

ARIZONA FIRE & MEDICAL AUTHORITY  
MEMBER DISTRICT  
GOVERNING BOARDS'  
BY-LAWS AND RULES OF PROCEDURE



BUCKEYE VALLEY FIRE DISTRICT  
NORTH COUNTY FIRE & MEDICAL DISTRICT  
SOUTH COUNTY FIRE & MEDICAL DISTRICT

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## **INTRODUCTION**

The Governing Boards of the Buckeye Valley Fire District (BVFD), the North County Fire & Medical District (NCFMD) and the South County Fire & Medical District (SCFMD) have approved this handbook and bylaws to guide governing board members with the necessary information needed to govern with excellence. This handbook is to assist existing and new Governing Board members understand roles and expectations relating to their capacity as elected officials.

## **FIRST OFFICIAL ACTS**

As part of the first official acts, all board members shall complete the required onboarding process. Pursuant to [A.R.S. §38-232](#), governing board members shall affirm and sign an oath of office before being seated after being elected or appointed. The same applies to each subsequent term. Pursuant to [A.R.S. §38-431.01\(G\)](#), all governing board members shall review the Open Meeting Law (O.M.L.) materials provided by the Secretary of State at least one day before taking office and sign a Statement of Compliance, indicating that they have done so. In addition, the Governing Board Members shall sign a conflict of interest disclosure form to declare any potential conflicts of interest.

## **ORIENTATION**

All new Board Members are invited to attend an orientation session to provide them a basic understanding of the District and the Arizona Fire & Medical Authority (AFMA). Senior Staff will administer the orientation session.

General Topics:

- Familiarization and introduction of staff
- Familiarization and tour of the Authority jurisdiction and facilities
- Chain of command
- Explanation of the Arizona Revised Statutes
- Whom the District serves
- Description of the volunteer program

Board Members are issued an electronic device and an AFMA email address to be used for district business. Board agenda packets and other official documents and reference materials will be available electronically on the device. To protect the Board Member's privacy, please use the email address provided by the Authority and not a personal email address to conduct district business. All correspondence related to District business are subject to public records requests; if a personal email is used, it is subject to being searched for District-related correspondence.

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## **GOVERNING BOARD COMMITMENTS**

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

- Attend and actively participate at board meetings, work sessions, & public hearings.
- Review board packets before each meeting to arrive prepared; ensure adequate and current information is obtained to make informed decisions; keep informed of developments relevant to issues before the Board.
- Work to accomplish the mission of the Authority and its member Districts; unite for a common cause; respect the opinions of fellow Board Members and Authority staff; refrain from being publicly critical of fellow Board Members' views outside of board meetings.
- Exercise independent judgment on decisions that come before the Board.
- Board Members shall not discuss confidential proceedings outside of Board meetings.
- Accept, respect, and support the Board's majority decisions; recognize authority is vested in the Boards as a group and not in individuals.
- Recognize that the Board's job is to ensure that the Authority and its member Districts are well managed, not to manage the operations of the Authority.
- Avoid interfering with the duties of the Fire Chief or undermining the Fire Chief's authority; recognize the chain of command.

## **BY-LAWS**

### **ARTICLE I – GENERAL**

These Bylaws set forth the general rules and guidelines of conduct for the member districts of the Arizona Fire & Medical Authority (AFMA); which as of July 1, 2023 include the Buckeye Valley Fire District (BVFD), the North County Fire & Medical District (NCFMD) and the South County Fire & Medical Authority (SCFMD). The purpose of the member districts is to provide fire and EMS protection to persons and property within and outside of the defined boundaries of their respective Districts, as determined by the Governing Boards from time to time, and to participate in activities in furtherance thereof.

### **ARTICLE II – THE BOARD**

1. **Members:** There shall be five (5) members of the Board. Members of the Board shall be those persons elected or appointed pursuant to Arizona law. Members of the Governing Board of the District shall serve a staggered four (4) year term. If a vacancy occurs on the Board, other than upon the expiration of a Board Member's term, the remaining Members of the Board shall fill the vacancy by appointment pursuant to Arizona statutes.
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. ([A.R.S. § 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 ([A.R.S. § 38-231](#)) following the date that the balloting results are canvassed by the County Board of Supervisors. The term of each member shall begin on the first day of the month following that member's election.
5. **Authority of the Board:** 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: Board members who are elected or appointed to the Board and a Fire Chief that is hired or appointed shall attend six (6) hours of professional development training within 12 months of election or appointment. The training is provided by the Arizona Fire District Association (AFDA) per [A.R.S. § 48-803\(H\)](#).
7. Compensation: The Board shall serve without compensation. Members may be reimbursed for their actual expenses incurred in the performance of their official duties and will be reimbursed for actual travel expenses with a maximum allowed based on the U.S. General Services Administration (G.S.A.) Per Diem Rates.

Lodging expenses will be prepaid by the Authority, whenever possible, or the Authority may be directly billed by the hotel. If the allowable daily amount per the U.S. G.S.A. Per Diem Rates are not sufficient because of the location of the event, reimbursement for reasonable and appropriate amounts above the G.S.A. rate may be allowed with the approval of the Chairman. In the event the Chairman is requesting an amount above the G.S.A. rate, two other Board members will approve the expenditure.

8. Vacancies: In the event that there is a vacancy on the Board caused by the death, resignation, or any other reason, then this vacancy may be filled by an individual selected by a majority of the remaining Board members. A Board member's seat will be deemed vacant if the person holding the office ceases to discharge the duties of office for a period of three (3) consecutive months per [A.R.S. § 38-291\(6\),\(7\)](#).

In order to fill the vacancy with the most qualified person available until an election is held, the Board may distribute and publish a notice of the vacancy, the procedure, and any application form. The Board may draw up an application form which contains relevant information to answer set questions posed by the Board. The application forms may be used in conjunction with an interview of each candidate to aid the Board's selection of the new Board member.

An individual selected by the Board shall serve until the expiration of the term of the Board member whose position they replaced.

9. Role of the Governing Board: The Board shall act through a majority of a quorum by action 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 [A.R.S. § 48-805](#).
  - A. The Board shall be responsible for setting the District's budget and setting District policies.
  - 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.

10. 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.
11. Disclosure: Within a reasonable time following election or appointment, each Board Member shall disclose any conflicts of interest or potential conflicts of interest that each Board Member has or may have regarding the District. In addition, Board Members are required to disclose any conflict or potential conflict that may arise during any board member's term.

### **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. Election of the two officers, chairman and clerk, may be conducted by secret ballot after each Board member has had an opportunity to state a nomination. A Board member so nominated may decline a nomination and will not be considered.
4. Term: All officers shall serve for a term of two (2) years, or until their successor is appointed. 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 that the business of the public meetings is transacted in a proper order and is reasonably expedited. The Chairperson must ensure that all members observe the appropriate procedure and that order and decorum is observed at the meetings.
6. The Clerk: The Clerk is the official custodian of all the records of the District and may delegate to department staff the responsibility of keeping minutes or performing such other and further duties in the meeting as may be required by the board presiding officer. The Clerk, in the event of the Chairperson's absence or inability to act, shall have all the authority of the Chairperson.

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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 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 notice of their resignation. Upon resignation or the death of an officer, the office shall be deemed to be vacant.
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. The newly elected officer shall then serve until the expiration of the term of the officer whom they replaced.

## **ARTICLE IV – ARIZONA FIRE & MEDICAL AUTHORITY BOARD MEMBER APPOINTMENTS**

1. Appointment: Each District member of the Arizona Fire & Medical Authority (AFMA) shall be entitled to appoint from its governing board two individuals to serve as members of the Authority Board.
2. Odd Numbered Board Member Appointed by Authority Board: The individuals appointed as Authority Board Members shall by majority vote appoint an additional individual from the remaining Board Members of the member districts to fill the final remaining odd numbered seat on the Authority Board. Upon a vacancy or expiration of the term of the Board Member appointed by the Authority Board, the remaining Board Members as then constituted shall by majority vote appoint a new individual to serve the remainder of the Term or the new Term, as the case may be. Should Authority Board Members be deadlocked concerning the appointment of the odd numbered Board Member, the Authority Member making the largest financial contribution to the Joint Powers Authority budget during the previous fiscal year shall appoint the odd numbered Board Member from the remaining qualified governing board or council members of any Authority Member.
3. Term: Appointed Authority Board members shall serve a two-year term or until December 1<sup>st</sup> of the next even year, whichever is shorter, or until said Authority Board Members' successor is appointed.
4. Replacement of Board Members: The governing body of the Member who appointed the Authority Board Member may replace that individual at any time, with written notice to each member of the Authority Board and following a discussion and affirmative majority vote to



do so by the member districts governing board. Said terms of replacement Authority Board Members shall be aligned with the election cycle of the individual replaced.

## **ARTICLE V – FIRE CHIEF**

The Board has entered into a Joint Powers Agreement which permits the Joint Powers Authority to appoint a Fire Chief. The Fire Chief appointed by the Authority shall also serve as the Fire Chief of all member districts. The position of Fire Chief and other officers of the District shall be in accordance with the Joint Powers Agreement and the Policies and Procedures as established by the Authority.

## **ARTICLE VI - DEPARTMENTAL REGULATIONS**

To the extent not delegated to the Authority, the Governing Board of the member District is responsible for the approval of District policies.

## **ARTICLE VII - FINANCIAL POLICY**

1. Fiscal Year: The fiscal year of each member District shall be the twelve (12) month period beginning on July 1 and ending June 30 of the following year.
2. Annual Budget: The Governing Board, with the assistance of the Authority Fire Chief, shall, not later than August 1 of each year, prepare and submit to the County Board of Supervisors an Annual Budget for each fiscal year. A proposed budget summary shall be posted in three (3) public places and a complete copy of the budget shall be published on the District's official website at least twenty (20) days prior to a public hearing at a meeting called by the Board to adopt the Annual Budget. Following the public hearing, the Board shall adopt the Annual Budget at a public meeting. When the Annual Budget is adopted by the Board, it shall be final and shall serve as a guide to the District's financial activities and to limit the District's expenditures. A complete copy of the adopted Budget shall be posted on the District's official website within seven (7) business days after adoption and shall be retained on the website for at least sixty (60) months thereafter. The District may not operate at a deficit or incur indebtedness except as permitted by law. The Board may not disperse any funds in excess of the amount allocated under the Annual Budget.

## **ARTICLE VIII - AMENDMENTS**

Amendments to these By-laws/Rules of Procedure may be proposed in writing at any regular or special public meeting of any member Districts Governing Board. Amendments shall be adopted by an affirmative vote of a majority of a quorum of each member Districts Governing Board. Notice of intention to present amendments to these By-Laws for adoption shall be contained in the notice of the meeting.

## **ARTICLE IX - SEVERABILITY**

These By-laws/Rules of Procedure and the several parts thereof are hereby declared to be severable.

## **ARTICLE X - USE OF LEGAL COUNSEL**

The Chief, or the Chief's designee, and the Board Chairs or any Members of the Governing Boards, may contact the legal counsel for the Authority, as deemed appropriate, from time to time. Any Board Member contact with the legal counsel shall be reported to the Board Chair or the Board collectively, on a monthly basis.

## **ARTICLE XI - CONFLICT OF INTEREST**

Generally speaking, a Member of the Governing Board of the Districts shall not participate in or take action on any item in which the Board Member, a Board Member's business, or a Board Member's family member has a financial interest. In addition, a Board Member shall refrain from participating in an item if doing so would create an appearance of impropriety.

In the event it is determined that a Board Member has a conflict of interest, that conflict of interest will be disclosed in writing and placed in the permanent records of the District. The Board Member shall also declare on the record the existence of that conflict, and refrain from participation in Board consideration, discussion or action as it relates to that subject matter involving the conflict of interest.

Members of the Governing Board of the District shall not participate in any action item or in the consideration of any item which would appoint or vote for appointment of any person who is related to the Board Member.

Members of the Governing Board may not hold membership on the Governing Board if they are an employee of the District or the spouse of an employee of the District.

Members of the Governing Board of the District may not, except under circumstances narrowly defined under Arizona law, enter into a contract to provide services, materials or equipment to the District for compensation.

## **RULES OF PROCEDURE**

### **RULE 1 - BOARD MEETINGS**

The Governing Boards of member Districts shall meet at least quarterly. All reasonable efforts shall be made to establish a uniform date and time for the regular quarterly meetings, in order to permit the members of the public and Board to anticipate and prepare for those meetings. Special meetings, executive sessions and workshop meetings will be held at the discretion of the Chairperson or upon the request of any two (2) Members of the Board.

### **RULE 2 - CONDUCT OF MEETINGS**

- A. The Chairperson shall preside at all meetings of the Governing Board of the District and shall be recognized as the head of the Board for all ceremonial purposes. In the event of the Chairperson's absence, or if so directed by the Chairperson or remaining Board Members, the Clerk shall act as Chairperson. In the event both the Chairperson and Clerk are unavailable, a temporary Chairperson shall be selected by the Members of the Board to act during such absence.
- B. The Chairperson, Chairperson's designee, the legal counsel, the Fire Chief or the Fire Chief's designee, shall serve as Board Parliamentarian and shall preserve decorum and decide all questions of order.
- C. During Board meetings, Board Members shall not delay or interrupt the proceedings or refuse to obey the orders of the Chairperson or the Rules of the Board. Every Board Member desiring to speak shall address the Chairperson and, upon recognition, shall confine himself or herself to the question under debate and shall avoid all offensive or indecorous language. A Board Member once recognized shall not be interrupted while speaking unless called to order by the Chairperson 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 speaking, he or she shall cease speaking immediately until the question of order is determined. If ruled to be in order, he or she shall be permitted to proceed. If ruled not to be in order, he or she shall remain silent or shall alter his or her remarks so as to comply with the rules of the Board. A Board Member, with permission of the Chairperson, may address questions to the Fire Chief, staff, or members of the audience but he or she shall confine his or her questions to the particular issues before the Board. If a point of order is raised and the Chairperson fails to act, any Member of the Board may move to require the Chairperson to enforce the rules and the affirmative vote of the majority of the Board shall require the Chairperson to act.
- D. Any remarks shall be addressed to the Chairperson 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 Chairperson.

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E. Residents of the District and any other members of the public attending Board meetings shall also observe the same rules of propriety and decorum to Members of the Board. Any member of the public desiring to address the Board must first be recognized by the Chairperson, shall state his or her name and address in an audible tone for the record, and shall limit his or her remarks to the particular question under consideration. Any remarks shall be addressed to the Chair and to any or all Members of the Board.

### **RULE 3 - QUORUM**

The presence of at least a majority of the Board shall constitute a quorum for the transaction of any business at any meeting of the Board. The act of a majority of such quorum shall be deemed an act of the Board.

### **RULE 4 - OPEN MEETING RULES**

- A. The Boards will follow the Open Meeting Laws per [ARS § 38-431](#) and all public meeting requirements under Arizona Law.
1. Notice of the meeting of the Governing Board will be given per [ARS Section 38-431.02](#) and shall include an agenda of the matters to be discussed or decided at the meetings.
  2. Minutes must be taken of all public meetings and executive sessions in the manner prescribed in the Open Meeting Law. (Minutes must also be taken for meetings conducted by subcommittees and advisory committees). Minutes may be taken in writing or may be recorded by a tape recorder or video recorder.
  3. Minutes of an Executive Session are confidential and may not be disclosed to anyone except certain authorized persons.
- B. Board Members may express opinions and discuss issues with the public at a venue other than a public meeting, personally, through the media or other public broadcast so long as it is not intended to circumvent the Open Meeting law.

### **RULE 5 - ORDER OF BUSINESS**

The business of the Governing Boards of the Districts shall be transacted as follows, provided, however, that the Chairperson may, during a Board meeting, cause an item to be taken out of order so that the business of the District may be conducted most expeditiously:

- Call to Order/Roll Call
- Recognition of Guests
- Consent Agenda
  - Approval of Minutes
  - Approval of Financial Reports
- Call to Public

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- Reports and Correspondence
- Old Business
- New Business
- Agenda Items for Next Meeting
- Adjournment

The Chairperson may solicit input from the public and the individual Members of the Governing Boards as each agenda item comes up for consideration. The Chairperson will determine how much time will be available for public comment on each. Typically, this is limited to three minutes.

- A. A Member of the Governing Board, staff, or public may ask the Chairperson, or two (2) Board Members, to place a matter on the Agenda for consideration, discussion or possible action. Except as to requests by a Member of the Board, if the Board Chairperson determines that a topic is appropriate for discussion, the Board Chairperson shall cause the same to be placed on an agenda at the earliest reasonable opportunity. Any matter requested to be on the Agenda but declined by the Board Chairperson shall be disclosed in writing by the Board Chairperson to the other Members of the Governing Board. The Board Chairperson shall place on the Agenda, at the Board's earliest reasonable opportunity, any topic requested by a Board Member.
  
- B. Persons other than Board Members and management shall be permitted to address the Board upon recognition and introduction by the Chairperson or the chair of the appropriate Board Committee.
  
- C. A meeting of the Governing Board of the District is generally defined as a meeting of a quorum of the Board Members where Fire District business is discussed, considered or action taken. Deliberation and actions of the Governing Board should be conducted openly, and all persons are allowed to attend unless their conduct becomes disruptive to the meeting, or unless otherwise excluded by law (such as executive sessions). The public may record or videotape meetings of the Governing Board. While the Governing Board is not obliged to permit participation or take input from the public during the meeting of the Governing Board, it is encouraged to do so, in recognition of the interest of the public in the decisions being made by the Board and the expenditure of funds being made and incurred by the Governing Board. The Board shall not require any attendee to identify themselves or sign in, unless they are making a presentation at said meeting.
  
- D. The Governing Board may make an open call to the public to allow individuals to address the public body on any issue within the jurisdiction of the District. Members of the Board may not discuss or take action on matters raised during the call to the public that are not specifically identified on the Agenda. Members may, however, respond to criticism made by those who have addressed the public body, ask staff to review a matter raised, or ask that a

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matter be put on a future agenda. Any such response shall take place at the conclusion of the call to the public.

## **RULE 6 - RULES OF ORDER**

The rules of order for conduct of a Board meeting are not specified by statute. Unless otherwise directed by the Board Chairperson, the Governing Board of the District may when practical, conduct themselves in accordance with Robert's Rules of Order. The Board Chair, the Chair's designee, a Member of the Board assigned by the Chair, the legal counsel, the Fire Chief or Chief's designee shall serve as parliamentarian and advise the Chairperson as to the correct rules of procedure or questions of specific rule application. The Board's failure to follow or comply with Robert's Rules of Order or the Rules provided herein shall not invalidate any action otherwise lawfully taken by the Board.

## **RULE 7 - SUSPENSION OF RULES**

The rules set forth herein may be suspended by the Chairperson unless it pertains to rules mandated by the law. Unless otherwise directed by the Board or the Chairperson, the suspended rule is automatically reinstated after the vote or conclusion of that particular item of business.

## **RULE 8 - MOTIONS**

All ordinances, resolutions, contracts, and items of business that require Board approval prior to the expenditure of funds shall be in the form of an affirmative motion or resolution.

## **RULE 9 - EMAILS**

In all e-mails to Board Members, the following should be included:

This message is intended only for the named recipient(s). If you are not the intended recipient(s), you are notified that the dissemination, distribution or copying of this message is strictly prohibited. If you receive this message in error, or are not the named recipient(s), please notify the sender either at the above e-mail address or telephone the Arizona Fire & Medical Authority (AFMA) at [\(623\) 544-5400](tel:6235445400). Thank You

To ensure compliance with Arizona's open meeting laws, members of the North County, South County, Buckeye Valley and/or Arizona Fire and Medical Authority's Board of Directors who have received this message may reply directly to the sender but must not correspond with or send a copy of their reply regarding this message to any other members of their respective Board(s). Recipients of this message who are not Board members must not forward this message any of the North County, South County, Buckeye Valley or AFMA Board Members.

Board Members (or advisory board members) who respond to a staff members should include the following in their e-mail:

This message is intended only for the named recipient(s). If you are not the intended recipient(s), you are notified that the dissemination, distribution or copying of this message is strictly prohibited. If you receive this message in error, or are not the named recipient(s), please notify the sender either at the above e-mail address or telephone the Arizona Fire & Medical Authority (AFMA) at [\(623\) 544-5400](tel:6235445400). Thank You

To ensure compliance with Arizona's open meeting laws, members of the North County, South County, Buckeye Valley and/or Arizona Fire and Medical Authority's Board of Directors who have received this message may reply directly to the sender but must not correspond with or send a copy of their reply regarding this message to any other members of their respective Board(s). Recipients of this message who are not Board members must not forward this message any of the North County, South County, Buckeye Valley or AFMA Board Members.

## **RULE 10 - CITIZEN CONCERNS AND SUGGESTIONS**

When citizen concerns or suggestions are brought before the Board, other than for items already on the Agenda, the Chairperson shall determine whether the issue should be placed on a future Agenda for Board consideration or referred to the Fire Chief, or staff for consideration.

APPROVED AND ADOPTED this 25 day of April, 2023.

### **BUCKEYE VALLEY FIRE DISTRICT**

BOARD CHAIRMAN: *Melanie Hardy*  
Melanie Hardy (May 31, 2023 09:18 PDT)  
Melanie Hardy

BOARD CLERK: *Gary Benson*  
Gary Benson (May 3, 2023 12:19 PDT)  
Gary Benson

### **NORTH COUNTY FIRE & MEDICAL DISTRICT**

BOARD CHAIRMAN: *Richard Bookie*  
Richard Bookie (Apr 29, 2023 17:27 PDT)  
Richard Bookie

BOARD CLERK: *James Young*  
James Young (Apr 29, 2023 07:57 PDT)  
James Young

**SOUTH COUNTY FIRE & MEDICAL DISTRICT**

BOARD CHAIRMAN: *William Becker*  
William Becker (Apr 26, 2023 15:28 PDT)  
Bill Becker

BOARD CLERK: *John E Crawford*  
John E Crawford (Apr 26, 2023 14:57 PDT)  
John Crawford














# Member District Bylaws 2023 Final


Final Audit Report

2023-05-31

Created:	2023-04-25
By:	Dusty Christopherson (dchristopherson@afma.az.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAm0TybD4ZPsOrP7okc4nrsk8fTXDRsKoz

## "Member District Bylaws 2023 Final" History

-  Document created by Dusty Christopherson (dchristopherson@afma.az.gov)  
2023-04-25 - 9:22:42 PM GMT- IP address: 66.210.247.226
-  Document emailed to jcrowford@afma.az.gov for signature  
2023-04-25 - 9:24:09 PM GMT
-  Email viewed by jcrowford@afma.az.gov  
2023-04-26 - 9:56:18 PM GMT- IP address: 71.223.98.177
-  Signer jcrowford@afma.az.gov entered name at signing as John E Crawford  
2023-04-26 - 9:57:36 PM GMT- IP address: 71.223.98.177
-  Document e-signed by John E Crawford (jcrowford@afma.az.gov)  
Signature Date: 2023-04-26 - 9:57:38 PM GMT - Time Source: server- IP address: 71.223.98.177
-  Document emailed to bbecker@afma.az.gov for signature  
2023-04-26 - 9:57:39 PM GMT
-  Email viewed by bbecker@afma.az.gov  
2023-04-26 - 10:27:37 PM GMT- IP address: 174.205.161.130
-  Signer bbecker@afma.az.gov entered name at signing as William Becker  
2023-04-26 - 10:28:49 PM GMT- IP address: 174.205.161.130
-  Document e-signed by William Becker (bbecker@afma.az.gov)  
Signature Date: 2023-04-26 - 10:28:51 PM GMT - Time Source: server- IP address: 174.205.161.130
-  Document emailed to jyoung@afma.az.gov for signature  
2023-04-26 - 10:28:53 PM GMT
-  Email viewed by jyoung@afma.az.gov  
2023-04-29 - 2:56:27 PM GMT- IP address: 184.103.10.198

 Signer jyoung@afma.az.gov entered name at signing as Jamges Young


2023-04-29 - 2:57:56 PM GMT- IP address: 184.103.10.198

 Document e-signed by Jamges Young (jyoung@afma.az.gov)

Signature Date: 2023-04-29 - 2:57:58 PM GMT - Time Source: server- IP address: 184.103.10.198

 Document emailed to rbookie@afma.az.gov for signature

2023-04-29 - 2:57:59 PM GMT

 Email viewed by rbookie@afma.az.gov


2023-04-30 - 0:26:59 AM GMT- IP address: 172.56.81.36

 Signer rbookie@afma.az.gov entered name at signing as Richard Bookie


2023-04-30 - 0:27:30 AM GMT- IP address: 172.56.81.36

 Document e-signed by Richard Bookie (rbookie@afma.az.gov)

Signature Date: 2023-04-30 - 0:27:32 AM GMT - Time Source: server- IP address: 172.56.81.36

 Document emailed to gbenson@afma.az.gov for signature

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 Signer gbenson@afma.az.gov entered name at signing as Gary Benson


2023-05-03 - 7:19:32 PM GMT- IP address: 184.103.149.62

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