



Summit Fire and Medical District

Handbook for Fire Board
Members

REVISED BY THE

Summit Fire District Board of Directors

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Introduction

A leader is one who knows the way, goes the way, and shows the way – John Maxwell

This Board Policy Manual has been approved by the past Fire Boards to enforce upon themselves and future Fire Boards whatever policies are needed to govern with excellence. It has also been established as a document to help new Fire Board members understand their roles and expectations relating to Board member behavior

First Official Acts

As one of your first official acts, there is paperwork that needs to be completed. Pursuant A.R.S. §38-232, new Board members are required to affirm and sign a Loyalty Oath. This must be done at least one day before the commencement of your term of office.

A personal auto insurance waiver must be signed and a copy of your insurance card be supplied for times when your personal vehicle will be used for District business.

Completing a Board Member Information Sheet allows us to add you to the Department Roster and enables us to know how to reach you when necessary. This information is also used to complete Department mandatory reporting requirements.

Each member of the Fire board shall review and sign a statement to disclose any potential conflict of interest annually. Also Acknowledgement of Fire Board Guidelines form shall be signed and returned to Admin. All forms are located in the back of this handbook.

Orientation

Board Members will be invited to go through an orientation session to give them a basic understanding of the Fire District. This orientation session will be administered by the Fire Chief/Deputy Chief and Administrative Officer.

The following topics may be discussed:

- Familiarization and introduction of staff
- Chain of command
- Explanation of Arizona Revised Statutes
- Whom does the Fire District Serve
- The role of a Fire Board Member
- Explanation of the Fire District finances, budget, and the roll a Board Member plays
- Description of response areas (district boundaries, off district, mutual aid)
- Tour of the Fire District and stations
- Tour, explanation, and demonstration of various apparatus and equipment
- Explanation of Arizona Fire District Association (AFDA)

After the orientation, new Board members will be provided with an AFDA Manual, current District budget and will be issued a Board Member's Shirt.

Pursuant to A.R.S. §48-803(H), Directors are also required to attend professional development training provided by Arizona Fire District Association (AFDA) within one year of election or appointment to office.

Code of Conduct

Board Members should have a broad perspective and possess a willingness to search out effective solutions to complex problems. Being single issue focused or adopting a biases point of view is not in the best interest of the District.

Board members should keep on task and not be unduly influenced by those who have more dominant personalities. Every Board member represents the interest of the District equally.

Board members are obligated to operate within the parameters that the Board sets for itself.

Board members who vote in opposition to the majority of the Board should not interpret it as a personal issue. In turn, all Board members need to realize that the will of the majority prevails.

Board members always place the District's best interest above their own personal interests.

The "prudent person" legal doctrine applies to individual Board members as well as the Board as a collective body. The level of Board competency will be compared to what a similar prudent Board or Board member should do.

Board members are required to act and behave professionally when representing the District.

Board members may not use their position, or information obtained as a Board member, for personal gain or for the financial benefit of themselves or members of their family.

The focus of the Board is on policy, its implementation, and the finances of the District; Board members should not become involved in the day to day operations of the Department.

Legal Responsibilities

The multitude of state laws substantially affects the manner in which a fire district must conduct its business. Good intentions are not enough. Public officials must be familiar with the laws governing their conduct and operations. A general summary of what a fire district SHALL DO and what a fire district MAY DO is itemized below. The fire board administers the affairs of a fire district. The FIRE DISTRICT SHALL: (A.R.S. §§ 48-803, 48-804 and 48-805)

- Hold public meetings at least once each calendar month
- Submit to the county board of supervisors a budget estimate, containing the requirements set forth in the statute
- Prepare, and post (three places plus the fire district's official website or the AFDA website if the fire district does not maintain an official website) an annual budget containing detailed estimated expenditures for each fiscal year. (A.R.S. § 48-805.02) Be sure to pay special attention to the requirements set forth in the statutes relating to the district budget.
- Determine the compensation payable to district personnel.
- Require probationary employees in a paid sworn firefighter position, a reserve firefighter, or a volunteer position to submit a full set of fingerprints to the fire district for the purpose of obtaining a state and federal criminal records check. §48-805
- Appoint or hire a fire chief (§ 48-803)
- Elect board members, including a chairman and a clerk, consistent with the requirements and regulations of the statutes. Please also note the requirements and restrictions of who may be a candidate for the board. (§ 48-803)
- Fill vacancies on the board within 90 days of the vacancy (§ 48-803)
- Comply with the anti-nepotism requirements when appointing a person to any clerkship, office, position, employment or duty. A.R.S. § 38-481
- The Fire Chief and board members must attend professional development training as outlined in the statutes. In addition, the association that is providing the training is required to provide a report to the County containing the details set forth in the statutes.
- Comply with various financial requirements, including submission of reports, and in the event the district meets certain financial criteria, conducting studies and/or changing to a five member board. (See Chapter 6 for details and outlines.)

Commitments

To accomplish responsibilities to the best of their ability, Board members should be committed to the following practices:

- Respectful interaction with SFMD staff, the public and each other
- Attend and actively participate in Board meetings, work sessions, public hearings and special events
- Review Board packets prior to the meetings in order to arrive prepared; ensuring that they have adequate and current information to make informed decisions; keeping informed of developments relevant to issues before the Board
- Work to accomplish the mission of the District; unite for a common cause; listen carefully to opinions of fellow Board members and paid staff and respecting those opinions; not be publicly critical of fellow Board member's opinions in or outside of Board meetings
- Exercise independent judgment on decisions that come before the Board
- Be loyal to the Department, its staff, and other Board members
- Keep disagreements impersonal
- Do not discuss confidential proceedings of the Board outside the Board meeting
- Accept, respect, and support majority decisions of the Board; recognize authority is vested in the Board as a group and not in individuals
- Do not interfere with the duties of the Chief or undermine the Chief's authority; recognize chain of command
- Declare any conflicts of interest between the member's personal life and their Board position; avoid voting on issues that are or are perceived to be a conflict of interest
- Do not use the Board or the Department for personal advantage or the advantage of family or friends
- Learn more about job and responsibilities by attending a minimum of one Arizona Fire District Association (AFDA) conference annually
- Work with members of the Fire Department, Fire Board and the community to ensure smooth, efficient, and responsible operation of the Summit Fire District
- Call to the attention of the Board any issues that will have an adverse effect on the organization
- Refer constituent and staff complaints to the proper level on the chain of command
- Self-evaluate; the Board should evaluate its own effectiveness to assure fulfillment of responsibilities and to maintain a strong organization

Conflict of Interest

Fire Board members occupy positions of public trust. They shall strictly adhere to the spirit and letter of the laws of the State of Arizona pertaining to conflicts of interest. A conflict of interest, actual or perceived, may be potentially damaging to the District. Conflict of interest relates to the ethical behavior as well as personal gain. When the personal or professional concerns of a Board member affect his/her ability to put the welfare of the organization before personal benefit, a conflict of interest exists.

Members of the Board of Directors of The Summit Fire and Medical District (the "Fire Board" and the "District") shall conduct their personal affairs in such a manner as to avoid any possible conflict of interest with their duties and responsibilities as members of the Fire Board.

This policy applies to transactions between the District and interested persons and shall apply to the sale, lease or exchange of property to or from interested persons and the District, the lending or borrowing of monies to or from interested persons by the District or the payment of compensation by the District for services provided by interested persons. A potential conflict of interest arises when a member of the Fire Board holds a financial interest in or may receive any personal benefit from a business entity furnishing services, materials or supplies to the district. Financial interest shall include, but not be limited to, any position of a Member of the Fire Board or a member of their family (including spouses, parents, siblings, children and their spouses), as an owner, officer, board member, partner, trustee, controlling shareholder, member, employee or beneficiary. If the amount of business transacted with any publicly-held company has not material effect on the total results of such company, ownership of shares in such company shall not be deemed a financial interest by any Member of the Fire Board.

Each member of the Fire Board shall be required to file a statement with the Fire Board stating that the disclosure policy has been reviewed and listing any potential conflicts of interest. Any actual or potential conflict of interest on the part of any member of the Fire Board that arises subsequent to the filing of such a statement shall be disclosed promptly to the Fire Board by such member. The disclosure statement shall be filed with the minutes of the Fire Board, unless it is determined for good cause that such disclosure statement should be kept confidential. Any decision to keep confidential any such disclosure statement shall be approved by the independent attorney of record for the Fire Board.

Members of the Fire Board who have an actual or potential conflict of interest shall not participate in consideration or discussion of a proposed matter in which such member has a potential or actual financial or personal interest (unless for special reasons the Fire Board by a vote of a majority of its disinterested members requests information or interpretation) or vote on the matter. A member with a potential or actual interest in a matter before the Fire Board may be counted in determining the presence of a quorum at any meeting during which such matter may or will be considered by the Fire Board. The provisions of Arizona Revised Statutes §10-2550, or any successor statute, shall apply to any situation, contract or transaction in which a member of the Fire Board may have an actual or potential interest.

A member of the Fire Board shall not use or disclose the confidential information received while serving the District if the personal use of such information would be detrimental to the District.

Officer/Board Members Descriptions

The function of the Fire Board Officers is to assist the Fire Board do its job, and not as powers unto themselves. Officer's positions on the Summit Fire Board are Chairperson and Clerk. Officers are responsible for the integrity and functioning of the Fire Board and for ensuring the integrity of related documentation.

Officers of the Fire Board are in the service of the Fire Board and are bound by Fire Board's desires and by the limits of their authority. Officers may not act in place of the Fire Board except when specifically delegated by the Fire Board as a whole.

BOARD CHAIRPERSON

- Leads meetings of the Fire Board
- Assure basic elements of "Roberts Rules" are followed
- Use the authority of the chair to ensure that all people attending a meeting are treated equally – for example, not to permit a vocal few to dominate the debates
- Assist Administration in developing agendas for Fire Board meetings
- Be familiar with all the business to be dealt with at the meeting, including any reports to be made by administration, committees or task forces, any motions already submitted by members or groups of members, and insofar as is possible, any new business likely to be introduced.
- Co-sign warrants

- Provides signature on contracts or other instruments pertaining to Fire District business
- Creates and maintains a spirit of unity amongst diverse people on the Fire Board
- Facilitates the group process
- Ensures the Fire Board works effectively and ethically with the Fire Chief and staff
- Maintains Fire Board discipline by adhering to Fire Board agreed upon conduct
- Contact and consult legal counsel and insurance representatives as deemed necessary

BOARD CLERK

- Performs the duties of the Chairperson in his or her absence
- Be prepared for meetings, reading and understanding all information received prior to the meeting.
- Co-sign warrants
- Participate as a vital part of the Fire Board's leadership
- Assure proper posting of agendas and legal documents
- Serves as Chairperson of the Public Safety Retirement System (PSPRS) Local Board

BOARD MEMBERS

- Be prepared for meetings, reading and understanding all information received prior to the meeting.

Delegation to Chair

At times it may be necessary for certain tasks and decisions to be delegated to the Fire Board Chairperson. This may only be done for specific items that cannot wait until the next Fire Board meeting for a decision. The Chairperson will authorize the final decision, and the decision will be promptly communicated at the next Fire Board meeting for action by the Fire Board.

Officer Elections and Resignation

A nominating committee consisting of the Fire Chief and a member selected by the Fire Board will be appointed at the regular October Fire Board meeting. This committee will contact each Board Member to inquire if they are interested in holding an officer position (Chairperson and/or Clerk) on the Fire Board. The Nominating Committee will announce the interested candidates at the regular November meeting; other nominations may be made at this time. After nominations are accepted, the Fire Board will hold an election.

Elections will be held annually for officers at the regular November Board meeting or the meeting at which the Fire Board canvasses the results of the general election.

An Officer (Chairperson and/or Clerk) may resign their Officer position with written notice. The Fire Board must officially accept this resignation by placing the item on the agenda and holding a formal vote.

A Board Member may be removed from their seat, if at least two Board Members propose the removal of the officer and at least three Board Members vote for such removal.

Board Members who propose the removal of an officer must follow the established procedures to place this item on a meeting agenda. A formal motion must be made and seconded, and the motion must be approved by at least three Fire Board Members to successfully remove the Board Member.

Vacant Board Position

In accordance with A.R.S. §38-291, Fire Board position shall be deemed vacant before the expiration of a term of office after the occurrence of any of the following events:

- Death of the person holding the office.
- Insanity of the person holding the office, when judicially determined.
- Resignation of the person holding the office and the lawful acceptance of the resignation.
- Removal from office of the person holding the office.

- The person holding the office ceases to be a resident of the Fire District.
- Absence from the state by the person holding the office beyond the period of three consecutive months.
- The person holding the office ceasing to discharge the duties of office for a period of three consecutive months.
- Violation of policies established by the Summit Fire Board
- Conviction of the person holding the office of a felony or an offense involving a violation of official duties.
- Failure of the person elected or appointed to such office to file the official oath of office at least one day prior to the commencement of office.
- Decision of a competent tribunal declaring void the election or appointment of the person elected or appointed to the office.
- Failure of the person to be elected or appointed to the office.
- Violation of A.R.S. §38-296 by the person holding the office.

Filling Vacant Board Positions

When a vacancy occurs, the Fire Board will fill the vacant position. The Fire Board has 90-days to fill the seat. The Fire Board shall attempt to fill the position with the best qualified candidate. An individual must be over the age of 18 and be a registered voter living within the Fire District for at least one (1) year. Candidates should have the ability to make significant contributions to the work of the Fire Board and the District.

The Fire Board will:

- Call for a notice to be posted regarding the vacancy in the area newspaper and at all agenda posting places, as well as on Facebook and SFMD website.
- Set a due date as to when all resumes must be in and at which board meeting they will be making a decision. If a special meeting is necessary they will set that date.
- Take all resumes for the position under consideration
- Vote on the person who will fill the vacant seat. This person will complete the remaining term of the seat.

Fire District Elections

Every Fire Board Member will service a four year term. The Fire District will hold elections on the November general election cycle as required every two years, unless otherwise required. The Fire District will follow all statutory requirements.

To become a candidate at the fire district election and have your name printed on the official ballot you shall contact the Coconino County Elections Department for current requirements and to receive the election packet. Candidates are responsible for reading through the packets and understanding the election process.

Coconino County has the right to “call” the election prior to the election date if the number of candidates equals the number of open positions.

Copies of all Arizona Revised Statutes may be obtained online at: <http://www.azleg.state.az.us/ArizonaRevisedStatutes.asp>

Fire Board Committees

Fire Board committees may be established to review issues and make constructive recommendations to facilitate Fire Board decisions. Board committees are to be established to help carry out the Fire Board’s responsibilities, not to help with staff level issues. They should aid in the process of governance, not management. Board committees will only be used when other methods have been deemed inadequate as they may interfere with the wholeness of the Fire Board’s job. If these committees are not handled properly, the one voice governance and integrity of the Fire Board/Fire Chief delegation process may be threatened. Care should be taken to preserve the Fire Chief’s role and the holism of the Fire Board.

All committees will be responsible for adhering to legal requirements. State Open Meeting Law requires the posting of agendas and the production of appropriate minutes. Board committees may not speak or act for the Fire Board except when formally given such authority for specific and time related purposes. Board committees should only be established when absolutely.

Fire Board to Fire Chief Relationship

The Fire Board shall hire a Fire Chief. The Fire Chief will be responsible for all administrative, operational functions of the District. The Fire Chief shall make all hiring decisions as they fall within the parameters of the budget

set forth by the Fire Board. The Fire Board should be careful not to micro manage the Fire Chief or the staff, but should ensure that acceptable standards of prudence and ethics of operations are being met. The Fire Board should be sure to avoid usurping the Fire Chief's responsibilities for management decisions as this could impede progress rather than enhance it. The Fire Board should set limits rather than becoming directly involved. They must believe in the Fire Chief and his staff and trust that day to day decisions will be consistent with the purpose of the organization.

The Fire Board's challenge is to be reasonably certain that nothing goes awry and at the same time, to grant as much unimpeded latitude as possible to staff members with the skills and talents to get the work done. Staff members need freedom from the Fire Boards friendly intrusions to do their work efficiently. The Fire Chief is the bridge between the Fire Board Members and the staff.

The Fire Chief is accountable to the Fire Board as a whole for the Fire District's performance and not to the officers, board committees, or individual members. Only the Fire Board, by majority vote, has authority over the Fire Chief. This does not prevent interaction between these entities as long as the Fire Chief is instructed by the Fire Board as a whole. Information may be requested by a Fire Board Member or of a committee. If in the Fire Chief's judgment the request requires a substantial amount of staff time, it may be refused.

The Fire Chief has the right to expect the Fire Board to be clear about the rules and then play by them, to speak with one voice, and to get their job done. The Fire Board has the right to expect the Fire Chief to keep them informed by presenting a report at each regular Fire Board meeting and corresponding with them when necessary. The insights of the Fire Chief on the day to day operations of the Fire District are essential to Fire Board decision making.

Open Meeting Law

Summit Fire Board members will be familiar with the laws governing their conduct in public office. Violations of the Open Meeting Law carry stiff penalties. Open meeting law materials must be reviewed at least on day before Board Members take office ARS §38-431.01G.

Basic Elements of Roberts Rules

Robert's Rules of Order is the standard for facilitating discussions and group decision-making. The purpose is to make it easier for people to work together effectively and to help groups accomplish their purposes. Rules of procedure should assist a meeting, not inhibit it.

During a meeting the board should deal with only one topic at a time.

All members have equal rights, privileges and obligations.

The rights of the minority must be protected at all times. Although the ultimate decision rests with a majority, all members have such basic rights as the right to be heard and the right to oppose. The rights of all members-majority and minority- should be the concern of every member.

Every matter presented for decision should be discussed fully. The right of every member to speak on an issue is as important as each member's right to vote.

Every member has the right to understand the meaning of any questions presented in a meeting, and to know what effect a decision will have.

All meetings must be characterized by fairness and by good faith.

The fire board may only discuss, consider or decide matters listed on the agenda.

During board meetings, board members:

- Must preserve order and decorum.
- Must not delay or interrupt the proceedings.
- Must not refuse to obey the orders of the presiding officer.
- Must not refuse to obey the rules of the board.
- Every board member desiring to speak shall address the chair and, upon recognition by the chair, shall confine themselves to

the question under debate and avoid all offensive or indecorous language.

- A board member once recognized shall not be interrupted while speaking unless called to order by the presiding officer or unless a point of order or other privileged motion is raised by another board member.
- If a board member is called to order while they are speaking, they shall cease speaking immediately until the question of order is determined.
- If ruled to be in order, they shall be permitted to proceed. If ruled not to be in order, they shall remain silent or shall alter their remarks so as to comply with the rules of the board.
- A board member, with permission of the presiding officer, may address questions to the fire chief or staff or members of the audience but they shall confine their questions to the particular issues before the board that is on the agenda.
- If a point of order is raised and the presiding officer fails to act, any member of the board may move to require him to enforce the rules and the affirmative vote of the majority of the board shall require the presiding officer to act.

The presiding officer shall have the authority to preserve decorum in meetings as far as the audience, staff members and employees are concerned. The fire chief shall also be responsible for the orderly conduct and decorum of all district employees under their direction and control. Any remarks shall be addressed to the chair and to any or all members of the board. No member of the staff or audience shall enter into any discussion, either directly or indirectly, without having first obtained the floor by permission of the presiding officer.

Citizens of the district participate in district meetings principally by observing and listening to the discussion held by the board. When it is anticipated that non-members of the board will address the board, that individual's identity should be noted on the meeting agenda, e.g., "Presentation by S. Holmes on health insurance issues." If the board wishes to take public comment on a particular agenda item, that fact should likewise be noted on the agenda, e.g., "1. Discussion of District 10-year Plan, a) public comment." The district may, but is not required, to have an open opportunity for the public to speak to any issue. Such an agenda item would be described as a "Call for Public Comment." There is no statutory obligation for the district board to take public

comment, either generally or on any particular issue. It is, however, good policy to afford the public the maximum opportunity for input possible.

Citizens of the district and any other members of the public attending Board meetings shall also observe the same rules of propriety, decorum and good conduct applicable to members of the board. Any person making personal, impertinent and slanderous remarks or who becomes boisterous while addressing the board or while attending the board meeting, shall be removed from the room by the presiding officer, and such person shall be barred from further attendance at the particular board meeting. Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the presiding officer. Should the presiding officer fail to act, any member of the board may move to require him to enforce the rules and the affirmative vote of the majority of the board shall require the presiding officer to act. Any member of the public desiring to address the board must first be recognized by the chair and shall limit his or her remarks to the questions under discussion.

Members of the public complete a request to address the board form and it shall become a part of the public records. Policies agreed to by the board may also establish rules to addressing the fire board.

Agenda

State law requires that public notice of the time, date and place of Fire Board meetings be posted and agendas are available at least 24 hours in advance of a meeting. Law also requires that the agenda list the specific matters to be discussed, considered and/or decided at the meeting. This does not permit agenda non-specific items to be discussed. The agenda must significantly describe information reasonably necessary to inform the public of the matters to be discussed and/or decided.

A useful guide in determining how much specificity must be included in the agenda can be found in the legislative declaration of policy which states in part that agendas should “contain such information as is reasonably necessary to inform the public of the matters to be discussed or decided.”

Submitting Agenda Items

Board Members who wish to have an item included on an agenda shall submit the item to the Chairperson by the second Monday of each month. Board Chairperson will have all agenda items to staff by the second Tuesday of each month. Staff shall prepare a draft agenda for the Chairperson's approval. This schedule will ensure that agendas will be posted and available to the public and the Fire Board as required by law

Board Packets

Staff will produce a Fire Board Packet relative to each meeting and email them to each Board Member by 5:00 PM on the Friday preceding the scheduled meeting. Fire Board Packets will consist of information pertaining to the items to be addressed at the meeting. Packets are made available prior to the meeting so Board Members have the time to review the data in order to be informed. Board Members will be notified of any modifications to this format.

Meetings

State law requires that Fire Board meetings be held a minimum of once a month. The Summit Fire and Medical District Board of Directors normally hold regular monthly meetings on the third Wednesday of each month. In accordance with A.R.S. §38-431.01, all meetings are to be conducted openly and all persons so desiring shall be permitted to attend. In addition, communication between Board Members shall take place in public. To ensure compliance with the Open Meeting Law, Board Members shall not correspond through e-mail to a quorum of members.

The Fire Board shall adhere to Open Meeting Laws as set forth by Article 3.1 of A.R.S. regarding public meetings and procedures. Basic information pertaining to Open Meeting Law may be referenced in the Appendix of this handbook. Additional information is available in Chapter 3 of the AFDA Fire District Handbook.

Minutes

The Fire Board will adhere to all A.R.S. §38-431.01 in regards to written minutes. All public bodies including subcommittees and advisory committees must provide written minutes or a recording of all meetings.

The minutes or recording of all public meetings must include, at a minimum, the following:

1. The date, time and place of the meeting.
2. The members of the public body recorded as either present or absent.
3. A general description of the matters discussed or considered.
4. An accurate description of all legal actions proposed, discussed or taken and the names of members who proposed each motion.
5. The names of persons, as given, making statements or presenting material to the public body and a reference to the specific legal action addressed by the person.
6. If the discussion in the public session does not adequately disclose the subject matter and specifics of the action taken, the minutes of the public meeting at which such action was taken should contain sufficient information so that the public may investigate further the background or specific facts of the decision.
7. In the event that matters not on the agenda were discussed or decided at a meeting because of an actual emergency, the minutes must contain a statement setting forth the reasons necessitating the discussion, consideration or decision without the matter being placed on the agenda. §38-431.02.J.
8. Finally, if a prior action is ratified, the minutes must contain a copy of the disclosure statement required for ratification.

The minutes or a recording of any meeting, except for the minutes of executive sessions, must be open to public inspection no later than three working days after the meeting. §38-431.01.D.

Administration will complete the minutes within three business days (Monday – Friday not including SFMD observed holidays) of the Fire Board meeting. The minutes will be posted on the SFMD website as drafts until final approval. The Administration will email the Fire Board Members the draft of the minutes on or before the third business day after the board meeting. The Fire Board members will have ten business days to review the minutes and request changes.

Administration will confirm that the changes were actually spoken at the board meeting by reviewing the recording of the minutes. Recording will be available by request.

The minutes of executive sessions must contain the information described in paragraphs 1, 2, 3 and 7 above. Minutes must be taken in executive sessions and must be kept confidential except from the members of the public body which met in executive session or officers, appointees or employees who are the subject of discussions. If the public body wishes to exclude all staff from attending the executive session, then the minutes should be recorded by a member of the public body.

In addition to written or recorded minutes of the meeting, the law provides that any part of a public meeting can be recorded by any person in attendance by means of a tape recorder, camera or other means of sonic reproduction as long as there is no significant interference with the conduct of the meeting. §38-431.01.F.

When questions arise regarding materials that should be in the minutes Administration will refer to Arizona State Statutes first and Roberts Rules of Order second.

Records Management

The Summit Fire Board will abide by all district record management policies and laws set forth by the State of Arizona.

As defined in the Arizona Revised Statutes (A.R.S. § 41-151.18) records are:

[A]ll books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics...made or received by any governmental agency in pursuance of law or in connection with the transaction of public business and preserved or appropriate for preservation by the agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government, or because of the informational and historical value of the data contained therein....

Records as defined above are the property of the State of Arizona. They are in no sense personal property nor are they the property of a specific agency or political subdivision (A.R.S. § 41-151.15).

It is frequently assumed that records are only paper materials. In the definition above the phrase "regardless of physical form or characteristics" greatly expands on that original assumption. Records may include machine-readable output, still photographs, motion pictures, audio recordings, charts, maps, drawings, plans, video recordings, and micrographics.

Fire Board Members will do their due diligence to make sure that all records are preserved and achieved properly. They will also use only emails addresses provided by the District for correspondence. These emails will be preserved and maintained by the Fire District. Fire Board Members will not destroy or otherwise delete any email they receive or send. This will be the responsibility of the Fire Chief or their designee to determine and assure compliance of all statutory requirements.

All records created before January 1, 2016 will be sent to administration for archiving. Pursuant to A.R.S. § 38-421, destruction of public records by a public officer without authorization is a class 4 felony; by a person other than public officer it is a class 6 felony. Stealing, mutilating, defacing, altering, falsifying, removing or secreting of public records are also felony offenses per A.R.S. § 38-421

Board Travel

Board Members traveling off-district for training or business purposes shall be a reimbursement for actual expenses. Itemized receipts need to be turned into administration for reimbursement.

The use of Department vehicles may be requested for use; although, vehicles may not always be available. When a Board Member uses their personal vehicle they will be paid the amount of their fuel receipts. All receipts must be itemized and turned in to administration in order to be reimbursed.

**SUMMIT FIRE AND MEDICAL
FIRE BOARD BY-LAWS**

By-laws of the Summit Fire and Medical Fire Board

The Board of the Summit Fire and Medical District, considering the provision of Title 48, Chapter 5 of the Arizona Revised Statutes, hereby adopts the following By-laws for the regulation and governing of the Fire District. These By-laws shall not supersede the Arizona Revised Statutes governing Fire Districts.

ARTICLE I- NAME

The name of the District shall be the Summit Fire and Medical District servicing 90 square miles and the communities of Doney Park, Townsend Winona, Timberline, Fernwood, Fort Valley the areas and other unincorporated areas of Coconino County that are within the Fire District boundaries.

ARTICLE II - PURPOSE

The purpose of the Summit Fire and Medical District shall be to provide emergency services for the protection of persons, property, and values within the defined boundaries of the Fire District.

ARTICLE III --BOARD OF THE DISTRICT

SECTION 1. MEMBERS

Members of the Fire District Board shall be those individuals elected or appointed pursuant to A.R.S. § 48-802, 48-803 and 48-805. The number of such members shall be five and each shall serve terms as designated in A.R.S. § 48-803. If a vacancy occurs on the Board other than from the expiration of a term (as defined in A.R.S. § 38-291), the remaining Members of the Board shall fill the vacancy, in accordance with Board Policy, by the appointment of an interim member to serve out the term (A.R.S. § 48-803.B). A member of the Fire District Board shall not be an employee of the Fire District or a spouse of an employee (A.R.S. § 48-805.B.).

SECTION 2. MEETINGS

Regular monthly public meetings shall normally be held on the third Wednesday of each month at 3:00 pm, but may

occasionally be scheduled for other days or times when necessary. Notification of changes will be given to all Board members in a timely manner. Special Meetings, Executive Sessions, and Work Sessions shall be held at the call of the Chairperson or upon the request of two members of the Board. The Chairperson shall give at least two days' notice of all meetings to all members of the Board.

In the absence of the Chairperson and Clerk at a meeting, a quorum of the Board shall elect, by majority vote of those present, a Chairperson for that meeting. Action by the Board shall be by majority vote of those members present.

Notices of ALL meetings listing agenda items shall be posted in at least four public places at least twenty- four hours in advance of the time scheduled for said meeting.

Robert's Rules of Order (newly revised) shall be used as a guide to the conduct of Board meetings. District Board Policy shall be referenced for correct procedures for Board responsibilities.

In accordance with A.R.S. 38-431.01, all meetings are to be conducted openly and all persons so desiring shall be permitted to attend. In addition, communication between Board members shall take place in public. To ensure compliance with the Open Meeting Law, Board members shall not correspond through e-mail to a quorum of members.

SECTION 3. QUORUM

A quorum will consist of three board members. If a quorum is not present, the fire board may not conduct district business. They will need to reschedule the meeting within three business days (Monday-Friday) and within the same month to ensure compliance with state laws. The only action that can be taken in the absence of a quorum is to fix the time in which to adjourn recess or take measures to obtain a quorum. The prohibition against transacting business in the absence of a quorum cannot be waived even by unanimous consent.

SECTION 4. AGENDA

The Board Chairperson and SFMD Administration will put together the information for the agenda. Agendas should contain such information as is reasonably necessary to inform the public

of the matters to be discussed or decided. Agendas will be posted at all noted posting places, the District website and on social media.

Posting places shall be voted on by the fire board members and signed by the Clerk of the Board.

SECTION 5. MOTIONS AND VOTING

To make a motion, a Board member states, "I move that..." and then clearly describes the proposal. It is important to say precisely what the words of the motion are to be. The group votes on exact language, not on a vague idea. When a motion is made, it must be seconded in order to be considered by the group. Once a motion is seconded, it is then before the Board for debate and action. After the discussion is complete, the Chair shall call for a vote. Each Board member, including the Chair, has one vote.

The vote on any question shall be taken by ayes and nays. If the Chair is unable to accurately determine the result of a voice vote, he/she may, or at the request of any Board member shall, call for a roll call vote. It shall be out of order for member to explain their vote during a roll call.

A majority vote is considered as the majority of votes cast, disregarding abstentions. A majority vote is required for the adoption of any motion.

Board members who have an actual or potential conflict of interest should not participate in discussion or vote on these matters.

SECTION 6. POWERS

The public business, property, and affairs of the Summit Fire and Medical District shall be managed by the Board which shall have and may exercise all the powers of the District as provided by Arizona Law, and to do all such lawful acts and things that are not defined by law or by these By-laws that may be directed or required to be done by the electorate.

SECTION 7. REMUNERATION

Members of the Board shall serve without compensation but may be reimbursed for actual expenses incurred in the performance

of duties required by law (A.R.S. § 48-803.C).

ARTICLE IV – OFFICERS OF THE BOARD

SECTION 1. BOARD OFFICERS

The officers of the District Board shall be the Chairperson, who shall be the Executive Officer, and the Clerk, who shall be the Executive Officer in the absence of the Chairperson. All such officers shall have general authority to perform within the policies set by the Board and to perform all acts necessary or advisable in connection with the activities and responsibilities of the Board for the operations of the District.

SECTION 2. EXECUTIVE OFFICERS ELECTION AND TERMS OF OFFICE

The Board Officers shall be elected at the regular November meeting. Elected Board Officers shall assume office on December 1 and serve for a term of one year.

Term limits for the Officers of the Board may be limited to two consecutive terms unless otherwise approved by at least three members of the Board.

An officer of the board may be removed if at least two Board members propose the removal of the officer and at least three members of the Board vote for such removal.

An officer may resign their Executive Office position at any time by giving the Board written notice of his/her resignation. Upon the death of an officer the office shall be deemed to be vacant as of the date of death.

When a vacancy occurs there shall be an election to fill the vacant office on the board. This election shall be held at the meeting where the officer was successfully removed, when a written notice of resignation is accepted, or in the case of an officer's death, at the next meeting of the Board. The newly elected officer will serve the remainder of the one year term.

ARTICLE V - FIRE CHIEF AND BOARD

SECTION 1. FIRE CHIEF

The Board shall hire a Fire Chief who shall be the Chief Administrator and Operations Officer responsible for all

administrative functions and emergency services.

SECTION 2. DUTIES OF THE BOARD AND FIRE CHIEF

The Board and the Fire Chief shall perform duties and exercise powers in compliance with their positions. The Board shall adopt a mission for the District and the Fire Chief shall be responsible for carrying out this mission by managing the District's resources.

ARTICLE VI – FINANCIAL POLICY

SECTION 1. FISCAL YEAR

The fiscal year of the District shall be a twelve month period beginning on July 1 and ending on June 30 of the following year.

SECTION 2. THE BUDGET

The Fire Chief and staff shall prepare the fiscal year budget to be reviewed and considered by the Board. The proposed budget shall be (a) posted in three public places, (b) published in a newspaper of general circulation in the District 30 days prior to a public hearing called by the Board to adopt the budget, and (c) made available to Fire District residents upon written request to the District. The Board shall adopt the budget at a public meeting of the Board (A.R.S. § 48-805.1).

SECTION 3. ANNUAL FINANCIAL AUDIT

The Board shall retain a certified public accountant to perform an annual audit of the District's books (A.R.S. § 48-253).

SECTION 4. SPECIAL DISTRICT ANNUAL REPORT

The Special District Annual Report, in the form prescribed by the State Auditor General, will be submitted within 180 days of the close of the District's fiscal year. The report will be sent to the County Board of Supervisors, the County Treasurer and the State Treasurer (A.R.S. § 48-251).

ARTICLE VII - AMENDMENTS

Amendments to the By-laws may be proposed in writing at any regular meeting of the Board. Such proposed amendments shall be acted upon at the next regular meeting of the Board or at a special meeting called for that purpose. An affirmative vote of the majority of Board members present shall constitute adoption

of the amendments. Notice of intent to present amendments to the Bylaws for adoption shall be contained in the notice of the meeting.

All By-laws adopted shall conform to Arizona State law. Any By-law not in such conformity shall be invalid and State Law shall replace same.

Adopted by the Board of Directors on _____

Board Signatures

Howard Nott, Board Chairperson

James Newkirk, Clerk of the Board

Jim Dorskocil, Board Member

Rick Parker, Board Member

Mark Sachara, Board Member