

Portal Rescue, Inc. – Board Meeting – 13 July, 2009

1.0 Call to Order

1.1 Attendance

The meeting was called to order at 6:00 pm by Vice President Bill Wilbur, who after Tom Davidson's resignation, now assumes the office and duties of President. Attending the meeting were seven of the eight remaining Board members (Rick Beno, Dinah Davidson, Jeff Gee, Cheri Greenwade, Jackie Lewis, David Newton, and Bill Wilbur) and numerous community members, including René and Delane Blondeau, Ray and Dori Brooks, Gerry Hernbrode, Ken Joens, JoAnn and Doug Julian, Barbara Miller, Walter Schoepfle, Bonnie Sites, Helen Snyder, Bob and O'Leary Squire, Howard Topoff, Jeanne Williams, and Richard and Fran Zweifel.

1.2 Suspension of agenda

Bill asked that the agenda be suspended in order to hear a presentation by Karen Fasimpauer. Rick so moved, Cheri seconded, and the vote was unanimous.

1.3 Website presentation

Karen distributed a preliminary mock-up of the new PR website. She and Brad Emerson are donating the design and maintenance of the site, most of which will be accessible to the public. A side-bar menu provides access to pages covering, e.g., evacuation plans, fire information, calendar, donations, etc. Accessed from the home page, events pages can provide alerts for fundraisers, emergencies, etc. Internal sites, specifically for fire-fighters, EMTs, RCOs, and Board members, will be password protected. The website will not do email hosting but will provide links to PR email accounts, as well as to Howard Topoff's site. Community businesses may be able to advertise on the site for a small fee (as now in the PR phone book). Community members wishing to receive updates on the website should email Karen at karen at k12handhelds dot com.

2.0 Adoption of Agenda

The agenda was adopted with the changes shown below under section 7.0.

3.0 Acceptance/Correction of Minutes for June, 2009

Rick proposed that the President's report should state that the letter of resignation was discussed publicly at the meeting and was posted at the Portal P.O. Reference to the letter as an attachment should be deleted. A discussion of this followed. Dave made (and Cheri seconded) and then withdrew a motion to adopt the minutes as amended. Dave then moved that we postpone consideration of minutes until discussion of procedures under section 5.1 (Old Business). Dinah seconded this motion, and it passed unanimously (but see below).

4.0 Reports

4.1 President's report (Bill Wilbur)

Bill Wilbur announced that Tom Davidson had resigned as PR President. He explained that Tom had a new teaching job in El Paso and could not handle the recent heavy demands of PR in view of that new commitment.

4.2 Treasurer's report (Rick Beno)

Rick explained that it has been a quiet month. No new grant funding has been received since 2007 awards. No EMS donations have come in, possibly because the public must now call 911, and some individuals may not therefore appreciate our continued role in providing emergency medical services. However, regular donations have fared better than expected, and approximately \$1,450 came in from the luau fundraiser. Almost \$2,400 in fire income arrived during June, and after submission of paperwork and subsequent reimbursements for three additional fires, our total fire income will be far above that projected for the year. CDs in which we've invested will not pay out for 6 months. Our expenses have generally been low, though we had to replace brakes on Tender 7 in June. A vehicle insurance bill was paid at \$1,722. Our current balance will easily meet our expenses.

After Rick (and Maya before him) struggled with 990 tax forms for 501c organizations, he took the paperwork to Larry Moss (H&R Block) who will handle this for us on a *pro bono* basis. First on the agenda, Larry will request an extension and relief from the \$50/day late fee, and we should hear more by next Friday.

Jeff advanced, and Cheri seconded, a motion to approve the Treasurer's report, and acceptance of the report was unanimous.

4.3 EMS report (Jeff Gee)

Numbers and types of calls were not summarized. Smaller equipment items requested from a (100%) Southeast AZ annual provider grant, and totaling \$1,800, should come in Sept-Oct. Five EMTs have committed to an upcoming 2-day trauma conference this August in Tucson, and if additional EMTs volunteer for the course, their participation will be free. Two PR vehicles participated in a July 4th parade in Rodeo, and Jeff thanked Rick Beno for power washing Rescue 4 prior to the parade. Thanks also go out to Lance Shultis for his work on Rescue 3, which is now back in good operating condition. We may not be competitive in the future for more brush clean-up grant monies from the AZ Division of Forestry (federal funds distributed to western states). The application has become so demanding that other larger organizations pay out substantial funds for help in putting together proposals, but this would not be cost-effective for PR.

4.4 Fire Chief (David Newton)

There were no fires in June, though engine 2 took part in the July 4th parade, and Brush 9 wet down two landing zones. We had good wildland response training on June 20th, and Dave attended a 2-day advanced ICS course in Douglas. Dave has also worked out the "bugs" in online submission of fire incidents and is now reporting fires to NFIRS (National Fire Incident Reporting System). Grants are paying out 30-90 days after submission for reimbursement; reimbursement under the 2007 grant was requested a few months ago, so funds should come soon. With respect to the 2008 RFA (90/10) grant, Dave is submitting the training component, and we will get back 90% of \$3,157. From the already submitted fire prevention component, we will receive 90% of \$390. (This is stalled temporarily after overpayment of one worker by \$0.28 kicked it back for resubmission.) Prior expenses are mostly documented, and equipment filling out the remainder of that award has begun to arrive. Nothing was spent this month from the 2008 VFA (50/50) grant, but it will be spent out by Aug. 4, as will the 2008 RFA grant. We are still in the running for 2009 grant, but award notification will be later this year than ever.

5.0 Old Business

5.1 Policy manual, job descriptions, forms, resignations, etc.*

Jeff and David have not submitted descriptions of duties of EMT and Fire Chiefs, respectively. Rick sent changes in the description of the Treasurer's job to Tom, but no one knows where this stands.

Discussion focused mainly on treatment of letters to the Board (postponed from section 3.0, above).

The Board never voted on acceptance of June minutes. These minutes will be amended as per the Discussion and vote here, and will then be considered for acceptance at the August meeting.

Preparatory to this discussion, Ray Brooks referenced a 22-yr-old unanimous ("Cy-fair") court decision determining, under Texas law, that certain volunteer fire and EMT organizations constitute governmental bodies subject to open meeting laws. Grounds for this decision were the fact that the organization in question received some direct and general public funding (not just funds funneled through government as a conduit), and that some such organizations may have committed to public service under the terms of their contracts. Although Texas law does not apply in Arizona, Ray felt this information provided useful context. Interested individuals may check at

<http://www.oag.state.tx.us/opinions/opinions/47mattox/op/1987/htm/jm0821.htm> to consider how the manner in which government funds come to PR would affect PR's status under Texas law.

Rick Beno and Bill Wilbur noted that, despite not being on the agenda, Kim Gee's letter of resignation was dated a month prior to the Board considering it, and Rick admitted to being 'blind-sided' by first learning of it at the June meeting.

Cheri proposed, and Dave seconded, a motion that any communication presented to Board be summarized in the minutes and be kept in a permanent file that can be referenced by interested parties, including the public. Jeff asked to modify the motion to include the statement that either the appropriate (EMT or Fire) Chief or the Board President should have the discretion to read letters or not. Rick asked to defer this decision to determine the policy of the AZ Open Meeting Law. Cheri withdrew her motion and deferred to JoAnn Julien's suggestion that "All documents presented and discussed at Board meetings should be summarized in the minutes and attached to those minutes within a permanent file; those documents would be made available to community members upon request. Cheri advanced this as a motion, seconded by Jackie, and approved unanimously by the Board.

Regarding reading of letters at Board meetings (actual vote tabled until August meeting): It was decided verbally that the President or Chiefs should have the power to determine whether or not letters are read at Board meetings. To consider any letters with controversial content, the Board should go into executive session. Walter Schoepfle cautioned that the Board could be liable for publishing any unfounded personal accusations, but by court order, matters considered in executive session are closed to the public, though they remain part of the permanent record.

Several individuals noted the importance of officially documenting resignations of PR EMTs and firefighters, so that PR would incur no liability for adverse actions of individuals who had resigned. Helen Snyder suggested that resignation forms be designed and made available. The current EMT and firefighter forms should include separation dates as well as join dates and approval dates. Jackie will make any needed changes to the forms and email them to the Secretary, who is assembling the policy manual.

5.2. Building keys

Rick noted that numerical locks turned out to be too expensive for the number of doors that would have to be re-keyed. An inexpensive solution may be to continue use of duct tape on door knobs, so that building users cannot leave opened doors unlocked. Jeff will adjust striker plates and install washers on two classroom doors so that they will close tightly and lock, rather than blowing open, which they frequently do now. Additionally, every key should be stamped "do not duplicate" (though this information is often not heeded). Jeff volunteered to make keys for RCOs. Classroom cleaners also need access because the key formerly available at the Portal Store has been lost.

5.3 Volunteer/donations coordinator

No announcement has been circulated to recruit such a person. Rick will carry on sending out thank-you's. Joanne Julien suggested coordinating donor solicitations with Alicia Davidson to make certain her crew has the information needed for such solicitations. Bill will do this. Ken Joens presented to PR a check from Stateline Samaritans for > \$1,200, as the organization closes down its operations. Thank you!

5.4 Update on website (see section 1.3 above)

6.0 New Business (no new business)

7.0 Addenda

7.1 Funding for fire training

Dave requested permission to pay \$108 per night for rooms at the State Fire School, exceeding the \$70 limit set by the Board. Dave moved that the Board approve this request, Jeff seconded the motion, and the Board approved it unanimously.

7.2 Exception to classroom rental fee

In response to circulation of the classroom use calendar, Jeff had suggested waiving the \$50 fee for the Websters, who would be holding a private birthday party there on July 15 and have contributed greatly as active PR members. Discussion centered on the fact that many people are major PR contributors, and that uneven administration of classroom fees could lead to dissension within the community. Rick proposed that active members be permitted to use the classroom in exchange for a voluntary donation. Jeff moved that the fee be waived in the Webster case, but the motion died for lack of a second.

7.3 Driveway paving

Tom Greenwade suggested that we might donate a couple of loads of water to the County in exchange for paving when they are in the area. It was suggested that we offer 3,000-4,000 gal, making sure that donation doesn't draw down our tank more than our well can quickly replenish.

7.4 Selection of new Vice-President

Prior to selecting a new VP, we need to recruit a new ninth Board member from the community at large, so VP selection is tabled until the next meeting. **Any community member with a suggestion for filling this position should immediately contact a Board member.**

8.0 For the Good of the Order

8.1. Pie festival (Gerry Hernbrode)

Gerry is gearing up for September pie festival and recruiting participants for the steering committee. **Please contact her SOON if interested.**

8.2. Recent dissension on PR Board (René Blondeau)

René expressed disappointment that recent 'fussing' among Board members has detracted from the organization's mission. He thought that the posting of Kim Gee's letter on the bulletin board at the Portal Post Office was a mistake and only accentuated the squabbles. Based on this Board meeting, he noted with approval that the problems appear to be working themselves out.

8.3. Radio for RCO (Bill Wilbur)

Bill noted that, after David Newton provided him with a radio, he is now able to serve as an RCO without leaving his home. The radio is an old one, out of a truck without a working internal speaker.

9.0 Adjournment

Jackie moved that we adjourn, and Cheri seconded the motion, which passed unanimously; the meeting was adjourned at 8:02 pm.

* This note was added to the minutes after the August meeting in order to correct the procedure that the Board must use in considering letters as part of meeting agendas. As required by Arizona's Open Meeting Law, inclusion of any letter for reading by a board member at an open meeting necessitates that the letter be made available to board members not fewer than 24 hrs in advance of the meeting. The President shall approve requests for addition of letters to the agenda if no more than one board member votes against inclusion. If the letter is not supplied to board members as required, or if two or more board members oppose inclusion, the determination with regard to inclusion must be referred to an executive session for a vote. Any board member registering opposition to inclusion of a letter that the Board as a whole chooses to add to a meeting agenda receives legal protection from any negative consequences that may arise from consideration of a letter in an open meeting, so long as dissent by those board members is registered in minutes of the meeting. Letters not approved for inclusion on the agenda may only be released under subpoena.