

**BEAVER DAM
LITTLEFIELD
FIRE DISTRICT**

**BOARD OF DIRECTORS
POLICY MANUAL**

ADOPTED: NOVEMBER 2015

BEAVER DAM LITTLEFIELD FIRE DISTRICT BOARD POLICY MANUAL

TABLE OF CONTENTS

STATEMENT OF PURPOSE.....	1
BOARD POLICY.....	2
DISTRICT MANAGEMENT.....	4
BOARD MEMBERSHIP AND QUALIFICATIONS.....	5
BOARD OFFICERS / DUTIES.....	7
BOARD APPOINTED COMMITTEES.....	9
CODE OF CONDUCT.....	11
BOARD MEMBER RESPONSIBILITIES.....	16
CONFLICT OF INTEREST.....	19
BOARD MEMBER EXPENSES & REIMBURSEMENTS.....	22
BOARD AND FIRE CHIEF RELATIONS.....	23
DELEGATIONS OF AUTHORITY TO THE FIRE CHIEF.....	25
BOARD MEETINGS.....	32
EXECUTIVE SESSIONS.....	36
CONDUCTING BOARD MEETINGS: PARLIAMENTARY PROCEDURES.....	39
MAINTENANCE OF RECORDS.....	42
FINANCES.....	45
PROCUREMENT.....	47
EXECUTION OF DOCUMENTS.....	50
ADOPTION OF FIRE CODE AND STANDARDS.....	51

STATEMENT OF GENERAL PURPOSE

The name of the District shall be the Beaver Dam Littlefield Fire District.

The purpose of the Beaver Dam Littlefield Fire District (the “District”) shall be to provide fire and EMS protection to persons and property within and outside of the defined boundaries of the District, as determined by the Governing Board (the “Board”).

The public business, property, and affairs of the Beaver Dam Littlefield Fire District shall be managed by the Board, which shall have and may exercise all powers of the District as provided by Arizona Law. The Board shall serve as the policy-making body of the District, and govern the activities and shape the future of the District. The Board is responsible for ensuring the lawful and efficient operations of the District.

The rule of best practices suggests that the Board Members employ the following practices:

- *Approach the Fire Chief directly to obtain information to supplement, upgrade, or enhance their knowledge to improve decision-making.*
- *Refer concerns or complaints from residents and property owners of the District directly to the Fire Chief, or bring the same to the attention of the entire Board.*
- *Respond to constituent requests and concerns in a courteous, positive manner and route their questions through the appropriate channels.*
- *Direct clarification of policy-related concerns, especially those involving personnel, legal action, finance and special programs to the Fire Chief or to the Board as a whole.*
- *Respond to employee requests and concerns by directing the employee to follow the guidelines set forth in the HR Policy Manual, in order to avoid allowing the circumvention of the chain of command.*

BOARD POLICY

I. PURPOSE

To set forth a series of Board policies and rules to govern the conduct and deliberations of the business conducted by the Board and to serve as a guide for the staff in carrying out the daily operations and functions of the District.

II. POLICY

It is the obligation of the Board to serve as the policy making body of the District and to govern the activities and shape the future of the District through its governance. However, the Board intends for the Fire Chief and his staff to carry out the day-to-day administration and operations of the District in a manner consistent with the policies and rules of the Board.

Board Policies

The policies of the Board shall be created, adopted and amended with full consideration for the Board's desire to provide fire and life safety protection to persons and property within and outside of the District boundaries. The Board, as the governing body representing the people of the District, determines all questions of policy to be employed in the operation of the District.

In the event that a Board policy is found to be in conflict with state or federal law or the rules of any higher authority, that portion of such policy is automatically null and void without Board action; the Board shall delete any conflicting provisions and consider amendments in a timely manner.

Many Board policies may be predicated on federal and/or state statutes. In such context, the policies are designed to explain, detail, or organize the application of a policy consistent with the statutes. The policies may also be applied to remind the Board, staff, and public of the existence of applicable statutes.

These policies are the Board's guidelines for self-governance and may be amended from time to time as deemed appropriate by the Board.

Adoption, Revision, Repeal and Review of Policy

The central concern of the Board in any policy decision shall be for the efficiency and effectiveness in carrying out its legally mandated duties and general policies for the good of the public.

The District recognizes that Board policies are dynamic and shall be subject to review and revision. Such review shall take place at least biannually at a regularly scheduled Board meeting on a date or dates selected by the Board, and shall appear as an agenda item.

Adoption, revision, or repeal of the established policies shall be accomplished by a majority vote of the Board. A two-step action, with steps separated by no less than 28 days, is required. Introduction, discussion and deliberation shall constitute the first step. A vote on the proposed changes shall be required at a second meeting. In the event that an emergency is deemed to exist, and said emergency is recorded in the official Minutes of the meeting and agreed to by a majority of the Board members, a policy can be changed, suspended, or revised in the course of a single meeting. An emergency shall be defined as an unforeseen circumstance requiring immediate action so as to prevent diminishment of the welfare of the District.

Fire Chief Responsibility

It shall be the responsibility of the Fire Chief to administer the District policies set forth by the Board. Additionally, the Fire Chief may issue and establish Standard Operating Procedures (SOPs), Standard Administrative Procedures (SAPs), Standard Operating Guidelines (SOGs), and rules and regulations concerning fire operations and activities as the Chief may deem necessary, to include equipment operations, training standards, fire scene and Emergency Medical Services (EMS) protocol, command structure, and duties of the personnel of the District, consistent with the policies of the District, Arizona law, or as otherwise directed by the Board.

DISTRICT MANAGEMENT

I. PURPOSE

To adopt and maintain a management structure in accordance with state laws and that will ensure unity of command under both normal and unexpected circumstances.

II. MANAGEMENT STRUCTURE

The Board is permitted by Arizona Revised Statute 48-803(D) and 48-805 to appoint a Fire Chief and other officers necessary for the management and operation of the District. The Fire Chief operates under the direction of the Board.

The District management structure must be clearly defined to ensure efficient operations under all conditions. Unity of command is established through the adoption of a formal organization chart; it is the responsibility of the Fire Chief to establish and maintain position classifications/job descriptions to support the organizational chart. Decision making authority and reporting responsibility must be maintained under both normal and emergency conditions.

District policies should establish a plan of temporary succession in the event of an unexpected or extended absence of the Fire Chief. Temporary succession of command should be based on predetermined procedures until the Board can meet to address the issue and determine the most appropriate course of action.

III. CHAIN OF COMMAND

In order to ensure appropriate handling of personnel issues or concerns, the Board and employees alike shall adhere to a chain of command. Accordingly, Board members shall direct their communications with staff through their sole employee, the Fire Chief. Likewise, employees shall direct their communications to the Board through the Fire Chief, and shall not communicate directly with members of the Board on matters relating to operational or personnel issues, unless granted permission by the Fire Chief or by District policy. Employees and Board members shall adhere to District policy outlining the procedures for addressing matters of concern as set forth in the District's Human Resource Policy Manual.

BOARD MEMBERSHIP & QUALIFICATIONS

I. PURPOSE

To set forth the membership and qualifications of the Board in accordance with Arizona Revised Statutes 48-805.

II. MEMBERS

There shall be five members of the Board.

III. QUALIFICATIONS

A member of the Board must be a resident of the District at the time of his or her election, and must remain so during the period of his or her incumbency. Additionally, at the time of his or her election, the member must be at least 18 years of age and be a registered voter.

IV. ELECTION AND TERMS

Members of the Board shall be elected or appointed in accordance with the laws of the State of Arizona. Board members are elected for a term of four years; the terms of the members are staggered in order to allow for continuity. The term of each member shall begin on the first day of the month following that member's election. Each Board member shall take the oath of office at least 24 hours prior to the first general meeting following his or her election.

When a District election is held for the purpose of electing Board members, the election shall be held per Arizona Revised Statutes 48-802, and shall be overseen by the powers of applicable County Boards of Elections. The Board shall cooperate with the applicable County requirements for conducting elections.

V. FILLING BOARD VACANCIES

In the event that a vacancy occurs on the Board, other than upon the expiration of a Board member's term, the vacancy shall be filled by an individual appointed by a majority of the remaining Board members in accordance with Arizona statute. The Board shall select an individual to serve within a reasonable time following the occurrence of the vacancy. An individual selected by the Board to fill a vacancy shall serve the remainder of the unexpired term.

The vote of the Board to fill a vacancy shall be carried out as follows:

1. *The Board shall distribute and publish a notice of the vacancy, the procedure for application, and the required application form, if applicable.*
2. *The Chairperson shall call for a discussion of potential replacements.*
3. *The Board members may nominate replacement candidates and all members of the Board shall then vote on all such nominations collectively until one candidate receives the majority of the votes cast. In the event that there is a deadlock in the voting, the process shall continue until such a replacement is selected.*
4. *Once an individual is selected by a majority vote, the Chairperson shall call for a motion for that person to fill the vacancy on the Board for the unexpired balance of the term created by the vacancy.*
5. *The Chairperson shall direct the Fire Chief to notify the selected replacement Board member.*

The Fire Chief and/or a Board member may schedule a work session for the new Board member to acquaint him/her with the District's facilities, equipment, personnel, and to provide him/her with copies and an overview of pertinent District policies.

VI. COMPENSATION

The Board members shall serve without compensation, but may be reimbursed for any actual and reasonable expenses incurred on behalf of the District which are authorized by the Board.

BOARD OFFICERS / DUTIES

I. PURPOSE

To establish an organizational structure within the Board that delineates officer positions and associated duties. All Board members are responsible for conducting themselves at all times in a manner consistent with the Arizona Open Meeting Laws.

II. OFFICERS

The officers of the Board shall be comprised of a Chairperson and a Board Clerk. All officers must be nominated by at least one Board member and must be elected by a majority vote.

Selection of the officers must occur at the first meeting in the month immediately following the general election. All officers shall serve for a term of one year. Officers elected to fill an unexpired term shall serve until the end of their predecessor's term.

In addition to the powers of the respective positions, the incumbent shall continue to have all the rights, privileges and immunities of a member of the Board.

III. OFFICER DUTIES

Chairperson: The Board Chairperson is responsible for ensuring that the business of the public meetings is transacted in a proper order and is expedited as best as possible. The Chairperson must ensure that all members observe appropriate procedure and that order and decorum are always observed at all meetings.

Board Clerk: The Board Clerk must have available at every meeting of the Board the Minutes of the previous meeting and all other Minutes that have not been approved, the by-laws of the District and all other rules pertaining to the District, a list of all the committees and the order of business or list of business to come before the meeting. The Clerk is the official custodian of all the records of the District. The Clerk must insure that all committees have such documents as they require for the performance of their duties. In the absence of the Chairperson, the Clerk shall have all the authority of the Chairperson.

VIII. REMOVAL OF OFFICERS

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

IX. VACANCIES OF OFFICER ROLES

In the event that an office of the Board becomes vacant, the Board shall elect a replacement to fill the vacant position at their next regularly scheduled meeting. The newly elected officer shall then serve until the expiration of the term of the officer whom he or she replaced.

BOARD APPOINTED COMMITTEES

I. PURPOSE

To allow the Board to appoint individuals to serve on special or standing committees that will provide additional information and consideration of matters of concern to the Board.

II. POLICY

It is the policy of the District that the Chairperson or the Board may appoint standing or special committees upon a majority vote of the Board.

Formation

With the approval of the Board, a committee may be appointed by the Chairperson of the Board. A motion to establish the committee must be approved by a majority vote of the Board and may be established for any of the following purposes or for any other purposes deemed reasonable by the Board:

- ◆ *To consider and report suitable action on a resolution or other matter;*
- ◆ *To consider a subject and recommend an action for the District to take;*
- ◆ *To investigate a certain issue and report facts with its opinions*
- ◆ *To execute a specific order of the Board; or*
- ◆ *To represent and act for the District in a certain manner.*

Term

The committee may serve for a term, as designated by the Board, and, should the committee fail to make its recommendations or file its report within the designated term, then the Board may extend such term or discharge the committee as it deems appropriate.

Membership Qualifications

Any individual residing within or outside the District may be appointed as a committee member. Nominations for membership to the committee may be made by the Board or made by appointment from the Chairperson. In the event that nomination is made from the Board, then the member may only qualify if he receives a majority vote of those Board members present at the meeting. No more than two (2) members of the Board may be appointed as committee members.

Authority of the Committee

A committee is authorized to perform only such acts as are within the reasonable scope of the object of the committee. Expenses incurred by the committee must receive the prior approval of the Board and must be reasonable in scope.

Records of Committee Action

Any committee formed by the Board shall conform to the Arizona Open Meeting Laws. The committee shall post notice of any meetings, prepare an agenda, provide a written record of its meetings, and communicate to the Board the results of the Committee deliberations or actions.

Reports to the Board

The committee shall present its written report or recommendations to the Board at the public meeting designated by the Board. Either the Fire Chief or any member of the Board may bring the communication to the Chairperson's attention under an appropriately agendaized item (such as reports, correspondence, or a Chief's report, etc.). The Chairperson shall acknowledge receipt of the communication on the record, and a notation shall be made in the minutes. Should any member of the Board decide that there should be a response by the Board, the matter shall be added to the agenda of a subsequent meeting.

Discharge

The committee is discharged at the time of making its report or recommendations to the Board, unless:

- ◆ *The report or recommendations of the committee are rejected, and the committee is requested by the Board to review the report or recommendations and make modifications; or*
- ◆ *The committee is informed in writing by the Chairperson of the Board that it is the decision of the Board to discharge the committee prior to the making of the report; or*
- ◆ *The committee is a standing committee.*

Structure

Either the committee or the Chairperson of the Board must appoint a Chairperson of the committee. The Chairperson of the committee is the member who reports to the District. The committee may also elect a secretary.

BOARD MEMBER CODE OF CONDUCT

I. PURPOSE

This Code of Conduct of the Board is to establish a standard for self-governance in approaching its duties and responsibilities to the citizens and personnel of the District. Its application will allow the Board to avoid criticism and insure that the Board's reputation for effective management is enhanced.

II. GENERAL CONDUCT OF BOARD MEMBERS

Board members should conduct themselves, personally, professionally, and in their respective capacity for the District, in a respectful and ethical manner to set the standard for self-governance and to set an example for the personnel of the District.

The Board recognizes that should any Board member undertake, in private conversations with others, to make commitments for the Board, unless directed officially by the Board, that Board member becomes involved in a serious breach of policy and therefore may be subject to reprimand from his/her fellow Board members.

III. CONDUCT WITH OTHER BOARD MEMBERS AND PERSONNEL

Board members shall demonstrate respect for one another, the members of the public, and District personnel, without regard to any personal relationships and/or differences.

Each Board member should allow ample opportunity for other members to be heard on any matter being considered by the Board, and listen carefully to the judgment and views as well as the factual observations of the other Board members.

IV. BOARD MEMBER ACCESS TO DISTRICT INFORMATION

Any Board member is entitled to reasonable access to any data or information of the District, at reasonable times during business hours and for a proper purpose that is relevant to Board business. All Board member requests for information shall be made to and through the Fire Chief. A Board member requesting other District information shall make a public records request in the same manner as

any other member of the public. In no case shall information be sought through other personnel, agents or independent contractors of the District.

In any instance in which a Board member requests information not generally or ordinarily made available or reported to the Board, that member shall report on the information at the next meeting of the Board.

Information received by a Board member shall be handled with discretion and when appropriate, in confidence.

In no instance shall a Board member reveal to others information received because of his or her position on the Board if the actual or potential effect of such revelation may damage the District, including its image, or provide a benefit, financial or otherwise to the Board member or any other person.

V. LOYALTY TO THE DISTRICT

It is fundamental that a Board member owes his or her duty to the District; therefore, he or she should abide, both actually and in spirit, by the decisions made by the Board, without regard to the Board member's dissent on a decision made by the Board.

VI. GOOD FAITH AND FAIR PLAY

It is fundamental, and this policy requires, that every Board member shall deal in good faith and fair play with other members and the Fire Chief in expressing his or her views, questions, concerns, positions and activities relating to District policies, rates, charges, programs, etc., in the conduct of its business.

Good faith and fair play require:

- ◆ *That Board members reveal all information or interests, financial or otherwise, which they may have that may bear upon action being considered by the Board or the Fire Chief;*
- ◆ *That Board members, neither in nor out of Board meetings, will pursue a position, inquiry, recommendation or motion as to harass or to be disrespectful toward other members, the Fire Chief, the District personnel, or independent contractors;*
- ◆ *That Board member communications with personnel other than the Fire Chief, if made at all, shall be casual and conducted on a courteous basis, and not for the purpose of influencing an employee's position or attitude concerning his District related activities.*

VII. CONDUCT DURING BOARD MEETINGS

Board members shall:

- ◆ *Attend all meetings as scheduled, and provide proper notice if unable to attend.*
- ◆ *Prepare for meetings, review the agenda, background materials, and reports prior to attendance at Board meetings.*
- ◆ *Arrive promptly, be attentive, and assist in following the agenda.*
- ◆ *Organize comments and opinions on each issue so as to be concise.*
- ◆ *Ask meaningful and discerning questions about the topics and problems.*
- ◆ *Question whether proposals are in accord with all federal, state, and local laws and regulations as well as with District policies.*
- ◆ *Vote for what will be in the best interest of the District.*
- ◆ *Provide full disclosure in any situation in which the Board vote could be construed as a conflict of interest.*
- ◆ *Ask to have the vote recorded if the majority action might be improper, illegal or ill advised.*
- ◆ *Be open minded in considering all perspectives presented, whether from other Board members, the Fire Chief, or members of the public.*
- ◆ *Minimize discussing irrelevant topics.*
- ◆ *Remember that knowledgeable Board decisions should not be made on unsupported rationale, intuitions, rumors, suspicions, emotions, or guesses.*
- ◆ *Recognize that only Board members acting together by majority vote of quorum have authority to conduct District business. Individually, Board members have no more authority than any other citizen of the District.*

Board members shall not:

- ◆ *Conspire to “railroad” a Board meeting with decisions made in prior private meetings where the full Board and Fire Chief were not present, including executive session discussions.*

- ◆ *Hesitate to state that there is a lack of sufficient information presented upon which to make a sound decision.*
- ◆ *Permit interpersonal relationships, conflicts or individual experiences to dominate meetings.*
- ◆ *Engage in personal attacks, ridicule, or engage in other interactions that are offensive, disrespectful or create lasting tensions.*

VIII. CONDUCT OUTSIDE OF BOARD MEETINGS

Board members shall:

- ◆ *Avoid personal business dealings with the District to prevent any appearances of conflict of interest.*
- ◆ *Be ready to explain and defend the District and its actions to the public, social groups, educational and/or civic agencies.*
- ◆ *Understand that the Board's function is to direct the District's overall business, approve its mission, policies, objectives, goals, plans, programs, and budgets. However, the Board should **never** manage or direct the day to day operations.*
- ◆ *Remember that a Board member's most common error is infringing on management's prerogatives and authorities delegated to the Fire Chief by the Board.*
- ◆ *Be aware that the Board (not individual members) has a general oversight function of the District's operations to be exercised in consultation with the Fire Chief and only in Board meetings.*
- ◆ *Participate in public relations to achieve understanding and acceptance of the District's objectives and programs.*
- ◆ *Support effective new Board member orientation programs.*

Board members shall not:

- ◆ *Use the Board member position for personal gain, financial or otherwise, or retribution of any kind.*
- ◆ *Accept gifts, fees, loans, favors, or anything of value if it gives any **appearance** of inducing the Board member to compromise Board responsibility.*

- ◆ *Use the Fire Chief and or District personnel to gain detailed, special, or in-depth information for any advantage. In-depth and special information should only be made available to individual Board members with the knowledge of the entire Board.*
- ◆ *Disclose details of executive sessions of Board meetings.*
- ◆ *Undermine a decision made by a majority of a quorum of the Board.*
- ◆ *Ask for special treatment, favors, or concessions from the Fire Chief or District personnel for an individual Board member or his or her constituents.*
- ◆ *Give instructions, directions, or orders on conducting the daily affairs of the District to the Fire Chief or other District personnel.*
- ◆ *Make commitments as an individual Board member in the name of the District.*
- ◆ *Embark on a personal investigation or audit of the District's operations without Board direction and approval.*

BOARD MEMBER RESPONSIBILITIES

I. PURPOSE

To ensure that each member of the Board is oriented to the role via an orientation that will allow them to learn the expectations in terms of responsibility and decorum.

II. DUTIES, POWER AND AUTHORITY OF FIRE DISTRICTS

*In accordance with Arizona Revised Statutes 48-803, 48-804 and 48-805, the District, through its Board **shall**:*

- ◆ *Hold public meetings at least one time each calendar month.*
- ◆ *Prepare and adopt an annual budget.*
- ◆ *Determine the compensation payable to District personnel.*
- ◆ *Require newly hired firefighters to submit a full set of fingerprints for the purpose of obtaining a state and federal criminal records check.*
- ◆ *Elect from its Board a Chairperson and a Board Clerk.*
- ◆ *Prepare and publish a financial report.*

*Further, in accordance with Arizona Revised Statutes 48-805, the District, through its Board, **may**:*

- ◆ *Employ personnel deemed necessary for fire protection and preservation of life.*
- ◆ *Construct, purchase, lease, lease-purchase or otherwise acquire apparatus, water and rescue equipment, ambulances, and equipment relating to the foregoing, land and buildings and equipment and furnishings to house equipment and personnel necessary for the fire protection and preservation of life.*
- ◆ *Finance the acquisition of property through the use of bonds.*
- ◆ *Assist the State Fire Marshal's office in the enforcement of fire protection standards within the District.*

- ◆ *Adopt a nationally recognized fire code.*
- ◆ *Amend or revise the adopted fire code, with the approval of the State Fire Marshal's office.*
- ◆ *Enter into an agreement procuring the services of an organized private fire protection company or a fire department of a neighboring city, town, district or settlement.*
- ◆ *Contract with the city or town for fire protection services.*
- ◆ *Retain a certified public accountant to perform an annual review or audit.*
- ◆ *Retain legal counsel.*
- ◆ *Accept gifts, contributions, bequests and grants to the District; and to comply with the requirements of the same.*
- ◆ *Enter into contracts and execute any agreements or instruments necessary or appropriate to carry out the purposes of the District.*
- ◆ *Pay dues to the Arizona Fire District Association.*
- ◆ *Adopt a resolution to establish a fee schedule for providing fire protection services and emergency medical services, plan reviews, standby charges, fire cause determination, users' fees, facility benefit assessments, or any other fee schedule that may be required.*
- ◆ *Change the District name.*

III. KEY RESPONSIBILITIES OF A BOARD MEMBER

The key responsibility of a Board member is to make policy and budgeting decisions. The law requires that all decisions be made by a majority vote of a quorum. The Board is the governing authority within the District. Apart from his or her normal function as a part of this governing body, a Board member has no individual authority. As individuals, Board members may not commit the District to any policy, act or expenditure, unless specifically directed to do so by the action of the Board as a whole.

In order to function effectively as a member of the Board, each Board member should:

- ◆ *Become familiar with the Arizona Revised Statutes, Arizona Administrative Rules and other regulations and Attorney General opinions related to the routine and emergency activities of the District.*
- ◆ *Identify and disclose personal interests and take action only in the best interests of the District.*
- ◆ *Support Board decisions and actions.*

- ◆ *Suspend judgment until sufficient information is available to make informed and supportable decisions.*
- ◆ *Recognize the difference between policy issues that should be addressed by the Board and administrative and operational issues that should be addressed by the Fire Chief or District staff.*
- ◆ *Commit to teamwork with other Board members, the Fire Chief and District personnel.*
- ◆ *Accept responsibility for total Board operation. While Board officers are elected, all Board members should prepare to function in any elected Board officer position.*
- ◆ *Commit sufficient time to prepare for each meeting by reading all materials provided and spending any additional time necessary to develop an understanding of the issues to be considered.*
- ◆ *Be open to effectively deal with all forms of public input regardless of the form in which it is delivered.*
- ◆ *Deal effectively with controversy, differences of opinion, and criticism in a manner that neither the Board nor individual Board member becomes the target of acrimony.*
- ◆ *Ensure accurate accounting and financial records are maintained by the District. Examine the District's financial review or audit.*
- ◆ *Conduct all business with high moral and ethical standards and in accordance with Arizona law.*

CONFLICT OF INTEREST

I. PURPOSE

To identify those areas where the members of the Board should avoid conflicts of interest, or any appearance of conflicts of interest, so that the affairs of the District will be carried out in a business-like and ethical manner.

II. POLICY STATEMENT

In accordance with Arizona Revised Statutes 38-502 and 38-503, it is the policy of the Board member shall submit a Conflict of Interest Disclosure addressing any known or anticipated conflicts of interest that may exist.

III. CONFLICT OF INTEREST

Members of the Board of the District may not participate in any action item or in the consideration of any items which would appoint or vote for appointment of any person who is related to the Board Member.

Members of the Board may not hold membership on the Board if they are an employee of the District or the spouse of an employee of the District.

Members of the Board may not, except under circumstances narrowly defined under Arizona law, enter into a contract to provide services, materials or equipment to the District for any compensation.

*Members of the Board must disclose any potential or actual conflict of interest and exclude themselves from all participation in those matters. A **substantial interest** may arise when a Board member takes official action that **would** financially impact himself, a relative, or an associated business. A **remote interest** arises when a Board member's financial interest is so far removed from the issue at hand that it is not likely to effect the official's action. Some examples of a "remote interest" are:*

- ◆ *That of a non-salaried officer of a nonprofit corporation;*
- ◆ *That of a landlord or tenant of the contracting party;*
- ◆ *That of an attorney of the contracting party;*
- ◆ *That of a member of a nonprofit cooperative marketing association;*
- ◆ *The ownership of less than three percent of the shares of a corporation for profit, provided the total annual income from dividends, including the value of*

stock dividends, from the corporation does not exceed five percent of the total annual income of such officer or employee and any other payments made to him by the corporation do not exceed five percent of his total annual income;

- ◆ *That of a public officer or employee in being reimbursed for his actual and necessary expenses incurred in the performance of official duty;*
- ◆ *That of a recipient of public services generally provided by the incorporated city or town, political subdivision or state department, commission, agency, body, or Board of which he is a public officer or employee, on the same terms and conditions as if he were not an officer or employee;*
- ◆ *That of a public officer or employee, or that of a relative of a public officer or employee, unless the contract or decision involved would confer a direct economic benefit or detriment upon the officer, employee or his relative, of any of the following:*
 - ◆ *Another political subdivision;*
 - ◆ *A public agency of another political subdivision;*
 - ◆ *A public agency except if it is the same governmental entity;*
- ◆ *That of a member of a trade, business, occupation, profession, or class of persons consisting of at least ten members which is no greater than the interest of the other members of that trade, business, occupation, profession, or class of persons.*

*In addition, Board members **shall**:*

- *Submit a written Conflict of Interest Disclosure concerning any substantial conflicts of interest, and disclose any matters which might give rise to an appearance of impropriety, even if not a substantial interest.*
- *Submit updated Conflict of Interest Disclosure from time to time when a change in circumstances creates a conflict or potential conflict.*
- *Avoid situations which might be construed as conflicts of interest since it is not feasible in a policy statement such as this to describe all the circumstances and conditions that might be or have the potential of being considered conflicts of interest.*

*Board members **shall not**:*

- *Supply to the District any equipment, materials, supplies, or services unless pursuant to an award or contract let after public competitive bid; provided, however, the District, without using public competitive bid procedures, may purchase supplies, materials, and equipment not exceeding \$300 in cost in any single transaction, not to exceed a total of \$1,000 annually, from a member of the governing body of the District if the policy for such purchases is approved annually.*
- *Receive gifts, fees, loans, or favors from suppliers, contractors, consultants, or financial houses, which obligates or induces them to*

compromise their responsibilities to negotiate, obligate, inspect or audit, or award contracts, with the best interests of the District in mind. This does not prohibit receiving gifts or favors of nominal value or casual entertainment which meet all standards of ethical business conduct, and involves no element of concealment.

- *Acquire or have a financial interest in any property which the District acquires or a direct or indirect financial interest in a supplier, contractor, consultant, or other entity with which the District does business. This does not prohibit the ownership of securities in a publicly owned company except in a substantial amount by those in a position to materially influence or affect the business relationship between the District and such publicly owned company. Any other interest in or relationship with an outside organization or individual having business dealings with the District is prohibited if this interest or relationship might tend to impair the ability of the Board members to serve the best interests of the District.*

Additionally, if members of the immediate family of a Board member have a financial interest as specified above, such interest shall be fully disclosed to the Board, which shall decide if such interest should prevent the District from entering into a particular transaction, purchase, or employment of services. The term "immediate family" should be interpreted broadly to include children or their spouse, husband, wife, significant other or domestic partner, sister, brother, parents, foster parents, or step-parents, grandparents, aunts, uncles, mother or father-in-law, sister or brother-in-law, or any relative residing in a Board member's household.

IV. CONFIDENTIALITY

The confidentiality of business information must be respected at all times. Board members are prohibited from:

- ◆ *Knowingly disclosing any non-public information to those who do not have the need to know, or whose interest may be adverse to the District;*
- ◆ *Using such information for personal gain or advancement*
- ◆ *Using such information to the detriment of the District*
- ◆ *Using such information to individually conduct negotiations on behalf of the District unless specifically authorized to do so.*

BOARD MEMBER EXPENSES & REIMBURSEMENT

I. PURPOSE

To establish guidelines to allow Board members reimbursement for reasonable out-of-pocket expenses associated with fulfilling their duties as elected officials.

II. POLICY

It shall be the policy of the Board to pay or reimburse Board members' authorized expenses as described in this policy. State law prohibits compensation for Board member services, but does permit reimbursement for actual out-of-pocket expenses. From time to time Board members participate in activities that may require direct out-of-pocket expenses. Two of the most common activities in which this may occur include:

- ◆ *Travel, meals, and lodging to attend training seminars, workshops, conferences, or other educational events.*
- ◆ *Representing the District as a member of another Board, Association, or committee.*

The District normally arranges registration and payment, lodging, and transportation for training events. The District normally pays these expenses in full in advance. Any additional expenses for spouses, guests, or entertainment are the sole responsibility of the attending Board member and are not reimbursable by the District. Alcoholic beverages are not included in reimbursable expenses. Meal or travel allowances are prohibited, but actual expenses can be reimbursed.

The District may provide a District vehicle and fuel credit card for transportation to out-of-area events. If a District vehicle or District transportation is not provided, a Board member may be reimbursed for the use of a personal vehicle for mileage to and from the event at the current State mileage rate. The Board member transportation to and from any Board function will be considered personal and the District will have no liability for any Board member travel; therefore, the Board member must have sufficient personal liability insurance.

Board members seeking reimbursement for meals or mileage shall submit to the Fire Chief in a timely manner all receipts indicating the amount, purpose, date and time of payment. Board member reimbursement for travel expenses are subject to public inspection. Accordingly, Board members shall be mindful of the reasonable and appropriate amounts expended when traveling for District business. Any expenses incurred may be subject to review and approval by the Board prior to actual reimbursement.

BOARD AND FIRE CHIEF RELATIONS

I. PURPOSE

To establish guidelines governing the basic relationship between the Board and the Fire Chief, including the principles involving the delegation of authority.

II. POLICY

The Board recognizes, establishes, and maintains the following guidelines in its relationship with the Fire Chief:

- ◆ *Good management is the most important factor in the success of the District. This includes a strong and effective Board and Fire Chief, as well as dedicated, loyal and capable personnel. In exercising its responsibilities, the Board reserves authority to establish policies, approve plans and programs, and delegate certain authority to the Fire Chief. Although certain authority may be delegated to the Fire Chief, the responsibility remains with the Board.*
- ◆ *The Board recognizes the responsibility and need to establish policies, approve plans and programs, appraise results achieved, and delegate authority to the Fire Chief to execute and carry out plans, programs and policies.*
- ◆ *Policies of the Board shall be adopted at regular or special meetings, by a majority of a quorum of the Board. The Fire Chief, as appropriate, is delegated the responsibility of carrying out such policies and reporting back to the Board on the results achieved.*
- ◆ *The "flow" of authority for the operation of the District shall be from the Board to the Fire Chief. The Board may require information from the Fire Chief, from time to time, regarding various aspects of District operations. The Fire Chief shall cooperate and comply in a timely manner with all the requests of the Board.*
- ◆ *The efficient management of the District can exist only through mutual understanding and complete cooperation and respect between the Board and the Fire Chief. The Fire Chief is expected to produce results and give an account to the Board of his stewardship. The performance of the Fire Chief cannot be the best unless he is given latitude to exercise judgment in executing policies of the Board. The Board acknowledges that obligation and gives the Fire Chief the latitude of judgment and discretion, and expects faithful performance in carrying out Board policies.*

- ◆ *The Board has responsibility for the employment of the Fire Chief, and further, has the additional responsibility for a systematic appraisal at least annually of the Fire Chief's performance in order that growth, development, and effective improvements are encouraged.*

As with all policies, each Board member shall be responsible for directing to the attention of other Board members any violation of this policy

DELEGATIONS OF AUTHORITY FROM THE BOARD TO FIRE CHIEF

I. PURPOSE

To define the delegations of authority from the Board to the Fire Chief so as to enable him to adequately direct operations of the District and report to the Board on the achieved results.

II. POLICY

It is the policy of the District to delegate the authority of all following areas to the Fire Chief, who shall be responsible through his own actions and those of his subordinates, to carry out such duties and report back to the Board as to the results.

A. Planning

Policies

Formulate recommendations for policies or changes in policies of the District for consideration by the Board. Such policies shall be reviewed by the Fire Chief periodically and recommendations made on any required revisions.

Strategic Planning

Cooperate with the Board on the development, amendment and modification of the District's mission and long range objectives of the District by periodically assessing changes in the District's environment, identifying key issues and adopting strategies to effectively address those issues.

Long Range Operational Planning

Conduct studies and research, utilizing staff and/or outside consultants, and develop action plans; report to the Board in such areas as service demand forecasts and future service requirements, financial forecasts, customer attitudes and long range system requirements.

Work Plans and Budgets

Formulate, with Staff, annual work plans and budgets for the District and make recommendations to the Board for consideration. Present to the Board detailed monthly reports on revenue, expenses and other results

compared to such plans and budget, as well as other information as may be requested from time to time by the Board.

Legislation

Analyze and determine, in coordination with organizations such as the Arizona Fire District Association, state and federal legislative and regulatory agencies, matters to be proposed, supported, or opposed, consistent with Board policy. Interact and participate in the legislative process to support or oppose legislation in the best interest of the District, as authorized by the Board.

B. Organization

Organization and Structure

Periodically review the activities of the District, as appropriate, establish the organizational structure best suited to carry out the overall objectives of the District within the parameters of the budget and consistent with the Beaver Dam Littlefield Fire District Human Resource Policy Guidelines, Operational Guidelines, Resolutions or policies .

Determine the need for additional positions, or elimination of present positions', and recommend to the Board changes within the parameters of the approved budget.

Selection of Personnel

Develop or approve standards and qualifications for use in recruitment, transfer, and promotion of personnel. Such standards and qualifications should meet District, Federal and State legal requirements.

Select, hire, appoint, transfer, promote, and discipline personnel as provided in the Sonoita Elgin Human Resource Policy Guidelines.

Training

Provide opportunity for personnel to train in accordance with the qualifications and requirements of their positions.

Initiate and promote training programs for personnel within the parameters of the budget, including sending personnel to training programs outside the District.

Performance Appraisals

Appraise the performance of personnel, provide appropriate remediation, and assist in development and improvement.

Provide that a uniform performance appraisal program is established and conducted for all personnel.

Position Descriptions

Provide that written job descriptions and job specifications are prepared and reviewed as necessary for defined positions. Where appropriate, job descriptions will include the extent of fiscal management responsibility and authority.

Fringe Benefits

Administer or approve activities and actions with respect to vacations, holidays, sick leave, and other fringe benefit programs for the personnel within established policies and parameters of the budget.

Consultants

Recommend, to the Board, employment of consultants, other than the firm performing the independent financial review or audit, which shall be selected by the Board without the recommendation of the Fire Chief. Provide contracts and agreements for professional services to be approved by the Board. The selection of any consultant working in areas which affect the functions of the Board requires approval of the Board.

Select and appoint other outside specialized consultants. Negotiate contracts and agreements for services of such specialized consultants within the parameters of the budget and expenditure limits and advise the Board of actions taken.

Report to the Board periodically on services provided and fees charged by consultants.

Wage and Salary Administration

Develop a systematic wage and salary plan and present it to the Board for approval.

Determine all salary adjustments, except the Fire Chief, utilizing the approved wage and salary plan within the parameters of the approved budget. Salary adjustments for the Fire Chief shall be determined by the Board, in accordance with the Fire Chief's employment contract.

Evaluate new positions and reevaluate existing positions, if their responsibilities and authorities substantially change, and as a result of such evaluation or reevaluation, place these positions within the Board approved wage and salary plan.

Conduct labor surveys, as necessary, to determine wages and salaries paid for comparable jobs in the area in which the District recruits personnel. Make recommendations to the Board on any revisions required in the approved wage and salary plan.

Contracts

Within expenditure limit and approved budget, negotiate, with or without consulting assistance, contracts and make appropriate recommendations to the Board.

Administer approved contracts.

C. Operations

Overall Administration

Direct the day to day operations and activities of the District including delegation to staff; and the ability to further delegate certain operational functions to any level of the department with full recognition that delegation does not relieve the Fire Chief of overall responsibility or accountability.

Manage the operations of the District in accordance with the policies of the Board and applicable federal, state and local laws.

Designate an Acting Fire Chief to serve in the absence, planned or unplanned, of the Fire Chief.

Provide advice and assistance to the Board.

Accept invitations for the District to participate in national, regional, state and local meetings which further the interests of the District within the parameters of Board policy and the approved budget. Participation in such activities by the Fire Chief which require considerable time over a sustained period requires Board approval. The Fire Chief should not serve on the Board of other organizations related to the fire service without approval of the Board.

Financial

Make expenditures in accordance with the approved budget and the District Procurement policy, or all non-budgeted items which, in the judgment of the Fire Chief, are vital to effect unanticipated emergency actions or repairs. Non-allocated budgeted items exceeding \$10,000, which are not vital to effect unanticipated emergency actions or repairs

must be authorized by the Board. During the budget year, the Fire Chief is authorized to transfer budgeted amounts between functions and activities within any fund; however, expenditures or revisions that alter the total expenditures of any fund must be approved by the Board. Funds are defined as: the Maintenance and Operating fund, Reserve fund, Leave Reserve Fund, and the Volunteer Pension fund.

Make deposits with the Mohave County Treasurer into the District accounts of all revenue received, and in accordance with applicable Arizona Revised Statutes, and/or Mohave County policy.

Report monthly to the Board on the financial position of the District.

Authorize travel expenses of personnel on District business, within the parameters of the approved budget and within established District policy.

Approve accounting systems, procedures, statistics and types of reports necessary for sound financial management which meet the stipulations of regulatory agencies and for necessary control information required by the Board and the independent auditor.

Purchase or lease equipment, hardware, furniture, vehicles, materials and supplies within the approved budget. Purchases of major equipment or large quantities of materials or supplies, within the approved budget, shall be done under prices established by state contract, competitive estimates, or appropriate bidding when applicable and submitted to the Board for approval. The purchase of land, buildings and apparatus must be approved by the Board.

Negotiate contracts for construction; such contracts shall be submitted to the Board for approval.

Execute and deliver purchase orders or contract for approved projects.

Approve change orders on contracts previously approved by the Board if cumulatively less than 10% of the original contract value. Change orders exceeding 10% of the original contract value will be brought before the Board for approval. The Board will be provided with summary data on the status and cost of all change orders on each contract, for informational purposes.

Recommend authorization of bond issuance by the Board.

Recommend insurance coverage required for effective risk management and negotiate the purchase of such coverage.

Authorize District memberships in Board approved organizations which would be beneficial to the District and authorize the payment of dues by the District within the parameters of the budget.

Perform acts necessary or incidental to the management of operations of the District, unless such acts are specifically reserved to the Board pursuant to law or policy of the Board.

Controls

Operations

Submit periodic and special reports to the Board on status of operations. Recommend any revisions requiring Board approval and direct remedial action as necessary.

Finances

Submit periodic and special financial reports to the Board as requested to keep the Board informed of the District's financial position and conformance to plans and forecasts.

Budget

Report to the Board as requested on revenues and expenditures compared to the budget. Recommend any revisions required and direct any remedial action required.

Annual Financial Review or Audit

Participate with the Board in the review of the annual financial review or audit and management letter and direct any remedial action required.

Materials Management

Establish a system to account for District materials and inventory.

Citizen Complaints

Submit periodically, to the Board, an analysis of complaints and take any corrective action required or recommend appropriate revisions in Board policy.

Reliability and Effectiveness of Service

Submit reports on service reliability and effectiveness and remedial action taken, to the Board.

Rates, Charges and Taxes

Evaluate costs compared to revenue projections and recommend to the Board any changes in rates, charges or taxes necessary for the financial strength and stability of the District.

Internal Auditing

Independently assess the adequacy, effectiveness, and efficiency of the systems of control within the District and the quality of ongoing operations against policies and procedures established by the Board and/or the Fire Chief, as well as other applicable laws and regulations.

Annual Financial Review or Audit

Obtain the services of an independent auditor, with advance direction from the Board, to perform the annual review or audit required by State Statute.

III. RESPONSIBILITY

The Fire Chief shall report to the Board, on the status of delegations of authority. The Fire Chief may make further delegations of authority to his staff as required.

The Board is responsible for approving any changes in the delegations to the Fire Chief.

BOARD MEETINGS

I. PURPOSE

To set forth the schedule of Board meetings, along with establishing the guidelines for conducting and documenting meetings in accordance with the Open Meeting Laws defined in Arizona Revised Statutes 38-431.

II. POLICY

Notice

As per Arizona Revised Statute 38-431.02, public notice shall be given for all public meetings and executive sessions. The notice must be given by a posting of the notice of the meeting in the places designated by the District in statements filed with the Arizona Secretary of State and the Clerk of the Mohave County Board of Supervisors. Such notice shall include an agenda of the matters to be discussed or decided at the meeting, or a disclosure of how members of the public can obtain a copy of the agenda. Unless as noted below for purposes of an emergency meeting, any meeting of the Board shall not be held without first posting notice to the general public at least twenty four (24) hours in advance. The meeting notice may include Saturdays if the public has access to the physical posting location, but shall not include Sundays or other legal holidays prescribed under A.R.S. 1-301.

Agendas

The meeting agenda shall be available at least twenty four (24) hours in advance of the meeting, unless an actual emergency exists or a meeting has been recessed and resumed to a later date. Except for an emergency situation, only matters listed on the agenda and other matters directly related thereto may be discussed, considered or decided at the meeting. The Chairperson of the Board shall set the agenda for regular and special meetings. Any Board member or the Fire Chief may forward items to be placed on the agenda and the Chairperson shall place those items on the agenda for the next meeting. The agenda shall be signed by the Clerk or another officer of the Board.

Meeting agendas should contain such information as is reasonably necessary to inform the public of the matters to be discussed, considered or decided. Items on the agenda may not be generic or vague.

The Board may use a “consent agenda” as a time saving device when there are certain items on the agenda which are unlikely to generate controversy and are ministerial in nature. The Board can then take one vote to approve or disapprove the consent agenda in its entirety. When using a consent agenda format, the

Board or the agenda should fully describe the matters on the agenda and inform the public where more information can be obtained. An item may be removed from the consent agenda at the request of any member of the Board.

In the event that a quorum of the Board may be present at a social event or a training event, a “courtesy agenda” may be posted for purposes of announcing such event and explaining that a quorum might be present. Such agenda should identify the date, time, and purpose of the event and shall state that no business shall be discussed and no legal action will be proposed or taken at the event.

Quorum

A minimum of three members of the Board shall constitute a quorum. Board members must be present in person or via a pre-arranged telephone or video conference. The act of a majority of such quorum shall be deemed an act of the Board. Should the Board membership present at the meeting fall below the required number for a quorum, the meeting must be reconvened at a designated later date when a quorum is present.

Regular Meetings

The regular meeting of the Beaver Dam Littlefield Fire District Board shall be held as scheduled by the Chairperson of the Board at the Beaver Dam Littlefield Fire District Headquarters, located at 630 N. Highway 1, Littlefield, AZ, unless a different meeting time or place is selected by specific action of the Board. The Board shall, at a minimum, meet at least on a monthly basis. The Chairperson of the Board shall designate the time for regular and special meetings, at the Chairperson’s discretion.

All reasonable efforts shall be made to establish a uniform date and time for the regular monthly meeting, in order to permit the members of the public and the Board to anticipate and prepare for those meetings. Special meetings, executive sessions and workshop meetings shall be held at the discretion of the Chairperson of the Board or upon the request of any member of the Board.

The physical facilities for the meetings shall be functional and appropriate for members of the public to observe the Board meeting. Reasonable accommodations will be made for persons with a disability upon at least a twenty-four (24) hour prior notification to the Fire Chief.

Special Meetings

The Chairperson of the Board, or any two Board members, may call a special meeting, by giving the notice required by law and by providing an agenda for the special meeting, as required by law. Board members shall be mindful of the availability of other Board members and the Fire Chief when calling a special meeting. No Board member shall call a special meeting for purposes of excluding a Board member or the Fire Chief.

Emergency Meetings

In the case of an actual emergency, less than 24 hours notice of a meeting may be given and the notice that is actually given shall be appropriate to the circumstances generating the emergency; however, at a minimum, the following three (3) requirements which must be met:

- 1. An announcement must be made at the meeting of the reasons necessitating the emergency meeting; and*
- 2. After discussion by the Board, the Board must determine by motion, the nature of the emergency; and*
- 3. Within 24 hours after the meeting, a public notice must be posted declaring that an emergency session has been held and setting forth the agenda information required.*

Emergency meetings shall only be called in cases of unforeseen circumstances, where immediate Board action is necessary in order to avoid a serious consequence that would result from waiting until a proper notice could be provided.

Meeting Recessed

Less than 24 hours notice may be given when a properly noticed meeting is recessed to a later date. Prior to the recessing, the Board must publicly announce the time and place of the resumption of the meeting or the method by which notice shall be publicly given. This notice must also comply with the agenda requirements respecting matters to be addressed when removed. The Board shall not recess a meeting for the purpose of avoiding public attendance.

Order of Business

The order of business at any public meeting is as follows:

- 1. Call to order.*
- 2. The roll call and determination that a quorum exists.*
- 3. Recognition of guests.*
- 4. The review of the minutes of the previous meeting and their approval, modifications or amendment.*
- 5. A call to the public for comments about the District.*
- 6. Consent agenda.*
- 7. Reports of any standing Board committees.*
- 8. Reports of any special committee.*
- 9. Reports from the Fire Chief and from other personnel to advise the Board.*
- 10. Old business.*
- 11. New business.*
- 12. Agenda items for the next monthly meetings.*
- 13. Adjournment.*

The Chairperson may change the order of business as he deems appropriate.

Minutes

The Minutes record any and all official acts of the District. If any conflict exists between the Minutes and any other record of the meeting of the District, then the Minutes shall prevail. The minutes shall reflect the date, time and place of the meeting and the business conducted by the Board. The minutes shall include attendance of the Board members and general discussion occurring for each agenda item and any motions made. The minutes shall identify the Board member making the motion and seconding the motion and the vote of each Board member on each motion. Minutes are more fully addressed in the Maintenance of Records provision of this policy.

Approval of, Ratification of, and Amendments to the Minutes

The Minutes of a meeting of the District shall be approved, amended or modified at the next regular or special meeting, or as soon thereafter as practical. Upon review and approval of the Minutes of a previous meeting, those Minutes shall be signed by the Clerk. After the Minutes have been approved, amended or modified at the next regular meeting, subsequent amendments or modifications may only be made in accordance with the following requirements:

- ◆ *An amendment or modification of a grammatical, typographical, or other non-substantive error in the Minutes may be proposed at any time; and*
- ◆ *A substantive amendment or modification to the Minutes may be proposed, discussed and adopted only as an agenda item at a public meeting. A substantive amendment or modification to the Minutes may only be voted upon if a majority of the Board members who originally approved the Minutes are present and eligible to vote.*

EXECUTIVE SESSIONS

I. PURPOSE

To establish guidelines for conducting closed meetings of the Board for purposes of discussion and consideration of matters of a confidential nature, as allowed under Arizona Revised Statute 38-431.03.

II. POLICY

Upon a majority vote of sufficient Board members to constitute a quorum, an executive session may be held if the appropriate twenty-four (24) hour notice has been posted as part of the public meeting notice or as a separate notice. A public meeting must be convened to vote on holding the executive session, and upon a majority vote, the Board may adjourn into executive session. The Chairperson shall seek the advice of the District's attorney prior to setting an agenda for an executive session.

Executive Session Matters

If an executive session is to be held, the agenda shall state the specific provision of law authorizing the executive session. If the Board is uncertain whether a legal question may arise requiring an executive session, a statement may be included in the agenda stating that an item on the agenda may be discussed in executive session for the purpose of obtaining legal advice pursuant to A.R.S. 38-413.03(A)(3).

Executive sessions may be attended by the Board members, persons subject to a personnel discussion, and those individuals whose presence is reasonably necessary; the record shall reflect why those individuals are reasonably necessary.

The law specifies the following purposes for which an executive session may be called:

- ◆ **Personnel Matters** -- *The discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining, or resignation of a public officer, appointee or employee of the District. With the exception of salary discussions, an officer, appointee or employee may demand that this discussion take place at a public meeting. If such a demand is made, the officer, appointee or employee must be provided with at least twenty-four (24) hour notice of the executive session. The Board shall provide the officer, appointee, or employee such notice of the executive session as is appropriate, but not less than twenty-four (24) hours for the*

individual to determine whether such discussion or consideration should occur in a public meeting. The Board may permit the officer, employee or appointee discussed to attend the executive session, but the employee does not have a right to attend except if he demands that the discussion take place in a public meeting.

- ◆ Confidential Records -- An executive session may be held when the Board is considering or discussing records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state or federal law. The record being considered need not be expressly made confidential by statute.
- ◆ Legal Advice -- An executive session may be held for the discussion or consultation for legal advice with the attorney(s) of the District. The only person allowed to attend this executive session are the members of the Board and such officers, personnel, and appointees permitted by the Board, with a view to preserving the attorney/client privilege. If the Board is uncertain as to whether a legal question may arise requiring an executive session, a statement may be included on the agenda stating that an item on the agenda may be discussed in executive session for the purpose of legal advice pursuant to A.R.S. 38-413.03(A)(3).
- ◆ Litigation Matters -- An executive session may be held for the discussion or consultation to consider the District's position and instructing counsel concerning the District's position in impending or contemplated litigation.
- ◆ Employee Negotiations -- An executive session may be held for the discussion or consultation with designated representatives of the District to consider the District's position and instruct its representatives regarding negotiations with employee representatives regarding their salaries, salary schedules or compensation paid in the form of fringe benefits for personnel of the District.
- ◆ International and Interstate Negotiations -- An executive session may be held for the discussions of international and interstate negotiations between the District and another party or parties.
- ◆ Purchase, Sale or Lease of Real Property -- An executive session may be held for discussion and consultations with designated representatives of the District to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property.

No Action At Executive Session

No executive session may be held for the purpose of taking any legal action involving a final vote or decision.

Procedures

Before the Board goes into executive session, a majority of the members constituting a quorum must vote in the public meeting to hold such an executive session. The vote may permit the holding of an executive session during or immediately following the public meeting or at some later specified date. The Chairperson shall announce to the public and remind the Board members that all matters discussed in executive session are confidential pursuant to Arizona law and the announcement shall be reflected in the minutes.

Limitation on Conduct in Executive Session

The District may not take an informal or preliminary vote or a final vote or make a final decision in the executive session; such action must be taken at a public meeting convened for that purpose. At any public meeting after an executive session addressing a matter which was the subject of an executive session, sufficient information must be given to the public to apprise the public of the basic subject matter of the action to be taken. Caution must be exercised in not revealing any discussion with occurred during the executive session.

Notice

If an executive session is to be held, notice shall be given to the members of the Board and to the general public stating the specifics provisions of law authorizing the executive session.

Agenda

The agenda for an executive session shall include only a general description of the matters to be considered and shall not contain information that would defeat the purpose of the executive session.

Minutes

Written minutes of the executive session shall be taken by a Board member in attendance. Minutes of an executive session are confidential and shall be maintained in a manner that secures their confidential nature.

Emergency Executive Session

An emergency executive session may be called provided that

- ◆ *The reason for the emergency session is announced publicly immediately prior to the executive session; and*
- ◆ *Within twenty-four (24) hours after the emergency executive session, an agenda is posted setting forth the information required.*

CONDUCT OF THE BOARD MEETING: PARLIAMENTARY PROCEDURES

I. PURPOSE

To provide a means for orderly and expeditious disposition of matters before the Board by governing the manner in which the meetings are conducted as well as the manner in which the Board members interact.

II. POLICY

The Chairperson shall preside at all regular, special or emergency meetings. In the event that the Chairperson is not present, then the Board Clerk shall preside. The Chairperson, as a Board member, shall have the right to make motions and amendments and to vote on motions brought before the Board for action.

Conducting the Meeting

Although all Board members are responsible for the conduct of Board meetings, the Chairperson primarily shall be responsible for ensuring that the business of the public meetings is conducted in the proper order and is reasonably expedited observing appropriate procedures. The meeting shall be conducted pursuant to the following requirements:

- ◆ *Voting will be done by voice or show of hands in a manner sufficient to give the Chairperson and the public notice of each member's vote. In the event that a roll call vote is requested by any Board member, then the Chairperson shall conduct a roll call vote.*
- ◆ *The public shall have access to observe all meetings, except for Executive Sessions.*
- ◆ *If an agenda contains a call to the public, members of the public may speak regarding agenda items for a specified time period as determined by the Chairperson.*
- ◆ *The Board may arrange for participation by telephone or video conference for a Board member unable to attend. In the event that a telephone or video conference is made available, then the following procedure must be followed:*
 - *The notice or the agenda should state that one or more members of the Board will participate by such method;*
 - *Facilities must be set up in order to permit the Board and public to observe and hear all telephone or video communications;*

- *There should be a clear identification of all members participating by such method; and*
 - *The Minutes of the meeting should identify members participating by telephone or video communications and should describe the procedures followed.*
- ◆ *Any or all of the public meetings may be recorded by any person in attendance, provided that such a recording does not interfere with the conduct of the meeting.*

Parliamentary Procedure

A simplified and flexible procedure shall be followed in the conduct of meetings. The following principles of parliamentary procedure are adopted by the Board in the conduct of meetings:

- ◆ *All Board members have equal rights, privileges, and obligations.*
- ◆ *The majority vote of a quorum decides all issues.*
- ◆ *Each member has the right to understand every proposition presented for decision, and to engage in full and free discussion of the proposition's advantages and disadvantages before taking action.*
- ◆ *Board members shall be protected from abuse by visitors, spectators, and other participating in the Board's activities, by use and enforcement of orderly processes.*
- ◆ *All meetings shall be characterized by fairness and good faith.*

Voting

The votes during all meetings of the Board shall be handled as follows:

- ◆ *In the case of a tied vote on any proposal, the proposal shall be considered defeated.*
- ◆ *Every Board member who is in attendance at the meeting when the question is put forth shall give his/her vote unless the Board member abstains, declares a conflict of interest, or is otherwise prevented by law from participating. If any Board member declines to vote "aye" or "nay," his/her vote shall be treated as an abstention and shall not be counted as a vote.*

Public Attendance and Call to the Public

All deliberation and actions of the Board should be conducted openly, unless covered in executive session. All persons are allowed to attend unless their conduct becomes disruptive to the meeting or unless otherwise excluded by law

(such as executive sessions). The public may record or videotape the meetings. While the Board is not obligated to permit participation or take input from the public during the meetings, it is encouraged to do so in recognition of the interest of the public in the decisions being made by the Board and the expenditures of funds being made by the Board. The Board shall not require any person in attendance to identify himself/herself, unless the person is making a statement or presentation.

The Board may make an open call to the public to allow individuals to address the governing body on any issue within the jurisdiction of the District. Members of the Board may not discuss or take action on matters raised during the call to the public unless the matter is specifically identified on the agenda. Members of the Board may, however, respond to criticism made by those who have addressed the public body, ask the staff to review a matter raised, or ask that the matter be placed on a future agenda. Any such response shall take place at the conclusion of the call to the public.

Actions for a Public Hearing

Public hearings are at times required by law (such as for annexations, budget adoptions, etc.); all such hearings shall be placed on the agenda and the procedures for a public hearing shall include introduction of the hearing by the Chairperson, a call to those who request an opportunity to speak, and an inquiry as to whether any Board member has any question to ask. Subsequently, the Chairperson may close the public comment, and then may seek a motion. Following the motion and second, a discussion may occur among the Board members. After inquiring if there are any final comments by the Board or the staff, the Chairperson may call for the vote.

Rules of Order

Statute does not specify the rules of order for conduct of a Board meeting. Unless otherwise directed by the Chairperson, the Board may conduct themselves in accordance with Robert's Rules of Order. The Chairperson may appoint a person as the Parliamentarian, who shall advise the Chairperson as to the correct rules of procedure. The Board's failure to follow such rules shall not serve to invalidate any action otherwise lawfully taken by the Board.

Motions

All ordinances, resolutions, contracts, and items of business that require Board approval prior to the expenditure of funds shall be in the form of an affirmative motion or resolution.

MAINTENANCE OF RECORDS

I. PURPOSE

To establish a means for creating and maintaining District records. This policy is in addition to the District's Records Retention Schedule which is adopted by the District and approved by the Arizona State Library, Archives and Public Records.

II. POLICY

Responsibility of the Clerk

It shall be the responsibility of the Clerk of the Board to maintain all of the records of the District and to keep such records in order in accordance with the District's Record Retention Schedule. The Clerk shall have authority to obtain assistance from the Fire Chief as needed.

Written Minutes of Public Meetings

Minutes must be taken of all public meetings. Either written minutes in draft form or a recording of the meeting must be available for public inspection within three working days after a meeting. The following information must be in the minutes of public meetings:

- ◆ *The date, time and place of the meeting.*
- ◆ *The members of the Board recorded as either present or absent.*
- ◆ *A general description of the matters discussed or considered, even where no formal action or vote is taken with respect to those matters.*
- ◆ *An accurate description of all legal actions proposed, discussed, or taken and the names of persons who proposed and seconded each motion. The Minutes must also reflect how each Board member voted and the numerical breakdown of the vote.*
- ◆ *The name of each member of the public making a statement or presenting material to the Board and a specific reference to the action to which the statement or presentation relates.*
- ◆ *A full description of the nature of any emergency matter, specifically including, but not limited to, the circumstances necessitating the emergency.*
- ◆ *In the event that a prior act in violation of the Open Meeting laws of the State of Arizona is ratified, a copy of the disclosure statement is required for such ratification.*

Maintenance of Records

A record of all notices, including a copy of each notice posted and information regarding the date, time and place of posting, must be kept. Records are to be maintained for a period of at least five (5) years.

Executive Sessions

The Minutes of an executive session must be maintained as confidential. The Board must advise all persons present at the executive session and the public session immediately preceding and following the executive session. The Minutes of the public session and the executive session should reflect that the Board gave notice of confidentiality. The Minutes of an executive session must contain the following information:

- ◆ *The date, time and place of the meeting.*
- ◆ *The members of the Board recorded as either present or absent.*
- ◆ *A general description of the matters considered.*
- ◆ *Such other information as the Board deems appropriate.*

Committees

Committees are required to keep written minutes of their proceedings. The committees shall present their reports and/or recommendations at a public meeting and the Minutes of such public meeting must reflect the substance of the report and/or recommendation. The Minutes should also reflect the names of the committee members supporting the report or recommendation and the names of those committee members not in support of the report or recommendation. The committee will deliver its Minutes to the Clerk of the Board.

Policy Decisions

All Board actions that are passed adopting, amending, or revoking any District policy shall be set forth clearly in the Minutes by being separately identified by the title "Policy Decision." In addition to the normal retention of the minutes, an additional copy of the minutes shall be maintained in a separate file labeled "Policies."

Resolutions

A copy of all resolutions adopted by the Board will be attached to the minutes of the meeting when adopted. In addition, a copy of all resolutions shall be kept in a separate file labeled "Resolutions" and shall be kept indefinitely. The original of a resolution, if not required to be submitted to an entity outside the District may be kept with the Minutes.

Agendas

The notices (including when and where posted) and agendas for all meetings shall be preserved with the written Minutes for each meeting and must be maintained permanently.

FINANCES

I. PURPOSE

The purpose of financial policies is to officially adopt and ensure full public disclosure of the District's budget administration policies and procedures.

II. POLICY

It shall be the policy of the Board to annually adopt a Budget Resolution for the fiscal year and to ensure fiscal policies are in place to meet the needs of the District and to ensure compliance with applicable laws.

Fiscal Year

The fiscal year of the District shall be the twelve (12) month period beginning on July 1 and ending June 30 of the following year.

Annual Report to the County

The Board shall submit an annual report to the appropriate County officials pursuant to the requirements of the law of Arizona, as amended from time to time.

Annual Budget

The Board, with the assistance of the Fire Chief, shall, not later than August 1 or each year, prepare and submit to the County Board of Supervisors an Annual Budget for each fiscal year. The proposed Annual Budget shall be published in a newspaper of general circulation in the District and posted in three (3) public places at least twenty (20) days prior to a public hearing at a meeting called by the Board to adopt the Annual Budget. Copies of the proposed Annual Budget shall also be available to the public upon written request to the District. If the District maintains a publicly viewable website, the Annual Budget shall be posted on the website at least twenty (20) days before the public hearing. Following the public hearing, the Board shall adopt the Annual Budget during a public meeting.

When the Annual Budget is adopted by the Board, it shall be final and shall serve as a guide to the District's financial activities and to limit the District's expenditures. A complete copy of the District's adopted Annual Budget shall be posted on the District's official website (or on the website of an association of fire districts, if the District does not have an official website) within seven (7) business days after adoption and shall be retained on the website for at least sixty (60) months thereafter.

The District may not operate at a deficit or incur indebtedness except as permitted by law. The Board may not disperse any funds in excess of the amount allocated under the Annual Budget.

Every Annual Budget adopted by the District shall include a certification by the Chairperson and the Clerk of the Board stating that (1) the District had not incurred any debt or liability in excess of taxes levied and to be collected and the money actually available and unencumbered at that time in the District general fund, except for those liabilities as prescribed in A.R.S. 48-805(B)(2) and 48-806 and 48-807, and that (2) the District complies with 48-805.02(E).

Every audit or report made pursuant to A.R.S. 48-253 shall include a certification by the auditor of the District affirming the above.

Authorized Expenditures

The Board is authorized to make expenditures as permitted by law, as amended from time to time. The Board may, by action of a majority of the members constituting a quorum, adopt a purchasing policy which may, among other things, include specific authority for officers, appointees, or personnel of the District to make expenditures and have signature authority pursuant to the purchasing policy.

PROCUREMENT

I. PURPOSE

The purpose of the procurement policy is to establish guidelines for the procurement of supplies, materials, equipment and services.

II. POLICY

It shall be the policy of the Board to ensure that all expenditures are authorized in the budget and are properly handled to ensure appropriate management of District funds.

Purchasing Standards

The authority to expend funds on behalf of the District is a public trust and each purchase shall be treated in a manner that will not in any way be adverse to the interest of the District. Purchases shall be impartial, fair, and without benefit to the District representative making or approving the purchase. This shall apply to Board members and staff. No person making a purchase on behalf of the District shall demand or accept any gratuity of any kind in return for making a purchase for the District. Gratuities shall mean a gift, money, meals, or the promise of such. All purchases shall be authorized per the District's annual budget.

Expenditure and Bid Limitations

Budgeted expenditures with an aggregate amount less than \$1000 for supplies, materials, equipment or services may be made at the discretion of the Fire Chief. Direct purchase is authorized as long as the best value is being provided to the District. Budgeted expenditures with an aggregate amount between \$1000 - \$4999 for supplies, materials, equipment or services shall require the Fire Chief to document three verbal vendor quotes to be submitted with the purchase order (PO). Purchases shall be made from the vendor offering the lowest responsible price upon approval of the Fire Chief. Budgeted expenditures with an aggregate amount between \$5000 - \$10,000 for supplies, material, equipment or services require three written vendor price quotations. Each purchase shall be made from the vendor offering the lowest responsible price quote upon approval of the Fire Chief. Budgeted expenses with an aggregate amount of greater than \$10,000 for supplies, materials, equipment or services shall be awarded by competitive bid. All competitive bids shall be approved by the Fire Board prior to solicitation and/or award.

Formal Bidding Methods

An Invitation for Bid (IFB) shall be used when the good or service is of a known quantity and duration; this shall be used for commodity type items. A Request for Proposal (RFP) shall be used when a need is identified but how it will be achieved is unknown at the onset. This process allows the vendor to propose solutions or methods to arrive at the end product or result. Adequate notice of all competitive bids shall be given in accordance with A.R.S.

Bid openings are open to the public and all interested parties are encouraged to attend. The Fire Chief shall be responsible for the evaluation of all bids. Any bid in excess of \$10,000 shall require approval by the Fire Board. In such case, upon review of such bids, he shall present to the Board a summary of all bidders and a recommendation from staff as to which bid is most advantageous to the District.

No procurement process shall split purchase orders and/or contracts for the purpose of avoiding requirements of this policy.

Bid Evaluation and Award

The contract shall be awarded to the best responsible and responsive bidder whose bid conforms in all material respects to the requirements set forth in the formal bid document. In determining the lowest responsible and responsive bidder, the following shall be considered:

- ◆ *Ability, capacity, and skill of the bidder to perform the contract of provide the service required.*
- ◆ *Whether the bidder can perform the contract or provide the services within a specified timeframe.*
- ◆ *The quality of performance of previous contracts.*
- ◆ *The financial stability of the bidder.*
- ◆ *The previous and existing compliance by the bidder with the laws and ordinances.*
- ◆ *The quality, availability, and adaptability of the supplies or services.*
- ◆ *The uniformity of the products.*

Any bidder's offering that does not meet the acceptability requirements may be rejected as non-responsive. A record showing the basis for determining the successful bidder shall be retained according to the District's Record Retention program. A written notice of award will be sent to the successful bidder. Unsuccessful bidders will be notified in writing of the award.

Exceptions to the Formal Bid Process

A separate bid is not required for the purchase of supplies, materials, equipment or services procured using purchasing agreements already established through the District's cooperative purchasing partners. However, the contract must provide the best value to the District

Notwithstanding any other provisions of the policy, the Fire Chief is authorized to allow the emergency direct purchase of materials, services, or construction items when there exists a threat to public health, welfare, or safety. If a situation exists which makes compliance impractical, unnecessary, or contrary to the public interest, an emergency procurement shall be made without complying with the procedures of this policy, though limited to those materials, services, or construction items necessary to satisfy the emergency need.

The Board may approve the procurement of such professional services without following the formal bid process. Professional services are primarily limited to legal, architectural, insurance, engineering, management consulting, and financial.

In the event that there is only one vendor capable of providing a material or service, the procurement processes shall not be required. Sole source purchasing shall be avoided whenever possible.

Upon recommendation of the Fire Chief, the Board may waive the bid procedures with respect to the purchase of used equipment.

Purchasing Authority

The Fire Board, through the formal budgeting process, grants authority to the Fire Chief to oversee expenditures within the approved budget. This authority is limited to the provisions within this policy.

Any purchasing authority granted within this policy applies only to items approved by the Board and adopted as part of the Annual Budget.

Non-budgeted items, or requests to use encumbered or contingency funds, shall be approved by the Fire Board.

EXECUTION OF DOCUMENTS

I. PURPOSE

To outline the circumstances in which specific members of the Board must execute general and/or financial documents of the District.

II. POLICY

General Documents

All documents, instruments, or any written material whatsoever binding upon the District shall be executed by the Chairperson of the Board for the District or in the Chairperson's absence, by the Clerk of the Board. However, the Board may, by motion, appoint authorized officers, personnel, or appointees of the District to execute documents, instruments, or other written material binding on the District.

Financial Documents

All documents, instruments and any written material whatsoever which evidence money owed by, or money owed to the District, should be executed by a minimum of two (2) Board members.

ADOPTION OF FIRE CODE AND STANDARDS

I. PURPOSE

To set forth that the Board may adopt a recognized Fire Code and other recognized standards to govern the District.

II. POLICY

Fire Code

The Board may adopt, amend or revise a nationally recognized Fire Code.

Adoption

Adoption of a nationally recognized Fire Code requires an election of the qualified electors of the District. The District must keep three (3) copies of the code, including amendments and revisions, on file for public inspection.

Amendments or Revisions

Amendments or revisions to the code may be adopted after a public hearing. A public notice of proposed revisions and/or amendments shall be posted in three (3) public places and published in a newspaper of general circulation in the District at least thirty (30) days prior to a public hearing on amendments and/or revisions to an adopted fire code.

Fire Protection Standards

The Board may assist the State Fire Marshal in the enforcement of fire protection standards within the District

NFPA and Other Standards

The Board may adopt, amend, or revise professional standards as it deems appropriate for administration of District services, including but not limited to sections of the National Fire Protection Association Codes and Standards.