

Pine-Strawberry Fire District

PINE-STRAWBERRY FIRE BOARD REGULAR MEETING MINUTES August 31, 2022

The meeting was called to order at 6:00 pm

- 1) **Pledge of Allegiance**
- 2) **Roll Call** – Present were Board Clerk - Bob Papke, Board Chairman - Chuck Ackerman, Member - Dave Burkhart, and Member - Melvin Palmer.
- 3) **Presentations** –Interim Chief Joel Brandt read a statement about the importance and honor of wearing the “Captain’s Badge”. Brooke McBride, girlfriend of Thomas Cordova did the honor of pinning Captain Cordova. Congratulations, Tommy Cordova!
- 4) **Correspondence** – Two letters of “Thanks” were read, one included a donation to the “coffee fund”. Additionally, there was a donation check that came in during the month of July.
- 5) **Call to the Public** – Chairman Ackerman recognized Pine resident Fred Schoeffler.

Fred Schoeffler introduced himself as a “Pine resident since 1978. Worked for the Forest Service for 34 years. Was a Hot Shot Superintendent for 30 years. And worked here in the Firewise program for several years until I was summarily removed.” Mr. Schoeffler stated that he made a presentation to the Board several months ago and that he had some comments about that also. “I’m going to do my best to - no labels – no name calling – Although I will use the term “Quisling”. So, Vidkun Quisling was a Nazi collaborator who betrayed his people to the Nazis. And I’ve seen Chief Wisner do that to me and to his men – by threatening them, lying to them, threatening them not to talk to you guys – to the Board. And I feel that you all betrayed me, so I’ve lost pretty much all my respect for you guys as a Board. And for that meeting we had when I made my presentation, pretty much arrogance and condescending and pretty pompous, I thought. And so, I guess that’s it for me. So thanks for the time and I want this to be public record.”

Chairman Ackerman thanked Mr. Schoeffler for his comments.

- 6) **Approval of Previous Minutes- July 20, 2022** - Regular Meeting Minutes – Dave Burkhart made a motion to accept the minutes as written and authorize the Board Clerk to sign them. Melvin Palmer seconded the motion and it passed unanimously.
- 7) **Financial Report of July, 2022, Finances** – Ben Archer-Clowes of the James Vincent Group was in attendance and presented the financial report to the board. Melvin Palmer made a motion to accept the Financial Reports as presented and authorize the Board Clerk to sign them. Dave Burkhart seconded the motion and it passed unanimously.
- 8) **Fire Chief’s Report**– (Given by Interim/Acting Chief, Joel Brandt) Including but not limited to:

- a) **Significant emergency incidents** – 8 Fires – (4 structure fires, 2 grass fires, & 1 trailer fire, and 1 at the Landfill.) 60 – EMS Calls, and 28 miscellaneous calls for service.
 - b) **Other non-emergency Fire District Activity** –
 - We received our final rate adjustment waiver from DHS to increase our ambulance rate from \$1,697.61 to \$2,161.02 and mileage has increased from \$16.37 to \$20.00. A letter requesting a general rate increase has been sent to DHS.
 - We will continue with six member staffing until the third weekend in September, which is normal for the summer months.
 - We received \$99,350.02 from AZDFFM for the last two wildland assignments with approximately 43% profit margin.
 - The A/C at Station 42 was broken due to a leaking coil. Reserve FF Dan Green saw the need and fixed it saving the District a considerable amount of money.
 - TXA – Training is being conducted by Captain Billy Chester.
 - Engineer Bill Potter is training to be in the Honor Guard
 - Sunstate is now providing IT service for the District.
 - We have been in Contact with the Old County Inn and its owner regarding the event on September 3rd.
 - c) **The Fire Marshal’s** office has reviewed 7 plans, adding 9,605 square feet of construction and totaling \$1,939.26 of revenue.
 - d) **Report on emergency call volume from previous month** – responded to 100 calls for service.
 - e) **Report on vehicle maintenance from previous month** – Total for July, 2022, - \$1,478.47
 - f) **Report on training activities from previous month** –309 hours of training reported.
 - g) **Specific program updates or demonstrations** –
- 9) **Other Fire District Related Reports**
- a) District Board Chairman’s Report – None
 - b) PSPRS Board Report – Board Member Dave Burkhart is considering serving on the PSPRS Board again due to Board Member Bruce Dow’s resignation.
 - c) Firefighter’s Association Report – Tommy Cordova reported that there was a benefit this past weekend for Katie & Jimmy Parks – owners of Bandit’s Restaurant in Strawberry. The Firefighters Association presented them with a plaque on behalf of the District and the Association for all of their dedication and service to this community. Captain Cordova reminded the Board how helpful they were during the Backbone Fire to bring food in to the Fire Stations and how they served the community by feeding countless people’s animals during the evacuation period.
Tommy also reported that he and Engineer Kevin Figueroa have been to Chase Bank to get the Association banking accounts finalized.
Tommy also reported that the Association will begin talking about the “Trunk-or-Treat” event in their upcoming meetings.
 - d) Labor Organization Report – Captain Cordova reported that they had a Skype meeting with Local 4135 and we agreed to send \$1,000 to support the 310 Act to help support the cost of educating the public and also for literature and pamphlets – which we should be receiving here in Northern Gila County in the next week or two.
- 10) **Old Business** –
- a) **Discussion/Possible Action on a grievance/Complaint filed by PSFD Members against the PSFD Fire Chief John Wisner.** (*Note: The Board may elect to go into an executive session for reason of a Personnel Matter) Board Chairman Chuck Ackerman reported an update on the investigation stating that she (Katherine Baker) is still working on wrapping that up. He stated that he was really hoping to be able to finish that up tonight, however, that is not going to happen. She is finished with all the

interviews and is working on her final report and hopes to have it done, if not next week, early the following week. As soon as we hear back from her we will reach out to the Board members and give plenty of notice so that we can schedule a “Special Meeting” and review the findings.

Mr. Burkhart made a motion to put this item on hold until we hear back from the investigator. Mel Palmer seconded the motion and it passed unanimously.

- b) **Discussion/Possible Action on Interim Chief Position.** Mr. Burkhart stated that the original motion was to have Joel Brandt as the Interim Chief until this meeting, so Mr. Burkhart made a motion to continue using Joel Brandt as the Interim Chief until after the next meeting when we finish the investigation. Chuck Ackerman seconded the motion and it passed unanimously.
- c) **Pine Strawberry Fire District Support for Proposition 310 – Fire District Funding.** Although we did have this on the agenda last month, it has come to our attention that, as a Fire Board, we cannot support that. Individually we can support it but we cannot support it as a Fire District Board. It is, however, ok for the Chief or whoever may be giving an update on pending legislation to include that in their report.

11) New Business –

- a) Discussion/Possible Action regarding appointment of new Board Member
Chuck Ackerman pointed out that there is a time limit on the appointment of a new Board Member – which is 90 days from Mr. Dow’s resignation. It was suggested that all interested parties turn their resume in to the Board by the 15th of September. That way the Board can schedule an Meeting for interviews and after choosing a new member, there will be time for that person to take the “Open Meeting Law” training before being sworn in and taking office. Mr. Ackerman agreed and stated that the classes are all available on-line now.
Dave Burkhart made a motion that all interested parties have their resume in to the Board by the 15th of September. Chuck Ackerman seconded the motion and it passed unanimously.
Chuck Ackerman introduced Jim Wise who was in attendance and interested in the Board position. Also In attendance and interested in the Board position was Robert “Bob” Bennet. Ron Calderon was also interested in the position and was attending via Zoom.

(Board members were e-mailed copies of finalized policies prior to the Board Meeting. Additional copies printed and available in Board Room)

- b) Discussion and Possible Action on Policy 4.1 FMLA – With respect to the FMLA Policy, Mr. Papke pointed out that due to the size of the Pine Strawberry Fire District we do not meet the requirements for FMLA (Having less than 50 employees) However it is the intention of the Pine Strawberry Fire District to voluntarily provide similar protection to our employees who find themselves in need of this type of leave without jeopardizing their job/position. Therefore, in this policy, it will be referred to as FML (Family Medical Leave) and not be regulated or enforced by the Department of Labor.
Mr. Papke made a motion to approve this policy (4.1 – FMLA) as written and authorize the Board Chairman to sign. Dave Burkhart seconded the motion and it passed unanimously.
(Effective Date: 9/15/2022)
- c) Discussion and Possible Action on Policy 4.4 – PTO (Paid Time Off)
Robert Papke made a motion to approve the PTO policy as written and authorize the Board Chairman to sign. Dave Burkhart seconded the motion and it passed unanimously.
(Effective Date: 9/15/2022)
- d) Discussion and Possible Action on Policy 4.5 Earned Sick Time
Robert Papke made a motion to approve the Policy 4.5 Earned Sick Time as written and authorize the Board Chairman to sign. Dave Burkhart seconded the motion and it passed unanimously.
(Effective Date: 9/15/2022)
(These policies are available on our website – psfdaz.com)
- e) Discussion and Possible Action on Replacement (new purchase) of Ambulance 421

Acting Chief Joel Brandt stated that the replacement of Ambulance 421 (A-421) is long overdue and he has included in their Board packets the specifications for a new ambulance. The one he presented has a price change (increase) tomorrow 9/1/22 of \$40K to \$50K. Chuck Ackerman asked, "Where does the replacement of this apparatus fall on our long term expenditure program?" Fleet mechanic Shane Johnson stated that the Water Tender is next on the list, however we NEED to get rid of the Ford. Mr. Ackerman agreed that it is a problem; however he is questioning the long term replacement strategy, and what exactly we need to do to get caught up and back on track, knowing that we are woefully behind on capital investments and apparatus.

Shane Johnson pointed out that we currently have a 2013 and a 2008 ambulance. And the increase we are looking at is significant.

Mr. Ackerman stated that this is true, but whatever the other apparatus is that is next on the list, would also potentially be increasing by the same token. Mr. Ackerman came back to the fact that we need a "Long term Capital Plan" as it relates to these major purchases.

Shane Johnson stated that every time we get a Long term plan going, it gets bumped down the road.

Much discussion continued regarding Capital Replacement and the Long term plan and the items that need to be replaced and the need for a written plan.

Mr. Burkhart asked about which pieces of apparatus are used more.

Shane stated that it is true that the Tenders are 21 and 25 years old, however they are not used as much as the ambulances. Although the Water Tender that is here in Pine is 25 years old it only has approximately 14K miles on it.

Mr. Papke pointed out that this is exactly why we need a written Capital Replacement plan so that we know ahead of time which items we will be replacing and when, so that we can budget for them.

Captain Paine, who was in attendance, spoke up and stated that he has experience in building Capital Replacement plans and he is volunteering his services to put something together for the Board. He further stated that he would like to see something done, that he is tired of just hearing about it and hearing it discussed in meetings – it seems like it's been assigned and just not done.

Mr. Burkhart stated that the Board can assign details and committees and he feels this is something the Board needs to do. Mr. Burkhart asked Captain Paine and Engineer Shane Johnson if they would be willing to be appointed on a committee, assigned by the Board, to look and establish a plan for us. Both stated that they would.

Mr. Ackerman stated that he really felt that the Chief needed to be involved in that also.

Mr. Papke pointed out that if they appoint a Committee they will be bound to post agendas and take minutes.

Mr. Burkhart agreed and felt that this would maintain that it had to be done.

Board Member Melvin Palmer thought that he remembered that this year we were going to replace the Fire Engine and that the replacement of the Ambulance would be the year after that.

Mr. Burkhart made a motion to have Shane & Phil form a Committee to establish a Long Term Capital improvement plan for equipment. Captain Paine stated that he would prefer to have it more specifically for apparatus.

Mr. Ackerman stated that to be clear he wanted to specify that it is not just looking out a year or two but that it would be for 10 15 years.

Mr. Palmer wished for Mr. Burkhart to amend his motion to include the Chief to be involved in that.

Mr. Burkhart stated that he would amend his motion to include the Chief and that the 3 of them can elect a Chair and oversee a committee and report to the Board. He further stated that they should bring the Board a monthly report. He didn't feel there needed to be a time limit, just that they report where they are at each month and how often they have met.

Mr. Ackerman commented that if not a "time limit", then perhaps a "goal" of possibly by the end of the calendar year.

Mr. Burkhart agreed that if they had the report by the end of the calendar year that the Board could work it into the budget next year.

Mr. Ackerman stated that way the Board can make it a commitment to you, and a commitment from the Board to take action on it by the end of the year on a Long Term Apparatus Policy.

Mr. Palmer asked Acting Chief Brandt if there was a deposit required to lock in this price, to which Chief Brandt replied "No". Mr. Palmer inquired as to how much of a deposit would be required once we order the ambulance. The Contract states "90% upon delivery." Delivery is estimated to be 400-420 days out. Mr. Palmer thought that if we could lock in the price without paying a cancellation penalty that it would be a good idea to get it ordered. That way we would have both bases covered while the Committee does their work, and we can cancel it if it doesn't work out. Chief Brandt stated that we are basically "reserving our place in line."

Mr. Ackerman asked what the cost of this new ambulance is. Shane replied that it is \$230,152. It is the same manufacturer as the last ambulance we bought and the price is very close to it also.

Mr. Burkhardt reminded the Board that we have a motion on the floor to establish a committee.

Office Manager Carmen Wailes asked for the motion to be restated as there had been so much discussion after it.

Mr. Burkhardt again stated that he makes a motion that Phil, Shane and "Chief" Brandt form a committee and report to the Board each month for establishing a Vehicle Apparatus Long Term purchase plan, and have the full plan to us by the end of the year, or the first Board Meeting of 2023.

Shane Johnson posed the question that since he and Phil are on the same shift, would they be allowed to discuss it while on shift.

Mr. Burkhardt responded, "Yes. Since there are only two of you, you are allowed to discuss things but you can't vote on things." He further stated that they could have more people on the committee if they wanted to, but that then they should have Carmen post it that they are having a meeting in case anyone else wanted to attend.

Mr. Papke thought it would be better to just give direction to staff to do that and come back to us, pointing out that if there are three people on a committee, then two of them are a "Quorum" and they discuss it, that is an Open Meeting violation. If they are just staff, taking care of an assignment and coming back to us with a report that is due to us in January, then we don't have to worry about a committee. They cannot vote on it, they cannot approve it, we are just asking the Chief to have staff work on this and come back and report to us and it is not a committee appointed by the Board. I would change it to "We're giving direction to the Chief to come back with a staff report on vehicle apparatus acquisition."

Mr. Burkhardt asked whether we could state that we want these two staff members assigned to that work group?

Mr. Papke didn't think they need to. The Chief can take care of that. It is a much more feasible way of doing it.

Mr. Burkhardt maintains that he would really like to see Phil and Shane involved with that study.

Chief John Wisner, who was in attendance, asked if he could weigh in on the matter. He stated that, "Firstly, I just sent the Chairman and the Board clerk the current Five Year Plan that we are operating under. It shows that A-421 was purchased in 2013. It was due to be replaced 12 years later, which would be 2025. I don't disagree that maybe it needs to be replaced, but I do think you should have the plan."

"Secondly, I do think it is better held outside of a Board committee and be a Chief committee."

"Thirdly, I do have a 10 year Capital plan that I have gone over with Shane. Both he and I liked it and have signed it and it weighs heavily on these purchases and that sort of thing moving through and I could provide that to you in very short order if you want to look at that as well, or I can provide it to the committee."

Shane Johnson stated that A-421 is a 2013 and what we normally do, or what we like to do is run an ambulance 8 years as a "front line" ambulance and then rotate it into "reserve" for 4 years. The old ambulance "43" has been in "reserve" for quite a few years now. Otherwise they just keep costing us a lot of money.

Mr. Burkhart stated that he would amend his motion to say that we direct the Chief to establish the staff work committee and complete a staff report by January, 2023. Chuck Ackerman seconded the motion and it passed unanimously.

Dave Burkhart also made a motion that the Board allow the Chief to go ahead and place an order for this ambulance. There was much discussion as to when the balance would be due and whether or not there is a deposit due.

Chief Brandt asked for clarification stating that the contract was vague on the issue of a down payment and would like direction from the Board regarding that.

Shane Johnson stated that the actual contract says “90% upon delivery and the remaining 10% within 30 days.”

Chuck Ackerman replied, “Once we sign the contract, they cannot change it.”

Mr. Burkhart thinks that once they start building it, they are going to want a deposit.

Shane stated that they have never done that with us before and we have purchased two vehicles through them.

Melvin Palmer stated, “And if there is a non-refundable deposit requested within the first 30 days, that we withdraw our order.”

Carmen Wailes again asked for a re-stating of the Motion.

Mr. Burkhart- “I make a motion that we go ahead and allow the Chief to place the order tonight for the ambulance, and that it will remain on the agenda for next month concerning a down payment.”

Mr. Palmer – “And also if there is a non-refundable deposit required at the time of placing the order, we will not place the order.”

Carmen Wailes – “That’s part of the motion?”

Mr. Burkhart – “Yes. That can be part of the motion.”

Chuck Ackerman seconded the motion and it passed unanimously.

- 12) **Future Meeting Agenda Items and Meeting Date** - Items for discussion – Progress report on Grievance/Investigation – to be handled at a Special Board Meeting – to be determined., New Board Member, Discussion on replacement of Ambulance A-421.
Next Regular Board Meeting - **Thursday**, September 15, 2022 at 6:00pm Board Meeting Room.

13) **Adjournment:**

Dave Burkhart made a motion to adjourn. Melvin Palmer seconded the motion and it passed unanimously at 7:10 pm.

cw