

Buckskin Fire District

Fire Board Rules of Procedure

Rule 1 – General Rules

- A. Rules of Journal: The Board shall determine its own rules and order of business subject to State law. It shall keep minutes of its proceedings which shall be open to public inspection during regular office hours.
- B. Written Rules of Procedure: The rules of procedure of the Board shall be in writing and shall be available to all interested citizens.
- C. Rules of Parliamentary Practice: The rules of parliamentary practice, as determined by the Chairperson, shall govern the Board, provided they are not in conflict with these rules or with the State of Arizona laws governing fire districts.

Rule 2 – Board Code of Ethics

Fire Board members and officials occupy positions of public trust. Board members and all District officials shall strictly adhere to both the spirit and the letter of the laws of the State of Arizona pertaining to conflicts of interest. In addition, to matters of pecuniary interest, Board members shall refrain from making use of special knowledge or information before it is made available to the general public; shall refrain from violation of Board rules, shall refrain from influencing the employment of District employees; and shall refrain from using their influence as members of the governing body in attempts to secure contracts or other favorable action for friends, immediate family members, or business associates.

Rule 3 – District Officials

The Fire Chief shall perform the respective duties as set forth in the Rules and Regulations of the District. Whenever there may be any question concerning the interpretation of the powers and duties of the aforementioned official, the Fire Board shall be the final arbitrator of any dispute and shall settle any such issue as a matter of board policy by a unanimous vote of its quorum, or a majority vote of 4 or more Board Members.

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Motion made by Jeff Daniel; seconded by Greg Bachmann to revise Rule 3 by striking the words [~~or a majority vote of 4 or more Board Members~~] and inserting the words [*as present*].
Discussion: none

Vote: 4 Aye; Motion passed unanimously. Revised 03.06.13

Rule 4 – Board Meetings

- A. Regular and Special Meetings: The Fire Board shall hold regular and special meetings according to the provisions of the State laws. Board meetings shall be conducted in accordance with the procedures set forth in these rules unless a motion to suspend the rules is first passed by the Board.
- B. Executive Sessions: The Board may meet in executive session in accordance with the procedures and purposes set forth in State law and not otherwise.

Rule 5 – Presiding Officer

The Chairperson, or, in his absence, the Clerk, shall take the chair at the hour appointed for the Board to meet and shall immediately call the members to order. In case of the absence of the Chairperson and the Clerk, the senior member shall call the Board to order. If a quorum is found to be present, the Board shall proceed to elect, by a majority of those present, a Chairperson of the meeting.

Rule 6 – Procedures for Meetings

- A. The Chairperson of the Board should utilize the presented agenda as the guide for conducting the Board meetings. From time-to-time, the Chairperson may find it necessary to vary the order of the agenda due to scheduling issues of guests who are making presentations, but the agenda should be followed whenever possible.
- B. When an item had been acted on during a Board meeting that item cannot be considered again at that same meeting unless a majority of those Board Members present at the time of the previous action agree that the item should be re-visited.
- C. Persons wishing to address the Board on an item not on the agenda may do so after being recognized by the Chairperson during call to the public. The Chairperson shall have the option to establish a time limit for the person, citizen group, special interest group, etc. Citizen groups and/or

special interest groups shall identify themselves and shall be represented in a presentation to the Board by one of the members of the group and redundant speeches to the Board on the same issue shall be terminated at the discretion of the presiding officer. Persons not recognized by the Chairperson are not permitted to offer comments. The Board may not address, discuss or vote upon any petition, comment or announcement made by the public if the item is not on the published agenda for that meeting. The Board may choose to place the item on a future agenda.

Rule 7 – Conduct at Meetings

The presiding officer shall serve as Board Parliamentarian. He shall preserve decorum and decide all questions of order, subject to appeal of the Board.

- A. During board meetings, Board members shall preserve order and decorum and shall not delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer or the rules of the Board. Every Board member desiring to speak shall address the chair, and upon recognition by the presiding officer, shall confine himself to the question under debate. A Board Member, once recognized, shall not be interrupted while speaking unless called to order by the presiding officer, or unless a point of order or other privileged motion is raised by another Board Member. If a Board Member is called to order while he is speaking, he 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 not to be in order, he shall remain silent, or shall alter his remarks as to comply with the rules of the Board. A Board Member may address questions to the Fire Chief, or staff, or members of the audience, but he shall confine his questions to the particular issues before the Board. If a point of order is raised and the presiding officer fails to act, any member of the Board may move to require him to enforce the rules and the affirmative vote of the majority of the Board shall require the presiding officer to act.
- B. The presiding officer shall have the authority to preserve decorum in meetings as far as the audience, staff members, and employees are concerned. The Fire Chief shall also be responsible for the orderly conduct and decorum of all District employees under his direction and control. Any remarks shall be addressed to the Chair and to any, or all, members of the Board. No member of the staff, or audience, shall enter into any discussion, either directly, or indirectly, without having first obtained the floor by permission of the presiding officer.
- C. Citizens of the District and any other member of the public attending Board meetings shall also observe the same rules of propriety, decorum and good conduct applicable to members of the Board. Any person making personal, impertinent, and slanderous remarks, or who becomes

boisterous while addressing the Board, or while attending the Board meeting, shall be removed from the room by the presiding officer, and such person shall be barred from further attendance at that particular Board meeting. Unauthorized remarks from the audience shall not be permitted by the presiding officer, who shall direct such offenders to leave the room. Should the presiding officer fail to act, any member of the Board may move to require him to enforce the rules, and the affirmative vote of the majority of the Board shall require the presiding officer to act. Any member of the public desiring to address the Board must first be recognized by the Chair, shall state his name and address in an audible tone for the record, and shall limit his remarks to the questions under discussion. Any remarks shall be addressed to the Chair and to any or all members of the Board.

Rule 8 – Discussion and Voting Procedures

- A. A quorum must be present for the Board to consider or act on any business.
- B. Each Board Member has a responsibility for compliance with ARS 38-501, et seq., concerning conflicts of interest. Any member of the Board, who believes he has a conflict of interest, shall, immediately upon determining that a conflict exists, declare the conflict of interest and explain the basis for the conflict. Once the conflict is declared, the Board Member is prohibited from participating in discussion or acting on the issue that involves the conflict.
- C. The Chairperson must recognize any Board Member wishing to participate in the discussion at the meeting. Board Members shall confine themselves to the question under debate. Board members who have not been recognized shall not interrupt when the recognized member is talking. The Board Members must maintain decorum and civility during meetings.
- D. The Chairperson shall allow the public to comment on issues pending before the Board. Members of the public shall refrain from making comments or entering into discussion unless recognized by the Chairperson. Members of the public who are recognized for participation must not become disorderly or disruptive. The Chairperson has the ability to end the period of comment by any meeting attendees.
 - 1. When the item is introduced by the Board Chairperson, the Chairperson shall indicate that the Board is now conducting a public hearing.

2. When received, written comments regarding the issue of the hearing shall be presented to the Board and read into the record during the public hearing.
 3. Testimony or comments from the public will be allowed when the individual is recognized by the Chairperson and the Chairperson shall have the option of limiting the time duration of the comment period per person or for the entire hearing.
 4. When the Chairperson has determined that an adequate period has been allowed for the public hearing, the Chairperson shall declare the public hearing closed.
 5. Following the closure of the public hearing, the Board shall act on the issue in the same manner as for all pending business on the agenda.
- E. A motion shall be made by beginning the statement with words such as, “I move that”. The content of a motion must be stated clearly and specifically. There can be no discussion after a motion is made until there is a second or the motion dies due to a lack of a second.
- F. After a motion has been made and seconded, the Chairperson must restate the motion and then call for the discussion.
- G. At any time before the question is called for a vote, the Board Member who made the motion may voluntarily ask that the motion be amended. If the Board Member who originally seconded the original motion agrees with the amendment, then the motion is considered amended.
- H. At any time before the question is called to vote on a pending motion, a Board Member may make a motion to amend the original motion. At that point any discussion about the original motion must cease. If there is no second to the amended motion, discussion on the original motion can then resume. However, if there is a second to the amended motion, the original motion is dropped and the discussion may begin on the amended motion; to be followed by a call to vote on the amended motion.
- I. At any time before the question is called for vote on a pending motion, the Board Member who made the motion may ask that his motion be withdrawn. The motion will be withdrawn only in the event that the Board Member who seconded the motion agrees with the withdrawal of the motion.
- J. Discussion will end when the question is called, or at the time the Board Chairperson determines that there is no further discussion desired by any

Board Member. The Board Chairperson shall restate the motion as made or amended. The only persons who can object to the form of the motion at this time are the Board Members who made and seconded the motion. If there is a conflict as to whether the motion as read is the motion intended, the matter will revert to further discussion until the discrepancy is corrected.

- K. The Board Chairperson shall ask Board Members to designate their vote by announcing “aye” or “nay.”
- L. After all votes have been cast, the Board Chairperson shall announce whether the motion failed or passed.
- M. After an agenda item has been acted upon, it cannot be resubmitted for Board action for six (6) months without a majority vote of the Board voting to put the item on the next agenda. Once the item is placed on an agenda, it shall be treated like any other agenda item.
- N. Individual Board Members may not give direction to the Fire Chief or any other employee without the consent of the majority of the Board.

Rule 9 – Right of Appeal

Any Board Member may appeal to the Board from a ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly state his reason for the same, and the presiding officer may briefly explain his ruling, but there shall be no debate on the appeal, and no other member shall participate in the discussion. The presiding officer shall then put the question, “Shall the decision of the Chair be sustained?” If the majority of the members present vote “aye,” the ruling of the chair is sustained, otherwise it is overruled.

Rule 10 – Board Meeting Agendas

- A. Agenda Preparation: The Board Chairperson and the Fire Chief shall prepare agendas for Board Meetings. Individual board members may request an item be considered on a future agenda by correspondence to the Board Chairperson at least seven (7) calendar days prior to the meeting for which the item is requested to be agendized. Board members’ requests for agenda items to be limited to 3 items per meeting; items that exceed the limit shall be considered for inclusion at the discretion of the Chairperson and Fire Chief.
- B. Board Materials: Staff shall make available the agenda materials for Board Members on the Friday before the meeting. In the event of special circumstances, last minute agenda material may be provided, but there

must be an explanation as to why the materials were not distributed earlier.

- C. Agenda Items Offered by Employees: Any District employee may request to add an item to an agenda by presenting the Fire Chief a completed “Agenda Item Request Form” form at least seven (7) calendar days prior to the meeting for which the item is requested to be agendized. Employees are encouraged to exhaust all remedies of problems within normal chain-of-command within their department. However, when an employee has concerns, which are of importance to the District and are unable to resolve them within the chain-of-command, the individual may request that the Board hear the item. Back-up documentation must accompany the request that shows all administrative procedures established for the resolution of employee complaints and/or grievances have been exhausted prior to the submittal of the agenda request.
- D. Agenda Items Offered by District Citizens: Members of the public may request an item be placed on a future agenda by filling out a “Agenda Item Request Form” and submitting it to the Board Chairperson or Fire Chief. In order to allow staff the opportunity to resolve the matter before placing the item on the agenda, the request should be submitted at least fourteen (14) calendar days prior to the meeting for consideration and approval by the Chairperson and Fire Chief to agendize the item as submitted.
- D. Fire Board Meeting Agenda Format: The following suggested format will be used, however the items set forth may be addressed by the Board in any order.
 - 1. Call to Order
 - 2. Roll Call
 - 3. Approval of Minutes
 - 4. Approval of monthly Accounts Payable
 - 5. Call to the Public
 - 6. Guest Speaker
 - 7. Action Item (Discussion & Possible Action)
 - 8. Reports
 - 9. Chief(s) Report
 - 10. Board Member Comments and Direction to Staff
 - 11. Poll Board for future agenda items
 - 12. Schedule next meeting
 - 13. Adjournment

Rule 11 – Motion to Adjourn

A motion to adjourn shall be in order at any time, except when made as an interruption of a member while speaking or while a vote is being taken.

A motion to adjourn is debatable only as to the time to which the meeting is adjourned.

Rule 12 – Motion to Suspend the Rules

A motion to suspend the rules set forth herein shall be in order unless it pertains to rules mandated by the laws of the State of Arizona. A motion to suspend the rules must be seconded, it is not debatable except for a brief explanation by the mover, and requires at least a majority vote of the members of the entire Fire District Board.

Motion made by Greg Bachmann; seconded by Monty Rust to amend rule 12 [Motion to Suspend the Rules:

A motion to suspend the rules set forth herein shall be in order unless it pertains to rules mandated by the laws of the State of Arizona. A motion to suspend the rules must be seconded, it is not debatable except for a brief explanation by the mover, and requires at least a ~~majority~~ unanimous vote of the ~~members of the entire Fire District Board~~ quorum].

Discussion: none.

Vote: 4 Aye; Motion passed unanimously. Revised 03.06.13

Rule 13 – Board Member Attendance at Incidents

A Board Member who chooses to attend an emergency incident in which the Buckskin Fire Department is a participant does so as a member of the general public with no authority or right beyond those of a normal citizen.

Rule 14 – Board Travel Policy

Fire Board Members shall be reimbursed for actual expenses incurred in conjunction with their travels and attendance for functions in or out of district on behalf of the Buckskin Fire District, as may be authorized from time to time, excluding general meetings, executive sessions, work sessions, and events held at the Buckskin Fire Department.

Mileage reimbursement shall be at the rate then currently recognized by the Internal Revenue Services.

Fire Board Members shall be required to submit receipts to the administrative staff in order to receive reimbursement for approved expenses. The Fire Chief and staff are hereby authorized to take such action and execute such documents as may be necessary from time to time to implement mandates of this policy.

Rule 15 – Filling of Vacant Board Position

- A. Advertising Vacancy: Qualification. When a Board position is vacant, the opening shall be posted in the locations of usual postings of District Board Agendas and staff shall post the announcements giving as much notice as is practical under the circumstances. The notices shall advise that applicants must provide at least a letter indicating their name, place of residence, why they are interested in becoming a member of the Board and a written description of their qualifications. Staff, in consultation with the

Board, shall set a reasonable deadline for the submission of the letters of interest. The deadline shall not be less than two (2) weeks from the date of posting. All prospective candidates for the vacant Board position must be qualified electors residing in the District.

- B. Interview of Candidates: After the deadline for the filing of letters of interest, staff shall distribute all materials received to each Board Member. The Board shall interview qualified candidates at a scheduled public work session. The Board will have the ability to discuss each candidate attending the meeting.

- C. Selection of the Candidate: At any regularly scheduled Board meeting thereafter, the Board may fill the vacant seat by a majority vote. The vote will not be by nomination and election, rather the vote will be conducted by making a motion to appoint a certain individual to the vacant Board seat to fulfill the remaining term, and if the motion fails for lack of a second or majority vote, there may thereafter be a subsequent motion for a different individual. The Board may continue making motions until a motion to appoint a candidate for the vacant seat is successfully passed by majority vote of the Board.

Rule 16 – Permanent Changes

There shall be no action taken to make any permanent changes, additions, deletions, amendments, or similar editing of these rules of procedure at a board meeting when less than the entire board is present.

Approved and adopted this 5th day of May, 2010.

_____, Board Chairperson
Gary Svider

_____, Clerk of the Board
Jim Brouillette

_____, Member
Gregory Bachmann

_____, Member
Robert Gory

_____, Member
Barry Gerson

Revised by resolution: