

Minutes of the Regular Meeting of the Elected Officials  
of Rio Rico Medical & Fire District held on May 28th, 2019

1. Meeting called to order by Mike Vohland at 5:30 p.m.
2. Pledge of Allegiance.
3. Call to the public
  - None
4. Roll call for board members
  - Present: Mike Vohland, Michael Carlson, Brad Beach, Dean Davis, Frank Bejarano
5. Approval of minutes for the District Meeting held on April 30<sup>th</sup>, 2019, the Special District Meeting and Executive Sessions held on May 7<sup>th</sup>, 2019.
  - Motion to approve minutes for the District Meeting held on April 30<sup>th</sup>, 2019, the Special District Meeting and Executive Sessions held on May 7<sup>th</sup>, 2019 made by Frank Bejarano, second by Michael Carlson
  - Motion passed unanimously by verbal vote

\*\*\*\* AGENDA ITEM 8b moved for presentation before Agenda item 6 due to time constraints\*\*\*\*

6. Fire Chief's Reports and Staff Reports:
  - a. Call Summary – Presented by Chief Adam Amezaga
    - Total months calls 223 - 2% Fire 46% IFT 33%EMS 14% Public Assist 5% Cancelled
    - Total annual calls 1185
  - b. Operational Reports
    - i. Equipment, vehicle, station
      - Engine 520 Back in Service, painted, decal, new lights. Housing at Station3 for Wildland
      - Apparatus Report submitted by Frank Granados
    - ii. Training
      - Nick Quiroga attended Trench training May 2 & 3
      - Module 1 Testing Marlon Posada; Module 3 Testing Daniel Acedo – both doing a great job
      - Haz Mat 8 step process taught 5-8 & 5-10 by Chris Cruz, Jeff Little & Nick Quiroga
      - Vortex Training ropes & knots 5-11 – attended by Nick Quiroga & Jeff Little
      - LEPC committee meeting 5-16 - Jorge Hernandez spoke about 8 step Haz Mat Process
      - Vehicle machinery training 5-23 attended by Nick Quiroga
      - RRMFD EMS Wild Land Program – Deputy Chief Johnson, James Sheldon & Mark South worked on creating this allowing RRMFD to not only do wildland but also EMS on wildland assignments. Specifically assigned per fire, possibly with ambulances as well. Approximate income with UTV as an ALS unit is \$500/day
    - iii. Personnel
      - Charles Bradley, Jorge Hernandez & Antonio Sanchez attending Driver Operator classes in Tucson – graduation scheduled for July
      - 3-4 more individuals will be sent to Driver Operator Class in Green Valley in September
      - Oscar Berrellez is attending CEP Class
    - iv. Legislative Update
      - Nothing new
    - v. Chief and Labor discussions
      - Did not meet due to schedule conflicts
      - Convention for Professional Firefighters of Arizona being attended by Chris Cruz at Starr Pass in Tucson
  - c. EMS – Presented by Tangye Beckham, EMS Coordinator
    - Base Hospital Trainings offered on Thursdays
    - EPCFR Trainings – going live on June 1<sup>st</sup>

- \$5000 check received from Centene/Arizona Complete Health
  - Waiting for AHCCCS to bill for Treat and Refer
  - EPIC (Excellence in Prehospital Injury Care) Study press conference attended
  - Medical Assistant Treatment (MAT) programs with MCHC and CMS – Behavioral health Treat & Refer
  - Fall Prevention activities planning meeting
  - Excellence in Prehospital I – 11000 trained for TBI; First study done in the country and Az with actual patients
  - Zoll monitors serviced
  - EMS Wildland Packs prepared
  - Jan- April required data on calls submitted: Total calls 191; 45% Stroke, 11% Stemi and 44% TBI
  - Career Day at Little Red School – Hands Only CPR taught by Luis Saenz & Tangye
- d. Fire Marshall – Presented by George Cluff
- i. Inspections and Plans
    - 249 NFIRS calls checked & uploaded to the National Data Base
    - Fire Inspection at Moqah Coffee and Beyond
    - Plans approved for Growers Alliance expansion (40,000 sq ft)
    - Burn Permits issued at 2 houses and a church on Coatimundi
    - Smoke alarm – changed out all batteries (CHIPP Participant)
  - ii. Community Events -
    - Rio Rico 50th Anniversary Celebration – Ana Morales, Tangy Beckham, Alfonzo Cortinas and George Cluff attended and worked the event with handouts & blood pressure checks
    - Union did MDA fill the boot and raised \$1,200.00
    - Union sponsored Ana Holman’s daughter for Girl Scout’s Camp Fury
    - Decon buckets donated by Chief’s Association, TFD and PFFA

6. Administrative Report:

- a. Monthly Financial Reports - Presented by Ana Holman
  - Goal is to have everything switched to Chase Bank by July 1<sup>st</sup>
  - 177 Billable calls – average is 150
  - Overall on operational costs, not exceeding the budget
  - Captain not placed at Station 1 as we only have two people assigned to station one with one reserve. Would like to have 4 people at each station per shift
- b. Presentation of Budget Proposal for FY 2019-2020
  - Original budget proposal at 3.05
  - Medical insurance savings of approximately \$3,000 per month
  - Workmen’s compensation insurance – percentage went down; approximately \$5,000 less
  - To receive the Fire District Tax, budget needs to be presented to the county – they clarified rate at 3.0999 instead of 3.10

\*\*\*\*\*AGENDA ITEM 8C moved for presentation by Michael Carlson

- Budget Draft has to be posted for 30 days.

7. Old Business

- a. Discussion and possible action to pass a resolution pursuant to A.R.S. 23-901.06. Volunteer workers may be deemed to be employees and entitled to the benefits of workmen’s compensation insurance. The basis for computing compensation benefits and premium payments shall be \$400.00 per month for each individual that volunteers with the district.
  - Currently have one volunteer. State statute and Workmen’s Compensation broker says board needs to approve.
  - Motion made by Michael Carlson that volunteer workers be deemed as employees and entitled to the benefits of workmen’s compensation insurance at a monthly wage of \$400.00 for each volunteer. Second by Dean Davis
  - Motion passed unanimously by verbal vote

- b. Discussion and possible action to approve a change to the RRMFD Policies and Procedures “Use of Telephones/Cellular Phones” to include House Bill 2318 “forbidding all uses of handheld portable wireless communication devices while operating a motor vehicle”.
- Originally tabled at last meeting for additional information
  - Personal cell phones used as GPS devices
  - Deputy Chief Johnson sent out a survey regarding holders for devices. Received two responses, one universal and portable (unique to specific phone) and another requiring attaching a magnet to each device. Issue entails how they will talk on the phone as well as where the phone will be held.
  - Fire Departments can use phone as long as it is hands free (with Bluetooth) but must be in an emergency situation
  - Warnings issued now, ticketing will be enacted statewide 2021. Some counties and cities have already enacted laws.
  - Deputy Chief Johnson and Chief Amezaga will work together to find a universal holder, write a policy/SOG and implement. Firefighters will be held accountable. And will pay for their items.
  - Michael Vohland feels employees should not have to use their personal phones for district use. Each employee has the option to use radio.
  - Motion made by Brad Beach to change the RRMFD Policies and Procedures “Use of Telephones/Cellular Phones” to include House Bill 2318 “forbidding all uses of handheld portable wireless communication devices while operating a motor vehicle”; second by Frank Bejarano
  - Michael Carlson mentioned specific verbiage from prior Board meeting for this policy to read “must fully comply with all applicable traffic laws that apply to the Fire service”
  - Brad Beach, Frank Bejarano, Michael Carlson and Dean Davis voted in favor; Michael Vohland opposed. Motion passed

8. New Business:

- a. Discussion and possible action to approve monthly financial reports.
- Motion to approve the monthly financial reports made by Dean Davis, second Michael Carlson
  - Motion passed unanimously by verbal vote
- b. Presentation of General Information and Bond update by Stifel. \*\*\*\*MOVED TO FOLLOW ITEM 5\*\*
- Mike LaValle of Stifel, Nicolaus & Company presented a General Obligation Bond Update and Lease –Purchase Information review addressing options for funding and bonding for future plans.
- c. Discussion and possible action regarding 2019-2020 Budget Proposal presented by Michael Carlson \*\*\*\*MOVED TO BE INCLUDED WITH AGENDA ITEM 6b\*\*\*\*\*
- Current budget at 2.99%
  - The Board has directed the Chief to do certain training for himself as well as the entire crew and also updates for the HR Manual. Policy update and training will be approximately \$19,000
  - Mr. Carlson still suggests, looking at Capital expenses and policy mandated contingency fund, to meet our policies approved by the board, going to the 3.0999% would accrue approximately \$36,000 for the contingency fund, giving us some flexibility to do things.
  - Had we not had a contingency fund and met our budget this year, we would not have been able to pay for the training. Some sort of contingency fund is sound physical management to have the capability to meet these unexpected expenses.
  - 3.0999 or 3.10 is going back to where the District was at a very consistent pace for a number of years. It’s not a substantial increase; for the average valued home in Rio Rico it is equivalent to about 4 cups of Starbucks coffee.
  - Motion to post the version of the budget for public viewing be the 3.0999% version made by Michael Carlson, second by Frank Bejarano
  - Board had asked Chief Amezaga and Ana Holman to inquire with other departments regarding contingency funds. Spoke with Green Valley Fire, Corona de Tucson Fire and Tubac Fire-none of these departments have a contingency fund exclusively for any unexpected expenses. They have labels, Capital Purchase, Equipment, EMS. They create a fund for specific reasons. The Green Valley Chief said people (taxpayers) don’t like to have money set aside for five to ten

years without being specified for a specific use. The premise before was if you have money set aside and ask for more support; it looks ridiculous if you have money you can't touch. Labels assign it for specifics. Contingency can be used for anything. Some departments with contingency funds have specific verbiage to not lock it in to not be able to use the funds.

- Board could change policy, lower value or specify use
  - Motion passed unanimously by verbal vote
- d. Discussion and possible action regarding service providers for updating policies and training
- Lexipol met with Chief Amezaga, Ana Holman and Eva Barreda; provide a variety of services related to public safety. Premier leader in emergency services for risk management; policies and procedures, training manuals, whatever we want them to look at. Sole source supporting document and features of their services.
  - Law firm trained all City of Nogales employees – Mike Vohland will get the information
  - HR Services will contact Eva tomorrow
  - Awaiting PLA info from Frank Bejarano
  - Pathfinder Services & Human Resource Strategy
  - Item tabled for additional information to be presented at the next meeting
- e. Executive Session for Legal Advice.

The Fire Board may vote to go into Executive Session for discussion or consultation for legal advice with the attorney for the District pursuant to A.R.S. Sec. 38-431.03(A)(3) regarding the complaint regarding the Fire Chief.

- i. Note: Executive sessions are confidential pursuant to A.R.S.38-431.03(A)(1)
  - ii. Note: The attorney for the District may participate in the meeting in-person or telephonically/ Electronically
- Motion to enter Executive Session made by Michael Carlson, second by Dean Davis
  - Entered Executive Session at 7:32 p.m.
  - Returned from Executive Session at 8:13 p.m.
  - Michael Vohland reminded everyone Executive Sessions are confidential pursuant to A.R.S. Sec. 38-431.03(A)(1) and Executive Session discussions stay within the Executive Session.
  - Board discussed extensively what transpired in the last special meeting regarding the Chief's reprimand, every Board member felt it was over reached, and the Board feels the reprimand should be a verbal reprimand per policies
  - Motion to change the written reprimand motion from last month, given the circumstances, our policies and discussion of the Board, to a verbal reprimand made by Michael Carlson, second by Brad Beach
  - Motion passed unanimously by verbal vote
  - Mike Vohland addressed the Chief – basically a verbal reprimand is going to be essentially the reprimand based on your conduct of grabbing an employee by the arm to walk down the hallway to have a conversation with the employee related to the District's budget. We recognize the employee made you aware of your conduct; you took full responsibility for your actions; you apologized before the Board got involved; you expressed regret; you agreed to be respectful of employees and personal space ongoing, and I am sure that will never happen again. We appreciate your actions being aware of this issue. You felt your conduct was disrespectful and rude, as does the Board. Assigned employee responsibilities without a job description or clear expectation or job requirements – does not necessarily fall on your shoulders as this was done way before you were made Chief.
  - Mike Vohland - The Board considered the following discipline – verbally versus written:
    - Code of Honor – Respect each member as a professional;
      - Take responsibility for their own action or inaction
    - Code of Employee Relations –Employees are to strive for a mutual respect
    - Code of Conduct – Exhibit professionalism and avoid conduct that might be offensive
      - Especially you Chief – you are the leader of this team
    - Standards of Conduct – Employees are expected to conduct themselves in a manner that conducive to good working relationships and exercise professionalism and respect

- Prohibits unprofessional behavior, mistreatment, discourteous treatment of fellow employees

Remember Chief, you are the leader of this team, everyone looks up to you for leading this team, especially this Board. In my own personal opinion, you have done a killer job for us!

- Level of discipline – what concerned this Board, we may have hastily gone from point A to point C when we should have looked at Point A by our own policies and procedures. Instead of going for a written reprimand in your file, this Board has voted to give you a verbal reprimand which is more than adequate. The Chief has the right to respond.
- Chief Amezaga expressed his thanks. Felt the verbal reprimand was appropriate following our policies and procedures. Thanked the Board for following what was written in the guidelines.
- Mike Vohland – For the record, every single Board member felt it should be verbal. You have the support of every Board member.
- There will be additional training for everyone so that every person in this Fire Department can understand personal space.
- Also taken into consideration was the investigation report and what it showed, even more important what it did not show
- Dean Davis – the Board discussed if this should happen again, the discipline will be more severe
- Legal fees – discussed with Jeff Matura and Donna Aversa. Board heard from Donna Aversa again today and the Board is staying with the decision – if we open it to you we have to open it to everyone which includes pending legal matters before the Board. Maintaining status quo
- Chief’s contract needs to be reviewed and funded amount listed should be able for use if the contract is ratified

f. Possible Executive Session –

The Fire Board may vote to go into Executive Session pursuant to A.R.S. 38-431.03(A)(1) for discussion or consultation for the Chief’s salary, contract and personnel file review.

- Note: The Chairperson will confirm Chief Amezaga received at least 24 hours notice
  - Note: Executive sessions are confidential pursuant A.R.S. section 38-431.03(C).
  - Note: No action is taken during an executive session. Any action taken by the Board will take place during an open meeting.
- Motion to enter Executive Session made by Dean Davis, second by Michael Carlson
  - Motion passed unanimously by verbal vote. Entered Executive Session at 8:17 p.m.
  - Returned from Executive Session at 8:41 p.m.
  - Michael Vohland reminded everyone Executive Sessions are confidential pursuant to A.R.S. Sec. 38-431.03(A)(1) and Executive Session discussions stay within the Executive Session.
  - Motion to approve Chief Amezaga’s contract made by Michael Carlson, second by Dean Davis
  - Motion approved unanimously by verbal vote

11. Upcoming meeting discussion:

- Monthly Board Meeting – Changed to Thursday, June 27, 2019

12. Adjournment:

- Motion to adjourn made by Brad Beach, second by Dean Davis
- Motion passed unanimously by verbal vote
- Meeting adjourned at 8:43 p.m.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Rio Rico Medical & Fire District Elected Official

Michael Carlson,

Clerk of the Board