

CCIFD Meeting Minutes – December 18, 2008

The Chandler County Island Fire District (CCIFD) governing board met in a properly posted open public meeting on Thursday, December 18, 2008. The meeting was held at the Tumbleweed Recreation Center Meeting Room, located at 745 E. Germann Road, Chandler, Arizona.

The following agenda items were considered at the meeting:

- A. The inaugural meeting of the CCIFD board was called to order at 6:09 p.m. by Board Member Ed Hurley.
- B. Roll Call: Mr. Ed Hurley, Ms. Ruth Coleman in attendance (Jack Rassi absent at call to order / arrived at 6:34 p.m. where noted below).

Item 1: Elect a chairperson and a clerk from the Chandler County Island Fire District governing board members pursuant to ARS §48-852.D (CCIFD #08-001):

The board discussed with Lee Miller, attorney the responsibilities of the board officer positions.

Motion by Coleman / 2nd by Hurley: To nominate Ed Hurley for board chair and Ruth Coleman for board clerk; Passed 2-0-1 (Rassi absent).

Motion by Hurley / 2nd by Coleman: To nominate Ruth Coleman for board clerk; Passed 2-0-1 (Rassi absent).

Item 2: Consideration of issuing a letter to the City of Chandler expressing interest in an intergovernmental agreement for fire services pursuant to ARS §48-853 (CCIFD #08-002):

Attorney Lee Miller provided an overview of the statutory requirements for the board to obtain fire services through the IGA process and answered board questions concerning the matter.

Motion by Coleman / 2nd by Hurley: To request a proposal from the City of Chandler to provide fire services to the CCIFD through an IGA; Passed 2-0-1 (Rassi absent).

City of Chandler Fire Chief, Jeff Clark and Assistant Fire Chief, Tom Carlson addressed the CCIFD board and presented a letter expressing the city's interest in an IGA for fire services and distributed a draft IGA proposal for review and discussion purposes. Chief Carlson provided a summary of the IGA for the board.

There was discussion by the CCIFD board concerning the Interim Fire Services IGA between Maricopa County and the City of Chandler. There was a desire by all parties to extend the time frame to allow the city and district to enter into an IGA without a lapse of fire services to district residents. Chief Clark stated the city council has directed the fire department to continue to respond into the CCIFD regardless.

Item 3: Consideration of retaining the law firm of Miller LaSota & Peters, PLC for the purpose of providing professional services pursuant to ARS §48-852.B.3 (CCIFD #08-003):

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(Board Member Rassi in attendance)

Attorney Lee Miller addressed the board concerning his proposal and retainer letter to serve as the CCIFD legal counsel. Mr. Miller and the board discussed payment for services through the remainder of the fiscal year. Mr. Miller stated he was willing to carry the CCIFD until tax funding is received and amend the retainer letter to indicate such.

Motion by Hurley / 2nd by Coleman: To retain Lee Miller, Miller LaSota & Peters, PLC as CCIFD legal counsel pursuant to the retainer letter as agreed to be amended; Passed 3-0-0.

Item 4: Consideration of retaining the consulting firm of PolicyLogic, LLC for the purpose of providing professional services pursuant to ARS §48-852.B.1 (CCIFD #08-004):

Consultant John Flynn addressed the board concerning his proposal and retainer letter to serve as a consultant to the CCIFD for administrative services. Mr. Flynn and the board discussed the services to be provided as outlined in the retainer letter and payment for said payment for services through the remainder of the fiscal year. Mr. Flynn stated he was willing to carry the CCIFD until tax funding is received and amend the retainer letter to indicate such.

Motion by Hurley / 2nd by Coleman: To retain John Flynn, PolicyLogic, LLC as consultant to the CCIFD pursuant to the retainer letter as agreed to be amended; Passed 3-0-0.

Item 5: Consideration of designating representatives and authorizing said representatives to negotiate an intergovernmental agreement with the City of Chandler for the provision of fire services pursuant to ARS §48-853.A.8.(a) (CCIFD #08-005):

Attorney Miller provided the board with an overview of the IGA negotiating process and discussed with the board the need to designate one member to the team, which would include the attorney and consultant. Mr. Miller further discussed the open meeting law issues and communications between board members in this and other members going forward.

Motion by Hurley / 2nd by Rassi: To designate Chair Hurley as the board member on the negotiating team; Passed 3-0-0.

Item 6: Consideration of authorizing legal counsel and or consultant to negotiate an intergovernmental loan agreement with Maricopa County for the purpose of funding essential district services deemed necessary and appropriate to carry out its powers and duties (CCIFD #08-006):

Consultant Flynn and Attorney Miller discussed the process and timeline for receipt of property tax funds and the need for obtaining an intergovernmental loan from Maricopa County to fund liability insurance as soon as possible, and the necessity of said insurance.

Motion by Hurley / 2nd by Coleman: To direct staff to pursue the intergovernmental loan with Maricopa County; Passed 3-0-0.

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Item 7: Consideration of authorizing legal counsel and or consultant to negotiate a revolving line of credit agreement with Wells Fargo Bank for the purpose of funding essential district services deemed necessary and appropriate to carry out its powers and duties (CCIFD #08-007):

Consultant Flynn and Attorney Miller discussed the process and timeline for receipt of property tax funds for the fiscal year beginning July 1, 2009, the tax collection process throughout each fiscal year and the need for a line of credit to ensure the financial solvency of the CCIFD. The board discussed tax receipts and funding issues for essential services and payments.

Motion by Hurley / 2nd by Coleman: To direct the consultant and legal counsel to pursue the line of credit with Wells Fargo Bank; Passed 3-0-0.

Item 8: Consideration of authorizing legal counsel and or consultant to solicit proposals for acquiring general liability, errors and omissions, fidelity bond and associated general insurance policy coverage pursuant to ARS §48-852.A.12 (CCIFD #08-008):

Consultant Flynn and Attorney Miller discussed the necessity for general liability and public official's management liability insurance for the CCIFD. Consultant and legal counsel described for the board issues with obtaining insurance for county island fire districts based upon statutory indemnifications required in Arizona Law and experience with these matters for other county island fire districts.

Motion by Hurley / 2nd by Rassi: To direct the consultant and legal counsel to solicit proposals for insurance coverage; Passed 3-0-0.

Item 9: Consideration of establishing a schedule of regular recurring monthly governing board meetings pursuant to ARS § 48-853.A.1, and posting notice of said meetings and providing such notice to the Clerk of the Board of Supervisors, Maricopa County pursuant to ARS §38-431.02.A.1-2 (CCIFD #08-009):

The board discussed recurring days, dates and times for monthly board meetings.

Motion by Hurley / 2nd by Coleman: To set the second Wednesday of each month at 6:00 p.m. local time for monthly board meetings, to establish the City of Chandler city clerk's public posting board as the place for posting meeting notices and to direct the consultant to file necessary notice of such with Maricopa County; Passed 3-0-0.

Item 10: Consideration of authorizing consultant to develop preliminary budget estimates for the remainder of the current fiscal year and the fiscal year beginning July 1, 2009 pursuant to ARS §48-853.A.2 and ARS §48-252 (CCIFD #08-010):

Consultant Flynn discussed with the board the budget process and components for developing a budget in conjunction with negotiating the IGA for fire services with the city.

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Motion by Hurley / 2nd by Rassi: To direct the consultant to develop preliminary budget estimates for the current and new fiscal year beginning July 1, 2009; Passed 3-0-0.

Item 11: Consideration of authorizing consultant to establish a records management policy and system in compliance with and pursuant to ARS §41-1346 (CCIFD #08-011):

Consultant Flynn discussed with the board the records retention and management of public records requirements under Arizona Law.

Motion by Hurley / 2nd by Coleman: To direct the consultant to develop a records management system and to maintain records for the CCIFD; Passed 3-0-0.

Item 12: Consideration of items for the agenda of the Chandler County Island Fire District's next regular scheduled meeting and or a special meeting called by the governing board for the purpose of carrying out its powers and duties (CCIFD #08-012):

Attorney Miller provided the board with a summary of standard practices to place items on the agenda and the timeline for ensuring proper posting for open meeting law compliance. Consultant Flynn advised the board the agenda of meetings will include items for consideration as required by statute.

Motion by Hurley / 2nd by Coleman: To adopt a policy requiring board member requested agenda items be provided to the consultant 10 calendar days prior to the respective board meeting date; Passed 3-0-0.

The board further directed consultant to develop a policy for consideration at the next meeting concerning the "call to the public" agenda item.

The board further directed the consultant to include the following issues / items for the January 14, 2009 meeting:

- IGA for fire services.
- Intergovernmental loan with Maricopa County.
- Insurance services.
- Wells Fargo Bank credit line.

Item 13: Consideration of filling a vacancy on the Chandler County Island Fire District governing board by appointment of an interim member pursuant to ARS §48-852.B. (CCIFD #08-013):

Mr. Jack Rassi submitted his resignation letter to Chair Hurley. Mr. Rassi was unable to continue to serve due to medical circumstances.

Motion by Hurley / 2nd by Coleman: To appoint Mr. Jeff Gerber to fill the CCIFD vacant board formerly held by Mr. Jack Rassi; Passed 2-0-0.

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Item 14: Call to the Public:

None.

Item 15: Announcements:

Chair Hurley thanked the work of the board members, volunteers, consultant and legal counsel who worked the many hours required for the successful formation of the CCIFD.

Item 16: Adjourn:

Chair Hurley adjourned the meeting at 7:41 p.m. local time.

CCIFD meeting minutes approved: January 14, 2009.

Edward R. Hurley, Board Chair

Ruth Coleman, Board Clerk

Jeff Gerber, Board Member