

**MICA KIDD ISLAND FIRE PROTECTION DISTRICT
BOARD OF COMMISSIONERS SPECIAL MEETING
January 29, 2016 6:00 PM**

PRESENT:

Chairman Mundt
Commissioner Arhutick
Commissioner Hauser
Chief Blubaum
Treasurer Swendig
Admin Asst. Saranto

CALL TO ORDER

Chairman Mundt called the meeting to order at 6:00 P.M.

PLEDGE OF ALLEGIANCE

NEW BUSINESS

Commissioner Hauser: since Tuesday's, January 26th BOC meeting, I have done some research and found that we were given inaccurate information by the public that MAY have changed the outcome of the vote, at that meeting, for new legal services from Hawley Troxell.

Idaho statute 67-2803 — "Purchasing by political subdivisions" Under "Exclusions"
Exclusion # (4) is "Procurement of personal or professional services to be performed by an independent contractor for the political subdivision"

This basically says we do not *have* to get an RFQ for legal services by an outside entity.

That being said, when I presented the exclusion, I was advised that we should still do our due diligence by continuing to pursue the RFQ's to eliminate the appearance of impropriety and I do not disagree. However, changes have taken place since Tuesday's meeting, that I feel necessitate the following:

Commissioner Hauser moved that we pursue an immediate short term agreement (ie 60-90 days) with Hawley Troxell to provide legal services to MKI Fire District at a substantial cost savings while we continue to pursue the RFQ's for legal representation, that we voted in favor of at the January 26, 2016 BOC meeting. This would save taxpayer dollars and give the Fire District a trial period with this vendor while still doing our due diligence. Chairman Mundt 2nd the motion.

Discussion: Chairman Mundt talked with John Cafferty and even if we do RFQ's and find someone less expensive that does not mean we have to choose them. Our current attorney is very difficult to get in contact with or get information from in a timely fashion. John Cafferty is not the only lawyer at Hawley Troxell.

PUBLIC COMMENT

Chief Blubaum: Northern Lakes Fire District is also looking for a new lawyer. They did not go out to RFQ instead they selected three (3) law firms and had their Board of Commissioners interview them.

Chairman Mundt: stated at the last meeting when he mentioned he knew John Cafferty he did not mean he had a relationship with him he meant that he just knew of him. He had met him prior to this at the County.

Lynette Arhutick: Is Chuck Lempesis slower getting back to you with answers because he works by himself? It would be nice to have someone that is faster. Chairman Mundt stated that Mr. Lempesis does lobbying work with the legislature.

Commissioner Arhutick: What are we proposing? After a brief discussion, Commissioner Hauser moved that we pursue an immediate short-term agreement for 90 days with Hawley Troxell to provide legal services while we continue to pursue RFQ's. Chairman Mundt 2nd the motion.
Motion Carried.

EXECUTIVE SESSION

Executive Session to discuss personnel Pursuant to the Provisions of Idaho Code 74-206, subsection (1) (b)

Chairman Mundt moved to go into Executive session to discuss personnel per Idaho Code 74-206, subsection (1) (b), Commissioner Arhutick 2nd the motion: **Motion Carried**

Roll call vote:

Chairman Mundt: Aye

Commissioner Arhutick: Aye

Commissioner Hauser: Aye

Commissioner adjourned to Executive session at 6:10 p.m.

Chairman Mundt moved to end the Executive session and return to the Regular session, Commissioner Hauser 2nd the motion: **Motion Carried**

Roll call vote:

Chairman Mundt: Aye

Commissioner Arhutick: Aye

Commissioner Hauser: Aye

Commissioners returned to regular session at 6:30 p.m.

MOTION TO ADJOURN

Chairman Mundt moved to adjourn the meeting, Commissioner Hauser 2nd the motion. **Motion carried 06:35 P.M.**

Respectfully Submitted,


Administrative Assistant Saranto

Approved,

Chairman Larry Mundt

Approved,


Commissioner Mike Arhutick

Approved,


Commissioner Gretchen Hauser