



**NORTH DAVIS FIRE DISTRICT**  
**BOARD OF TRUSTEES**  
Station 41, 381 North 3150 West  
West Point City, UT 84015  
(801)525-2850

Timothy E. Roper, Chairman  
Howard Madsen, Vice-Chairman  
Erik Craythorne, Board Member  
Mark Shepherd, Board Member  
Jerry Chatterton, Board Member  
Nike Peterson, Board Member  
Scott Wiggill, Board Member  
Chad Bangerter, Board Member  
Gary Petersen, Board Member

Mark Becraft, Fire Chief  
John Taylor, Deputy Fire Chief

**BOARD OF TRUSTEES MEETING MINUTES**  
**THURSDAY, DECEMBER 17, 2020 – 6:00 PM**

*Utah State Public Health Order 2020-17 dated October 14, 2020 declares a statewide public health emergency; therefore, the public's participation in the Board of Trustee meeting Work Session and Scheduled Board Meeting was only available electronically. The public was invited to attend the meeting via Zoom because attendance may have presented a substantial risk to the health and safety of others. No other physical meeting location was available for the public.*

**WORK SESSION – 6:00 PM**

*Any item not fully addressed during the Work Session were discussed during the Board of Trustee meeting.*

**Board Members Present:** Chairman Timothy E. Roper, Vice-Chairman Howard Madsen, Jerry Chatterton, Nike Peterson (arrived at 6:10 PM), Scott Wiggill, Mark Shepherd, Gary Petersen, Chad Bangerter, and Erik Craythorne

**Staff Present:** Fire Chief Mark Becraft, Deputy Fire Chief John Taylor, and District Clerk Misty Rogers

**Visitors:** None

**1. Paramedic Update**

Chief Becraft stated that he, the Chairman of the Public Outreach Committee (JJ Allen) and Trevor with Clearfield City have met and began strategizing and creating a plan for educating residents and communities of the upcoming changes to paramedic service providers. Chief Becraft stated that in approximately February 2021 each participating entity will be asked to enter into a Interlocal Agreement with Davis County Sheriff's Office (DCSO), this will begin the change of paramedic service providers. It is anticipated that on January 1, 2023 DCSO, will no longer provide paramedic services, therefore each entity will need to either provide their own or contract for paramedic services.

Chief Becraft stated that that the North Davis Fire District must immediately begin sending employees to paramedic school so that the District will be ready to stand up a paramedic service prior to January 1, 2023. He then stated that during the regularly scheduled board meeting, the Board of Trustees will be asked to amend the FY2021 Budget. This amendment to the budget includes funding to assist NDFD employees with the cost of paramedic school and prerequisite courses.

**2. Capital Improvements Plan**

Chief Becraft stated that the North Davis Fire District has a draft Capital Improvements Plan (CIP) which can be amended and altered to meet the needs of the District. The draft CIP will be discussed possibly adopted by the Board of Trustees in the near future.

**3. Other**

Board Member Shepherd made a motion to adjourn the Work Session. The motion was seconded by Board Member Craythorne. The motion passed.

**Scheduled Board of Trustee Meeting – 6:30 PM**

*Utah State Public Health Order 2020-17 dated October 14, 2020 declares a statewide public health emergency; therefore, the public's participation in the Board of Trustee meeting Work Session and Scheduled Board Meeting was only available electronically. The public was invited to attend the meeting via Zoom because attendance may have presented a substantial risk to the health and safety of others. No other physical meeting location was available for the public.*

**Board Members Present:** Chairman Timothy E. Roper, Vice-Chairman Howard Madsen, Jerry Chatterton, Nike Peterson, Scott Wiggill, Mark Shepherd, Gary Petersen, Chad Bangerter, and Erik Craythorne

**Staff Present:** Fire Chief Mark Becraft, Deputy Fire Chief John Taylor, District Clerk Misty Rogers, and Treasurer Nicole Nelson

**Visitors:** Kaela Cornwell (Ulrich & Associates)

1. **Call to Order:** Chairman Roper called the Board of Trustees Meeting to order.
2. **Invocation or Inspirational Thought:** Board Member Shepherd.
3. **Pledge of Allegiance**
4. **Citizen Comment:** None
5. **Consideration of Approval of Minutes from the November 19, 2020 Board Meeting**  
Board Member N. Peterson wanted to make an amendment to a comment that she had made that was listed in the November minutes. She said in the Policy and Procedure vote where she voted against it, Board Member G. Petersen asked if she would explain her vote. She said the minutes read that she believed there should be more latitude in deviating from the progressive discipline when her comments were to the contrary. She asked Ms. Rogers if language could be added mentioning that she felt there needed to be stronger language to restrict when they could deviate from. Ms. Rogers indicated that she would add that language to the November minutes.

Board Member G. Petersen made a motion to approve the minutes from the November 19, 2020 Board Meeting. Board Member N. Peterson seconded the motion. The motion passed.

6. **Consideration of Approval of the North Davis Fire District Bills for November 2020**  
Board Member N. Peterson asked Ms. Rogers if she knew which impact fee projects were being paid for by Clearfield City in the approximate amount of \$135,500. Ms. Rogers indicated that impact fee revenue collected was for the Lifetime project and Northrup Grumman. Board Member N. Peterson wanted to know how many more "catch up" payments needed to be made to URS. Ms. Rogers indicated that the District were caught up with URS contributions last fiscal year.

Board Member N. Peterson made a motion to approve the NDFD bills for November 2020. Board Member Shepherd seconded the motion. The motion passed.

7. **Consideration of Approval of the North Davis Fire District Financial Report**  
Board Member G. Petersen made a motion to approve the Financial Report. Board Member Craythorne seconded the motion. The motion passed.
8. **Discussion & Consideration of Resolution, 2020R-17, Amending the North Davis Fire District Budget for Fiscal Year 2021**

Nicole Nelson from Childs Richards CPA presented the Amended Budget Changes by Account sheet to the board. She then said that CARES Act Funding had been increased to cover medical expense and other costs. The Travel and Training budget had been increased due to the need to prepare for the upcoming paramedic program. Funds from the Travel and Training budget will be used to pay for employee paramedic education and prerequisite courses. Funds not used within the year will be allocated to the same use in the next fiscal year. She continued to say there was an increase with Permanent Employee Wages and the remaining three items, Equipment Maintenance Supply, Computer (CARES Act), and Medical Supplies were increased due to COVID. Ms. Nelson stated that \$18,000 would be transferred from the General Fund to the Capital Projects Fund for the purchase of a new ventilator.

Board Member G. Petersen wanted to know why, under Travel and Training, the amount would be assigned because at the end of the fiscal year they would just budget an amount based on the current need rather than carrying over an amount. Chief Becraft agreed and said we could just allocate it and then determine next year what would be needed.

Board Member G. Petersen made a motion to approve Resolution 2020R-17 amending the NDFD Budget for Fiscal Year 2021. Board Member Chatterton seconded the motion. The motion passed.

Roll Call Vote:

|                                       |     |
|---------------------------------------|-----|
| Chairman Roper (non-voting member)    |     |
| Vice-Chairman Madsen (via Zoom) –     | Aye |
| Board Member Chatterton (via Zoom) –  | Aye |
| Board Member Shepherd (via Zoom) –    | Aye |
| Board Member G. Petersen (via Zoom) – | Aye |
| Board Member N. Peterson (via Zoom) – | Aye |
| Board Member Bangerter (via Zoom) –   | Aye |
| Board Member Wiggill (via Zoom) –     | Aye |
| Board Member Craythorne (via Zoom) –  | Aye |

Chairman Roper asked at what point did the Board need to make a motion to approve the contracts. Chief Becraft stated that only the Chairman could enter into any contract with an employee or the Fire Chief. The Board could make a motion to give the Chairman latitude to enter into an agreement with the employees granted education assistance from District for the paramedic program, based off the Chief's recommendations.

Vice-Chairman Madsen made a motion to permitting Chairman Roper to enter into contracts with employees granted education assistance from District for the paramedic program, based off the Chief's recommendations. Board Member Shepherd seconded the motion. The motion passed.

Roll Call Vote:

|                                       |     |
|---------------------------------------|-----|
| Chairman Roper (non-voting member)    |     |
| Vice-Chairman Madsen (via Zoom) –     | Aye |
| Board Member Chatterton (via Zoom) –  | Aye |
| Board Member Shepherd (via Zoom) –    | Aye |
| Board Member G. Petersen (via Zoom) – | Aye |
| Board Member N. Peterson (via Zoom) – | Aye |
| Board Member Bangerter (via Zoom) –   | Aye |
| Board Member Wiggill (via Zoom) –     | ye  |
| Board Member Craythorne (via Zoom) –  | Aye |

**9. Presentation of the North Davis Fire District Audit Report for FY2020**

Nicole Nelson mentioned that she had another meeting to attend so she would be giving a brief report and then will turn the time over to Kaela Cornwell from Ulrich & Associates. Ms. Nelson shared a copy of the Fiscal Year 2020 Audit Report with the Board Members and briefly reviewed it with them. She then turned the time over to Ms. Cornwell.

Ms. Cornwell directed the Board to the Auditor Letter and mentioned the "opinion" which states that in their opinion the Financial Statement presents fairly the District's position at the end of the year. She indicated that it is an unmodified or clean opinion which basically means they did not find any material in the statements or any problem in the internal control that they needed to report as a finding. Ms. Cornwell stated that the Audit Report for FY2020 was a very positive audit and that there were no problems to report to the office of the State Auditor.

Board Member G. Petersen made a motion to approve the North Davis Fire District Audit Report for FY2020. Board Member Chatterton seconded the motion. The motion passed.

Roll Call Vote:

|                                       |     |
|---------------------------------------|-----|
| Chairman Roper (non-voting member)    |     |
| Vice-Chairman Madsen (via Zoom) –     | Aye |
| Board Member Chatterton (via Zoom) –  | Aye |
| Board Member Shepherd (via Zoom) –    | Aye |
| Board Member G. Petersen (via Zoom) – | Aye |
| Board Member N. Peterson (via Zoom) – | Aye |
| Board Member Bangerter (via Zoom) –   | Aye |
| Board Member Wiggill (via Zoom) –     | Aye |
| Board Member Craythorne (via Zoom) –  | Aye |

**10. Discussion & Consideration of the Approving of the North Davis Fire District Board of Trustees Meeting Schedule for Calendar Year 2021**

Board Member Wiggill made a motion to approve the North Davis Fire District Board of Trustees Meeting Schedule for Calendar Year 2021. Board Member N. Peterson seconded the motion. The motion passed.

**11. Discussion of the NDFD Fire Chiefs Contract**

Chairman Roper said there were questions regarding the vacation portion of the Chief's contract, he then opened it up for board discussion. Board Member G. Petersen said he was not sure if he had the final version of the contract, he then asked if the Chairman would refer to it. Chairman Roper said the only portion of the contract that the board members had questions about were the vacation and sick leave. He then stated the contract read as follows:

"The Chief will be credited with 120 hours per year of annual leave. This time will be provided on July 1<sup>st</sup> of every year during the term of his agreement and unused time may roll over to the next year; however, any accrual shall not exceed 240 hours. Any excess hours are lost and may not be exchanged for compensation. Any additional time shall require the approval of the Board."

Chairman Roper mentioned that other than what was just read, everything else within the contract had stayed the same.

Board Member G. Petersen wanted to know about the severance. Chairman Roper stated that it was decreased from one-year to six-months in the proposed contract.

Chief Becraft said the only difference between the current contract and proposed contract was that he forfeited six-months of severance and that he be permitted to roll-over vacation just like any other employee of the District. He then asked that he be credited 240 hours of vacation leave to start the year off. Board Member G. Petersen said the only other change was there was an actual expiration date in the contract so it could be reviewed each time. Chairman Roper mentioned the Chief's contract would expire in three years.

Chief Becraft wanted to clarify that he would like to be credited the 240 hours of vacation leave because he has given countless hours back to the District over the past eleven years. He said he agreed to decrease his severance package from one-year to six-months and that in fairness he should be credited back 240 hours of vacation leave. He then stated that if he is not credited the 240 hours of vacation it will take him at least two years of not taking any vacation leave to reach the cap of 240 hours. Board Member G. Petersen said that he understood what the Chief was saying but they were under a contract that specifies that vacation is not accrued so if the Board acted, it would be going against the current contract. He then mentioned that the old contract did not allow for use or lose vacation, therefore the board was not taking anything away from the Chief. The board would be giving the Chief an opportunity to accumulate vacation hours that he did not previously have and that he did not believe the Board should credit him 240 hours of vacation leave because they did not currently exist.

Chief Becraft stated that the current (old contract) states one-year of wages and benefits which costs the District considerably more money than 240 hours of vacation leave. He mentioned that he is a 35-year firefighter starting his vacation leave essentially at zero. Board Member G. Petersen said he was still confused because if it was use or lose, he was still be at zero at the end of every year. Chief Becraft stated that was correct but in all fairness, it is not the case for the other employees of the District. He stated that he should receive the same benefit as the other employees of the District. Board Member G. Petersen stated that the Chief was not like any other employee, he was under contract. Chief Becraft said his point was that in the last contract it indicated that he would earn up to one-year of severance but now that he was going down to six-month's severance. If the District had to pay one-year of severance, it would cost considerably more than what 240 hours of vacation would cost. Chief Becraft stated that paying out 240 hours of vacation leave to him would cost approximately \$13,000.

Board Member Wiggill said although he understood what Board Member G. Petersen was saying, he wanted to know if it could be written into the contract to initiate it looking at it from a different perspective.

Board Member N. Peterson asked, for clarification, was Board Member Wiggill wanting to start the initial contract at 240 vacation hours rather than 120 hours. Board Member Wiggill said yes if the Board could come to an agreement. Board Member N. Peterson asked Board Member Wiggill if he wanted to allow any vacation hours to be accrued in addition to the 240 hours. Board Member Wiggill said the contract would start out with the full amount with the understanding that at the end of the year anything else would be carried over. Board Member N. Peterson asked Board Member Wiggill if there were any carryover that would roll year-to-year and if he were proposing a cap. Board Member Wiggill said there was not anything in the current contract so that was something the Board would have to discuss. Board Member Wiggill said he did not believe it should be a starting point of zero, but they needed to come up with a starting point that was fair to the District and to the Chief.

Board Member Chatterton said he was leaning more towards crediting the Chief with 240 vacation hours, but maybe 180 hours would be more appropriate. He said the board is asking for the Chief to give up six-months of severance pay, and the District was not offering anything back except that he can start at zero and go up to 240 hours. Board Member N. Peterson asked if Board Member Chatterton were proposing a certain number of hours as being vested, that 120 or 140 hours would be a starting point in lieu of the six-months' severance. Board Member Chatterton stated that the Chief would be given a starting number of hours and then moving forward, hours could continue to be accrued but not to exceed 240, that being the cap.

Board Member G. Petersen suggested meeting halfway and starting the Chief off with 120 hours and then he could fill it with future hours. Chief Becraft asked if the hours he is already accrued for this year would just go away. He indicated that he currently has 110 vacation hours remaining with six months into the year. Board Member G. Petersen said he assumed the new contract would begin January 1<sup>st</sup>. He said the Chief's contract would have ended December 31<sup>st</sup> anyway and he would have lost those hours. Ms. Rogers pointed out that the Chief's contract would have rolled over in July and that with the current contract he had until then to use 110 hours vacation leave.

Board Member Shepherd said given that his contract would have been renewed in July and he already has 110 hours, he suggested starting the contract out at 180 hours.

Board Member Shepherd made a motion to approve the Fire Chief's contract and authorizing the Chairman to sign the contract with the change that it starts out with 180 hours of vacation time. Board Member G. Petersen seconded the motion. The motion passed.

Roll Call Vote:

|                                       |     |
|---------------------------------------|-----|
| Chairman Roper (non-voting member)    |     |
| Vice-Chairman Madsen (via Zoom) –     | Aye |
| Board Member Chatterton (via Zoom) –  | Aye |
| Board Member Shepherd (via Zoom) –    | Aye |
| Board Member G. Petersen (via Zoom) – | Aye |
| Board Member N. Peterson (via Zoom) – | Aye |
| Board Member Bangerter (via Zoom) –   | Aye |
| Board Member Wiggill (via Zoom) –     | Aye |
| Board Member Craythorne (via Zoom) –  | Aye |

**12. Fire Chiefs Report**

Deputy Chief Taylor stated that for the month of November the District ran 320 calls and as of today the District had responded to 152 calls. He then stated that between January 1, 2020 and December 17, 2020 the District had responded to a total of 3,776 calls and 3,321 calls in 2019. The District has responded to 455 more calls so far in 2020 than during calendar year 2019. Board Member Chatterton asked if the increase in calls were tied to any specific month, due to COVID, or just increase in population. Deputy Chief Taylor stated that when COVID first came out there was a decrease in call volume because people did not want to go to a hospital. He then stated that the District is responding to COVID calls but the increase in call volume is not specifically due to COVID. The increase in call volume is due to the population increase and automobile crashes with the work being done on I-15. He said at the end of the year he would look at it more thoroughly month by month.

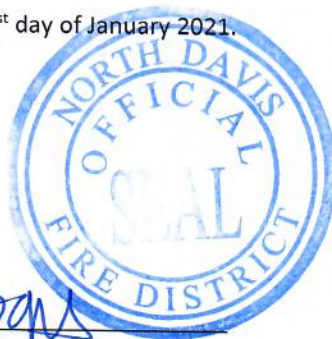
Chief Becraft indicated that the District is providing rapid COVID-19 testing for the employees of Sunset City, Clearfield City, and West Point City, District employees and their families, board members, and police departments. The health care workers should be getting their COVID-19 vaccination within the next few weeks and that it could possibly be arranged for Board Members to also get vaccinated. Chief Becraft stated that he would be willing to be setup as a location where vaccinations could be given to public safety and the police departments if permitted.

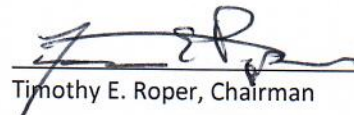
**13. Other**

**14. Motion to Adjourn**

Board Member G. Petersen made a motion to adjourn. Board Member Wiggill seconded the motion. The motion passed.

Passed and adopted the 21<sup>st</sup> day of January 2021.



  
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Timothy E. Roper, Chairman

ATTEST:

  
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Misty Rogers, District Clerk