Seconded** by Director Strand.

Vote 5 ayes, 0 nays. MOTION PASSED

9. Discussion and possible direction regarding the open Fire Chief position, and the other major initiatives being planned within the preparation of the Preliminary Budget for Fiscal Year 2018/2019. (BOD #2018-03-08)

Interim Fire Chief Mike Farber addressed the Members of the Board and said he would be turning this over to Finance Director Roger Wood. Based on the Boards direction, we were asked to provide 3 alternatives. Roger has worked up 3 different scenarios and he will walk you through them.

Finance Director Roger Wood addressed the Board saying as you may recall from the February Board meeting, we started a discussion about the Staff's need for direction on how to budget for the open Fire Chief position. Depending upon what direction we take, since we're in a balanced budget situation, it will determine what other things that we may be able to do. We just need direction on that as soon as possible. At the February Board meeting, Chairman Cross asked Staff and primarily myself, to bring forth a comparison cost associated with three scenarios. The three scenarios would be 1) to promote the current Interim Fire Chief Farber to permanent Fire Chief, along with the acting SLT Staff to permanent positions. 2) the hiring of a new Fire Chief from the outside. Someone not currently employed at the District. 3) the hiring of a new Fire Chief, and considering the fact that maybe the new Fire Chief would want to bring on their own Assistant Chief of Operations.

Each of you have an analysis in front of you which is a color-coded one page analysis that I am going to walk you through the specifics of it. You'll see across the top there is A, B and C. The A, B, and C relate to the description I just used. Column A is where I projected the cost of promoting Acting Chief Mike Farber to full Chief, and the promotion of the SLT acting staff. You can see by position, I've shown you wages and employee benefits. We can go over any of the details you want to see. I will try to anticipate questions. You can go all the way down to the bottom and in this scenario there is no search fees, and so there is no cost associated with that alternative. The total cost of that is \$599,762.00 That is not incremental costs. I just want you to understand that is the cost of the people who would be promoted. We would compare any incremental costs to the other scenarios.

Scenario B is where we would hire an outside Fire Chief and there would be, what I call, a domino step-back. If we hired an outside Fire Chief, then Chief Farber would step back to an AC position. I am assuming that we would step back one of the current Acting AC's to a BC position. You can see how the brown area we actually have a Battalion Chief cost in scenario B, whereas we didn't have it in A because that is where I'm trying to show a step back. The colors are trying to show you how they relate to each one of the scenarios. One question that you may have, if you look in the Interim Fire Chief section, and you look at the employee benefits line, the benefits that the District pays on behalf of Chief Farber are a lot less than what I am projecting for an outside Fire Chief. The reason being is Chief Farber is in the DROP, so we do not pay PSPRS. I am assuming that if we hire someone from the outside, they would be active in PSPRS. Even if they weren't we would have to pay the

alternate contribution rate and also contribute to ASRS so, they kind of wash. So you can see the difference just at the benefit line. That shouldn't drive the decision but I just wanted to make sure you understood, when you look at those numbers, why you see such a difference. You can go all the way down to the bottom in scenario B, and you can see I've indicated a \$25,000 search fee/cost estimated for the Fire Chief.

At the February Board meeting, I had said that we currently budgeted \$30,000, but I was wrong. It's actually \$20,000 plus \$5,000. So we have \$25,000 in the current budget and that is what I am projecting that is what we would use as an amount in this scenario and budget for next year if this were the scenario you were to choose. You can see all the way down at the bottom, the total cost of scenario B would be \$809,455. That is an additional incremental cost of \$209,693 over scenario A.

In the last scenario C, is where we would hire an outside Fire Chief not currently working here at the District and he or she would decide that they would like to bring in their own Assistant Chief of Operations. You can see that we would have a new Fire Chief position, we would have a new AC of Ops position, and then you would start seeing the step back. I am assuming that Chief Farber would step back and remain in the AC position but I am also assuming that the 2 acting Assistant Chief's that are currently in place would then step back into a Battalion Chief position because we are mindful that we don't need 3 or 4 Assistant Chief's. There would be step back's in this scenario. Also, if we have 2 of the acting Assistant Chief's stepping back into BC's, we don't need 5 BC's, so I am also showing that we would have a BC's step back to Captain, then most likely a Captain would step back to Firefighter. You see in the lower right-hand corner bracketed in red the \$17,898 in parentheses. That is actually the reduction in cost for the least tenured BC would step back to a topped out Captain. And the same thing with the Captain stepping back to Firefighter. And then you'll see there is a \$30,000 search fee element in there. I am assuming that we would need a little more money if we were to look for an AC of Ops. My assumption, right or wrong, is that we wouldn't do a national search for that position, so I've only added an incremental cost of \$5000. The total cost of that scenario is \$979,083. That is \$379,321 more than scenario A, and \$169,628 greater than scenario B. I have done my best on these numbers. The wages are reflective of what is going on right now, but even if I am off in some of my assumptions, I don't think it would change the relative magnitude of the incremental costs.

I might be off \$10,000 or so, but I think this will provide us a solid basis for discussion. Staff is asking, if possible, that the Board would give us direction on how to budget for that position. Perhaps before you go into a final discussion, we actually prepared a Motion, if you're so inclined. I also have information on the other major initiatives that we are working on and would work to try and budget for dependent upon available funds. I have actually given you a high level view by fund, because there are different initiatives in the different funds. In the General Fund (100 Fund), that we call the M & O, of course as Chief Farber just explained, we are looking at the SAFER Grant because one of our major initiatives is maintaining the second Engine at Station 263. We are also looking at the cost surrounding the COLA. It would be an increase for all employees, the same amount for everyone, a cost-of-living adjustment. We're looking at trying to budget for additional off-shift training days and a quarterly Captains Conference, and other additional trainings that are too numerous to list individually. We are looking at the opportunity to increase the financial reserve to the extent that we can. As Chief Farber said we are looking to budget for the SAFER Grant, and we are budgeting for the Community Risk Reduction Grant. That is actually the Grant that we have received in FY17/18. Roughly \$120,000-\$130,000, and so were hoping that, since we received it once, we might be likely to receive it again. Not to drill too deep into that, we are fully funding the position that is in that grant regardless. So the only incremental cost would be the supplies that we would buy. We need to be able to budget for our 5% share of those supplies, so it's a minimal amount. The last thing I wanted to share related to the 100 Fund is that we have actually received the SRP NAV. If you remember last month, I mentioned that they are not under any constraints statutorily, to provide their NAV by any given date, and we have received it within the last month.

To my pleasant surprise, it is actually up 5.4%. That is an additional \$19,400 in tax revenue to the 100 Fund. For the 150 Fund, the Transport Services Fund, the major initiative we're looking at there is to provide medical exams for all the TSP employees like we do with the M & O employees. We are trying to find budget so that we can accomplish that.

An initiative that impacts both the General Fund and the Transportation Service Fund, because it is employee based, if you will, we are looking at Lexipole Fire and HR Policy software. If we were able to budget for that and incur the cost, we would spread that cost across both funds because it is employee related.

In the 200 Fund, the major initiatives that we are looking at is the purchase of a new Pumper. A lot of effort has already gone into that and so you're probably not surprised by that. We are looking to fund Station 263 accommodations for the second Engine and the extra crews there. We are funding for a second set of turnout's, and we are taking 2 approaches to this. We are aggressively chasing a Grant so the majority of that cost would be provided through the Grant process. But, if we do not get the Grant, we are also funding to be able to buy and be able to condition existing second sets so that everyone would have a second set of turnouts by the end of the year (FY18/19). So, one where the other, that is a goal that we want to accomplish. We are budgeting for the replacement of 61 SCBA bottles. They are reaching the end of their lifespan. We are budgeting for a thermal imaging camera, and exchange server software.

Lastly, if you remember last month, in fact I even talked about it a few months ago, because we are getting in the latter years of our GADA Bond, we are actually in a position to start lowering the special assessment and still be able to make both principal and interest payment. So we will be lowering the special assessment from \$0.22-\$0.18 within this budget.

That is the list of the major initiatives by fund, that we are working on. One of the major key items that we need direction on in order to be able to understand what funds we have to accomplish these initiatives, relates back to the open Fire Chief position, which was the beginning of this discussion. If possible, we would ask the Board to give us direction on how we should budget for that.

Director House stated that he is very happy with the job that Fire Chief Farber has been doing. I have sat on this Board through 3 different Fire Chiefs. We went out to bid quite a few times on those and we were very unsuccessful at finding a Chief that would last long enough or keep up with the District long enough. Being mindful of the funds for our District, the situation where we're at, and being mindful for the future, I am absolutely sitting on scenario A, which would be a promotion for Fire Chief Farber from the Acting Chief. I would like to stay with item A on this agenda because I think it works, I think there is a lot of experience in that group. I think we could go out and spend \$25,000 and maybe find somebody better, but based on prior experience maybe not. My personal opinion is to stay with plan A with Fire Chief Farber going forward.

Director Strand stated that he would like to thank Roger for all the numbers. We had asked for those and it is very clear. It is exactly what we were looking for and I'm with him (Director House), on A. It's kind of a no-brainer for some of us.

Director Moeller stated he is in favor of A. Column C, \$1 million, is quite the risk to take. I've already seen what Farber can do. We've asked him to do magic, and he's done that for us. A is my choice.

Clerk Gehrt said he would make the same comment. He believes the same thing. I am not sure we're doing this in the right order, but that result is where I think we belong.

Chairman Cross said that would be my only concern is the order that were going at it.

Director Moeller said I don't think we can have a Motion on it until we discuss number 10 and 11.

Chairman Cross said as far as the budgeting goes, I think Chief Farber is doing a great job. The \$1 million is a hard thing to choke down. I look at it that we would be hard-pressed to have someone come in here that would know this District, know the employees, know the people in this community better than Chief Farber.

Motion by Director Strand to approve Scenario A related to the open Fire Chief Position for budgeting purposes in preparation of the Preliminary Budget for Fiscal Year 2018/2019. **Seconded** by Clerk Gehrt and Director House.

Vote 5 ayes, 0 nays. MOTION PASSED

- 10. Discussion and possible direction regarding the Interim Fire Chiefs evaluation. (BOD #2018-03-09) Chairman Cross stated that we are going to skip this agenda item and move on to agenda item number 11 ahead of agenda item number 10.
- 11. Discussion and possible action regarding Governing Boards legal counsel services. (BOD #2018-03-10) Interim Fire Chief Farber addressed the Members of the Board and said if you recall, at the February 21, 2018 Board Meeting, I was directed to ascertain if Bill Whittington was available to represent Superstition Fire & Medical District's Governing Board. In Appendix E, you will find Resolution Letters and fee structures for William Whittington and also for Rader Mayrose law firm for your discussion as to what you would like to do.

Chairman Cross asked William Whittington to step up and approach the Board.

William Whittington stated he would give a little bit of background on himself. The letter we sent sets out our fees. The Resolution simply authorizes us to work for you. Notice in the Resolution, not only does it authorize you to use us but it also authorizes Management Staff to contact us and any Board Member to contact us. But it requires them, if they do, to let the Chairman know so you can do some cost control. He further stated that he has been doing Fire Districts for about 30 years. He has been practicing a little longer than that. Occasionally it will crop up that there are budget concerns for legal fees. I found over my 30 years that is kind of a microcosm problem. It doesn't happen all that often. When it pops up it's usually because someone is using legal counsel intensely for a moment in time, and Governing Boards have a budget, they freak out a little bit and decide to try to control it. When Boards try to control it, what they tend to do is try to suck it into a "let's make it so only the Board Chairman can authorize legal counsel". There is a myriad of problems with that. What if the Board Chairman is the one that's causing the problems? And no one else can contact legal counsel. Over the years, I have discouraged that and I built it into the Resolution. It simply says anybody who needs me can contact me, and somebody needs to let you know so you can decide to not contact me anymore and not spend the money. My experience has been that most often, 99% of the time, I am contacted by the Board Chair and the Chief. Sometimes the Chief tells the people on Staff to contact me for legal expertise. I know you have a Human Resources specialist on staff who may contact us. We have 10 attorneys in the office. A couple of them specialize in Human Resources and Labor stuff. Several of us do employment and Government representation. I try to focus on Fire, Water, Hospital.

That is what I do day in, and day out. I've lectured on this at the International Fire Chiefs conference from time to time, and of course you have probably had the pleasure of my presentation, sorry about

that. I am happy to chat about any topics you care about now. I suggested to the Board Chair that if you are going to use us, you probably ought to make that decision ahead of a couple of things that are on your agenda. I will walk you through a couple of things that might be useful. In terms of expense and the hourly rate for our office for my time is \$300 an hour. But I don't give that to Fire Districts. There are about 157 Special Taxing Districts in the State. There is Water, there's Sewer, there's Road, there is a ton of them. We represent a bunch of them and all their budgets are unbelievably tight, and so I set my rate at \$200 an hour for Fire and have never changed it in forever. I charge one way for travel. Doing that has allowed me, over the years, to never have to have a discussion about my rate or my fees. That is never an issue. If I have an issue it's because my rates are little low and it causes me to be inundated sometimes with work. I have managed that by assigning work within my office to one of the other tenured lawyers. On occasion I will bring one with me because it requires two brains instead of one, or I'm going on vacation or whatever. When I do that, I split the fee with my partner and I bring them at no charge. I've never, ever had any concerns with our fees because they are low, and I like it that way. The last thing I want to do is apologize for a fee. I am happy to answer any questions you might have. We have huge experience at mergers, consolidations, and authorities which are popular now. I'm responsible for the largest merger in the State and the oldest merger in the State and the largest authority in the State. I travel a lot so I have the benefit of knowing what everybody else is doing. I represent dozens and dozens of Fire Districts. It gives me a sense of what's going on. If I had my druthers, I'd come to all of your meetings. I don't know if you want me at all of them, but I sure would like to come to some of them. Out of all the Districts I represent, there is a handful that have me at every meeting.

Most of them don't because of the expense, probably. Most of our work is done over the phone I would hope that I have an opportunity to join you in this meeting from time to time. I'm old school a little bit and I like to look people in the face which makes for easier communication. It's doable otherwise. I'm down here all the time for other clients and I try to package them in ways where I can meet with 2 or 3 during the same trip. That is kind of a summary of how I typically handle things.

Director Strand addressed William Whittington and stated that one of the problems we had before with the presence of a lawyer at every Board meeting, was of course we paid for it. It sounds like from what you just said, you will only be here if we ask you to.

William Whittington said yes, that is true. There is a flow to it. Larger Districts, and I consider you one of the larger Districts and one of the better organized Districts in the State. I've done work for you in the past. I was your hearing officer for personnel matters back in the day, and occasionally Donna would call me for a consult. But I haven't been here on a regular basis. The Board members that have me come to every meeting get used to it. Being good or bad, they like being able to ask the questions right then and right there, right now and get an answer. You don't have to say "let's find out what the lawyer thinks". I can answer most of these questions. I do so much Fire stuff, that I intuitively know a lot about it. If I'm not here, you have to put it off to get an answer. It's handy as all get out to have me here, but if it's not economically reasonable, then you just can't. I find that the larger Districts that I represent try to have me at every meeting. If I can't be there I send somebody from my office. 70% of my clients don't have me at every meeting. A smattering of them will have me during crisis mode for 4 or 5 meetings in a row when things are getting weird and they want some legal help. And then there's a smattering that has me just call in which is not as much fun but it is doable. I always call the Chairman or the Chief and ask if I am coming up to the meeting. That gives us an opportunity to talk about what is on the agenda. The Chief and I did that tonight on my way up here. I called and asked him is there anything we need to kick around?

Director House stated that he is really glad that William Whittington has dealt with mergers because this Board has actually looked at that and is a possibility for the future because we don't know what the future is going to hold for Fire Districts and there may be a time when we might have to do that. We've actually reached out to other Fire Districts and groups to find out how they went about it, and were finding the good and the bad with it. I am glad to hear that you covered that and are familiar with that. I would still like to have legal counsel, if you can't be here, then someone from your office be here for our meetings. We normally have legal counsel here at every meeting as a precautionary situation. We never know what may arise in any given meeting, things can come up at any time. During the last year or two, it has been turbulent. It is good to have legal counsel sitting at our meeting. My personal opinion is that we would have someone, if it can't be you, somebody from your office attend our meeting.

William Whittington stated that he would prefer that it be himself to attend our meetings because this is what he does. Sometimes he'll bring somebody that does this for him and they do fine work. I've ask the other District that shares your timeslot with you, sometimes other Districts can be territorial. This is our night, this is when we've been meeting. It takes time to adjust. If you decide to use us, I do have a few recommendations on how you manage going into Executive Session for legal advice.

Chairman Cross asked if Radar Mayrose were here?

Acting Assistant Chief Mooney said he was having them come and then he was asked to not have them come.

Director House asked Chairman Cross if we want to do a motion or do we want to have a discussion on Chief Farber's evaluation or go back to agenda item 5?

William Whittington stated to the Chairman of the Board, that he doesn't want to be presumptuous, but if you were to decide to hire us you would assign a number to the Resolution and adopt the Resolution. My copy does not have a number on it, does yours Mr. Chairman?

Chairman Cross said it does not.

William Whittington said to Mr. Chair that he should assign a number to it. You can make one up.

Chairman Cross assigned the number 2018–321 to the Resolution. Chairman Cross requested a motion to adopt this Resolution.

Motion by Clerk Gehrt to approve Resolution 2018-321, a formal Resolution of the Governing Board for the, Superstition Fire & Medical District authorizing the use of William Whittington of the law firm of Boyle, Pecharich, Cline, Whittington & Stallings, P.L.L.C., as legal counsel on an as-needed basis regarding general matters, and authorizing the Fire Chief, Staff and the Governing Board to contact said counsel. Seconded by Director Strand.

Vote 5 ayes, 0 nays. MOTION PASSED

Legal Counsel William Whittington made a recommendation to the Board to entertain a Motion to go into Executive Session under A3 for legal advice on items 5 and Executive Session under A1 for item 10. That will allow you to break into Executive Session for personnel matters if you choose to do it

to talk to the Interim Chief about his employment. It would allow me to give legal advice on item number 5 and legal advice on the Interim Chief issue. I can lay out the process that typically is used to decide how you want to proceed there. That way you don't have to come out from Executive Session and vote and then go into a new Executive Session. You can handle it in one Motion.

Motion to go into Executive Session at the end of item 14 for legal advice and personnel matters under A3A1 as mentioned. **Seconded** Director Strand and Clerk Gehrt.

Vote 5 ayes, 0 nays. MOTION PASSED

12. Reports (BOD #2018-03-11)

- > Senior Leadership Team
- ➤ Labor
- > Pension Board
- ➤ Board Sanctioned Committees

Fire Chief Report

Interim Fire Chief Farber started off his report by saying he met with the Bureau of Land Management and Dr. Anderson with the Apache Junction Unified School District regarding our Regional Training Center. It was a very good meeting. One of the things I ascertained is that the School District has no desire to staff the school at any time in the near future. In fact, they were looking at possibly 10 to 15 years as a remote possibility, and at that point it would be very expensive. They said that they have no issue with us sub leasing with the Arizona Department of Forestry. The BLM didn't want to deal with us. Everything would be between us and the School District. Everything between the school and the Bureau of Land Management would be between them. They are 4 years past the date for renewal of the lease. They are going to be doing an environmental impact study of the school in the next month or two before they would even be able to sell it or anything else, which is roughly \$7,000. They did give us permission to sublease to the Arizona Department of Forestry. I talked to Dr. Anderson afterwards and she indicated that they are amenable to subleasing with us as well. They will be having a school board meeting on Tuesday, March 27, 2018 and they will be entertaining the addendum that we put in on our lease and if they approve that then we should be able to go ahead and sublease. At least we will be able to have cost recovery for the expenses that we have down at the RTC. They said it would be fiscal year 2019 before they finish all the nuances and paperwork that they need before they can entertain the idea of whether or not to sell. Earlier discussion with the Department of Forestry is they are all in and they want to help us buy that property. Whether or not that is feasible, I do not know, but at least it is extremely encouraging that we are moving in the right direction. Previously it had been since 2010 since the School District had spoken to the BLM. Chief Dave Montgomery and myself had spoken to them in 2014. At that point they had said they would have to look at it for several years. Well, so now we are at several years.

We accepted a check from Golden Vista RV Resort for \$10,365.67. This was one of the neatest experiences I've had. Approximately 250 people sitting there and they gave us a standing ovation. You don't really realize just how important you are to the people in the community until something like that happens. Coming up with \$10,000 at the last minute wanting to do something for us. They brought a band in, they had us judge a chili contest and all kinds of stuff. I was shocked and impressed. It was a really neat experience.

You've heard me talk about NFPA1710. We are a medium risk community and ISO (Insurance Service Offices) rates our ability to respond. That states that there should be 2 Engines and a Ladder in 8 minutes or less. The other part which isn't NFPA1710 so much, is Effective Response Force. It comes out of

accreditation and it comes out of what we're supposed to be judged by. That is 16 to 17 Firefighters in a medium risk community, which is what we are. Effective Response Force first unit will arrive in 5 minutes and 12 seconds, the second unit in 8 minutes and the balance in 10 minutes and 40 seconds. This is something that we have never met and now we are meeting this on a regular basis.

530 West Apache Trail, more affectionately known as Burger King, we had 5 units there in 7 minutes and 54 seconds and the Battalion chief was 10 minutes 31 seconds and then our slowest unit, which is actually not even an accurate time, Engine 261 says 12 minutes and 16 seconds. That was the first unit on the scene so the time had to be better than 4 minutes and 20 seconds. What we noticed is, we have some data issues. The Battalion Chief was originally one hour. Even if he was asleep he would be able to get there quicker than an hour. It just goes to show that sometimes guys get to the scene and forget to hit the button, so we have to track it down. When we move to HALO, eventually, it will measure when we move. There will be no more embellishing times. I think that will fix a lot of our data. Burger King was a \$30,000 loss on a \$1.2 million business as well as all the economic loss impact when you have a business that is closed for a while.

The second call was 699 E. Montebello which is a 2500 square-foot house. It was an attic fire, approximately \$8000 worth of damage. Principally because the first unit was there in 2 minutes and 16 seconds. The second was the BC in 4 minutes 45 seconds and 6 minutes 10 seconds. As you can see, according to the accreditation, all our units were according to the NFPA1710.

501 E. Estevan shows the first 2 units in 2 minutes 48 seconds and 4 minutes 41 seconds and 8 minutes 3 seconds. When we first did our ISO rating, there were 3 calls out of 20 a couple of years ago and last year there were 0 calls of 3 units within 8 minutes, so this is making a big difference.

Sick Leave has gone down 34% within the last month. We had about 500 in February and the year before in 2017 was about 750. I think we had about 1290 in January and now were all the way down to about 300 so this is making a huge difference with Sick Leave.

Response times – The Dispatchers response time has improved. Turnout times have stayed the same year in and year out. NFPA1710 says that for medical calls, we have to be turned out in 60 seconds or less 90% of the time. For structure fires, we have to be turned out in 90 seconds or less 90% of the time. We are at 53 seconds so overall that's pretty good. That includes everything. Obviously, I would like to have a little better but were working on it. Here's the neat part: last month was 4:57. Last year's total was 5:18, maybe 5:30, so we moved down quite a bit in January. In 2017 in February, we were at 4:47, now were all the way down to 4:31 in 2018. That is a remarkable response time. That is the "Golden Standard".

In the month of February, we had 3 cardiac arrests that we brought back, including one just today. Some of that is attributed to response time and some of that is attributed to the fact that we just have exceptional crews. When I started, we were lucky to get 3 a year. We are doing this on a regular basis. I keep getting more and more compliments. Ryan Elowe isn't here, but I wanted to give him a shout out. His crew had 3 calls in which they had a person in need.

In one case, they had a lady whose hip popped out in church. Her husband was confused and really didn't know where to drive, so one of the guys drove him to the hospital. Another situation was a lady who was really upset and she needed to get out of her house due to domestic issues. She was afraid to leave her car there because she thought her husband was going to take stuff from her car, so one of the guys drove her car to the hospital while the crew transported her to the hospital. They realized she didn't have enough fuel in her car. They were worried about even getting to the hospital themselves, so they got together \$15 and put \$15 of gas in her car, which gave her a quarter of a tank of gas. There's just some remarkable stuff that our people are doing on a daily basis and we don't always hear about it. I always pass it along when I get something official. I ask for it in writing but naturally they don't want to do that. I just wanted to brag a little bit about how good we're doing.

Operations

Acting Assistant Chief Richard Ochs stated that there is plenty to brag about. The crews are doing phenomenal. This is been a very busy month. I try to choose just a few of our significant incidents to share with you, but we had to narrow that down again this month for time purposes. March 1 we had a minor bus accident at one of our elementary schools. Both of those buses were fully loaded and that involved us evaluating a total of 19 adults and children. That became a large and time consuming event. March 3 there was a fire in a large class A motorhome outside of a residential home. That fire extended into the home before the crews arrived. This was way up by the Goldfield mountains, so there was an extended response time, no water supply in that particular area. Again the crews were on the ball took the tendor with them and had a great response. They were able to make entry into the home quickly and have very minimal loss. The fire was already extended into the attic space and they did a great job. Also on March 3 there was a major motor vehicle accident on US 60 and I can tell you that that was attributed to the Renaissance Festival traffic that resulted in a fatality. It was another first alarm medical assignment where we had a multitude of people that had to be treated or evaluated. Most recently there was another major motor vehicle accident at US 60 and Tomahawk also related to the Renaissance Festival traffic. On March 17, we did have a commercial working fire at the Home Depot in the city of Mesa. Our crews responded on that first alarm event. That became very involved and I think we have a photo to show you. Most recently there was an electrocution at 400 N. Plaza Drive. A gentleman got into a very, very high powered distributor box and, unfortunately, succumbed to his injuries the following day. Our crews did a great job they were able to restore his heart beat, deliver him to the hospital in a condition where he may have had an opportunity to live, but the burns were severe. Recently we had a house fire on N. Delaware Drive. Again, crews had a great stop on that fire attributed because we were able to get the 2 in 1 there in a timely manner.

Some other simple updates. The Renaissance Festival has 2 more weeks of service. It seems to go on for a very long time. We just completed annual radio maintenance for all of our apparatus and portable radios. That included the installation of the new VHF radio channels. We were scheduled tentatively for May 1 to start operating fire incident scenes on VHF channels, which will be a change for us. The Training Center was recently under review by the American Heart Association. We are a registered training site for them. We are an affiliate faculty and we teach quite a few CPR classes to the public each year. That is not uncommon for them to come and do a review. They actually sat in a class they went through our records, and spent some time with our training staff. They did a very thorough review. According to our EMS Staff, Captain Gomez, this was the first year that we've ever received a perfect grade. We had a perfect score all the way through it. There is about 20 criteria items. Typically we have some areas they suggest we clean up but this year, it was perfect.

Training – we're in between EMS training, so there is nothing scheduled currently. We do still have some various Wildland classes going on that some of our persons are participating in. Technical Rescue Team is training in Tempe and Scottsdale. I think it's the same training that you saw last month, because this is a 9 week cycle. Quarterly ladder training is still doing vehicle extrication at Chandler. I think we are down to our last crew that is going to rotate through.

We sent our Type-3 crew last night to North Texas, Abilene. North of I 40. They have been deployed, and we have no idea yet how long they will be there, but it is likely that they will fulfill their 14 days assignment.

Director Cross asked the question "regarding the 2 car accidents on the US-60, how do you contribute those to the Renaissance Festival?"

Interim Chief Mike Farber responded at that time, it was 6:10 PM and traffic was at a complete standstill. A van hit the back of a truck and there was really no skid-marks. The Festival gets out at 6 o'clock and people start leaving at about 5:30 PM, usually after the last joust. I think we had a wreck on Saturday that was also attributed to the Renaissance Festival at about 10:40 AM going eastbound around Tomahawk. The traffic is just extremely backed up, so if you're going 65 mph and suddenly you look up in the traffic stop then... crash. We have had a lot over the years. We can't actually prove that to the Renaissance Festival, but it was certainly a contributing factor.

Acting Assistant Chief Richard Ochs said the van was full of employees who had been serving alcohol and everybody was drunk. People were out in the sun too long and drank too much and that was their testimony on the scene.

Interim Chief Mike Farber said that it was actually a very sad event.

Director House said the only reason he brings that up is because Renaissance Festival, next year, will feature nighttime jousting and dinner, so they are going to change it all around if he gets his way so they're going to have nighttime Renaissance Festival. That may challenge us even more. When I get more information on that we'll have to prepare ourselves.

Acting Assistant Chief Richard Mooney said I would like that because we are going to redo their contract and Anna and I are going to negotiate with them. They're going to extend the hours and were looking at doing two crews if not three because of the number of people that will be out there.

Director House said the only reason I mentioned it is because we are continuing to work with ADOT to try and reduce the traffic situation for the Renaissance Festival and so, if the crashes were directly attributed to that, I can make an argument with ADOT.

Planning & Logistics Update

Acting Assistant Chief Richard Mooney began talking about things we've been doing in the Pub Ed area with Tina. SFMD hosted Arizona Fire and Burn Educator Association quarterly meeting and training, the Golden RV Resort Held a Potato Bake SFMD Fundraiser. Crew and Staff Participated. 2018 Aging Symposium attended by Tina Gerola, Community Risk Reduction Specialist. We did a First Aid demonstration with Children's Sidewalk Ministry group. SFMD led the Golden Vista RV Resort's St. Patty's day parade. SFMD participated in CAAFA's (Community Alliance Against Family Abuse) Community Event at Prospectors Park. Just this morning, Chief Farber and I attended the Mayor's Breakfast, and they focused on the homeless issues for the city. They talked about making water stations around the city and also to distribute water around the city. I will talk to Tina about this. We can actually make our fire stations (especially station 3 and station 1) drop off locations as well as distribution station and we can make that known to the public. Maricopa County does that.

In our Transportation Division, Jeanette Bodley recently resigned. She wants to go ahead and retire and go on her own so that caused a vacancy in the Paramedic position. Erick Fuentes has promoted to the 42 hour Paramedic due to her resignation. He completed his Paramedic just last year with tuition reimbursement program on his own. Passed his test in January 2018. This vacancy opened up and we posted it internally and he applied and got a panel interview and also interviewed with Chief Farber and Union Vice President John Walka. He passed that with 80% so he was promoted to a 42 hour position. He'll be starting that on April 1. His last day is the 28th or 29th of March on B-Shift. Based on his vacancy, that created another EMT vacancy and we went to our list. Christopher Donahue has accepted a tentative offer for a full-time-42 hour EMT position. That is pending background investigation. He's coming from AMR. We hope to get him sometime in April but we have to wait for his background to clear.

Transportation Services

Transportation Services Manager Billy Warren stated that as you can see with this slide, it just demonstrates the increase in call volume that we've had since last year. February was not quite as high as January was, but it was still significantly higher than it was last year in 2017. For March, we are on target to hit over 500, so we are definitely higher than last month.

The other thing that we wanted to talk about is that the ALS/BLS mix is different than we expected in the budget for FY17/18. The total transports are 6.3% higher than we budgeted, so with that, our gross billings are pretty much right on target, and are actually 2.3% above budget. Another interesting thing is that the average cash collected for FY16/17 is now at about \$529 a transport. So, our ALS rate is about \$1,066 for ALS transport, but what we actually collect on average is \$529 a transport. That is between ALS and BLS. That is 44.2% of our gross, which is higher than the national average which is about 43%. If you look at our payer mix, which is high Medicare, which reimburses at the lowest rate, to have a 44% collection rate is really a testament to the process and how everything is working. Everything from Q&A, to monitoring the billing company closely, Finance and everyone in the District all working together to make this successful. We're shooting for higher but 44.2% is an awesome target that we hit.

Acting Assistant Chief Richard Mooney thanked Billy and Roger. If you noticed, their projections were within 2.3%. They were actually below that. We always shoot to budget under, that way, just in case for some reason it doesn't, but they were right on with these numbers. They projected these numbers last year. Roger and Billy did an outstanding job projecting what our Transports would be, within 2.3%.

Transportation Services Manager Billy Warren said that one thing that is going to be helpful is, from here on out, since we obtained the BLS operation from AMR in late March of last year, so the FY16/17 budget was difficult because we didn't have actual numbers for the BLS operations, but basically we did our best guess at that and we came pretty close. Starting next month, we will have actual numbers to compare to, so we will see how accurate our budget really is, and that is going to really help with this next year's budget.

Administrative Services Update

Acting Administrative Director Anna Butel talked about an employee benefit survey for open enrollment, which is right around the corner. Administration in conjunction with Labor sent out a survey for our employees to find out how satisfied they are with our current package, and if they were having any problems. It went remarkably well. There were very few problems reported from switching from United Healthcare last year to Blue Cross Blue Shield. There were a few glitchy things, but those things were all resolved. This is a testament to our broker, Benefit Logic. The biggest, most common thing, was high premiums. I think everybody says that about healthcare, and so we kind of expected that. Overall, the services we provide to people, they were all very satisfied as a package.

The second thing that we did was train a backup person in payroll. This was identified as a risk some time ago. It can be problematic if the payroll person is sick or wants a day off or vacation on a payroll week, so Lori Hlavin trained Kelly Bartz as a backup for payroll, and I am happy to report that we have a person prepared to step into that role in the event of an emergency.

Verizon / Review of Station 265 - out at Station 265, we've had a lot of reports from that station that the signal is not very good, having difficulty getting information to the MCT's, and for a long time, since we built the station, Verizon has come out and put a lot of assets on the roof (meters and things), and over time, that is become outdated. Another Engineer had come out and he had assessed that there is a cabling problem at the site that needed to be updated. The real icing on the cake, is it took a lot to get Verizon to come out and do a site review, and he was sitting in his car at Station 265 and he goes to make a phone

call and his call wouldn't connect. So, that was good and all the crew was there, a couple of the BC's and Chief Mooney was there, they had the map on the wall and the signal drops off they were drawing on the map and so they have a very clear idea of what the problem is now. It's a big impact on operations. I talked to the technician this morning that's going to be doing some of the work so hopefully they're going to get that off the ground and get it all fixed up and maybe the service will be a little better in Gold Canyon.

Lastly, we submitted the Fire Prevention and Safety Grant that is to fund the Community Risk Reduction Specialist for the following fiscal year.

13. New Business / Future Agenda Items (BOD #2018-03-12) N/A

14. Announcements (BOD 2018-03-N/A) N/A

Legal Counsel William Whittington approached the Board and said he had a chance to look at our Agenda and there are some housekeeping items that may need some legal advice. If it please the Board, I recommend that you modify your agenda and make a Motion to go into Executive Session for agenda items number 5, 9, 10 and 11.

Chairman Cross made a Motion to go into Executive Session at 7:06 PM. Seconded by Clerk Gehrt.

Vote 5 ayes, 0 nays. MOTION PASSED

The Executive Session ended at 7:27 PM. Chairman Cross reminded everyone that what was discussed in the Executive Session is not to be discussed with anyone. He ended the Executive Session and returned to the Regular Session.

Chairman Cross wanted to go back to agenda item #10 regarding the Interim Fire Chief evaluation. The evaluation form that everyone has seen is the form that will be used for all employees.

Interim Fire Chief Farber stated that is the current one were using but he did have Anna add a section because in the past it didn't include financial acumen, so he added that but generally that is what we use for everybody else. We figured that you would modify it however you needed to.

Director House stated that he feels like it's fair that the Fire Chief uses the same form that all the other employees use. He thinks it's uniform and he thinks it's a good idea. It's very efficient and it's very thorough, which is good for us.

Chairman Cross asked if the Board wants this form to go out to the Senior Leadership Team, or a modified 360 evaluation, or just have the Board do the evaluation?

Director Strand said he feels like the Senior Leadership Team is already busy enough and this is more of our issue.

Clerk Gehrt also added and reminded the Board that these are all interim positions.

Director Moeller said he would like to see one go out to Labor to get their input on it as well. Labor works a lot more with Chief on daily basis than we do.

Director House stated that going forward, if and when we do actually put a Fire Chief in place, he would like to see us go back and do a 360 review at that point in time. But at this particular time, with the interim situation, I think the Board should do this.

Chairman Cross said he feels like the Board should be doing the evaluations.

Acting Administrative Director Anna Butel told the Board that she would send out an electronic fillable to each of them.

Chairman Cross suggested the Board that once they are done filling it out send it to the Board Clerk, Mr. Gehrt so he can tally and formulate the results.

Director House suggested that we could have them all sent to Mr. Whittington for review. We have done that in the past.

Chairman Cross said we will forward the evaluation forms, once they're completed, to Mr. Whittington.

15. Adjourn (BOD #2018-03-13)

Motion by Director House at 7:32 PM to adjourn the meeting. **Seconded** Director Strand.

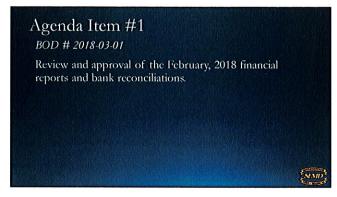
Vote 5 ayes, 0 nays. MOTION PASSED.

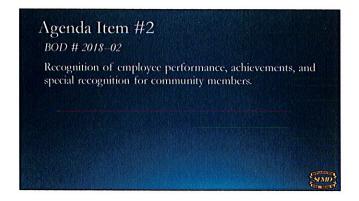
Governing Board Approval:

Gene Gehrt Board Clerk

Sherry Mueller's













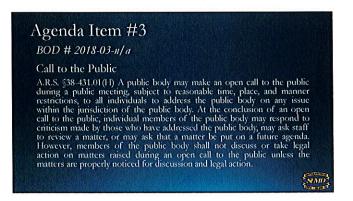












Agenda Item #4

BOD # 2018-03-03

Consideration and possible approval of all consent agenda items listed below.

- a. Board Meeting Minutes from February 21, 2018
- b. ProShred Security Document Destruction Agreement
- c. Intergovernmental Agreement for provisions of Services by Pinal County Recorder and Elections Department
- d. Emergency Purchase Mobile Radios



Agenda Item #5

BOD # 2018-03-04

Legal Services Action from the February 21, 2018 Board Meeting.

In the February $21^{\rm st}$ board meeting a motion was made to discontinue legal services with Leonard & Felker PIC and evaluate the feasibility of securing William Whittington.

Because this was not originally drafted as an item with a motion SFMD is posting this in the March 21, 2018 Board Meeting to correct the oversight.



Agenda Item #6

BOD # 2018-03-05

Discussion and possible approval of Policy 100.01: Fair Employment / Anti-Discrimination / Retaliation brought for review at the February 21, 2018 Board Meeting (BOD #2018-02-07) for final approval at the March 21, 2018 Board Meeting.



Agenda Item #7

BOD # 2018-03-06

Discussion and possible approval of Policy 102.11: Work Criteria / Public Safety / Shift Assignments (which includes the Work Trade Policy) brought for review at the March 21, 2018 Board Meeting for final approval at the March 21, 2018 Board Meeting.



Agenda Item #8

BOD # 2018-03-07

Staffing for Adequate Fire & Emergency Response (SAFER) Grant

As part of the additional unit at station 263 pilot program SFMD has identified that additional suppression personal are required to maintain adequate staffing levels. Although, SFMD has authored grants in the past it was recommended that a grant consultant be unitized for the SAFER application. This grant can be political in nature, and the lack of experience with SAFER grants may prove detrimental to SFMD in this circumstance.

Additionally, administrative staff positions have been reduced thus creating strain on meeting required due dates. Having a consultant with the knowledge, and experience to move this necessary initiative forward is imperative.



Agenda Item #9

BOD # 2018-03-08

Discussion and possible direction regarding the open Fire Chief position, and the other major initiatives being planned within the preparation of the Preliminary Budget for Fiscal Year 2018 / 2019.



Agenda Item #9 continued

BOD # 2018-03-08

FY 2018 / 2019 Major Budget Initiatives being considered depending on available budget funds: General (100) Fund

- 1. Maintaining 2nd engine at S263
- 2. COLA
- 3. Additional off-shift training days / quarterly Captain's conferences
- 4. Increasing Financial Reserve



Agenda Item #9 continued

BOD # 2018-03-08

General (100) Fund continued.

- 5. SAFER grant
- 6. Community Risk Reduction grant

Note: The District received the SRP NAV and it increased 5.4% (an additional \$19,400 in tax revenue)



Agenda Item #9 continued

BOD # 2018-03-08

Transport Services (150) Fund

1. TSP Medical Exams

Initiatives impacting both General and Transport Services Funds

1. Lexipol Fire HR / Policy software



Agenda Item #9 continued

BOD # 2018-03-08

Capital Replacement (200) Fund

- 1. Purchase of new pumper
- 2. S263 accommodations
- 3. Second set of turnouts / grant
- 4. SCBA Bottle replacement (61)
- 5. Thermal Imaging Camera
- 6. Exchange server software



Agenda Item #9 continued

BOD # 2018-03-08

Debt Principal (500) & Debt Interest (600) Fund

1. Lower special assessment by \$0.04 to \$0.18/\$100 NAV



Agenda Item #10

BOD #2018-03-09

Annual Evaluation for the Fire Chief position.

The attached evaluation can be utilized to for the annual fire chief position. The Board may wish to utilize other categories or the ones listed on enclosed templates. In addition to the performance rating of the fire Chief, mutually agreed upon goals can be determined between the Board of Directors and the Fire Chief.

In addition, the Board of Directors will want to discuss and consider who (besides the Board of Directors) should be solicited for input regarding the performance of the Fire Chief.

Staff is requesting that the Board provide direction on next steps.



