

RIO RICO MEDICAL & FIRE DISTRICT



BOARD POLICY

TABLE OF CONTENTS

Article 1 : Purpose	Pg. 3
Article 2: Medical & Fire District Board	Pg. 4
Article 3: Officers of the Board	Pg. 9
Article 4: Powers and Duties of the Board	Pg. 10
Article 5: Delegation of Board Authority	Pg. 12
Article 6: Board Policies	Pg. 12
Article 7: Policy Adoption, Changes, Deletions, Additions, Repeal and Review	Pg. 13
Article 8: Methods of Operation of Board Meetings	Pg. 13
Article 9: Meeting Minutes and Public Records	Pg. 17
Article 10: Rules of Order During Meetings	Pg. 19
Article 11: Procedure for Adopting a Resolution	Pg. 24
Article 12: Fire District Legal Counsel	Pg. 24

RIO RICO MEDICAL & FIRE DISTRICT BOARD POLICY

ARTICLE 1: PURPOSE

The Board of Directors of the Rio Rico Medical & Fire District ('Fire Board' / 'Board') recognizes that its major function is to serve as the policy-making body of the District, and to govern the activities of the District. The Board reserves for the Fire Chief and the professional staff the responsibility of the day-to-day administration and operations of the District in a manner consistent with applicable laws, policies, and Board rules.

These policies and rules govern the conduct and deliberations of the business conducted by the Board, and serve as a guide for the professional staff in carrying out the daily functions of the District.

For purposes of this manual, the use of gender specific pronouns has been avoided whenever possible. Where such avoidance would lead to awkward or cumbersome language, the masculine pronoun may be used. This use shall be considered to refer to both genders.

DEFINITIONS:

The following definitions apply to these policies:

- a. Fire Board / Board - the governing body of the Rio Rico Medical & Fire District.
- b. Board Policy –any decision, resolution, or ordinance made by the Fire Board through due process and in accordance with Rio Rico Medical & Fire District Board By Laws and Arizona Revised Statutes.
- c. Board Rule –any statement agreed upon by the Fire Board to govern the conduct and business of the Rio Rico Medical & Fire District Fire Board.
- d. District - the Rio Rico Medical & Fire District
- e. Executive Management Staff–the Fire Chief, Deputy Chief, EMS Coordinator, Fire Marshal and Administrative Manager
- f. Senior Management Staff –the Executive Staff along with the Battalion Chiefs
- g. Administrative Staff those employees who work in a clerical or non-suppression role
- h. Suppression Staff –those employees who are fire fighters specifically trained in fire and emergency services and who are active members of the Arizona Public Safety Personnel Retirement System (PSPRS).

ARTICLE 2: MEDICAL & FIRE DISTRICT BOARD

2.1 Basis of Authority

The Rio Rico Medical & Fire District is defined in accordance with the provisions of the Arizona Revised Statutes. The District includes territories lying in Rio Rico and certain unincorporated areas of Santa Cruz County. The Fire Board by policy carries out its responsibilities and the will of the people of these areas in keeping with state and federal constitutions, statutes, rules, interpretations of the courts, and all the powers and responsibilities they provide. Per the current Arizona law, in a district which the County Board of Supervisors has estimated that the population is four thousand or more inhabitants, the district board shall consist of five members.

Thus, the Fire Board is a five-member board and acts as the unit of authority within the District. Apart from normal function as a part of this unit, Board Members have no individual authority. Individual Board Members can not commit the District to any policy, act, or expenditure.

Board Members do not represent any fractional segment of the community but are, rather, a part of the body which represents and acts for the community as a whole.

Fire Board members serve four-year, staggered terms and shall be residents of the District as well as being registered voters over 18 years of age. The election of the Board members shall be conducted as provided by Arizona Revised Statutes.

2.2 Job Description

The Fire Board is the supervisory body for the Fire Chief. It is responsible for such matters as, ratifying all annual budgets and expenditures, and to participate in and/or ratify annual salaries, wages and benefits.

The majority of the Board members set the official policy of the District. Said policies should be mindful of the legal and constitutional rights of all employees and District community members and should be set with care and in accordance with law.

The Board is entitled to authorize all contracts on behalf of the District that are within the scope of its authority, and Board members are not personally liable thereon unless it is clear by the terms of the contract that the Board members intended to bind themselves personally. However, any contracts which exceed the authority given to the Board may subject the Board members to personal liability.

Board members should be familiar with the rules of the Arizona Revised Statutes (ARS §38-431 et. seq.) regarding open meetings, required notice therefore, and the requirements for entering into Executive Session. All Board members should be aware of any issue of conflicts and self-dealing, and should abstain from voting on any questions in which the member has a vested interest, or on those involving issues which could somehow affect their tenure or benefits.

2.3 Code of Ethics

The Board of the Rio Rico Medical & Fire District is committed to providing excellent leadership that result in providing the highest quality of service to its constituents. To assist in governing the behavior between and among members of the Board, the following rules shall be observed:

- The dignity, style, values, and opinions of each Board Member shall be respected at all times.
- Responsiveness and attentive listening in communication are highly encouraged.
- The needs of the District's constituents, employees and volunteers should be the priority of the Board.

Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Nothing in this policy shall be construed to prohibit a Board member from speaking publicly against a decision. Once the Board takes action, Board Members shall not create barriers to the implementation of said action, and they should not disparage anyone that decided upon said action.

The Board should evaluate the Fire Chief's performance at regular intervals in order to assist in deciding whether or not to approve, extend, or terminate his contract. In doing so, the Board should also carefully monitor his progress in attaining District goals and objectives while pursuing its mission.

Board members should employ the following practices:

- Approach the Fire Chief directly to obtain information needed to supplement, upgrade, or enhance their knowledge to improve legislative decision-making.
- Refer concerns or complaints from residents and property owners of the District directly to the Fire Chief.
- Respond to constituent requests and concerns in a courteous, positive manner and route their questions through appropriate channels and to the responsible Executive Management Staff member.
- Direct clarification of policy-related concerns, especially those involving personnel, legal action, land acquisition and development, finance, and programming, to the Fire Chief.
 - Issues related to finances, risk management, board support or administration should be directed to the Fire Chief for assistance
 - Issues related to operations, concerns for safety, or hazards should be reported to a member of the Executive Management Staff as available following the chain of command:
 1. Fire Chief
 2. Deputy Chief
 3. Battalion Chief on Duty
 4. Captain

- Refrain from directly discussing operational or personnel issues with employees as this may compromise the chain of command and put the Board Member in a difficult position in making District recommendations or decisions.
- Direct inquiries from District personnel regarding specific District policy to the appropriate staff supervisor, if known or up the chain of command. The Executive Management Staff should also be made aware of any personnel concerns.
- Immediately seek appropriate assistance in an emergency situation.

The effectiveness and success of the District depends on a team effort. Everyone is expected to work together in the collaborative process, assisting each other in conducting the affairs of the District. Board members should function as a part of the whole. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively. ENSURE THIS IS IN HR POLICY

Board Members should serve on ad hoc committees as established. These committee assignments typically have a maximum of two (2) board members and are established for the purpose of making recommendations to the full Board on modifications to current policies and related District business.

2.4 Attendance at meetings

Board members should to attend all regular and special meetings of the Board unless there is prior notification or good cause for absence except as authorized by applicable Arizona Revised Statutes. Attendance may be 'in person' or 'telephonically' or 'videoconference'.

Pursuant to current Arizona State Statutes a vacancy shall occur if any member ceases to discharge the duty of his /her office for the following reasons:

- a. The death of the incumbent.
- b. Insanity of the incumbent when judicially determined.
- c. Resignation and the lawful acceptance of the resignation of the incumbent.
- d. Removal from office of the incumbent.
- e. If the office is elective and the incumbent ceasing to be a resident of the District
- f. Absence from the state by the incumbent without the permission of the legislature beyond the period of three (3) consecutive months.
- g. The incumbent ceasing to discharge the duties of office for the period of three (3) consecutive months.
- h. A conviction of the incumbent of a felony or an offense involving a violation of his official duties.
- i. Failure of the person elected to file his required oath within the time prescribed by law.
- j. The decision of a competent tribunal declaring void the election or appointment of the person elected or appointed to the office.
- k. Failure of a person to be elected to the office.
- l. A violation of A.R.S. 38-296 by the incumbent.

2.5 Board Orientation

The Board Chairperson, Fire Chief and Administrative Manager are responsible for the appropriate orientation and training of new Board members.

The Administrative Manager, in cooperation with the Fire Chief and new Board member(s), should schedule a work session for new Board members to acquaint them with the facilities, equipment, and personnel and to provide copies of an overview of:

- a. Fire Board Policies
- b. Board Member Bylaws
- c. Statements of Policy, Standard Operating Guidelines (SOGs), and Financial Policy
- d. Federal Health Insurance Portability and Accountability Act (HIPAA) requirements and training
- e. District territory, boundaries and facilities
- f. District Personnel Policies
- g. Major contracts and Intergovernmental Agreements (IGAs)
- h. Arizona Revised Statutes pertaining to Special Taxing Districts (Title 48) and Public Officers and Employees (Title 38) with emphasis on Open Meeting Laws
- i. Conflict of Interest

2.6 Training, Education and Conferences

Members of the Board are encouraged to attend educational conferences and professional meetings when the purpose of such activities is to improve District operation.

The District encourages Board development and excellence of performance by reimbursing reasonable member expenses incurred for tuition, travel, lodging, and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state, and national conferences associated with the interests of the District. When at all possible, notification should be provided to the Board for meetings, travel and conferences outside of the District. In the absence of time, approval may be deferred to the Board Chairperson.

The Administrative Manager is responsible to make arrangements for Board Members for conference and registration expenses. All expenses for which reimbursement is requested by a Board Member shall be submitted to the Administrative Manager together with validated receipts.

Expenses for Board Member training, education and conferences should be reasonable by using the recommendations for transportation and housing accommodations put forth by the Fire Chief or his designee and by the adopted budget amounts.

- a. Board Members should use hotel(s) recommended by the event sponsor in order to obtain discounted rates, travel together (maximum of two Board members) whenever feasible and economically beneficial, and request reservations sufficiently in advance, when possible, to obtain discounted air fares and hotel rates.

- b. A Board Member should not attend a conference or training event for which there is an expense to the District if it occurs after they have announced their pending resignation, or if it occurs after an election in which it has been determined that they will not retain their seat on the Board.
- c. Board Members who do not attend a scheduled conference or training event that was prepaid by the District are responsible for 50% of the expense associated with that conference unless there is an emergency that precludes them from attending as scheduled.
 - a. Board Members who miss more than one scheduled conference or training event within two years will not receive reimbursement for expenses for any further conferences or events in the next year unless excused by the Board Chairperson. If it is the Chairperson, it must be excused by the Board Clerk and one other board member.
- d. Upon returning from seminars, workshops, conferences, etc. for which expenses are routinely reimbursed by the District, Board Members will either prepare a written report for distribution to the Board, or make a verbal report during the next regular meeting of the Board. Said report shall detail what was learned at the sessions that will be of benefit to the District. Materials from the sessions may be delivered to the District office to be included in the District library for the future use of other Board Members and staff.

2.7 Board Member Reimbursement

The District will reimburse Board Members for reasonable expenses actually incurred while on Fire District business. Such reimbursement shall extend only to the bona fide expenses of District Board members (i.e. travel, lodging and meals), and shall not include recompense for a spouse's or companion's costs. The purchase of any alcoholic beverages is not included in reimbursable expenses. Each Board member shall present a statement supported by appropriate receipts/documentation before reimbursement is made.

2.8 Board Vacancies

Filling Board Member vacancies shall be in accordance with Arizona Revised Statutes and the current board bylaws.

2.9 Board Elections

When an election is to be held for the purpose of electing members to the District Board, the Board Clerk shall direct the Administrative Staff to publish the Board vacancy in accordance with Arizona Revised Statutes including the following information:

- a. The date of the Election;
- b. The Board positions to be voted upon;
- c. The latest date candidates may file for office.

Elections will be conducted per Arizona Revised Statutes and overseen by the Santa Cruz County Board of Elections or any other election authority that may supersede the county.

ARTICLE 3: OFFICERS OF THE BOARD

The Board will elect Officers at the first meeting in the month of December. The Chairperson and Board Clerk will then be seated at that meeting. The term of office for Officers shall be calculated from the date of that meeting. Officers may be reelected at the end of any term and the Fire Board shall also elect Officers to fill any vacancies.

3.1 Election of Officers

All officers shall be elected for twelve (12) months, with no officer serving more than four (4) consecutive terms in any one office unless there is no one interested in serving in that office. Officers elected to fill an unexpired term shall serve until the end of their predecessor's term.

3.2 Chairperson

The Board Chairperson shall preside at all meetings of the Board and shall have the right to offer motions and amendments and to vote on motions put before the Board for action. The Chairperson is responsible to use best efforts so the business of the public meetings is transacted in the proper order and is reasonably expedited observing appropriate procedure and decorum. The Chairperson shall sign on behalf of the Board such documents as may be required.

3.3 Board Clerk

The Board Clerk shall perform all the duties of the Board Chairperson when acting in that capacity. The Clerk shall have at every meeting of the District the minutes of the previous meeting and all other minutes that have not been approved, the bylaws 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 of the records of the District. The Clerk will endeavor that all committees have such documents as they require for the performance of their duties. The Clerk, in the event of the Chairperson's absence or inability to act, shall have all the authority of the Chairperson. The Clerk shall be prepared to sign on behalf of the District such documents that require two (2) signatures or as requested by the Chairperson.

3.4 Local Pension Board

The Board Chairperson (or their designee, as voted by the Board) is designated as the Chairperson of the District Pension Board upon confirmation as the Fire Board Chairperson each December, or at any time the Chairperson of the Board changes. As such, the Local PSPRS Chairperson oversees the Local Pension board including regular meetings and conforming to the state standards for the Arizona Public Safety Personnel Retirement System (PSPRS).

ARTICLE 4: POWERS AND DUTIES OF THE BOARD

The Board may exercise any and all powers granted to it by Arizona Revised Statutes and carry out those duties assigned to it as may best meet the fire and life-safety needs of the District.

4.1 Policy and Strategic Planning

The Fire Board can formulate policies and strategic direction regarding District programs and services. Administrative and executive functions are delegated to the Fire Chief. The Fire Board should actively participate in the Strategic Planning process along with the Fire Chief and his designees in order to present a larger community perspective in the District planning processes.

4.2 Meeting Attendance & Participation

Board members generally fulfill their office at a regular, special, committee, and workshop meetings, which are matters of public record. The general methods of participation are discussion, deliberation, debate, and voting. Board Members will not always agree. They can and should, however, respect the authority of the majority. If a member cannot support a decision made by the majority that member's actions should remain neutral and not work against the decision of the majority.

Board Members, individually and collectively, act as representatives of the citizens of the District in maintaining and promoting fire and life-safety needs of the District.

Board Members' decisions and actions shall best serve the needs of District citizens in light of available resources and information available to the Board at the time such decisions or actions are made.

4.3 Code of Conduct

Board Members shall observe a Code of Conduct to carry out their responsibilities:

- Understand that the Board's basic function is "policy" and not "administration";
- Refuse to make commitments on any matter that should come before the Board as a whole;
- Refuse to knowingly violate Arizona's Open Meeting Law, or any other applicable law;
- Recognize that he has no legal status to act for the Board outside of official meetings;
- Respect the right of District constituents to be heard at official meetings within established parameters and guidelines for public testimony;
- Make decisions only after available facts bearing on a question have been presented and discussed;
- Accept the principle of "majority rule" in Board decisions;
- Recognize that the Fire Chief should have full administrative authority for properly discharging duties within the limits of established Board policies;
- Recognize that the Fire Chief or designee is the technical advisor to the Board;

- Present personal criticisms, complaints or problems regarding District operations or personnel directly to the Fire Chief and discuss them at a regular meeting only after failure of an administrative solution;
- Declare conflicts of interest into the public record and to not participate in matters where such conflict exists;
- Conduct all District business in an ethical manner;
- Refuse to use his position on the Fire Board in any way, whatsoever, for personal gain;
- Give staff and contemporaries the respect and consideration due skilled professional personnel.

4.4 Committees

At any posted Board Meeting, a Board Member may request that a committee be established. A motion to establish the committee must be approved by a majority vote of the Board. A committee may be appointed for purposes as outlined in the District bylaws or any other purpose deemed reasonable by the Board.

The Board shall outline the duties and responsibilities for committee members at the time of appointment and address the District staffing and resources needed for that committee prior to final approval of the committee. No more than two (2) Board members shall serve on a committee at any one time. Minutes and other reports from Board committees shall then be maintained and submitted to the board by the appointed committee chairperson at regular board meetings. Committees shall be considered dissolved upon submission of a final report, unless their standing is continued by a vote of the majority of Board members.

Occasionally, the Board may direct the Fire Chief to form a task force to study any issue and report the findings to the board. Any such task force may be formed and shall conduct its business under the direction of the Fire Chief or his designee. Minutes and official reports for Chief's task forces will be at the discretion of the Chief and are not required.

4.5 Outside Education

Fire Board members are encouraged to participate in organizations such as the Arizona Fire District Association (AFDA) and others with similar benefit to the District. Membership fees shall be paid by the District and reasonable expenses incurred in attending meetings, seminars, and training sessions shall be paid by the District.

ARTICLE 5: DELEGATION OF BOARD AUTHORITY

The Board has responsibility for approving District plans and procedures and appraising ways in which these decisions are implemented and results obtained. The Board recognizes its authority to delegate specific responsibilities to the Fire Chief for the implementation of the programs and services of the District.

1. The Board will approve a position description for the Fire Chief as per District Policy. The Board may modify that job description from time to time. The Board will negotiate and enter into a contract with the Fire Chief which specifies the terms and conditions of his employment.
2. The Fire Chief is the Executive Officer of the Fire District. Responsibilities of the Fire Chief include:
 - a. Preparing the agenda for each meeting, attending all Board meetings, unless excused, and participating in deliberations of the Board as required, or requested,
 - b. Bringing matters requiring Board consideration to its attention,
 - c. Reporting periodically to the Board on the progress of programs in the District,
 - d. Addressing personnel, financial and capital improvement matters under the direction of the Board,
 - e. Reporting appointments, demotions, transfers, and dismissals as appropriate to the Board
3. The Board delegates to the Fire Chief the authority to recommend and carry out required actions for District operations. Administrative and operational policies and guidelines will detail the actual methodology for District function.
4. When action must be taken within the District on a matter within the ambit of the Board and the Board has provided no guidelines for such action, the Fire Chief shall have the power to act, but the decisions shall be subject to review by the Board at its next regular meeting. The Fire Chief will timely inform the Board of such action and of the possible need for policy or rule.

ARTICLE 6: BOARD POLICIES

The policies of the Board shall be drafted, adopted, and amended from time to time with full consideration for the Board's desire to provide appropriate fire and life safety protection for the constituents of the District within the limitations of the District's ability to support such.

If a Board Policy is found to be in conflict with state or federal law, that portion of such policy is automatically null and void without Board action and shall be deleted from the accumulated body of policies.

If disagreement over the application, extent, or interpretation of a policy arises, the resolution of the conflict will be based on the majority opinion of the Board. If such an interpretation is deemed to have future significance, an amendment to the applicable policy, as a Board rule, shall clearly specify the intent of the Board in interpreting the policy.

Board policies may also be based on pertinent statutes. In this context they are designed to explain, detail, or otherwise organize the application of a policy consistent with the statutes. Board rules may also be applied to remind the Board, staff, and public of the existence of applicable statutes.

Proposals regarding the adoption of District policy or changes, deletions, additions, or repeal may originate from any interested person.

ARTICLE 7: POLICY ADOPTION, CHANGES, DELETIONS, ADDITIONS, REPEAL AND REVIEW

Board Policies, are generally for increased efficiency and effectiveness in carrying out its authorized activities.

Board policies are subject to review and change. Such review should take place at least annually at a regularly scheduled Board meeting on a date or dates selected by the Board, and will appear as an agenda item. District board bylaws should be reviewed at the same time to enhance consistency, stability, and integrity to District function. Board Policies, changes in policies, except in the case of emergency, shall be executed in a precise manner without undue haste.

Adoption, changes, additions to and deletions from or repeal of the established policies shall be accomplished by a majority vote of the Board.

ARTICLE 8: METHODS OF OPERATION OF BOARD MEETINGS

All Board meetings should be conducted in accordance with applicable Arizona Revised Statutes and Board rules, the decisions of the courts, and with proper regard to "due process" procedures. The Board will seek information from staff and other sources as appropriate, before decisions are made on policy and procedural matters.

8.1 Meeting Location

Regular meetings of the Board are normally held at the Rio Rico Fire District Administrative Building, 822 Pendleton Drive, Rio Rico, AZ on the last Tuesday of each month at 17:30 pm, unless by specific action of the Board a different meeting place or time is selected.

The Chairperson and the Fire Chief shall insure that appropriate information is available for the audience at meetings of the Board, and that physical facilities for said meetings are functional and appropriate. Reasonable accommodations will be made for the hearing/physically impaired upon at least a 24-hour prior notification to the Administrative Manager.

8.2 Posting of the Agenda

The agendas for all meetings shall normally be posted at least twenty-four (24) hours before the meeting at the four (4) regular physical posting locations including:

1. All District Fire Stations
 - a. Station 1 – 1194 Pendleton Drive
 - b. Station 2 – 957 Calle Calabasas
 - c. Station 3 – 822 Pendleton Drive
2. US Post Office, Rio Rico Branch – 1163 W. Frontage Road

Also meeting notices will be posted on the Fire District website.

8.3 Regular Meetings

At least twenty-four (24) hours prior to the time of meetings, an appropriate agenda shall normally be posted conspicuously for public review per the Arizona Revised Statutes.

All regular meetings are normally open to the public except as provided by Arizona law for Executive Sessions

Board members shall make a diligent effort to be present and participate.

8.4 Special or Emergency Meetings

Special meetings are normally open to the public and shall normally have at least a 24-hour advance notice except in the case of a designated emergency. Notices of Special meetings shall normally be posted as noted in 8.2 Special meetings of the Board may be called by the Board Chairperson at any time by giving the notice required by law and posting an agenda for the special meeting. At the written request of two (2) board members, the Chairperson shall call a special meeting giving the appropriate notification required by law.

In a designated emergency as determined by the Chairperson, Board Clerk or Fire Chief, a board meeting can be convened with less than twenty-four hours' notice, however the following three requirements must be met:

1. An announcement must be made at the meeting of the reasons necessitating the emergency meeting
2. A statement must be made in the minutes setting forth those reasons as well
3. Within twenty-four hours after the meeting, a public notice must be posted declaring an emergency session has been held and setting forth the agenda discussed and any action taken

8.5 Executive Session

Upon a public majority vote of sufficient members to constitute a quorum, an Executive Session may be held only for the purposes specified by Arizona Revised Statute. Minutes of Executive Sessions shall include: date, time and place of the meeting, members present or absent, a general description of matters considered, an accurate description of all instructions regarding contract negotiations, discussions involving litigation, labor negotiations, or the purchase, sale or lease of real property and any other matters deemed appropriate by the public body. While minutes of public meeting are open to the public within three (3) days per statute, minutes of executive session must be kept confidential and may not be disclosed except to the Attorney General, the County Attorney and the Court for purposes of enforcement. The Chairperson or other person(s) conducting the executive session in the absence of the Chairperson is required to advise all persons present of the confidential nature of Executive Sessions and anyone found to have violated the confidentiality of Executive Session may be subject to civil penalties as authorized by Arizona law.

Arizona law specifies the purposes for which an executive session may be called.

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 by Arizona law.

8.6 Quorum

A majority of the members of the Board shall constitute a quorum. The affirmative vote of at least three (3) members present at any meeting having a quorum shall be considered sufficient for action, except for actions required otherwise by law or these policies. If only three (3) members are present, constituting a quorum, a unanimous vote is required to approve a motion. Should the board membership present at the meeting fall below the required number for a quorum then the meeting may be reconvened at a later time and date when a quorum is present

8.7 Matters for the Agenda

Any member of the public may request that a matter directly related to District business be placed on the agenda of a regularly scheduled meeting of the Board. The request may be made during the public comment portion of any Board meeting, but as noted in Arizona Revised Statutes (ARS §38-431.01), the agenda item may only be added to a future meeting agenda. If the request is made outside of a Board meeting, the procedure is as follows:

- a. The request must be submitted in writing to the Fire Chief one week prior to the Board meeting.

- b. The Fire Chief upon consultation with the Board Chairperson will determine whether the public request should be placed on the Board's agenda, and if so, when.

The Fire Chief, in cooperation with the Chairperson, shall prepare an agenda for each regular and special meeting of the Board. Any Board Member may contact the Fire Chief and request any item to be placed on the agenda one week prior to the Board Meeting. If two Board Members timely request that an item be placed on a particular agenda, then that item shall so appear.

8.8 Ratification of a Prior Act

The notice requirement for ratification of a prior act taken in violation of Arizona law is seventy-two (72) hours. Ratification must take place within thirty (30) days after the discovery of the violation or after such discovery should have been made by the exercise of reasonable diligence.

8.9 Call to the Public

The Board Chairperson has the discretion to permit audience comments relative to a specific motion prior to the final vote of the Board. The Chairperson may set a time limit for individual comments on a given issue.

The Board can provide in the agenda of its meetings a specific time for call to the audience in accordance with Arizona law..

The Board Chairperson can limit repetitious testimony and discussion whenever possible so as not to inconvenience those persons bringing business before the Board to no more than three (3) minutes.

Each person desiring to speak, during the Call to the Public, shall sign in on the provided sheet including name, address and phone number. The public will be limited to three (3) minutes unless extended by the Chairperson. Any public comments on items listed on the agenda will not normally be allowed during the Call to the Public and should be addressed, if allowed at the discretion of the Chairperson at the time the agenda item is up for consideration.

8.10 Board Meeting Conduct

Meetings of the Board shall be conducted by the Chairperson in a manner consistent with the policies of the District and Arizona Revised Statutes. All Board meetings should commence at or about the time stated on the agenda.

The conduct of meetings shall normally, to a reasonable extent, enable Board Members to consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems; and, receive, consider and take any needed action with respect to reports of accomplishment of District operations.

Unreasonable disruption of any of the meetings of the Board shall not be permitted. If the Chairperson finds that there is in fact unreasonable disruption of any meeting of the Board, the Chairperson may order responsible persons or the entire room cleared to subsequently conduct the Board's business. In such an event, only matters appearing on the agenda may be considered in such a session. After clearing the entire room, the Chairperson may permit those persons who, in his opinion, were not responsible for the unreasonable disruption to re-enter the meeting room. Duly accredited representatives of the news media, whom the Chairperson finds not to have participated in the disruption, shall be admitted to stay for the remainder of the meeting. Law Enforcement shall be summoned for security reasons should tensions arise that could potentially bring harm to the public, Board Members or staff.

8.11 Adjourned Meetings

A majority vote by the Board may terminate any Board meeting at any place in the agenda. If no quorum of Board Members are meeting, the Fire Chief or, in his absence, the Board Clerk, may declare the meeting adjourned.

ARTICLE 9: MEETING MINUTES, PUBLIC RECORDS

9.1 Meeting Minutes

1. The 'unapproved' (Draft) minutes of the meetings of the Board should be maintained by the District staff and should be available for public review 72 hours after the meeting. Minutes can be reviewed during regular business hours and upon twenty-four (24) hour-notice to the Administrative Manager. If copies are requested there is a nominal charge for same per the Board approved Administrative Fee Schedule.
2. A staff member designated by the Administrative Manager should record in writing ~~and~~ or on tape all proceedings of the Board meetings and submit these to the Board Clerk for review within 48 business hours of the meeting. The same staff member should file these in chronological order in a book provided for that purpose and maintain said book according to the District document management plan. While minutes should be preserved indefinitely, the tape recording is intended merely as a backup for the transcription of the minutes and need not be preserved except for the convenience of the administrative staff.
3. The official records of the meetings should be in typed format, reviewed, approved by the board and signed by the Board Clerk. The official minutes of the regular and special meetings and any Board committees should be kept in a secured office with easy access for the public review during normal business hours. Copies of the previous meeting(s) should be made for distribution to Board Members with the agenda for the next regular Board meeting.

4. Motions, resolutions or ordinances should be recorded as having passed or failed and individual votes will be recorded unless the action was unanimous. All resolutions and ordinances adopted by the Board should be numbered consecutively starting new at the beginning of each calendar year (e.g. Resolution 2018-10).

5. Minutes of Board meetings should include the following:

- a. Date, place and type of each meeting;
- b. Board Members present and absent by name;
- c. Call to order and Pledge of Allegiance;
- d. Arrival of tardy Board Members by name;
- e. Pre-adjournment departure of Board Members by name, or if absence takes place when any agenda items are acted upon; adjournment of the meeting; record of written notice of special meetings; and, record of items to be considered at special meetings.
- f. All Actions taken by the Board as in number 6 below.

6. Board Actions: include the following:

- a. Complete information as to each subject of the Board's deliberation;
- b. Approval or amended approval of the minutes of preceding meetings;
- c. The roll call record of the vote on a motion if not unanimous;
- d. All Board resolutions and ordinances in complete context, numbered serially for each fiscal year;
- e. A record of all contracts entered into;
- f. All employment's and resignations or terminations of employment within the district;
- g. A record of all bid procedures, including calls for bids authorized, bids received and other action taken;
- h. A record of all warrants taken with Santa County Treasurer's office;
- i. Adoption of the annual budget;
- j. Financial reports, including revenues, expenses, fixed assets, disposals or sales of District property shall be presented to the Board every month;
- k. A record of all important correspondence;
- l. A record of the Fire Chief's report to the Board;
- m. Approval of all policies and Board-adopted regulations; and
- n. A record of all visitors and delegations appearing before the Board.

9.2 Public Records

The Fire District recognizes the right of any member of the public to inspect nonexempt public records, limited only by rules of reasonableness, and in accordance with applicable Arizona Revised Statutes and interpretive case law. When access to District records is granted, examination will be made in the presence of the record custodian regularly responsible for maintenance of the files or by a staff member designated by the Administrative Manager. Copies of these records may be made and there will be a charge, as allowed by the Arizona Revised Statutes, per the Rio Rico Fire District Administrative Fee Schedule.

The following records may not be included in the category of records to which the right of access may be granted by the Fire District per the current Arizona Revised Statutes):

- Criminal history records
- Unemployment insurance tax reports
- DHS records
- Executive session minutes
- Auditor General audit material
- Preliminary Unfair Unemployment Practice reports
- In matters which might lead to an invasion of privacy
- Where the statute otherwise designates records as confidential

Where the effectiveness of the public body would be seriously impaired, the Board or Fire Chief may exercise its discretion to decline access to a record in accordance with Arizona law. Any access denied will be documented in writing and the requestor will be notified by the Fire Chief or his designee.

ARTICLE 10: RULES OF ORDER DURING MEETINGS

The Board Chairperson is responsible for the maintenance of order and decorum at all times. No person is allowed to speak who has not first been recognized by the Board Chairperson. All questions and remarks shall be addressed to the Chairperson. The Board Chairperson will endeavor to conduct meetings in accordance with the then most current version of Robert's Rules of Order.

10.1 Points of Order

The Board Chairperson shall determine all Points or Order consistent with these policies and Robert's Rules of Order.

10.2 Decorum and Order - Board Members

Any Board Member desiring to speak shall address the Chairperson and, upon recognition by the Chairperson, shall confine himself/herself to the matters substantively or procedurally related to the agenda item then at issue.

- a. A Board Member desiring to question the staff shall address his question to the Fire Chief who shall either answer the inquiry himself or to designate some member of his staff for that purpose.
- b. A Board Member, once recognized, shall not be interrupted while speaking unless called to order by the Chairperson, unless a Point of Order is raised by another Board Member, or unless the speaker chooses to yield to questions from another Board Member.
- c. Any Board Member called to order while he is speaking shall cease speaking immediately until the question of order is determined. If ruled to be in order, he shall be permitted to proceed. If ruled to be not in order, he shall remain silent or shall alter his remarks so as to comply with rules of the Board.
- d. Board Members shall at all times conduct themselves with courtesy to each other to staff and to members of the audience present at Board meetings and public sessions.
- e. The Board Chairperson, in his or her discretion, may invite any members of the Public to speak at a Board meeting about a particular matter.

10.3 Decorum and Order - Employees

Members of the administrative staff and employees of the District shall observe the same rules of decorum applicable to Board Members.

10.4 Conferencing via Technological Devices

Board Members may attend a meeting through technological devices per Arizona law however, the following procedure should be followed:

- a. Use best efforts so that the public can observe and hear all telephone or video communications
- b. Have all members participating by telephone or video communications identify themselves
- c. The minutes should identify the members who participate by telephone or video communications

10.5 Public Recording

People in attendance may record proceedings, unless the activity interferes with the conduct of the meeting per Arizona law.

10.6 Conflict of Interest

All Board Members are subject to all provisions of Arizona Revised Statutes relative to conflicts of interest. Any Board Member prevented from voting a matter because of a conflict of interest shall leave the dais and refrain from debate and voting on that matter.

10.7 Limitation of Debate

Board Members normally should not speak more than twice upon agenda item. No member shall speak for more than five (5) minutes each time he has the floor, without the approval the Board Chairperson.

10.8 Dissents, Protests, and Comments

Any member shall have the right to express dissent from or protest to or comment upon any action of the Board and have the reason entered in the minutes.

10.9 Rulings of Chair Final Unless Overruled

In presiding over meetings, the Board Chairperson or person acting as the Chairperson shall decide all questions or interpretation of these rules, points of order or other questions of procedure requiring rulings. Any such decision or ruling shall be final unless overridden or suspended by a two thirds vote of the quorum, and shall be binding and legally effective (even if clearly erroneous) for purposes of the matter under consideration.

10.10 Actions Not Invalidated

Failure to strictly comply with the applicable Rules of Procedure shall not invalidate any action taken by the District Board.

10.11 Actions

The Board should act by resolution or motion. For example: Board actions setting rules for District business and administrative matters are accomplished by "resolutions."

The "motion" (assuming it was one which passed) is a Board action which is recorded simply by an item entry in the minutes of the meeting at which it was accomplished, and no separate document is made to memorialize it.

10.12 Processing of Motions

When a motion is made and seconded, it should be stated by the Board Chairperson before debate. A motion so stated shall not be voluntarily amended by the mover without the consent of the person seconding it.

10.13 Motions Out of Order

The Board Chairperson may at any time allow an agenda item to be taken out of order.

10.14 Division of Question

If the question contains two or more divisional propositions, the Board Chairperson may upon request of a member divide the same.

10.15 Precedence of Motions

When a motion is before the Board, no action shall be entertained except the following, which have precedence in the following order:

- a. Adjourn
- b. Fix hour of adjournment
- c. Table
- d. Limit or terminate discussion
- e. Substitute
- f. Reconsider
- g. Amend
- h. Postpone

A description of each of the actions above follows along with direction regarding whether or not the action is debatable or not. These descriptions are only meant as a guideline for board action.

10.16 Motion to Adjourn - Not debatable

A motion to adjourn shall be in order at any time, except:

- a. When made as an interruption of a Member
- b. When discussion has been ended and vote on motion is pending
- c. When a vote is being taken a motion to adjourn "to another time" shall be debatable only as to the time to which the meeting is adjourned.

10.17 Motion to Fix Hour of Adjournment - Not debatable

Such a motion shall be to set a definite time at which to adjourn and shall not be debatable and amendable except by unanimous vote of the quorum.

10.18 Motion to Table - Not debatable

A motion to table shall not be debatable and shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the matter may be "taken from the table" at any time prior to the end of the next regular meeting.

10.19 Motion to Limit or Terminate Discussion - Not debatable

Such a motion shall be used to limit or close debate on, or further amendment to, the main motion and shall not be debatable. If the motion fails, debate shall be reopened; if the motion passes, a vote shall be taken on the main motion.

10.20 Motion to Involuntarily Amend - Debatable

A motion to amend shall be debatable only as to the proposed amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be in order. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order. A substitute motion on the same subject shall be acceptable, and voted on before a vote on the amendment. Amendments shall be voted first, then the main motion as amended.

10.21 Motion to Continue to a Definite Time - Debatable

Motions to continue to a definite time shall be amendable and debatable as to propriety of postponement and time set.

10.22 Reconsideration - Debatable

Any Board Member who voted with the majority may move a reconsideration of any action at the same or next meeting. After a motion for reconsideration has once been acted upon, no other motion for reconsideration thereof shall be made without unanimous consent to the Board.

10.23 Voting Procedure

In acting upon every motion, the vote shall be taken by voice or roll call or any other method by which the vote of each Board Member present can be clearly ascertained. The vote on each motion shall then be entered in full upon the record. The Clerk shall call the names of all members seated when a roll call vote is ordered or required. Members shall respond 'aye' or 'no' or 'abstain'. An abstention is neither an 'aye' or 'no'. If the Chairperson is unsure of the vote, the Chairperson shall ask the individual directly to clarify his vote.

10.24 Tie Votes

Tie votes shall be considered a no vote or denial.

ARTICLE 11: PROCEDURE FOR ADOPTING A RESOLUTION

Actions of the Board on matters of policy or procedure of a less formal nature, than the subject of an ordinance, are taken by resolution which are effective upon adoption. Ordinarily, resolutions should be prepared in advance. The normal procedure for adoption is:

- a. Presentation
- b. Motion
- c. Second
- d. Discussion
- e. Vote, pursuant to the methods set out for motions
- f. Result declared

When a resolution has not been prepared in advance, it may, if the Board approves, be adopted by title, but in that case the general counsel or staff shall prepare the form of the resolution for presentation at the next meeting.

ARTICLE 12: FIRE DISTRICT LEGAL COUNSEL

It shall be the responsibility of the District Board to select legal counsel to represent the legal needs of the District. The Board shall recognize its responsibility to seek the advice of legal counsel whenever it is unclear regarding legal questions or whenever a non-action or action being considered by the Board presents a significant risk of placing the District in legal jeopardy.

The Fire Chief may have District legal counsel attend regular, special or emergency Board Meetings when in the Fire Chief's discretion said attendance in the best interest of the District.

All legal counsel shall have prior approval by the Board and Fire Chief. The Fire Chief and Board Members should be responsible and fiscally responsible when contacting legal counsel.