

Mayer Fire District
Regular Meeting Minutes
Monday, July 21, 2014 6:00PM
Mayer Fire Administration

Prior to calling the meeting to order Member Wildman announced he would be acting Chairman and Member Wesolowski would be acting Clerk.

1 Call to order.

Acting Chairman Wildman called the meeting to order at 6:01 P.M.

2 Pledge of allegiance.

3 Roll Call of members.

Present were Acting Chairman Wildman, Acting Clerk Wesolowski and Member Williamson. Member Ashton was present via telephone. Member Rhodes was not present.

4 Presentation of grant funds from Gila River Indian Community.

Chief Brown said we received a grant from the Gila River Indian Community for \$50,000. It is a pass through grant that must go through Yavapai County.

5 Call to the public. *(The Fire Board can only respond to items on the Agenda. Comments limited to two minutes each.)*

There was no public comment.

6 Chairman's Report.

Item tabled.

7 Chief's Report: a) Financials b) Event report

a) **Financials** – Chief Brown went over the different categories. For NET Income we were budgeted to lose \$65,647 and only lost \$12,960. For Year to Date (YTD) NET Income we were budgeted to lose \$69,501 and actually lost \$196,806. We also will have to pay back about \$52,000 for an overpayment in taxes of the Transwestern Pipeline settlement of \$42,234.14. Under Item 14 he will explain how the County will help MFD deal with the pay back.

b) **Event report.** – **Type 3 engine** was called out to a Wildland fire in the State of Washington and leaves tomorrow morning. It is for preparedness (and not a specific fire) due to all the fires in the State. **Labor and Management** – Chief Brown said just before this meeting Labor and Management met to continue the discussions on the items that the Board has directed them to talk about including Staffing Guidelines.

8 Consent Agenda.

Acting Clerk Wesolowski made a motion that we accept the consent agenda. Member Ashton seconded. The vote was Aye – four; No – zero. **Motion carried.**

9 Pursuant to A.R.S. 38-431.03.A (3) the Board may vote to go into Executive Session for legal advice from Douglas Fant (telephonically) re: a letter from the United States Department of Agriculture.

Douglas Fant was present in person at the meeting.

Member Ashton made a motion to go into Executive Session to meet with Attorney (Douglas Fant) regarding a letter from the United States Department of Agriculture. Acting Clerk Wesolowski seconded. The vote was Aye – four; No – zero. **Motion carried.**

6:15 P.M. Board goes into Executive Session.

6:29 Acting Chairman Wildman calls the Board back to order.

10 ***Lifting fire restrictions for Mayer Fire District.***

Chief Brown said we go along with Yavapai County (ban removed July 11th at 8:00 AM) and asked the Board to ratify. Acting Clerk Wesolowski made a motion that we accept Yavapai County's lifting of the fire ban. Member Williamson seconded. Member Ashton asked Chief Brown if he felt comfortable lifting the fire ban for our District. Chief Brown said with the amount of rain we have had we are fine. Yavapai County contacted us and we do what everyone else does and doing it this way we have the backing of the County. After further discussion the vote was Aye – four; No – zero. **Motion carried.**

11 ***Modification of Fire Chief's Employment Agreement.***

Chief Brown said the Board had a copy of his employment agreement with the addition of one section on residency. Currently there is no requirement for Chief to live with District's Boundaries and thought it would be prudent to put in a restriction that says, "The Fire Chief is required to live within 15 miles of the Fire District boundary." Member Ashton made a motion that we accept the agreement for the modification of the Fire Chief's employment. Acting Clerk Wesolowski seconded.
The vote was Aye – four; No – zero. **Motion carried.**

12 ***Waiver of Conflict of Interest and Consent to Join Representation from William Whittington, PLLC regarding the Intergovernmental Agreement for Purchasing with Central Yavapai Fire District.***

Chief Brown said (MFD) entered into a purchasing agreement with Central Yavapai Fire District (CYFD) last year. Mr. Whittington, who still represents MFD, had some concerns with the legal contract. Prior to Mr. Whittington to be able to look into the agreement all the parties that have Mr. Whittington as their attorney have to give him a consent waiver to allow him to look into the agreement and waive our conflict of interest. We believe that he is fine tuning the contract and we are recommending that you approve the waiver for Mr. Whittington. After discussion Acting Clerk Wesolowski made a motion that we accept the agreement with the law firm with Chief Brown and Acting Clerk Wesolowski as signers. Member Williamson seconded. The vote was Aye – four; No – zero. **Motion carried.**

13 ***Intergovernmental Agreement with Arizona Department of Transportation for fuel services.***

Chief Brown said the Board had in front of them an agreement for fuel with Arizona Department of Transportation (ADOT). We entered into an agreement about ten years ago and purchase our fuel at the ADOT yard. It is convenient as it can be accessed twenty-four seven and it is a reduced rate from purchasing fuel elsewhere. Member Williamson made a motion that we approve the agreement with ADOT for fuel and have Chief Brown as the signer. Action Clerk Wesolowski seconded.
The vote was Aye- four; No – zero. **Motion carried.**

14 ***Intergovernmental Agreement with Yavapai County re: Transwestern Settlement Refund.***

Chief Brown said the Board had a letter from Yavapai County that describes the settlement with Transwestern Pipeline. The Yavapai County portion of the settlement is a little over two million dollars. MFD portion was \$42,234.14. The item is going to be tabled tonight because we don't have the IGA yet. If the tax levied was more than four percent then the County is offering the proposed settlement. Black Canyon City and Mayer were the only Fire Districts affected. The County is looking at spreading out our pay back. Our taxes are reduced by ten thousand. The County is looking at paying the \$42,234.14 for MFD and then MFD would pay the County back over a three year period with a slight interest. It would be about \$14,000 a year.

Item tabled.

15 ***Intergovernmental Agreement for Purchasing with Central Yavapai Fire District.***

Item tabled.

16 *Future Agenda items.*

Acting Clerk Wesolowski said he would like to find out more about the meeting between Union and Management. Chief said we will have an item on the agenda to give the Board an update.

17 *Future meeting dates.*

The next regular Board meeting will be August 18, 2014 at 6:00P.M. The Budget (combined) meeting is scheduled for August 11th at 5:30 P.M.

18 *Adjournment.*

Acting Chairman Wildman called the meeting adjourned at 6:47 P.M.

Ed. J. Wesolowski 8-18-14

Acting Clerk Wesolowski

Date