

SAN SIMON FIRE DISTRICT

2249 W. Firehouse Lane

PO Box 244

San Simon, AZ 85632

Proudly Serving the Community Since 1966

MISSION STATEMENT

OUR VALUES

Preparedness

- We value preparedness through education, training, physical and mental readiness, and the health and safety of our members.
- We are committed to personal and team development through education and training.
- We constantly improve our physical and mental preparedness to better execute our mission.

Respect

- We value respect, demonstrating sound character, integrity, honesty, and accountability.
- We hold ourselves and others accountable.
- We take pride and ownership in the organization and in the service we deliver.

Initiative

- We value initiative through leadership, expertise, and personal courage.
- Good leaders know when to lead, when to follow, and when to be part of the team.
- We value the expertise and leadership of all members of the organization.

Duty

- We value duty, service before self, and commitment and loyalty to teamwork.
- The needs of our customers and teammates always come before our own.
- We are loyal to our customers and the organization.
- We accomplish everything as a team.

Empathy

- We are compassionate and considerate to our customers and teammates.

Introduction

The Fire Board of the San Simon Fire District has approved this handbook to enforce upon themselves and future Fire Boards guidelines that are needed to govern with excellence. This handbook has also been established as a guide to help new members of the San Simon Fire District Board understand their roles and expectations relating to their performance and participation on the Fire Board. Many sources such as the Arizona Revised Statutes (A.R.S.), Arizona Fire District Association (AFDA) publications and educational seminars, and other related sources were consulted to establish these guidelines.

First Official Acts

As one of your first official acts, Board Members shall complete required paperwork. Pursuant to A.R.S. 38-232, Board Members are required to affirm and sign an *Oath of Office* at least one day before the commencement of their term of office and each subsequent term.

In addition, Board Members shall complete a *Board Member Contact Information* form; annually sign a Conflict-of-Interest Disclosure form and declare any potential conflicts of interest; and an *Acknowledgement of Fire Board Guidelines* form shall be signed subsequent to reading and understanding the guidelines discussed in this handbook. The forms are available in the Appendix of this handbook.

Orientation

Board Members will be invited to go through an orientation session to provide them a basic understanding of the Fire District. The orientation session will be administered by the Fire Chief. The following topics may be discussed:

- Familiarization and introduction of staff
- Explanation of how and why volunteers are incorporated into the Department.
- Chain of Command
- Explanation of Arizona Revised Statutes
- Whom the Fire District serves.
- Description of response areas

- Tour, explanation, and demonstration of various apparatus and equipment
- Explanation of the Arizona Fire District Association

After the orientation, new Board Members will be provided an AFDA Fire District Handbook and will be issued select item/s to identify the Board Members as a member of the SSFD Fire Board.

Mandatory Training

Persons elected or appointed to a fire district board and the fire chief who is appointed or hired by the district board shall attend professional development training that is provided by an Association of Arizona Fire Districts.

District board members and the fire chief shall complete at least six hours of professional development training, with board members completing their training within one year after the date of the certification of their election and for the fire chief, within one year after the date of hiring.

The fire district shall reimburse board members and the fire chief for the reasonable costs of the training once the training is completed.

The professional development training must include training on open meetings laws, finance and budget matters and laws relating to fire district governance and other matters that are reasonably necessary for the effective administration of a fire district. Can be completed in person or online. (A.R.S. 48-803.1)

Code of Conduct

Board Members should have a broad perspective and possess a willingness to search out effective solutions to complex problems. It is not in the best interest of the Fire District for Board Members to focus on a single issue or have a bias point of view. Board Members are obligated to operate within the parameters that the Fire Board sets for itself.

Board Members should keep on task and not be unduly influenced by those who have more dominant personalities. Every Board Member represents the interests of the Fire District equally. Board Members

shall always place the Fire District's best interest above their own personal interests.

Board Members should not interpret opposing votes to the majority as a personal issue. In turn, all Board Members need to realize that the will of the majority prevails.

The "prudent person" legal doctrine applies to individual Board Members as well as the Fire Board as a collective body. The level of the Fire Board competency will be compared to what a similar prudent Fire Board or Board Member should do. Board Members are expected to act and conduct themselves professionally when representing the Fire District.

Board Members shall not use their position, or information obtained as a Fire Board member, for personal gain or for the financial benefit of themselves, members of their family members or friends/acquaintances.

The focus of the Fire Board should be policy decisions regarding funding, its implementation, and the finances of the Fire District. Board Members should not become involved in the day-to-day operations of the Fire Department.

Responsibilities

Board Members are legally and ethically accountable for the operation of the Fire District and are responsible for acting on behalf of the Fire District's service recipients, taxpayers, and Fire Department staff to ensure smooth and efficient operation of the Fire District.

There are a multitude of state laws that substantially affect the manner with which the fire District must conduct business. A summary of what a Fire District **SHALL DO**, **MAY DO**, and **SHALL NOT DO** from the *AFDA Fire District Handbook* is listed below.

The Fire District shall:

- Hold public meeting at least once each calendar month.
- Prepare an annual budget containing detailed estimated expenditures for each fiscal year.

- Determine the compensation payable to Fire District personnel.
- Require probationary firefighters to submit a full set of fingerprints to the Fire District for the purposes of obtaining a state and federal criminal record check.
- Hire a Fire Chief
- Elect from its members a Chairperson and Clerk
- Fill vacancies on the Fire Board
- Publish a financial report.

The Fire District may:

- Employ personnel and provide services deemed necessary for fire protection, for preservation of life, and for carrying out its other powers and duties.
- Acquire apparatus, equipment, lands, buildings, and furnishings to house equipment and personnel necessary to carry out the Fire District's mission.
- Issue bonds to finance the acquisition of property.
- Procure fire protection services from a private fire protection company or fire department of a neighboring city, town, or district.
- Contract for fire protection services
- Retain a certified public accountant to perform an annual audit/review of the Fire District books.
- Retain private legal counsel.
- Accept gifts, contributions, bequests, and grants and comply with requirements of such.
- Pay membership dues to Arizona fire district Association.
- Adopt fee schedules for fire protection services.
- Adopt schedules for financial reimbursement to taxpayers for installment of certain fire protection systems.
- Change the Fire District's name.
- Enter into intergovernmental agreements of contracts per regulations established.

The Fire District shall not incur debt or liability in excess of taxes levied and to be collected and the money actually available and unencumbered at the time on the fund, except as provided in A.R.S. 48-805.D.

In addition, the Board Members oversee/direct the following responsibilities.

- Establish/Review the mission and vision of the Fire District; ensure an effective organizational strategic plan.
- Provide support and guidance for the Fire Chief; evaluate the Chief's performance annually.
- Ensure the organization produces economically justifiable decisions; ensure financial solvency, integrity, and performance of the Fire District.
- Enhance public image and be an advocate for the Fire District.
- Ensure the funding for adequate resources establishing the Fire District's tax rate annually.
- Approve all major contracts and agreements necessary to the Fire District's mission.
- Approve expenditures over the Fire Board established limit.
- The chairperson and clerk of the district board or their respective designees, as applicable, shall draw warrants, substitute checks or electronic funds transfers on the county treasurer for money required to operate the district in accordance with the budget and as so drawn, the warrants, substitute checks or electronic funds transfers shall be sufficient to authorize the county treasurer to pay from the fire district fund.
- Approve an insurance policy to cover the Fire District's assets, personnel, and fire Board. Board Members are covered under the Fire District's General Liability, Management Liability, and Umbrella Liability Insurance policies as "insureds" while they are acting on the Fire District's behalf.
- Institute fair human resource policies and guidelines to manage personnel.
- Consult legal counsel as deemed necessary; determine procedures to follow and approve final disposition of legal issues.
- Review the Fire Board's own performance; taking steps to improve performance.

Commitments

Directors shall be committed to the following practices to accomplish their responsibilities to the best of their ability:

- Attend and actively participate at the Fire Board meetings, work sessions, public hearings, and special events.
- Review fire board Packets prior to each meeting in order to arrive prepared; ensure adequate and current information is obtained to make informed decisions; keep informed of developments relevant to issues before the Fire Board.
- Keep disagreements impersonal.
- Work to accomplish the mission of the Fire District; unite for a common cause; respect the opinions of fellow Board Members and Fire District staff; refrain from being publicly critical of fellow Board Member's opinions.
- Exercise independent judgment on decisions that come before the Board Members.
- Be loyal to the Fire District, it's staff and other Board Members.
- Confidential proceedings of the Fire Board shall not be discussed outside the Fire Board meetings.
- Accept, respect, and support majority decisions of the Fire Board; recognize authority is vested in the Fire Board as a group and not in individuals.
- Recognize that the Fire Board's job is to ensure that the Fire Department is well managed not to manage the Fire Department.
- Avoid interfering with the duties of the Fire Chief or undermining the Chief's authority; recognize chain of command.
- Declare any conflicts of interest between the member's personal life and their Fire Board position; avoid voting on issues that are or are perceived to be a conflict of interest.
- The Fire Board position shall not be used for personal advantage or the advantage of family or friends.
- Regularly attend AFDA conferences to learn more about the position and responsibilities.
- Work with Fire District staff, the Fire Board, and the community to ensure smooth, efficient, and responsible operation of the Fire District.

- Call to the attention of the Fire Board any issues that will have an adverse effect on the organization.
- Refer constituents and staff complaints to the proper level on the chain of command.
- Self-evaluate; the fire Board should evaluate its own effectiveness to assure fulfillment of responsibilities and to maintain a strong organization.

Conflict of Interest

The Fire Board Members occupy positions of public trust. They shall strictly adhere to the spirit and letter of the laws of the State of Arizona, including situations pertaining to conflicts of interest. A conflict of interest, actual or perceived, may be potentially damaging to the Fire District. Conflict of interest relates to ethical behavior as well as personal gain. A conflict of interest exists when a personal or professional concern of a Board Member affects his/her ability to put the welfare of the organization before personal benefit. Board Members shall conduct their personal affairs in such a manner as to avoid any possible conflict of interest with their duties and responsibilities as Board Members of the Fire Board.

Conflict of interest guidelines shall be applied to transactions between the Fire District and interested persons and shall apply to the sale, lease, or exchange of property to or from interested persons and the Fire District, the lending or borrowing of monies to or from interested persons by the fire District or the payment of compensation by the Fire District for services provided by interested persons. A potential conflict of interest arises when a Board Member holds a financial interest in or may receive any personal benefit from a business entity furnishing services materials or supplies to the fire District.

Financial interest shall include, but not be limited to, any position of a Board Member or a member of his/her family (including spouses, parents, siblings, children, and their spouses), as an owner officer, board member, partner, trustee, controlling shareholder, member, employee or beneficiary. If the amount of business transacted with any publicly held company has no material effect on the total results of such company, ownership of shares in such company shall not be deemed a financial interest by an Board Member.

Board Members shall be required to file a statement with the Fire Board stating that the disclosure guidelines have been reviewed, which shall include a list of all potential conflicts of interest (see attached form at the Appendix of this handbook). Any actual or potential conflict of interest on the part of any Board Member that arises subsequent to the filing of such a statement shall be disclosed promptly to the Fire Board by such member. The disclosure statement shall be filed unless it is determined for good cause that such disclosure statement should be kept confidential. Any decision to keep confidential any such disclosure statement shall be approved by legal counsel for the Fire Board.

Board Members who have an actual or potential conflict of interest shall not participate in consideration of discussion of a proposed matter in which such Board Member has a potential or actual financial or personal interest (unless for special reasons the Fire Board by a vote of majority of its disinterested members request information or interpretation) or vote on the matter.

A Board Member with a potential or actual conflict of interest in a matter before the Fire Board may be counted in determining the presence of a quorum at any meeting during which such matter may or will be considered by the Fire Board. The provisions of A.R.S. 10-2550, or any successor statute, shall apply to any situation, contract, or transaction in which a Board Member may have an actual or potential interest.

A Board Member shall not use or disclose confidential information received while serving the Fire District, especially if the personal use of such information would be detrimental to the Fire District.

Voting

Each Board Member, including the Chairperson, has one vote. The vote on any question shall be taken by ayes and nays. If the Chairperson is unable to accurately determine the result of a voice vote, a roll call vote may be taken. It shall be out of order for Board Members to explain their vote during a roll call.

A majority vote is considered as a majority of votes cast, disregarding abstentions. A majority vote is required for the adoption of any motion.

Officer Descriptions

The function of the fire Board Officers is to assist the Fire Board do its job, and not as powers unto themselves. Officers are responsible for the integrity and functioning of the Fire Board and for ensuring the integrity of related documentation.

Board Chairperson

- Leads meetings of the Fire Board
- Assist staff in developing agendas for Fire Board Meetings
- The chairperson, as well as the clerk of the district board or their respective designees, as applicable, shall draw warrants, substitute checks or electronic funds transfers on the county treasurer for money required to operate the district in accordance with the budget.
- Provides signature on contracts or other instruments pertaining to Fire District business.
- Creates and maintains a spirit of unity amongst diverse people on the Fire Board.
- Facilitates the group process.
- Ensures the Fire Board works effectively and ethically with the Fire Chief and staff.
- Maintains Fire Board discipline by adhering to Fire Board agreed upon conduct.
- Contact and consult legal counsel and insurance representatives as deemed necessary.
- Upon the vacancy of the Fire Chief position, the Chairperson becomes responsible for all administrative decisions regarding the daily operations of the District. An interim Chief is responsible for daily operations only.

Board Clerk

- Performs the duties of the Chairperson in his/her absence.
- The Clerk, as well as the Chairperson of the district board or their respective designees, as applicable, shall draw warrants, substitute

checks or electronic funds transfers on the county treasurer for money required to operate the district in accordance with the budget.

- Responsible for all the records of the district.
- Participate as a vital part of the Fire Board's leadership.

Delegation to Chair

At times it may be necessary for certain tasks and decisions to be delegated to the Fire Board Chairperson. This may only be done for specific items that cannot wait until the next Fire Board meeting for a decision. The Chairperson will authorize the final decision, and the decision will be promptly communicated at the next Fire Board meeting for action by the Fire Board.

Board Officer Elections

Elections

Officer elections will be held on a two (2) year cycle and be held at the regular December Board meeting following the general election.

Terms of Board Office

Elected officers shall assume office at the first December meeting, following the general election and shall serve a term of two (2) year.

Removal from a Board Office

An officer may be removed for just cause in the following manner: at least two (2) members must propose the removal of any one officer. In order for an officer to be successfully removed from office, a majority of a quorum of members of the Board must vote for such removal.

Election for Vacant Board Offices

When a vacancy occurs, a special election will be held to fill the vacant position. This election can be held at the same meeting that the officer was successfully removed, when a written notice of resignation is accepted. In the case of an officer's death, the election

will be held at the next meeting of the Fire Board. The newly elected officer will serve the remainder of the two (2) year term.

Board to Staff Linkage

The Fire Board shall hire a Fire Chief who shall be the Chief Administrator and Operations Officer responsible for all administrative functions and emergency services. The Fire Board should be careful not to micro manage the Fire District themselves but should ensure that acceptable standards of prudence and ethics of operations are being met. The Fire Board should be sure to avoid usurping the Fire Chief's responsibilities for management decision as this could impede progress rather than enhance it. The Fire Board should set limits rather than becoming directly involved. They must believe in the Fire Chief and his staff and trust that day to day decisions will be consistent with the purpose of the organization.

The Fire Board's challenge is to be reasonably certain that nothing goes awry and at the same time, to grant as much unimpeded latitude as possible to staff members with the skills and talents to get the work done. Staff members need freedom from the Fire Boards friendly intrusions to do their work efficiently. The Fire Board should oversee the general performance and fulfillment of the mission by doing their job, not the job of the staff.

The Fire Board should realize that staff members will be stronger knowing the Fire Board supports them and understands their needs. A good working relationship between the Fire Board and staff will produce the desired results. The relationship between the Fire Board and the Fire Chief is one of the most important in the Fire District. The Fire Chief becomes the Fire Board's bridge to the staff.

An effective Fire Board is absolutely essential to an effective organization. The enthusiasm and participation of the Fire Board contributes to the effectiveness of the whole organization.

The Fire Chief is accountable to the Fire Board for the Fire District's performance and not to the officers, board committees, or individual members. Only the Fire Board, by majority vote, has authority to over the Fire Chief. This does not prevent interaction between

these entities as long as the Fire Chief is instructed by the Fire Board as a whole. Information may be requested by a Board Member or a committee member. If in the Fire Chief's judgment, the request requires a substantial amount of staff time, it may be refused.

The Fire Chief has the right to expect the Fire Board to be clear about the rules and then play by them, to speak with one voice, and to get their job done. The Fire Board has the right to expect the Fire Chief to keep them informed by presenting a report at each regular Fire Board meeting corresponding with them when necessary. The insight of the Fire Chief on the day-to-day operations of the Fire District are essential to Fire Board decision making.

Appointment Process

In accordance with A.R.S. 38-291, Fire Board position shall be deemed vacant before the expiration of a term of office after the occurrence of any of the following events:

- Death of the person holding the office.
- Insanity of the person holding the office, when judicially determined.
- Resignation of the person holding the office and lawful acceptance of the resignation.
- Removal from office of the person holding the office.
- The person holding the office ceases to be a resident of the Fire District.
- Absence from the state by the person holding the office beyond the period of three consecutive months.
- The person holding the office ceases to discharge the duties of office for a period of three consecutive months.
- Conviction of the person holding the office of a felony or an offense involving a violation of official duties.
- Decision of a competent tribunal declaring void the election or appointment of the person elected or appointed to the office.
- Failure of the person to be elected or appointed to the office.
- Violation of A.R.S. 38-296 by the person holding the office.

When a vacancy occurs, Board Member shall attempt to fill the position with the best qualified candidate. An individual must be over the age of 18 and be registered voter living within the Fire District. Candidates should have the ability to make significant contributions to the work of the fire Board and the organization.

Characteristics to consider will be their ability to listen, analyze, think clearly and creatively work well with people individually and in a group. They should be willing to prepare for and attend Fire Board meetings, ask questions, take responsibility, and follow through on given assignments, and evaluate themselves. They should possess honesty, sensitivity, and tolerance to differing views, community building skills, personal integrity, and a sense of humor.

To search for the best qualified candidate to fill the position the Fire Board shall post announcements at public access areas in the district, informing them of the vacancy and encouraging them to apply. This vacancy announcement will list the responsibilities and expectations of a Board Member and list the time and date of closing. Interested candidates will be asked to send a letter of interest to the Fire District.

After the closing date, the letters of interest will be reviewed by the Fire Board and they will select a new board member. If the Board so desires, they can arrange an interview with the top candidates before making a selection. Board Members will appoint, by majority vote, a candidate to fill the remainder of the vacant term. The Chairperson shall notify the candidate of their appointment.

The Board shall send a communication to the Cochise County Elections which will include;

1. Copies of the resignation letter or reason for the vacancy and minutes of meeting where it was discussed and accepted.
2. Copy of the minutes where the new board member was selected and voted on.
3. The full name, address, telephone number, email address, and term of office for the new board member.
4. The original Loyalty Oath of Office for the new Board Member.

Agendas

State law requires that public notice of the time, date and place of Fire Board meetings be posted, and agendas are available at least 24 hours in advance of a meeting.

Law also requires the agenda list the specific matter/matters to be discussed, considered and/or decided at the meeting. This does not permit agenda non-specific items to be discussed.

The agenda must significantly describe information reasonably necessary to inform the public of the matter/matters to be discussed and/or decided.

Submitting Agenda Items

Board Member who wishes to have an item included on an agenda shall submit the item to the Chairperson one week prior to the scheduled meeting. Staff shall prepare a draft agenda for the Chairperson's approval. This schedule will ensure agendas will be posted and available to the public and the Fire Board as required by law.

Board Packets

Staff will produce a Fire Board Packet relative to each meeting and have them available for the Board Members review at least 3 days prior to the scheduled meeting. Fire Board Packets will consist of information pertaining to the items to be addressed at the meeting. Packets are made available prior to the meeting so Board Members have the time to review the data in order to be informed. Board Member will be notified of any modifications to this format.

Meetings

State law requires Fire Board meetings be held a minimum of once a month, unless as otherwise stated in A.R.S. 48-805. A.01.(a): If a board consists of three members and the fire district levies less than \$500,000 annually, the board shall meet in July and at least every two months thereafter.

Currently the Fire Board of the San Simon Fire District elects to hold a meeting the second Tuesday of each month, at 1600 hours (6:00 pm) unless otherwise moved to another date.

In accordance with A.R.S. 38-431.01, all meetings are to be conducted openly and all persons so desiring shall be permitted to attend, in addition, communications between Board Members shall take place in public. To ensure compliance with the Open Meeting Law, Board Members shall not correspond through e-mail, text messaging or any other digital or social media to a quorum of members.

The Fire Board shall adhere to Open Meeting Laws as set forth by Article 3.1 of A.R.S. regarding public meetings and procedures. Basic information pertaining

to Open Meeting Law may be referenced in the Appendix of this handbook. *Additional information is available in Chapter 3 of the AFDA Fire District Handbook, which can be accessed at the Fire Station.*

Board Travel

Board Members traveling off-district for training or business purposes shall be reimbursed their actual cost for travel expenses. Upon returning from an event, Board Members shall complete a *Board Travel Reimbursement Request* form and attach itemized receipts for meals and lodging. Board Members shall not be reimbursed for alcohol nor extraneous expenses on lodging and meal receipts.

By-Laws of the
San Simon Fire District
Board Members

The Board of the San Simon Fire District, considering the provision of Title 48, Chapter 5 of the Arizona Revised Statutes, hereby adopt the following By-Laws for the regulation and governing of the Fire District. These By-Laws shall not supersede the Arizona Revised Statutes governing Fire District.

ARTICLE I: GENERAL

1. **Purpose:** These By-Laws set forth the general rules and guidelines of conduct for the San Simon Fire District Governing Board.
2. **Conflict with Applicable Law:** In the event of any conflict in the laws governing the conduct of the Board, then such conflict shall be resolved by applying the regulating authority in the following order of priority:
 - a. Arizona Revised Statutes
 - b. By-Laws of the San Simon Fire District.
 - c. The Standing Rules.
 - d. Roberts Rules of Order, Current Edition
3. **Definitions:** The following definitions shall apply to these By-Laws.
 - a. San Simon Fire District (SSFD)
 - b. "Board" shall mean the governing body of the San Simon Fire District.
 - c. "District" shall mean the San Simon Fire District.
 - d. "Standing Rules" shall mean the rules and regulation adopted by a majority of the Board from time to time as they are needed in establishing guidelines for a District meeting and the Board Members conduct. Standing Rules may be amended by a majority vote of the Board.

ARTICLE II: THE BOARD

1. **Members:** There shall be three (3) members of the Board.
2. **Qualifications:** A member of the Board must be a resident of the District for at least 1 year at the time of their election and must remain so during their incumbency. Employees of the District shall not be members of the Board, and conversely, a member of the Board shall not be an employee of the District. (ARS 48-805.B.1)
3. **Election or Appointment:** Board Members will be elected or appointed in accordance with the laws of the State of Arizona.
4. **Term:** Board members are elected for a term of four (4) years. Each member shall be installed at the December meeting following their election. Each newly elected member shall take the Oath of Office

(ARS 38-231) following the date that the balloting results are canvassed by the Cochise County Board of Supervisors. The term of each member shall begin on the first day of the month following that member's election.

5. **Duties and Responsibilities:** The members of the Board are vested with the authority for managing the affairs of the District, pursuant to the laws of the State of Arizona governing the management of fire districts.
6. **Statutory Training:** Beginning with the 2014 general election, Board members who are elected or appointed to the Board and a Fire Chief that is hired or appointed after November 5, 2014, shall attend six (6) hours of professional development training within twelve (12) months of election or appointment. The training is provided by the Arizona Fire District Association (AFDA) per (ARS 48-803.1).
7. **Authority of the Board:** The authority of the Board is governed by the laws of the State of Arizona.
8. **Compensation:** The Board shall serve without compensation and will only be reimbursed for any actual and reasonable expenses incurred on behalf of the district.
9. **Vacancies:** In the event there is a vacancy on the Board caused by the death, resignation, or any other reason of a Board member, than this vacancy may be filled by an individual selected by a majority of the remaining Board members in a manner determined by the remaining Board members. An individual selected by the Board shall serve until the expiration of the term of the Board member whose position they replaced. Board member's terms will be deemed vacant if the person holding the office ceases to discharge the duties of office for the period of three (3) months (ARS 38-291(6),(7)).
10. **Role of the Fire Board:** The Board shall act through a majority of a quorum by actions taken at public meetings. The Board has the ULTIMATE RESPONSIBILITY TO ADMINISTER THE DISTRICT. The Fire Board's responsibilities are set forth, in part, in (ARS 48-805).
 - a) The Board shall be responsible for approving the District's budget and District's policy.
 - b) The Board may delegate authority to the fire Chief to perform specific duties on behalf of the District.
 - c) The Board shall not engage in District operations and defers these duties to the Fire Chief to carry out in furtherance of the District's mission, policies, and standard operating guidelines.

NOTE

- i. This provision is not to be interpreted that board Members cannot talk to employees or that employees cannot speak to Board Members; nor does it mean Board Members cannot visit District facilities (including fire station) or participating in any scheduled ride-along. Board Members are encouraged to be exposed to the workings of the district and to educate themselves to better represent both the District and the community they serve as a Board Member. However, Board Members shall conduct themselves professionally and shall not interfere with the duties of SSFD personnel.

- ii. In the event, a Board Member obtains, from any source, information that may impact the district (in either a positive or negative manner), the Board Member shall report the information to the Fire Chief and where appropriate report the information to the Board pursuant to an appropriately noticed agenda item.
- d) Board Members shall respect the District's Chain of Command.
- i. Board Members should defer all operational issues to the Fire Chief.
 - ii. Any Board Member approached by an employee regarding a personal or personnel matter involving the District should refer the employee to the employee's direct supervisor or another officer, and shall notify the Fire Chief.
 - iii. Each Board Member should communicate, during a public meeting, (pursuant to an appropriately noticed agenda item), all substantive or significant information relevant to the District (whether positive or negative) that the Board Member obtained from sources apart from the board meetings or through correspondence addressed to all Board Members.
- e) In addition to notifying the Board of District events during the Chief's Report at regular meetings of the Board, the Board shall instruct the Fire Chief to promptly inform the Board regarding certain types of events/incidents as they develop. In most situations, the Fire Chief may notify the Board by email or text message and where possible within 24 to 48 hours with more serious events or incidents requiring more immediate notification. From time to time, the Board may instruct the Fire Chief as to the manner of notification and the timing of notification. Examples include;
- i. For incidents that involve the arrest, termination, suspension, or demotion of an employee;
 - ii. When an employee is separated from employment for any reason;
 - iii. In the event of an employee's (on or off duty) death;
 - iv. When an employee is permanently promoted;
 - v. Whenever SSFD apparatus leave the District for wildland fire deployments/assignments, except with mutual aid assignments within the region;
 - vi. Anything deemed by the Fire Chief to be of significant interest to the Board or community.
1. **Role of Individual Board Members:** Board members individually have no authority to act on behalf of the District. Board members shall use their best efforts to make decisions based on the best information available and use their best efforts to ensure each of the Board members has the same information available upon which decisions in the District's best interest are made.
2. **Disclosure:** Within a reasonable time, following election or appointment, each board Member shall disclose any conflicts of interest or potential conflicts of interest each Board Member has or may have

regarding the District. The Board shall regularly update its Disclosure Statement each December. In addition, any Board Member is required to disclose any conflict or potential conflict of that may arise during any board member's terms.

ARTICLE III: OFFICERS

1. **Officers:** The Board shall be administered by a Chairperson and a Clerk.
2. **Qualifications:** All officers must be members of the Board.
3. **Election:** All officers must be nominated by at least one Board Member and must be elected by a majority vote of the Board.
4. **Term:** All officers shall serve for a term of two (2) years. Officers may be reelected at the end of any term. The term of office shall be calculated from the date of the first meeting held in December of each year.
5. **The Chairperson:** The Chairperson is primarily responsible for ensuring the business of the public meetings is transacted in a proper order and is reasonably expedited. The Chairperson must ensure all members observe the appropriate procedure and that order and decorum is observed at the meetings. The chairperson, as well as the clerk of the district board or their respective designees, as applicable, shall draw warrants, substitute checks or electronic funds transfers on the county treasurer for money required to operate the district in accordance with the budget.
6. **The Clerk:** The Clerk is the official custodian of all the records of the District. The Clerk, in the event of the Chairperson's absence or inability to act, shall have all the authority of the Chairperson. The Clerk, as well as the Chairperson of the district board or their respective designees, as applicable, shall draw warrants, substitute checks or electronic funds transfers on the county treasurer for money required to operate the district in accordance with the budget.
7. **Removal of Officers:** An officer may be removed for just cause in the following manner: at least two (2) members must propose the removal of any one officer. In order for an officer to be successfully removed from office, a majority of a quorum of members of the Board must vote for such removal.
8. **Death or Resignation of Officers:** Any officer may resign at any time by giving the Board Chairperson and Fire Chief Written notices of their resignation. Upon resignation or the death of an officer, the office shall be deemed to be vacant as of the date of death or resignation.
9. **Vacancies:** In the event that an office of the Board becomes vacant, the Board shall elect a replacement at the next meeting after the occurrence of the vacancy to fill the vacant position or as soon thereafter as practical under the circumstances. The newly elected officer shall then serve until the expiration of the term of the officer whom they replaced.

ARTICLE IV: BOARD COMMITTEES

1. **Formation:** The Board Chairperson or the Board as a whole may direct the formation of a committee. In addition, any member of the Board who is present at a meeting may propose establishing a

committee. A committee may be appointed for one of the following purposes or any other purpose deemed reasonable by the Board:

- a. To consider and recommend suitable action on any other matter referred to;
 - b. To investigate a specific issue and report facts with its opinions thereon;
 - c. To represent or act for the District in a specific matter.
2. **Term:** The committee may serve for a term or purpose, as designated by the Chairperson or Board. Should the committee fail to make its recommendations or file its report within the designated term, the Board may extend such term or discharge the committee as it sees fit.
3. **Membership Qualifications:** Any individual residing within or out of 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 nomination is made from the Board, then the member may only qualify if they receive 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.
4. **Authority of the Committee:** A committee is authorized to perform only such acts as are within the reasonable scope of the committee's objective. Expenses incurred by the committee must receive prior approval of the Board and must be reasonable to scope.
5. **Records of Committee Action:** The committee is required to keep the minutes of its meetings and abide by applicable Open Meeting Laws.
6. **Reports to the Board:** The committee shall present its written report or recommendations to the Board at a public meeting designated by the Board.
7. **Discharge:** The committee is discharged at the time of making its report or recommendations to the Board, unless:
 - a. The Board request the committee to review the report or recommendations and make modifications;
 - b. The Board decides to discharge the committee prior to the making of the report; or
 - c. The committee is a standing committee.
8. **Structure:** The Chairperson of the Board will appoint a Chairperson of the committee. The Chairperson is the member who reports to the Board. The committee may also select a Secretary.
9. **Committees Formed by Fire Chief:** The Fire Chief may, from time to time, form a committee to study any issue and may report to the Chairperson or the Board. Any such committee may be created and shall conduct its business under the direction of the Fire Chief or his designee and shall not be governed by these By-Laws.

ARTICLE V: MEETINGS

1. **Meeting:** The Board will follow the Open Meeting Law per ARS. 38-431 and all public meetings requirements under Arizona law.
2. **Notice:** Notice of the meeting of the Governing Board will be given per ARS. 38-431.02 and shall include an agenda of the matters to be discussed or his designee and shall not be governed by these By-Laws.
3. **Quorum:** Two (2) Members of the Board shall constitute a quorum. Should the Board members present at the meeting fall below the required number for a quorum, then the meeting may be reconvened at a designated later time or date when a quorum is present.
4. **Agenda:** The agenda must be available at least 24 hours in advance of the meeting, unless (a.) an actual emergency exists, or (b.) a meeting has been recessed and except for an emergency situation, only matters listed on the agenda and other matters related thereto may be discussed, considered, or decided at the meeting.
5. **Regular Meetings:** Regular public meetings shall be held monthly, on such a day and time as the Board or Board Chairperson may from time determine.
6. **Special Meetings:**
 - a. The Chairperson may call a special meeting at any time by giving the notice required by law and providing an agenda for the special meeting, as required by Arizona Revised Statutes.
 - b. At the written request of two (2) Members, the Chairperson shall call a Special Meeting by giving the notice required by law and providing an agenda for the Special Meeting as required by Arizona Revised Statutes. In the event the Chairperson fails to call a Special Meeting, at the written request of two (2) Board Members, the Clerk shall call the Special Meeting.
7. **Ratification of Prior Act:** The notice requirement for ratifying a prior act taken in violation of Arizona law is 72 hours. Ratification must occur within 30 days after the discovery of the violation or after such discovery should have been made by the exercise of reasonable diligence. The procedure for ratification is prescribed in ARS 38-451.05(B).
8. **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 given shall be appropriate to the circumstances generating the emergency; however, there are three (3) requirements that must be met which are as follows:
 - a. Prior notice as is reasonable must be given;
 - b. An announcement must be made at the meeting of the reasons necessitating the emergency meeting;
 - c. A statement must be made in the minutes of the meeting setting forth the reason for the emergency meeting;

- d. Can only address the specific item/items the emergency meeting was call for; and
 - e. Within 24 hours after the meeting a public notice must be posted declaring that an emergency session has been held and setting forth the information required by statute.
9. **Meeting Recessed:** Less than 24 hours' notice may be given when a properly noticed meeting is recessed to later date. Prior to the recessing a meeting, notice must be publicly given as to the time and place of the resumption of the meeting or the method by which notice shall be publicly given.
10. **Order of Business:** The order of business at a Board meeting is generally as follows; however, the order of business may be changed by the Chairperson, the Fire Chief, or majority of the Board;
- a. Call to Order and Pledge of Allegiance
 - b. Roll Call and a determination a quorum exists.
 - c. Declaration of a conflict of interest.
 - d. Approval of agenda and previous meetings minutes.
 - e. A Call to the Public ARS 38-431.01.(H);
 - i. Calls to the public are permitted, but not required.
 - ii. Should be added as an agenda item.
 - iii. Public body my limit speaker's time.
 - iv. Public body may require speakers on the same side with no new comments to select a spokesperson.
 - v. Public body may set ground rules;
 - i. Civility
 - ii. Language
 - iii. Treat everyone the same
 - f. Reports Fire Chief, Committees, Auxillary, etc.
 - g. Consent Agenda items
 - h. Various monthly agenda items
 - i. Old Business
 - j. New Business
 - k. Comments, Board Members, Fire Chief, Assistant Fire Chief, Captain
 - l. Set time and date for next meeting.
 - m. Adjournment

11. **Minutes:** the written minutes records all official acts of the district taken by the Board.
12. **The Approval, Ratification and Amendments to the Minutes:** The Board Meeting minutes shall be approved, amended, or modified at the next regular or special meeting or as soon thereafter as is reasonable. Upon review and approval of the minutes, those minutes shall be signed by the Clerk.
13. **Conduct of the Meeting:** The Chairperson will preside at all regular, special, or emergency meetings, in the event the Chairperson is not present, then the Clerk will preside. The meeting shall be conducted pursuant to the following requirements:
 - a. Voting will be done by voice vote or a show of hands in a manner sufficient to give the Chairperson notice of each member's vote. In the event any Board Member requests a roll call count, then the Chairperson shall require a roll call vote.
 - b. The Public Shall have access to all meeting except for Executive Session.
 - c. The Board may arrange for participation by telephone or video conference for a Board Member otherwise unable to attend in person. In the event a telephone or video conference is made available, then the following procedure must be followed:
 - i. the notice or the agenda should state one or more members of the Board will participate by such method to the extent this information is available at the time of posting the agenda;
 - ii. there should be a clear identification of all members participating by such method; and
 - iii. the minutes of the meeting should identify members participating by telephonic r video communications and should describe the procedures followed.
 - d. The Consent agenda is intended to streamline the purchase of items or services, which are included in the District's budget. Therefore, any Board Member may request an item be removed from the Consent Agenda and considered separately. If such a request is made the Chairperson may alter the order of business to consider the separate item either before or after the remainder, if any, of the Consent Agenda.

ARTICLE VI: EXECUTIVE SESSIONS

1. **Requirements:** Upon, and only upon, a public majority vote of sufficient members to constitute a quorum, an Executive session may be held only for the purpose specified by ARS 38-431.03(A).
2. **Procedures:** Before the Board goes into Executive Session, a majority of the members constituting a quorum must vote at a 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 date, whether specified or to be scheduled.
3. **Notice:** If an Executive Session is to be held the agenda shall identify the specific provision of law authorizing the Executive Session.

4. **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.
5. **Confidentiality**: The Chairperson, or other person conducting the Executive Session in the absence of the Chairperson, shall advise all persons present of the confidentiality nature of Executive Session.
6. **Limitation on Conduct in Executive Session**: The Board 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 the public meeting after the Executive Session, sufficient information should be given to the public to apprise the public of the action's basic subject matter.

Notwithstanding these limitations, the Board may give directions in Executive Session for the reasons authorized in ARS 38-431.03(A)(4), (5), and (7).

7. **Emergency Executive Session**: An emergency executive session may be called provided that;
 - a. Such prior notice as is practical shall be given to the public.
 - b. The reason for the emergency session is announced publicly immediately prior to the executive session; and
 - c. Within 24 hours after emergency executive session, an agenda is posted setting forth the information required pursuant to Article VI Section 4.

ARTICLE VII: MAINTENANCE OF RECORDS

1. **Record Retention**: The Board follows all Arizona Revised Statutes and Arizona State Library, Archives, and Public Records Retention schedule for all records, including minutes and agendas. It is the responsibility of the Clerk to maintain all the records of the District and to keep such records in current order.
2. **Written Minutes**: The minutes must be taken of all public meeting and executive sessions, and contents follow Arizona Revised Statutes Annotated (ARS 38-431.01(A)). Either written minutes or a meeting recording must be available for public inspection within three (3) working days after the meeting, except no recording of any executive session is available to the public. The following information must be in the minutes:
 - a. The date, time, and place of the meeting.
 - b. The members of the Board recorded as either absent or present.
 - c. A general description of the matters discussed or considered even where no formal action or vote is taken respect to those matters. With respect to the executive session, the general description shall be deemed sufficient if it refers to the sub-section of Article VI. Section 1 under which the executive session was held.

- d. 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 the body voted and the breakdown of the vote of each member, if not unanimous.
 - e. The name of each person making a statement or presenting material to the Board and a specific reference to the action the statement or presentation relates too.
 - f. A full description of the nature of any emergency matter, specifically including, but not limited to, the circumstances necessitating the emergency.
 - g. In the event a prior act is ratified, a copy of the disclosure statement is required for such ratification.
3. **Maintenance of Records:** a record of all notices, including a copy of each notice posted and information regarding posting date, time, and place, must be kept. Records are to be maintained for a period as provided in the District's records retention schedule.
4. **Auto/Digital Recordings:** Minutes may be taken in writing or may be recorded by tape recorder or videotape recorder.
5. **Executive Sessions:** The minutes of an executive session must be kept confidential. The Board must advise all persons present at the executive session as to the executive session's confidential nature, and the minutes should reflect such advice was given. The minutes of the executive session must contain the following information:
- a. The date, time, and place of the meeting.
 - b. The members of the Board recorded as either absent or present.
 - c. A general description of the matter considered, along with reference to the sub-section of the statute under which the executive session was held.
 - d. A statement for the reasons for any emergency considerations of any matters not on the agenda.
 - e. Instructions to legal counsel or to the representative of the District in labor or real estate negotiations.
 - f. Such other information as the Board deems appropriate.
6. **Disclosure of Minutes of an Executive Session:** Minutes of an executive session may not be disclosed to anyone except as follows:
- a. Any member of the Board.
 - b. Any officer, appointee, or employee who was a subject of the discussion.

- c. Staff personnel to the extent necessary to perform their duties to prepare and maintain the executive session minutes.
 - d. The attorney for the Board to the extent necessary for representation.
 - e. The Auditor General, Attorney general, or County Attorney in the connection with the lawful performance of the duties to conduct a financial or performance audit, or an investigation, pursuant to ARS 38-431.03(B)(4) or 38-431.06.
 - f. The Court for purposes of a confidential inspection. ARS 38-431.03(F)
7. **Committees**: Committees shall keep minutes of their proceeding. 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.
8. **Agendas**: the agendas for all meeting shall be preserved with the written minutes of each meeting and must be maintained as specified in the District's records of retention schedule.

ARTICLE VIII; FINANCES

1. **Annual Report to Cochise County**: The Board shall submit an annual report to Cochise County pursuant to the requirements of the law of Arizona, as amended from time to time.
2. **Annual Budget**: The Board shall prepare an annual budget containing detailed estimated expenditures for each fiscal year. The budget must clearly show the salaries payable to the employees of the District including the Fire Chief. Notice of the budget must be given as required by the law of Arizona and must be adopted by the Board pursuant to those laws. Copies of the budget must be available to members of the public upon written request. A complete copy of the adopted budget shall be posted in a prominent location on the District's official website per ARS 48-805.02(A).
3. **Annual Estimate**: No later than August 1st of each year, the Chairperson must submit to the Board of Supervisors of Cochise County an estimate, certified by items, of the amount of money required for the equipment and maintenance of the District for the ensuing year, less the amount due from the county Fire District Assistance Tax. In all other ways, the annual estimate must comply with the requirements of the laws of the State of Arizona.
4. **Authorized Expenditures**: The Board is authorized to make expenditures as is permitted by Arizona laws, as amended from time to time. The Board may, by resolution 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 employees of the District to make expenditures and have signature authority pursuant to the purchasing policy. In addition, the purchasing policy may be amended from time to time by a majority vote of the members constituting a quorum.

ARTICLE IX: EXECUTION OF DOCUMENTS

1. **General:** 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, provided, however, that the Board may authorize other Board Members, the Chief or other District officers, employees, or appointees of the District to execute documents, instruments, or other written material on behalf of the District.
2. **Finance Documents:** All documents, instruments and any written materials whatsoever which evidence money owed by, or money owed to, the District should be executed by a minimum of two (2) Board Members. Notwithstanding the foregoing, the Board may authorize officers, appointees, or employees to sign check pursuant to a purchasing policy adopted by the Governing Board.

ARTICLE X: AMENDMENT

1. **Interpretation:** These By-Laws will be interpreted, to the fullest extent possible, in accordance with Arizona law. In the event any portion of these By-Laws is contrary to a provision of Arizona law, that portion shall be of no further force or effect: however, the remaining provisions of these By-Laws shall remain in full force and effect.
2. **Amendment of By-Laws:** Amendments to these By-Laws may be proposed in writing at any regular or special public meeting of the Board. Such proposed amendments shall be acted upon at the next regular public meeting of the Board or at a special public meeting called for that purpose and shall be adopted by an affirmative vote of a majority of the Board Members present. Notice of intention to present an amendment to these By-Laws for adoption shall be contained in the notice of the meeting.

APPROVED AND ADOPTED by the San Simon Fire District Governing Board at a public meeting on

Date of Approval

Patricia Fickett, Chairperson

Savanna Valdez, Board Clerk

Fernando Guzman, Member

State of Arizona
County of Cochise

The following instrument was acknowledged before me on this _____ day of _____ 2023
By Current Member of the San Simon Fire District Governing Board.

Notary Public

APPENDIX

Forms

These forms may be copied, or copies can be attained at the San Simon Fire District Office.

DIRECTOR CONTACT INFORMATION

NAME: _____

ADDRESS:

DAYTIME PHONE: _____

EVENING PHONE: _____

OTHER PHONE NUMBERS (please specify what they are): _____

EMAIL: _____

BEST TIME TO BE REACHED: _____

WHERE?: _____

EMPLOYER'S NAME:

EMPLOYER'S ADDRESS:

EMERGENCY CONTACT:

NAME:

ADDRESS:

DAYTIME PHONE: _____

EVENING PHONE: _____

RELATIONSHIP:

SIGNATURE:

DATE: _____

**OATH OF OFFICE
STATE OF ARIZONA, COUNTY OF COCHISE**

I, _____
do solemnly swear that I will support the Constitution of the United States and the Constitution and laws of the State of Arizona; that I will bear true faith and allegiance to the same, and defend them against all enemies, foreign and domestic, and that I will faithfully and impartially discharge the duties of the office of the Fire Board of the Highlands Fire District according to the best of my ability, so help me God (so I affirm).

Signature

Subscribed and sworn before me this _____ day
of _____.

Notary Public My commission

Expires: _____

ACKNOWLEDGMENT OF FIRE BOARD GUIDELINES

I, _____,
 acknowledge that I have read and become familiar with
 the San Simon Fire District Board Member Handbook
 and By-law.

I understand that the guidelines are intended to provide
 me with general information concerning my position on
 the San Simon Fire District Board.

I understand this Handbook is not an employment
 contract.

I understand that in order to maintain flexibility in the
 administration of policies, a majority vote of Fire District
 Board Members can change, revise, or eliminate any of
 the guidelines described in the Handbook, or can add
 supplemental information as needed. A majority vote
 of the Fire District Board Members, may also, in the
 event of a financial catastrophe, eliminate any financial
 obligations expressed even if budget appropriations
 have been made.

I further understand that in the event the actual terms
 and provisions of policies and procedures appear to be
 in conflict with any information given in the Handbook,
 the majority of the Fire District Board Member's
 interpretation thereof, will govern.

By signing this form I acknowledge the above
 information and agree to adhere to the terms and
 conditions of the Handbook and By-laws.

 Board Member Signature

Date: _____

BOARD TRAVEL REIMBURSEMENT REQUEST

NAME: _____

DATE: _____

PURPOSE OF EVENT: _____

PLACE AND DATE OF EVENT: _____

DID YOU UTILIZE A DEPARTMENT VEHICLE?

YES _____ NO _____

If using a department vehicle, please submit fuel
 receipts for fuel purchases.

REIMBURSEMENT REQUEST: TRANSPORTATION

MILEAGE _____ x

MILEAGE RATE \$ _____

TOTAL REIMBURCEMENT FOR MAILAGES \$ _____

TOTAL \$ _____ MEALS

Actual costs for, **BOARD MEMBERS**, MEALS will be
 reimbursed, please provide receipts.

TOTAL \$ _____ LODGING

Actual costs for lodging will be reimbursed, please
 provide receipts.

TOTAL AMOUNT \$ _____
 FOR REIMBURCEMENT.