

# **Sun Lakes Fire District Regular Meeting Minutes**

## **June 21, 2011**

### **Call to Order:**

The regular meeting of the Sun Lakes Fire District Board of Directors was called to order by Board Chair Sellers at 2:00 P.M. Board Members Sellers, Kohler, Price, Utter and Crawford were present. Others in attendance included Fire Chief Wilson, Deputy Chief McCoy, Battalion Chief Guerra, Finance Manager Elikan, Captains: Kenyon, Bennett and Helie, Engineer Walker, Firefighter Molite, Firefighter Franco, Firefighter Flynn, Firefighter DeGraff, EMS Gonzales, Administrative Assistant Engel, Board Attorney Blommel and husband Don Blommel, and Members of the Public Ray Smith and Jim Kaiser. The meeting was led in the Pledge of Allegiance by Board Member Kohler.

### **Approval of the Minutes of the May 17, 2011 Executive (Closed Session) Meeting**

There were no additions or corrections to the minutes of the May 17, 2011 Monthly Board Meeting, therefore, Board Chair Sellers declared the Minutes approved as circulated.

### **Approval of the Minutes of the May 18, 2011 Insurance Committee Meeting**

Union Vice President Bennett stated that she and Union President Kenyon representing the Union at the meeting had not agreed that the Union Members would cover a second year increase. Rather, the Union agreed that they would negotiate an agreement on a second year increase with specific details to be worked out and stated in a Side Letter to the MOU.

Board Member Crawford asked if there was some specific language that could be inserted into the Minutes to satisfy the Union's concern. Union Pres. Kenyon answered that the 3<sup>rd</sup> paragraph on Page 2 of 3 should be changed to state that the Union and Management were still in negotiation on the Employee contributions to cover a 2<sup>nd</sup> year premium increase. Union Vice President Bennett read a proposed revision for the paragraph in question.

Board Member Crawford moved that the language read by Capt. Bennett be inserted into the 3<sup>rd</sup> paragraph of Page 2 of 3. The Motion was seconded by Board Member Kohler. Chief Wilson noted that the current MOU states a 20% increase in the premium, not the Employee's contribution or the Employer's contribution. The intention of developing the Side Letter is to clarify the details of a 20% increase. Union VP Bennett explained that the current language of the MOU potentially puts an Employee with family coverage at risk of a 100% increase in his/her premium in the 2<sup>nd</sup> year. Board Member Crawford stated that his motion did not fully cover that situation. Union Pres. Kenyon reiterated that the Union's interest was that the language of the paragraph in question be changed from noting the Union "had agreed" to the Union and Management were still negotiating the issue.

Chief Wilson made a point of order that these minutes did not have to be approved at this meeting and could be considered at a later meeting subject to an agreement on the issue. Board Member Crawford withdrew his motion and moved that the Approval of the Insurance and Legal Committee meeting of May 18, 2011 be tabled until a later date. The Motion was Seconded by Board Member Kohler. There was no further discussion. The Motion passed unanimously with no abstentions.

#### **Approval of the Minutes of the May 19, 2011 Budget Committee Meeting**

There were no additions or corrections to the minutes of the May 19, 2011 Budget Committee Meeting, therefore, Board Chair Sellers declared the Minutes approved as circulated.

#### **Approval of the Minutes of the May 24, 2011 Monthly Board Meeting**

Union Pres. Kenyon noted the same problems with paragraphs 4 and 5 of Regular Agenda Item 1 as were discussed with the consideration of the May 18, 2011 Insurance Committee meeting.

Board Member Crawford moved that the Approval of the Minutes of May 24, 2011 Monthly Board Meeting be Tabled until the language of the Side Letter to the MOU concerning the Blue Cross/Blue Shield premiums can be resolved and presented to the full Board. Board Member Kohler Seconded the Motion. There was no further discussion. The Motion passed unanimously with no abstentions.

At this point Board Chair Sellers introduced Board Attorney Denise Blommel.

#### **Unscheduled Public Appearances Call to the Public**

There were none.

##### **A. Recognition—Service Anniversary:**

###### **5 years—Firefighter Mike Molite**

Chief Wilson presented a 5 year service pin to Firefighter Molite and read a letter of congratulations.

##### **B. Correspondence and/or Other Important Information Attached**

No comments.

##### **C. Reports**

###### **Board Committee Reports:**

###### **Budget & Finance Committee Meeting of June 16, 2011. Diane Price and Mike Sellers.**

Finance Manager Elikan reported that the meeting had discussed the District Budget in its final form. She noted that the budget had been published.

Ms. Elikan went on to note that PSPRS had notified the District as well as other

Districts and other public agencies covered by the PSPRS retirement that when a PSPRS retiree went back to work, the Employer would now be required to make an alternate contribution on behalf of the Employee. This was established in Senate Bill 1609. In the case of SLFD that affects the Fire Chief. SLFD will be required to contribute 10.51% of that employee's gross pay to the Public Safety Personnel Retirement System (P.S.P.R.S.). She noted that this amount had not been included in the budget. Chief Wilson indicated there were funds available for the FY 2011/12 budget which could be designated for the alternate contribution. There are 2 vacancies budgeted where monies could be re-allocated from. There was discussion by the Board on how to fund the alternate contribution. Chief Wilson indicated the finance manager needed direction from the Board, since this issue involved his position.

Board Member Price requested a list of the pay steps and rates for the various established positions in SLFD. Chief Wilson agreed to provide copies to each Board Member.

Finance Mgr. Elikan reported that Senate Bill 1218 passed by the legislature increases the Fire Department Assistance Tax (F.D.A.T.) Distribution from \$300,000 to \$400,000 for FY 2012/13. She noted other parts of that bill increase the accounting requirements of Districts, which will increase the work of the staff.

Board Member Price stated her dismay at the timing of Senate Bill 1609 noting that it was enacted after every public entity covered by PSPRS had established their budget. In all cases, this expense was not covered in any budgets.

Board Attorney Blommel suggested that any reaction to Senate Bill 1609 would be best discussed in the Executive Session planned in the regular agenda for this meeting. She noted that this legislation was part of a major overhaul of all of the State retirement systems.

Finance Mgr. Elikan noted that the final item discussed in the meeting was the need for SLFD to establish a separate account for the Wildland Firefighting income and expenses. This will be taken up under Agenda Item 4.

### **Fire Chief's Report for April 16, 2010 through May 15, 2011**

*The full text of the Fire Chief's Report is attached to the Board Agenda Package.*

Chief Wilson reported that Maricopa County has issued a fire restriction for all unincorporated County areas. This includes prohibiting the setting off of fireworks. This fire restriction will be in effect until further notice.

Chief Wilson corrected an article in the Arizona Republic about the "Yellow Dot" medication identification program. He noted that the program requires either a State agency or a non-profit organization to sponsor the program and print materials. There is no agency at this time in AZ that is willing to sponsor the program. Firefighter DeGraaf described the work he and Captain Dimmerling were involved in at the Wallow Fire recently. He noted that the work was hard but very interesting

and he reported learning a lot. He shared a map detailing the actions of the Sun Lakes Fire District E-231 on the Wallow Fire.

Chief Wilson and Chief McCoy presented the Fire Chief's Report.

**1. News and Events.**

There were no comments.

**2. Operations Report – A, B & C Shifts & Emergency Medical Services**

There were no comments.

**3. Significant Emergency Incidents**

There were no comments.

**4. Chief Wilson represented the Fire District and met with the Individuals and Organizations noted:**

This information is presented in the Chief's Report included with the Agenda package.

**Financial Report.**

The Financial Report was reviewed by Finance Manager Andrea Elikan.

There were no comments or questions.

**Local 3560 Report.**

Captain Kenyon presented the Local 3560 Report.

Captain Kenyon reported that the Union had been having a lot of discussions on who they were and why they were where they were. Other than that, there were no activities to report on this month.

There were no comments.

**D. Regular Agenda**

**1. Conduct a Public Hearing on the Proposed Fiscal Year (FY) 2011/12 Final Budget. (Open the Hearing and Close the Hearing—No Action).**

Board Chair Sellers asked if there were any comments from the public.  
There were no comments.

**2. Discussion and Possible Action to Approve the FY 2011/12 Final Budget, as recommended by the Budget and Finance Committee.**

Board Member Crawford moved the Approval of the FY 2011/12 Final Budget as recommended by the Budget and Finance Committee. The Motion was seconded by Board Member Price. Board Member Price asked why the Department no longer installed car seats. Chief Wilson answered that the cost of training personnel had gotten prohibitive and the liability of not having personnel properly certified was too great for the Department to accept. Captain Bennett, as the coordinator of the car seat program, indicated Sun Lakes Fire District members could still instruct residents on the proper installation of a child car seat, as follow-up to Director Price questions. There was no further discussion. The Motion passed unanimously with no abstentions.

**3. Discussion and Possible Action to Approve Resolution CXI (111) to Transfer Ambulance Revenues to the Operating Budget.**

Finance Mgr. Elikan explained the Resolution. Board Member Crawford moved Approval of Resolution CXII (111). The Motion was seconded by Board Member Price. There was no discussion. The Motion passed unanimously with no abstentions.

**4. Discussion and Possible Action to approve Resolution CXII (112) to Establish a Special Revenue Account for Wildland Firefighting Reimbursements..**

Board Member Kohler moved the Approval of Resolution CXII (112). Director Utter seconded the motion. There was no further discussion. The Motion passed unanimously with no abstentions.

**5. Discussion and Possible Action to Adjourn to an Executive Session Pursuant to A.R.S. 38-431.03 A.**

Board Member Price moved that the Board go into Executive Session. The Motion was seconded by Board Member Kohler. There was no discussion. The Motion passed unanimously with no abstentions.

**6. Possible Adjournment to Executive Session (Closed Meeting) for the Discussion or Consideration of an Employment Agreement for a Public Employee—Fire Chief.**

Board Chair Sellers Adjourned the Meeting to an Executive Session (Closed Meeting) at 3:15 P.M.

**7. Reconvene the Regular Meeting (Open Session).**

Board Chair Sellers declared the Meeting to be Open again at 4:45 P.M and called for a five (5) minute break.

**8. Reportable Actions from the Executive Session (if any).**

Note: Board Member Utter departed the Executive Session at 4:15 and Board Member Crawford departed the Executive Session at 4:30.

No reportable actions.

**9. Discussion and Possible Action to Approve an Employment Agreement for a Public Employee—Fire Chief.**

Board member Kohler moved approval of an Employment Agreement with the Fire Chief and the allocation of the Alternate contribution rate of 10.51% to the Public Safety Personnel Retirement System (P.S.P.R.S.) be taken from FY 2011/12 vacancy savings from unfilled positions, with a Board commitment to replace the vacant position savings from another funding source for the FY2012/13 budget.

The motion was seconded by Board Member Price.

There was no discussion.

The motion passed unanimously with 3 Ayes; Kohler, Price, Sellers. 2 Board Members were absent.

**E. Board Member Comments**

There were no further comments.

**F. Adjournment**

There being no further business to come before the Board, Board Chair Sellers declared the meeting adjourned at 4:53 PM.

Respectfully submitted,

Forrest Kohler,  
Board Clerk  
FK/geh