



Handbook for
Fire Board Members

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REVISED BY THE

Summit Fire District Board of Directors

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SUMMIT FIRE AND MEDICAL DISTRICT BOARD HANDBOOK

Introduction

This policy and procedure handbook is intended to serve as the primary resource for all matters relative to the District's Fire Board. It is approved by the Fire Board of Directors to assist individual members in the conduct of their responsibilities as elected public officials.

No policy and procedure handbook can anticipate the full range of topics and situations that may arise. As new issues arise new policy and procedures are established and/or existing policy modified. While these policies and procedures are intended to provide clear and consistent direction, the Fire Board may, at its discretion, deviate from these policies and procedures if the current policy or procedure is found to be inappropriate. In such cases the decision should be documented, in an Open Meeting, and a determination made if the current policy and/or procedure requires modification.

It shall further be the policy of the Fire Board to authorize the Fire Chief to interpret and apply these policies and procedures within their written and stated intent, and to deviate from these policies and procedures in an emergency or to avoid a hardship for the District. It is the responsibility of the Fire Chief to seek clarification of any Fire Board policy and/or procedure issues directly with the Fire Board.

In order to continue being a useful reference source this handbook must be constantly reviewed and updated to reflect changes in service delivery needs, laws and regulations, and District operations.

Summit Fire and Medical District History

Summit Fire and Medical District has a rich history of working together to achieve the best possible service delivery to rural Flagstaff. That history dates back to 1973. Doney Park Fire District was the first predominantly career fire department established in the rural area of Flagstaff. Soon after in 1977 Timberline-Fernwood Fire District, which was predominantly a volunteer department, was built. The two departments merged into Summit Fire District in 2001. Together they advanced the fire district, providing advanced life support to over 10,000 residences in the rural areas of Flagstaff. In 2006 Summit Fire District started providing service to the Fort Valley area, increasing the service delivery area to 90 square miles and 12,000 residents. We also provide service delivery to three major highways in the area. In January, 2016 Summit Fire and Medical District entered into a two-year Intergovernmental Agreement (IGA) with the City of Flagstaff to share the services of the Fire Chief.

Mission and Vision Statement

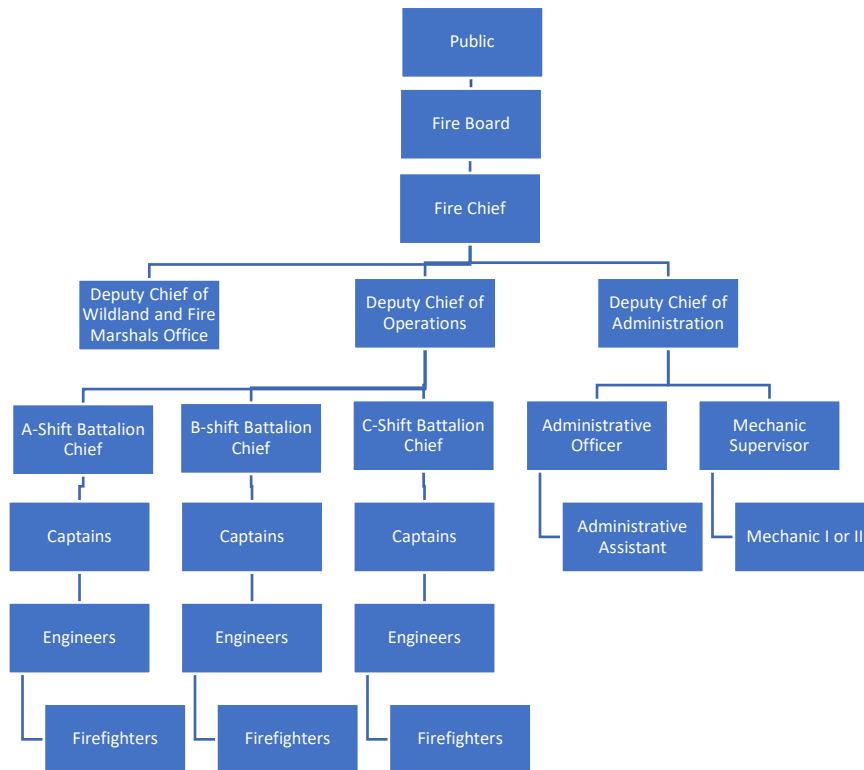
Mission Statement: Ensuring exceptional customer service to the community, visitors and surrounding region.

Vision Statement: Dedicated to life safety and fire protection services

Organization Structure

The purpose of an organizational chart is to illustrate graphically the reporting relationships within an organization and to provide a thumbnail sketch of the division of labor between job classifications. The organizational chart also depicts the levels of management within an organization. The organizational structure should not be viewed as something that cannot be changed. The organization should view the structure as a method to promote efficient and effective operations. If changing circumstances indicate a different organizational structure would be more effective, it should be changed. There will be times when the Fire Board may have to communicate directly with the Administrative Officer.

Summit Fire and Medical District Organizational Chart



There may be times and situations when the Fire Board may need to bypass the flow of the organizational chart.

First Official Acts

At least one day prior to new Board members taking office, they are required to affirm and sign an Oath of Office and read through the Open Meeting Laws. Administration will also ask new Board Members to complete an information sheet which allows the District 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.

Orientation

New 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:

- Tour of stations, apparatus and meet staff
- Chain of command
- 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)
- Explanation of Arizona Fire District Association (AFDA)

After the orientation, new Board members will be provided with a flash drive with the AFDA “Redbook” and current District budget. Board members are also required to attend professional development training provided by Arizona Fire District Association (AFDA) within one year of election or appointment to office. These statutory classes can either be taken on-line or at one of two conferences offered by AFDA.

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 biased 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)

The Fire District **Shall**:

- 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, in three places, an annual budget containing detailed estimated expenditures for each fiscal year.
- Determine the compensation payable to district personnel.
- Obtain legal counsel.
- Require probationary employees in paid sworn firefighter positions, a reserve firefighter, or a volunteer firefighter position to submit a full set of fingerprints to the fire district for the purpose of obtaining a state and federal criminal records check.
- Appoint or hire a Fire Chief.
- Elect board members, including a chairman and a clerk, consistent with the requirements and regulations of the statutes.
- Fill vacancies on the board within 90 days of the vacancy.
- Comply with the anti-nepotism requirements when appointing a person to any clerkship, office, position, employment or duty.
- 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.
- Conflict of interest may occasionally arise and that each Fire Board member is responsible to declare such actual or potential conflicts as specified in state law, and shall refrain from voting upon or otherwise participating in any manner in an item constituting a conflict of interest as more fully set forth in A.R.S. §38-502 and §38-503.

A fire district, through its board, **May**:

- Employ any personnel deemed necessary for the fire protection / medical and rescue services.
- Construct, purchase, lease, lease-purchase or otherwise acquire the following or an interest therein; and in connection with such construction or any other acquisition,

purchase, lease, lease-purchase or grant a lien on any or all of its present or future property including:

- Apparatus, water and rescue equipment, including ambulances and equipment related to any of the foregoing: Land and buildings with equipment and furnishings to house equipment and personnel necessary for fire protection and preservation of life.
- Issue bonds to finance the acquisition of property as provided in A.R.S. §48-806. Bonds may not be issued without consent of the voters at an election held for that purpose.
- Assist the State Fire Marshal in the enforcement of nationally recognized fire protection standards.
- Adopt, with approval of voters, their own fire code, and enforce it.
- Amend an existing fire code.
- Enter into an agreement procuring the services of an organized private fire protection company or a fire district of a neighboring city, town or district.
- Contract with a city or town for fire protection services for all or part of the city or town.
- Retain a certified public accountant to perform an annual audit of district books.
- Retain private legal counsel.
- Accept gifts, contributions, bequests, and grants and comply with any special requests attached to such.
- Pay membership dues to the Arizona Fire District Association.
- Adopt fee schedules within and outside the jurisdictional boundaries for fire protection services and preservation of life.
- Change the district's name.
- Require all non-sworn employees to submit fingerprints.
- Enter into intergovernmental agreements with other political subdivisions or contracts with individuals.
- Fire Board may establish committees to review issues and make constructive recommendations to facilitate the Fire Board's decisions.
- Be reimbursed for expenses incurred in performing duties.
- Amend the budget at a special meeting one week after the revisions are considered at a regular scheduled meeting (48-805.02E).
- Assess and levy a secondary property tax to pay for costs of fire protection services or emergency medical services [except services regulated by Title 36, Chapter 21.1 (CON)].

The district SHALL NOT:

- Incur and the chairman and clerk must certify that the District has NOT incurred any debt or liability in excess of taxes levied and to be collected and the money actually available and unencumbered at the time in the fund, except as provided in A.R.S. § 48-805.B.2, §48-806 and §48-807.

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 members' 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
- Board members as individuals are not empowered to make administrative decisions on behalf of the District. Further, Board members cannot under any circumstance give directions to any level of District staff.

In order to promote the efficient use of staff time and for the sake of transparency, Board members may only ask questions of staff related to any agenda item during the Board's consideration of that item during a legal meeting. All other questions or requests for information related to District business shall be made in the following manner:

At the end of each meeting under the agenda item entitled "Board Member Comments", Board members may ask questions and/or request information with respect to any matter related to District business not on the agenda. District staff shall respond to all such questions or requests at the next regularly scheduled meeting.

The Fire Chief in his or her discretion, after giving due consideration to the current staff workload, may determine the appropriate amount of staff time to devote to such responses.

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. Officers' 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 the 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
- Assures compliance with Open Meeting Laws
- Assures basic elements of "Roberts Rules" are followed
- Uses 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
- Assists 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.
- 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
- Contacts and consults legal counsel and insurance representatives as deemed necessary

BOARD CLERK

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

ALL BOARD MEMBERS

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

Filling Board Vacancies

Pursuant to Arizona Revised Statute (A.R.S. §38-291) a vacancy shall occur if any member ceases to discharge the duty of their office for the following reasons:

- The death of the incumbent.

- Insanity of the incumbent when judicially determined.
- Resignation and the lawful acceptance of the resignation of the incumbent.
- Removal from office of the incumbent.
- If the office is elective and the incumbent ceases to be a resident of the District.
- Absence from the State by the incumbent without the permission of the legislature beyond the period of three (3) consecutive months.
- The incumbent ceasing to discharge the duties of office for the period of three (3) consecutive months.
- A conviction of the incumbent of a felony or any offense involving a violation of their official duties.
- Failure of the person elected to file their required oath within the time prescribed by law.
- The decision of a competent tribunal declaring void the election or appointment of the person elected or appointed into the office.
- Failure of a person to be elected or appointed to the office.

When vacancies in the Fire Board occur mid-term, state law charges the Board of Directors with the responsibility of filling the position. The person appointed to fill the vacated position will complete the unexpired term of the board member whose position was vacated. Upon completion of this term, a successor will be elected in accordance with Arizona Revised Statutes. The law does not give specific direction on the process that should be used by a board to fill a vacancy.

The Fire Board may select the process it determines is in the best interest of SFMD to identify and screen applicants, and make appointments. The following process is generally followed:

- Make the vacancy known through advertisement or other method;
- Screen applications as may be necessary;
- Interview most qualified applicants;
- Select most qualified applicant.
- Officially appoint the successful applicant. The newly appointed Board member will execute the Oath of Office.

In the event the entire board resigns or for any reason cannot fulfill its duties, the Coconino County Board of Supervisors shall appoint an administrator to administer the district with the same duties and obligations of the elected board. If the Board of Supervisors fails to appoint an administrator within thirty days, a special election shall be held to fill the vacancies.

Fire District Elections

Every Fire Board Member will serve 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 candidates 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.

Conducting a Board Meeting

In order for the Fire Board to hold an official public meeting, the Fire Board has several requirements that must be met.

- The Fire board must hold regular and special meetings according to state law.
- Maintain a five (5) member board.

Pre-Board Meeting

- When board members have agenda items, they shall be submitted to the Chairman by the first Monday of each Month. Board Chairman will have all agenda items to Administration by the first Tuesday of each month.
- The Board Chairman may delegate the responsibility of the agenda to SFMD's Administration.
- Fire Board packets will be emailed to each Board Member by 5:00 p.m. on the Friday preceding the scheduled meeting.
- The SFMD Administration under direction of the Fire Board will post the meeting notice (Agenda) 24 hours prior to the Fire Board Meeting at all its pre-defined posting places. This notice also includes notice of the Fire Board going into Executive Session.
- SFMD will post all meeting notices on our website (www.summitfiredepartment.org), and at Fire Stations #31, #32, and #37.

Board Meeting

- The Fire Board members must comply with all requirements of Arizona Open Meeting Laws. The law states very simply that, with a few limited exceptions, all meetings of a public body shall be open to all persons desiring to attend. The law defines a meeting as the gathering of a quorum of members of the public body to propose or take legal action, including any deliberations with respect to action.
- A quorum of the board members must be in attendance to conduct District business. Attendance may be in-person, by computer or telephonically.
- The agenda must contain information reasonably necessary to inform the public of the matters to be discussed or decided.
- Citizens have the right to attend, listen, audio and video record the public meeting. According to the Fire Board policy they will also allow the public to have opportunities to speak to topics during Calls to the Public as defined on the agenda. The Fire Board Chairman may define the length of time that the public may speak.
 - Fire Board approved an increase in the allotted speaking time per individual to three (3) minutes; OR if representing a Group of 3 or more individuals the designated speaker is allotted 10 minutes. All parties of the Group must be present at the meeting.
- When the Fire Board votes on any question the vote shall be taken by ayes and nays and shall be taken simultaneously. If the presiding officer is unable to accurately determine the result of a simultaneous voice vote, they may or at the request of any board member shall, call for a roll call vote taken by lot. It shall be out of order for members to explain their vote during the roll call. There shall be no additional debate or speaking on the subject after the vote is taken.
- The Fire Board has the right to go into executive sessions as noted on the agenda. Executive session has seven authorized circumstances in which the Fire Board may

discuss items in private. The Fire Board is not allowed to vote or take a poll in executive session. All final actions must be made in open meeting.

Minutes

- The Fire Board Clerk must take meeting minutes of all meetings, including executive sessions. The Fire Board may delegate this responsibility to SFMD administration.

Records Management

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

Board Travel

Board Members traveling off-district for training or business purposes shall submit for 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.

Other Resources

Arizona Fire District Association “Red Book”

Arizona Fire District Association website <http://www.azfiredistricts.org/>

Copies of all Arizona Revised Statutes are available online at:

<http://www.azleg.state.az.us/ArizonaRevisedStatutes.asp>

Open Meeting Law Information and Resources available online at: <https://www.azag.gov/sgo>

BASIC FIRE DISTRICT STATUTES

Title 11. Counties

Chapter 2. Board of Supervisors

Article 4. Powers and Duties

11-251. Powers of board

11-251.06. Reimbursement for county services to special districts

11-251.07. Report of special taxing district in the county

11-251.12. County islands; fire and emergency services protection; intergovernmental agreement with adjoining municipalities or private providers; definition

Chapter 6. County Planning and Zoning

Article 3. Building Codes

11-861. Adoption of codes by reference; limitations; method of adoption

Chapter 7. Intergovernmental Operations

Article 3. Joint Exercise of Powers

11-952. Intergovernmental agreements and contracts

11-952.01. Public agency pooling of property, fidelity, liability, workers' compensation, life, health, accident and disability coverage; exemptions; board of trustees; contract; termination; audit; insolvency; definition

11-952.02. Separate legal entities; joint exercise of powers

Article 5. City, Town or County Employee Benefits, Property Loss and Liability Claim Coverage

11-981. Payment of benefits, losses and claims; establishment of trust funds

Title 42. Taxation

Chapter 17. Levy

Article 6. Assessment, Levy and Collection of Local Taxes

42-17257 Notice of establishment or change in city, town or taxing district boundaries

Title 48. Special Taxing Districts

Chapter 1. General Provisions

Article 5. District Contracts with Federal Government

48-187. Governing body; civil immunity; definition

Article 9. Reports by Districts

48-251. Annual report

48-252. District budgets Page 42 of 327 © AFDA 2015 – 17th Edition – Rev.: 12/14

48-253. District audits and financial reviews

Article 10. District Creation and Boundary Changes

48-261. District creation; procedures; notice; hearing; determinations; petitions

- 48-262. District boundary changes; procedures; notice; hearing; determinations; petitions
- 48-263. Special taxing district impact statement; district creation; district boundary change; bond requirement
- 48-264. Dissolution of inactive special taxing districts; board of supervisor's action; exceptions
- 48-265. Petitions; form; verification of signatures
- 48-266. Petitions of property owners; form; verification
- Article 11. Approval of Formation of Special Districts
 - 48-271. Board of supervisor's authority to approve or deny formation of special district

Chapter 5. Fire Districts

Article 1. General Provisions

- 48-802. Election procedures (*see notes page 7*)
- 48-803. District administered by a district board
- 48-804. District administered by elected chief and secretary treasurer
- 48-805. Fire district; powers and duties
 - 48-805.01 Separate legal entities; joint exercise of powers
 - 48-805.02 Fire district annual budget; levy; requirements
- 48-806. Bond election; issuance and sale of bonds
- 48-807. County fire district assistance tax; annual budget
- 48-812. Disposition of fire district; assets and relief and pension fund assets upon annexation by or inclusion within a city or town
- 48-813. Deletion of annexed area from district territory; provision for continued protection
- 48-814. Property located outside of fire district territory; reimbursement to fire district for cost of fire protection services
 - 48-815.01. District dissolution; procedures; notice; hearing; determinations; petitions
 - 48-815.02. Dissolution; petitions of property owners; form; verification
- 48-816. Election to reorganize district
- 48-817. District over twenty-five thousand population
- 48-818. Emergency medical aid or assistance to other public bodies; limitation on liability
- 48-819. Reimbursement for county services
- 48-820. Hearing and election to merge fire districts
- 48-821. Disposition of assets on merger of fire districts
- 48-822. Election to consolidate fire districts; resolution; impact statement; hearing

Article 2. Military Exemptions

- 48-831. Exemption of volunteer fire fighters from military duty
- 48-832. Procedure to obtain exemption

48-833. Exemption based on length of service
48-834. Annual filing of exemption list; issuance of illegal certificate; classification

Article 3. Noncontiguous County Island Fire District

48-851. Noncontiguous county island fire district; formation; definition

48-852. District board governance; elections

48-853. District board; powers and duties; intergovernmental agreements; contract; administration; definition

Title 38. Public Officers and Employees

Chapter 2. Qualification and Tenure

Article 4. Oath of Office

38-231. Officer and employees required to take loyalty oath; form; classification; definition

38-232. Time of oath

38-233. Filing oaths of record

38-234. Usurpation of office; classification

Article 6. Vacancy in Office

38-291. Vacancy defined

Chapter 3. Conduct of Office

Article 3.1 Public Meetings and Proceedings

38-431. Definitions

38-431.01. Meetings shall be open to the public

38-431.02. Notice of meetings

38-431.03. Executive sessions

38-431.04. Writ of mandamus

38-431.05. Meeting held in violation of article; business transacted null and void; ratification

38-431.06. Investigations; written investigative demands

38-431.07. Violations; enforcement; removal from office; in camera review

38-431.08. Exceptions; limitation

38-431.09. Declaration of public policy

Article 6. Employment of Relatives

38-481. Employment of relatives; violation; classification; definition

**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 6:00 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.

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 at least 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 on the District website and fire stations #31, #32, and #37.

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 members 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 for 20 days and (b) 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 this _____, day
of _____, 2023.

Board Signatures

James Timney, Board Chairperson

Robb Faus, Clerk of the Board

Rick Parker, Board Member

Jim Duskocil, Board Member

Scott Walton, Board Member