

**Whispering Pines Fire District
Minutes of the Regular Board Meeting held September 19th, 2011**

A public meeting of the Whispering Pines Fire District was convened on September 19th, 2011 at the Whispering Pines Fire Station 71, 10603 Houston Mesa Road, Whispering Pines.

- I. Call to Order: Bob Hull called the meeting to order at 6:19
- II. Pledge of Allegiance: - Al Kendall led the Pledge of Allegiance
- III. Roll Call/Declare a Quorum: present were – Joseph Brown, Bob Hull, and Al Kendall. Absent: Fred Washburn. A quorum was declared.
- IV. **VOTE TO GO INTO EXECUTIVE SESSION PURSUANT TO A.R.S § 38-431.03(A)(3) FOR LEGAL ADVICE RE: real estate acquisition options.**
Joseph made a motion to adjourn to executive session. Al seconded. Motion carried unanimously. Meeting adjourned to executive session at 6:20 PM.

Regular session reconvened at 6:37 PM.
- V. Motion to approve the minutes of the August 17, 2011 regular business meeting – Joseph moved to approve the minutes of the August 17, 2011 meeting. Al seconded. Motion carried unanimously.
- VI. Motion to approve the minutes of the special called business meeting held August 31, 2011 – Bob moved to approve the minutes of the special called meeting of August 31, 2011. Joseph seconded. Motion carried unanimously.

VII. Reports and Correspondence

A. Treasurer’s Report – Bob presented a summary of our cash position, in Fred’s absence:

Balance sheet as of July 31, 2011 –

Chase Bank Account for Payroll Taxes..\$	5,085.21
Operating Account.....	-14,890.08
Bonita Creek Building Fund.....	3,591.59
Geronimo Building Fund.....	1,858.09
Rim Trail Building Fund.....	33,834.84
Capital Funds-Unspec. Reserves.....	35,487.07
Petty Cash.....	100.00
Total Checking/Saving \$	65,066.72

- B. Chairman’s Report – None
- C. Chief’s Report – **SEE ATTACHMENT A.**

VIII. Call to the Public for comment on items in the Agenda – Harry Jones requested the Board grant him audience during discussion of item IX. A in the items for discussion and action, as this privilege had been commonly granted to the public a number of times before at District meetings. All members agreed to allow Mr. Jones to present his information at that time.

IX. Items for Discussion and Possible Action:

A. **Real estate acquisition options** – Bob opened the floor to Mr. Jones to present his information pertaining to this item. He presented a letter to the members to read and possibly reply to, which asked if the Board discussion in executive session had to do with the Jones' property in Rim Trail, and any options which specifically targeted this property (other than by condemnation). The letter also asked if the discussion in executive session concerned reasons why the Jones' property was no longer available for purchase, or involved the County Attorney's 5-23-11 opinion received by the District. Bob assured Harry that the discussions in executive session only pertained to currently available methods for acquiring suitable property sites, which are 1. Open a bidding process to the public (Request For Bids), ensuring that specific requirements of lot size, access, availability of utilities, etc., allow for competitive bidding. 2. The initiation of legal steps to acquire property through a condemnation procedure. 3. Property that might be donated to the District. The letter further opined that the Board consider setting a meeting date, and placing on that agenda the following two items: 1. Discuss and take possible action re: Discontinuing the legal services of Mr. Whittington and the firm of Boyle, Pecharich, Cline, Whittington & Stallings, P. L. L. C. and 2. Discuss and take possible action re: Requesting the County Attorney retract the opinion issued 5-23-11, and immediately communicate to all local fire departments and other parties, including the Gila County Recorder, that the 5-23-11 opinion sent to them may be withdrawn. Bob made a motion to table any further discussion or action on this item (item A). Joseph seconded. Motion carried unanimously.

B. **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** – Chief Sattelmaier presented the Board with preliminary drawings and cost estimates for construction of a fire station at Bonita Creek. No action taken.

C. **Emergency responses to “out-of-district areas” such as Verde Glen and Cold Springs** – Chief Sattelmaier reported he had been talking to other fire districts as to their methods of collecting for services, and handling out-of-district service, but had nothing viable yet to report. Al asked how many of the Verde Glen residents had requested information on how to join the District by statute which allows contiguous property owners to apply for District coverage. He stated there were three. Bob made a motion to authorize Chief Sattelmaier to provide the required procedural documents and information to these three residents. Al seconded the motion. Motion carried unanimously.

- X. Call to Public for Non-agenda Items – There was none.
- XI. Call to the Staff and Board for Non-agenda Items and Future Agenda Items – Chief Sattelmaier informed the Board that he and Sue would be on vacation from September 27th to October 5th, and paramedic duties would be covered by Mike Williamson in their absence. Sue requested that Joseph and Bob make a concerted effort to ensure that they are available to sign warrants before the Sattelmaiers leave, since they will be the only signatories available. Items to be carried to the next meeting are IX. (A), (B) and (C). Items to be added: 1. Discuss and take possible action re: Discontinuing the legal services of Mr. Whittington and the firm of Boyle, Pecharich, Cline, Whittington & Stallings, P. L. L. C., and 2. Discuss and take possible action re: Requesting the County Attorney retract the opinion issued 5-23-11, and immediately communicate to all local fire departments and other parties, including the Gila County Recorder, that the 5-23-11 opinion sent to them may be withdrawn. Bob stated he would attempted to arrange for a special called meeting once he contacts Fred Washburn to determine when he would be available by phone.
- XII. Call for Adjournment – Al moved to adjourn. Bob seconded. Meeting adjourned.

Dated this _____ day of _____, 20_____.

Whispering Pines Fire District

By _____