

**ROCKVILLE/SPRINGDALE FIRE PROTECTION DISTRICT**  
**SPECIAL MEETING**  
**P.O. Box 159**  
**Springdale, UT 84767**  
**February 09, 2015**  
**Rockville Community Center**

1. **CALL TO ORDER AND ROLL CALL** – Chair Luci Francis called the meeting to order at 6:30 p.m. with the following members of the Rockville/Springdale Fire Protection District Board present: Adrian Player, Chuck Passek, Louise Excell and John Callahan. District Clerk Elaine Harris recording.
2. **APPROVAL OF AGENDA** – John Callahan moved the agenda be approved. Louise Excell seconded the motion and a roll call vote indicated all those present voting in favor of the motion.
3. **DISCUSSION AND ACTION CONCERNING FULFILLMENT OF, AND COMPENSATION FOR, FIRE MARSHAL DUTIES** – We have current interlocal agreements with the towns of Rockville and Springdale to provide fire marshal services. In Springdale's agreement, it calls for a certified fire marshal to provide those services. In the past, Joe Barker has performed those duties from initial plan reviews to the completion of follow up site inspections and the Town of Springdale has accepted his services as such.

Now that Joe is leaving on March 1 and there are several large projects coming up in Springdale, we need to plan to contract with a certified fire marshal. Todd Hohbein is recommended by the Utah State Fire Marshal's Office and he resides in LaVerkin. He does fire marshal duties for other departments and districts in the area. The Town of Springdale is familiar with Mr. Hohbein and his work. Joe Barker recommended we at least contract with Mr. Hohbein for the initial plan reviews. In consultation with Springdale's DCD Tom Dansie, he agreed this was the best plan.

In the event the Town of Springdale will not accept the interim Chief as the individual to do the follow up site inspections, Chair Francis suggested we recommend contracting with Mr. Hohbein at least for the initial plan reviews and possibly follow up site inspections, if the need arises. This will ensure our responsibilities for fire marshal duties can be accomplished.

In the current agreement, the Town of Springdale will reimburse the District for their fire marshaling fees.

In response to a question from Louise Excell, Chair Francis stated that Mr. Hohbein was willing to do the follow up site inspections with the understanding that he is only available after hours and on weekends. Chair Francis also felt it would be beneficial for Adrian Player to accompany her to a meeting with relevant Springdale officials to discuss procedures, etc. and whether or not they will accept our interim chief to do the follow up site inspections.

If the Town of Springdale was to feel comfortable with the interim chief to perform all the duties, we may not need to contract with Mr. Hohbein, but Joe Barker recommended Mr. Hohbein at least due the initial plan review as that is where most of the risk is involved. From that initial review, a report will be issued to our fire department outlining the follow up site inspection process which can be accomplished by our interim chief.

It was suggested that the title "Code Official" be added to the Chief's responsibilities as he will be enforcing the Fire Code as approved on the site plan.

Discussion took place regarding the fact that the Fire Marshal, per the Fire Code, has discretion in certain areas. Louise suggested the Board determine whether or not an interim chief, who does not have the credentials nor the experience, be allowed to make discretionary calls.

Louise Excell moved the District enter into an agreement/contract for services from Todd Hohbein to provide initial plan reviews for all purposes within the Rockville/Springdale Fire Protection District up until such time as we hire either a part-time or full-time internal staff certified to provide those services. Adrian Player seconded the motion and a roll call vote indicated all those present voted in favor of the motion.

#### **4. DISCUSSION AND ACTION CONCERNING INTERIM CHIEF**

Responsibilities and Compensation – Plan B would have been to have Joe Barker train our two captains to enable them to perform the duties of the Fire Chief until such time as we are able to hire an interim or permanent chief. The captains were amenable to that and somewhat willing; however, Joe had provided the name of an individual who he recommended to be an interim chief. This is someone he knows named Ashley.

Based on the recommendation of our attorney who indicated we could recruit for a without posting for a position that is “temporary or emergency” in nature, Chair Francis called Ashley to determine his level of interest. He responded that he was very interested. Chair Francis proposed the Board pursue this option and request a resume from this individual that indicates his qualifications and follow up with some reference checks. He would meet with Joe and come up with a potential schedule of when he could perform the duties of chief, fill out an application, indicating the part-time, temporary salary.

Louise moved that Ashley submit a resume and at our regular meeting we make a decision whether or not to accept him. Failing that, we appoint our two qualified firefighters to be co-captains and assume the responsibilities of maintaining the day-to-day scheduling and operations of the fire chief until we can resolve issues. Discussion took place regarding the compensation for the captains (split the current Chief’s salary) and Louise withdrew her motion.

Adrian Player indicated we have been a fire district for a long time and we have fully trained operating people running the District with, or without a chief, and he supported what Louise stated. Adrian thought, if Louise was to restate her motion, the motion was going to be to entertain an application and he wanted to state we will hire this individual as our first pick. If he doesn’t work out, then we go to the captains. Adrian also wanted to make sure he understood about the salary.

Chuck felt if the salary was going to be divided among the captains, the EMS captain should be a part of that. He is hesitant about having a department run by three people. Could they rotate? Chair Francis responded that she had consulted with Joe about the EMS Captain, Maggie, and what role she plays; will her duties change at all and will she take on any additional duties and his response was no. He felt her salary should remain the same. All the duties of the fire chief are in respect to the operation of fire/EMS.

Joe has already discussed the sharing of duties with the captains as to what their responsibilities would be based on the different skill sets of each. They both felt they wanted to do things together – business inspections, follow up inspections. One captain has more skills with computer work and one is more knowledgeable of the apparatus and equipment in the firehouse.

Currently, there are two, separate, 12-hour shifts for these captains. Whichever captain is on duty during his shift would be the person that would be at the head and when the other person comes on, he gets the phone and becomes the commander at that time. This is definitely the least desirable situation.

Louise moved the Board request an application with references from Ashley and obtain that information as soon as possible so the Board can make a decision at the next regular meeting on his employment. This will be done with the understanding that he will assume the same responsibilities that Joe Barker had as interim fire chief and that he accept the same compensation. Adrian Player seconded the motion and a roll call vote indicated all those present voted in favor of the motion.

The Chair suggested that waiting until our next meeting, February 25, was too long, that this person needs to be hired as soon as possible so as to be able to get orientation from Joe.

Adrian Player moved to amend Louise's motion to include that if this person is willing to become employed tomorrow and the application and background check is satisfactory that instead of waiting until the February 25 meeting, we hire him immediately. Chuck Passek seconded the motion and a roll call vote indicated:

Adrian Player – Aye  
Chuck Passek – Aye  
Louise Excell – No  
Luci Francis – Aye  
John Callahan – No

The motion passed three to two.

Louise had concerns about the transparency of the decision to hire is not done publicly in a board meeting.

Chair Francis stated that she would rather err on being opaque than risk having a new chief take command of the Department after having received what would amount to only three days of training, and run the risk of being unprepared. She felt the Board was being as transparent as possible under the emergency situation. The resume will be shared with the Board. Louise felt if there were Board Members who were not satisfied with the documentation, then we aren't being transparent. John's issue was that he had enough confidence in our Board that any one of us can be a good judge of character after reviewing his qualifications and he trusts any one those five to do that. Louise felt that, in that case, one person should be able to make the decision and then we aren't conducting business outside of a meeting.

After discussion, it was decided that the previous motion has passed and is applicable.

As to Plan C – if it turns out that he is not qualified or there is some issue with references or any number of things that could go awry, then Chair Francis felt the Board needs to assign the chief's duties to the two fire captains and split that fire chief compensation of \$23,909 between them; we work out their duties based on Joe's recommendations.

Adrian Player will assist the Chair in the review of the applicant's application.

5. **DISCUSSION AND POSSIBLE ACTION CONCERNING A FEASIBILITY STUDY OF THE RSFPD**

Agencies, individuals, and funding sources – There will be a meeting with Hurricane Valley on Wednesday, February 11, to have an opportunity to meet with their board and Chief Tom Kuhlmann and ask very detailed questions pertaining to the study they have proposed.

In the meantime, Chair Francis felt it would be prudent for the District to consider doing an independent third-party study of the District and fire department that would be unbiased. In researching this possibility, the Chair spoke with Gary Zabriskie from Five County Association of Government and he agreed that the pursuit of such a study would be advantageous and beneficial for the District. The study would be comprehensive and could be utilized to obtain additional funding for anything that may be recommended from that particular study. There are monies available for small planning grants and he offered to assist with the writing of the grant. Even though there is a deadline of February 1 for the third quarter funding for 2015, because this is smaller than their normal projects he would be willing to help and invite us to the March prioritization meeting.

It was discussed that with limited time available, it would be good to fill out the application in the event the Board decides to pursue this option.

Chuck Passek indicated that we have asked Hurricane Valley to do a study; they did not request to do so. Now we are proposing to do another study also and that may be confusing. We are asking for an independent evaluation of the needs of the RSFPD, which is a good thing to do, but at the same time we are asking for an evaluation from Hurricane as to whether they will accept us merging with them. Chuck felt it would be appropriate to wait for the response from Hurricane and see what they are actually going to say. Then, if we decide we don't agree with some of the items from their proposal, we have someone else come in – a subject matter expert – and do that sort of evaluation. That sort of proves whether the staff condition is correct as Hurricane is promoting or not. If we do them both at the same time, Hurricane may question that. Louise felt we would be doing them at the same time because how could Hurricane possibly do an objective study? Chuck felt we were not asking Hurricane for an objective study, we are asking them if it is beneficial for them to absorb Springdale/Rockville. Adrian did not feel that was what was asked. Adrian felt it was clear that what we were asking was not an obligation on Hurricane's part to take on the RSFPD and it is not an obligation on our part to accept being taken on. They want to do a study to enable them to solicit comments from the users (citizens, businesses and tourists). They would then do findings and look at them professionally and then provide three business models as options and tell us where the Board could improve the department.

Adrian stated this isn't about getting a cheaper deal; it is about the fact that the Board has been backed into a corner to allow this study and the Chair has suggested we get another look because when Hurricane Valley gets done with their study, it would be very good for the District to have somebody else agree, but maybe it isn't the best thing. He agreed that it may be confusing, but felt there wasn't anyone on the Board, excepting Chuck having been a firefighter, who understands what needs to be done. We need all the professional help available and the Chair's proposal is a good one.

Chair Francis felt a lot of our questions will be answered when the Board meets with Hurricane on Wednesday. One of the questions will be to ask them if a study of our own could be utilized for their purposes in lieu of their own study. Chuck stated if it was proposed that way, not that we are doing a study to rebut something that hasn't been done yet. We are just offering them a chance to get some separate information.

Chair Francis was coming from the perspective that our own study would be guaranteed unbiased information and it would be more comprehensive. She would have a lot more questions about how the RSFPD can better itself and do things that could possibly result in lower standby fees or better ways of doing things. Will Hurricane Valley's results provide us with results to better

ourselves, or is it strictly from the standpoint of whether or not it would be beneficial for them to have us annexed to them? We won't know until we meet with them.

Adrian felt Hurricane Valley's letter was clear and we should hold them to the three business models they have committed to preparing.

Both Louise and Chair Francis stated that the study the RSFPD would be seeking would also open the door for more funding possibilities. Gary Zabriskie is pretty clear that having applied for a grant to do a study and obtaining that study is going to be an important element of future funding requests because it will indicate what the District's needs are, who we are, whom we serve, etc.

Chair Francis will pursue our options with Gary Zabriskie and obtain the details regarding the application process.

6. **ADJOURN** – Adrian Player moved the meeting be adjourned. John Callahan seconded the motion and a roll call vote indicated all those present voted in favor of the motion.

Meeting adjourned at 7:30 p.m.

Minutes typed by:

Elaine M. Harris  
District Clerk

APPROVED:

Luci Francis  
Luci Francis, Chair