

**Whispering Pines Fire District  
Minutes of the Regular Board Meeting held July 20<sup>th</sup>, 2011**

A public meeting of the Whispering Pines Fire District was convened on July 20<sup>th</sup>, 2011 at the Whispering Pines Fire Station 71, 10603 Houston Mesa Road, Whispering Pines.

- I. Call to Order: Harry Jones called the meeting to order
- II. Pledge of Allegiance: - Joseph Brown led the Pledge of Allegiance
- III. Roll Call/Declare a Quorum: present were – Harry Jones, Joseph Brown, Bob Hull and Fred Washburn. Absent was Al Kendall. A quorum was declared.
- IV. VOTE TO GO INTO EXECUTIVE SESSION PURSUANT TO A.R.S § 38-431.03(A)(3) FOR LEGAL ADVICE (ITEM A), AND GO INTO EXECUTIVE SESSION PUSUANT TO ARS § 38-431.03(A)(1) FOR PERSONNEL MATTERS (ITEM B).

- A. **Discuss and evaluate written responses and legal advice received from the District’s counsel and from the County Attorney as to how to eliminate any potential conflicts of interest where a Board member and his wife might sell a parcel of property to the District for use as a fire station location.**

- B. **Discuss the potential of a violation of the conflict of interest statutes by a board member and the full Board of Directors related to a possible sale of property to the District by a Board member.**

Motion to go into executive session - Bob moved to go into executive session. Joseph seconded the motion. Motion passed with ayes from Harry, Bob, and Joseph, one nay from Fred.

Motion to return to Regular Session - Fred moved to return to Regular Session. Joseph seconded. Motion carried unanimously.

- V. Motion to approve the minutes of the June 15, 2011 regular business meeting – Bob moved to approve the minutes of the June 15<sup>th</sup>, 2011 meeting. Joseph seconded. Motion carried unanimously.

VI. Reports and Correspondence

A. Treasurer’s Report – Fred presented the Treasurer’s report:

Balance sheet as of June 30, 2011 –

Chase Bank Account for Payroll Taxes..\$	5,000.00
Operating Account.....	26,816.97
Bonita Creek Building Fund.....	3,487.99
Geronimo Building Fund.....	1,855.17
Rim Trail Building Fund.....	33,793.39
Capital Funds-Unspec. Reserves.....	35,428.85
Petty Cash.....	100.00
Total Checking/Saving \$	106,482.37

Harry called for a motion to accept the Treasurer's report. Joseph moved to accept the report. Bob seconded. Motion carried with ayes from Fred, Bob, and Joseph. Harry asked to have the minutes show his vote to be nay until such time as the accrued expenses can be approved and included in the treasurer's report.

B. Chairman's Report – None

C. Chief's Report – **SEE ATTACHMENT A**.

VII. Call to the Public for comment on items in the Agenda – There was none.

VIII. Items for Discussion and Possible Action:

A. **Evaluation of written responses and legal advice received from the District's counsel, and from the Gila County Attorney as to how to eliminate any potential conflicts of interest where a Board member and his wife might sell a parcel of property to the District for use as a fire station location.** – Harry indicated he would abstain from discussion and action, if any, and asked Bob Hull to chair the discussion and possible action. Bob pointed out that based on the Gila County Attorney's draft opinion, and advice from the District's legal counsel, four possible options were available to the District. 1. The District could take no action regarding the property in question. 2. The District could continue to discuss and take possible action concerning the property without further participation by Harry or his wife, and risk subsequent ruling against, and nullification of any contract the Board signs, by the County Attorney. 3. The District could enter into the process of soliciting bids from owners of properties which meet the requirements as specified by the District in its request for bids. 4. Since the Gila County Attorney's draft opinion offered no suggestions as to how to proceed, the District could authorize legal counsel to submit a request to the Gila County Attorney to provide suggestions to the District as to how to proceed, or not to proceed. Bob made a motion to authorize the District's legal counsel to submit a request to the Gila County Attorney to provide suggestions to the District as to how to proceed, or not to proceed. Fred seconded. Motion carried with ayes from Bob, Fred and Joseph. Harry abstained from the vote.

B. **Discuss the potential of a violation of the conflict of interest statutes by a Board member and the full Board of Directors related to a possible sale of property to the District by a Board member** – On advice from legal counsel, no discussion of item IV. B occurred in executive session, and no discussion or action was taken in regular session. Our attorney stated this item shouldn't have been on the agenda since it didn't apply.

C. **Status of Rim Trail and Bonita Creek land acquisition and the Rural Development Grant/Loan, and other sources of funds for land and building Projects** – No action.

D. **Designation of a representative to represent the District in the Bonita Creek Homeowners Association** – Chief Sattlermaier stated that since the District was now a property owner in Bonita Creek, we need to be able to vote on issues concerning the property. Annual dues are \$75.00. Fred made a motion to appoint Chief Sattlermaier as the District's representative, and to pay the annual dues to join. Bob seconded the motion. Motion carried unanimously.

**E. Authorize obtaining a revolving line of credit from JP Morgan/Chase Bank, N.A., pursuant to ARS § 11-604.01, and request the Gila County Treasurer to enter into an agreement with the bank to provide the line of credit to the District** – Chief Sattelmaier explained that the requirements for filing to continue this existing line of credit have changed, requiring the filing document to be approved by the Board, signed by the Chairman or his designee and notarized, before forwarding to the Gila County Treasurer. The County Treasurer then arranges the continuation of the line of credit with the bank. Bob made a motion to authorize Chief Sattelmaier to sign the document and have it notarized on behalf of the Board Chairman, and forward it to the County Treasurer. Joseph seconded. Motion carried unanimously.

**F. Approval of the purchase of an ATV type vehicle such as a Polaris Ranger, for the purpose of performing fire patrols** – Chief Sattelmaier explained that since 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> crossings have been converted to day use only, campers have started going further into the forest to camp. Our type 6 vehicles have been used for fire patrols in the past, but these vehicles are not capable of reaching many of these remote campsites. Since the Department has made use of a rented ATV which has been outfitted with extinguishers and tools for dousing campfires, many violations in remote areas have been detected and dealt with. Having a vehicle of this type could greatly enhance the Department's fire patrol program, and be useful in search-and-rescue and EMS situations where rough terrain is involved. Chief Sattelmaier pointed out that a used vehicle of this type would cost approximately \$15,000.00 to \$18,000.00, including equipment required to put it in service, such as a fire-fighting skid, lettering, and stokes basket mounting. The Department expects to clear approximately \$30,000.00 from water tender service the Department provided to the fighting of the Eastern Arizona wildfires this year. Fred made a motion to authorize Chief Sattelmaier to search for a suitable vehicle to present to the Board for possible purchase. Joseph seconded the motion. Motion carried unanimously.

IX. Call to Public for Non-agenda Items – There was none.

X. Call to the Staff and Board for Non-agenda Items and Future Agenda Items – Bob stated item IX. C, would be carried over to the next agenda.

XII. Call for Adjournment – Fred moved to adjourn. Meeting adjourned.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Whispering Pines Fire District

By \_\_\_\_\_