

**MINUTES FOR REGULAR MEETING OF THE
NORTHERN CONSOLIDATED FIRE DISTRICT #1 GOVERNING BOARD
Thursday, August 17, 2017 6:00 PM**

The Governing Board of the Northern Consolidated Fire District #1 met in a special session this 20th day of July, 2017, in the Board Meeting Room, located in Fire Station 31, 2485 Northern Avenue, in Kingman, AZ.

1. CALL TO ORDER -

The meeting was called to order by Board Clerk Wilkin at 6:09 P.M.

2. ROLL CALL OF BOARD MEMBERS -

Board Members present – Board Chair Patricia Lewis (telephonically), Board Clerk Sue Wilkin, Directors Jim Bailey and Victor Riccardi. Board Clerk Wilkin acted as Board Chair for this meeting, due to Board Chair Lewis' presence telephonically.

3. INVOCATION AND PLEDGE OF ALLEGIANCE –

Chaplain Paul Pitts gave the invocation. Board Clerk Wilkin led in the recitation of the Pledge of Allegiance.

4. PRESENTATION OF AWARDS AND BADGES –

Interim Chief Eder presented awards and badges to Fire Fighters and Staff:

Brad Goodman: Fire Officer I (not present)

Battalion Chief King: Successful Author of Grants over \$250,000

Nikki Berry: Appreciation for Work on the Website

Tony Perez: Fire Fighter Badge

Tim Grenier: Fire Fighter Badge (not present)

Captain Drew Kroger: Fire Captain Badge

Captain Cody Moore: Fire Captain Badge

Ricardo Garcia: Fire Fighter Badge

Travin Pennington: Fire Fighter Badge

5. CONSENT AGENDA –

A. Approval of June 15 Executive Meeting Minutes -

Director Riccardi motioned to accept the minutes. Director Bailey seconded. Unanimous vote. Motion Carried.

B. Approval of July 6 Executive Meeting Minutes -

Director Riccardi motioned to accept the minutes. Director Bailey seconded. Unanimous vote. Motion Carried.

6. REPORTS AND CORRESPONDENCE:

A. Correspondence and/or other information of importance.

i. EEOC Complaint against Directors Bailey and Collins –

The Board is discussing this with Mr. Whittington, but no decision has been made yet. Reporter Dave Hawkins asked if the complaint is now a public document since it has now been entered into the public record. Board Clerk Wilkin answered that she would ask Mr. Whittington about that and get back to him.

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B. Fire Chief's Report –

- a. **Arson Task Force** – Last month, the Board discussed contributing to the reward. Interim Chief Eder discussed it with Mr. Whittington, who determined that it would be illegal to participate in the reward process.
- b. **Fire District Events** – Interim Chief Eder briefly recapped fire events in the District, including the Devlin Fire. This was determined to be an arson fire.
- c. **Website** – The website is back up and running.
- d. **Apparatus Maintenance** –
 - 331's leaking water tank which was under warranty has been repaired.
 - 311 has a leak that will be repaired under warranty, waiting on a part.
 - 381 has a tire and overheat issue, we are accepting bids for tires, the overheating issue has been repaired.
 - During routine service, it was determined that Attack 355 had the original oil and air filter on its fire pump system from 2009. That pump had not been serviced since it was new. It has now been serviced.
 - WT-328, the 1980 Mack, has been moved to station 31. There were some minor repairs made to it. It is now being staffed by volunteers.
- e. **Volunteer Firefighter Program** – is going well, we've had multiple recruitments. We're currently processing 5 volunteers and will have the first set responding by September 1, 2017.
- f. **Personnel** - The following personnel have been assigned:
FF/CEP Tim Grenier on B shift
POC FF/CEP Ken Cameron
POC Chaplain Paul Pitts
Volunteer POC Wildland FF Robert Anderson
- g. **Statistics** – Last month Director Collins had asked for a breakdown of stats per station, those are included in the Board Packets for review.
- h. **Assistance from Prison** – They have been sending inmate crews to help clean up our fire stations. We've been able to remove weeds from all stations.
- i. **Upcoming Events** – The public has asked us to participate in a classic car show/ice cream social at 2600 Northern on September 2nd and Fire Prevention Week is scheduled for October over two weekends.

Director Riccardi asked if the issues with the Chloride Fire House have been repaired. Interim Chief Eder stated that all the storm damage has been repaired, all entrances are secured, and we've moved the Chloride parade engine into the old Chloride station this week. We've cleaned up the newer station and returned

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the Chloride Brush Engine, which will be used by the volunteers there once they are trained.

7. DISCUSSION AND POSSIBLE ACTION:

A. Financial and Claims Report.

Director Riccardi motioned to approve the July financials. Director Bailey seconded the motion. Vote was unanimous. Motion carried.

B. Possible action going forward re: Fire Chief selection process; possible appointment of Fire Chief.

Board Clerk Wilkin motioned to table this item until next month. Board Chair Lewis seconded. Vote was unanimous. Motion carried.

C. Possible action re: District insurance coverage; policy renewal and/or supplemental insurance.

Interim Chief Eder stated that VFIS chose not to reduce the cost of the tail coverage discussed last month. Interim Chief Eder recommended we purchased the coverage. Director Bailey asked if this additional cost was covered under the budget. Interim Chief Eder stated no, we weren't aware we would need this coverage. Director Bailey asked if we would have stayed with VFIS we wouldn't have to spend this seventeen grand? Interim Chief Eder stated that was correct. Director Bailey asked if Legal Counsel Bill Whittington knew if we needed to have the additional coverage? Interim Chief Eder stated yes, they discussed it in depth last month and he felt we would have to get that tail coverage. Director Bailey made a motion to get the additional coverage. Board Clerk Wilkin seconded the motion. Vote was unanimous. Motion carried.

D. Surplus Property disposition approval –

Interim Chief Eder would like to make two vehicles declared surplus: Fuel Truck 359 and the old Command 1 vehicle. The fuel truck is a 1994 Chevy. It has some issues. We had previously loaned that truck to Lake Mohave Ranchos Fire District and they have expressed interest in buying that vehicle for approximately \$5,000. Any sales would be by sealed bid. We would notify prospective bidders of availability; the sealed bids would be brought to the Board of Directors at the next meeting and it would be up to the Board to approve them. We do have one individual who has expressed interest in purchasing the old command vehicle. It would have it's lights and sirens removed and fire department package taken out because it's a private vehicle. We would realize approximately \$13,000 from the sale of these two vehicles, and Interim Chief Eder is asking later tonight for repair on Brush Truck 3R, which is \$11,000 so we would end up with a little more than a wash between the sale of the surplus vehicles and the repair of B-3R; we'd actually end up a little ahead. Plus we will no longer have to insure or pay maintenance costs on the two surplus vehicles. Director Bailey asked if we have any policy on employees buying surplus vehicles from the District. Interim Chief Eder stated that in the past, we've said that if it was a sealed bid, it was open to anyone; we have not prohibited employees from bidding. We've had employee buy vehicles and there has never been an issue with counsel. Director Bailey stated that at the city, employees weren't allowed to bid for city vehicles at a

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public auction, so he was curious. Interim Chief Eder stated that it was the Board's prerogative if they choose not to allow employees to bid, but we have nothing about that he's seen. Interim Chief Eder requested a motion to declare these vehicles surplus and bring the sealed bids back to the Board at next month's meeting. Director Riccardi made the motion, Board Clerk Wilkin seconded. Vote was unanimous. Motion carried.

E. Authorization to Repair Brush 3R; 2009 Ford F-550 (not to exceed \$11,000)

Interim Chief Eder stated this item has been in discussion since April. We now have three bids. At this point the lowest bid is just under \$11,000. This is a budgeted item, however Interim Chief Eder cannot spend that money without Board Approval. The lowest bidder was ACR Diesel Repair. They have done work on our equipment before. Interim Chief Eder is asking the Board for authorization to make this repair. Director Riccardi made the motion, Board Chair Lewis seconded. Vote was unanimous. Motion carried.

F. Extended Leave Time Payout for Former Employees and Direction Going Forward- Historically, under Hualapai Valley, prior to Chief Eder's administration, there was a Standard Operating Policy (SOP) that said Extended Leave Time (ELT) could be paid out on a formula basis to employees. The Board of Directors in 2003 provided direction that they no longer wanted to pay out ELT. When the Personnel Manual was rewritten in 2005, it clearly stated that we would pay for hours worked during the pay period plus any Earned Time accumulated. It does not mention ELT because the Board felt we did not need to pay out ELT. Interim Chief Eder has discussed with the Board that the only existing adopted policy manual by the Board is the existing Hualapai Valley Personnel Manual, which is all we have to go by at this time. The former employees have popped up with an SOP by Brenda Tranchina that shows "adopted", but we have no record of it being adopted or implemented. As they discussed in Executive Session with Mr. Whittington, the only policy that they have that is Board Adopted at this time is the Hualapai Valley Personnel Manual. At this point, the employees have asked to be paid their ELT. Interim Chief Eder told them that he has historically not paid ELT and provided them with copies of the 2005 Personnel Manual. They said they wanted their ELT. Interim Chief Eder told them he'd bring it to the Attorney. Mr. Whittington told Interim Chief Eder to bring it to the Board. Past practice was that Interim Chief Eder did not pay ELT, but he can't speak to what was done over the last eight years. Director Bailey stated that he thinks that the Board did visit this issue, he couldn't tell when it was. He remembers seeing an email from Mr. Whittington asking the Board if they wanted him to reach out to Former Chief Pat Moore and see if he has documentation for that. Director Bailey recalls paying out ELT to an employee that left. He thinks we probably should have Mr. Whittington reach out to Mr. Moore to explore whether we did pay ELT so that we can be fair to everybody. Director Riccardi would like documentation as to who was paid in prior years. "If we open it up, as a Board, and revise the manual, I think we're opening up a can of worms." Director Bailey stated that he thinks it's just an issue of paying out the ELT they currently have, and it's only two individuals.

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Director Riccardi stated that once you've paid someone, you set a precedent. Director Bailey thinks we've already paid someone, that's the question. Director Riccardi: "That we need documentation on." Interim Chief Eder stated that the total amount for the two employees would be \$6,500. Director Riccardi: "That we're not paying til I have documentation." Interim Chief Eder asked for a motion to have Mr. Whittington talk to Mr. Moore. Director Riccardi: "Once you start paying one then two, then all of a sudden, they're going to come out of the ground. There we go. I believe the right thing to do is get the documentation that we did do it. Did we set a precedent? Did we create a beginning for this thing to happen? Otherwise nobody gets paid nothing." Director Bailey made a motion to allow Mr. Whittington talk to Mr. Moore to see if there is any documentation on this to see if the District has reviewed this before. Board Clerk Wilkin seconded. Director Riccardi voted for, Board Chair Lewis voted against. Vote was 3-1. Motion carried.

G. Appointment of EEOC "Designated Representative" for NACFD1

Board Chair Lewis nominated Jason Scott. Director Bailey asked what the position was for. Interim Chief Eder explained that typically the Fire Chief is the Designated Representative for EEOC complaints against the District. In the current instance, he can't do it, so Mr. Whittington has recommended the Board nominate and appoint someone to serve as the EEOC person. Director Bailey: "If you want to do it, it's fine with me. Doesn't matter. It's not going anywhere." Board Clerk Wilkin made the motion to appoint Jason Scott for the position. Director Riccardi seconded. Vote was unanimous. Motion carried.

- 8. CALL TO THE PUBLIC** - Board Clerk Wilkin called to public and Resident Rick Veradt requested to speak and was recognized. He received a letter from the Mohave County Attorney's Office that he read to the Board. The letter indicates that on August 7, 2017, at the Mohave County Board of Supervisor's meeting, Arthur Garnica requested an investigation into Conflict of Interest of NACFD Directors Mike Collins and Jim Bailey, Former Fire Chief Pat Moore, Former Administrative Assistant Lynn Hucker, and Mohave County Supervisor Jean Bishop. The Mohave County Clerk of the Board received an identical request by certified mail on August 11, 2017. The request was forwarded to Chief Deputy County Attorney for Mohave County, who will forward the matter to the Yavapai County Attorney's Office for review and consideration. This concludes the Mohave County Board of Supervisors and Mohave County Attorney's Office involvement in the investigation. **Resident Veradt:** "So this is the start. We also have this I.S.O. thing that is really bugging me, that we probably have a false rating here, and why isn't something being done? We also have the legal problems of the NACFD 3 here that, when the charges get dropped, and I feel that they eventually will be, they are going to come right back to this Board and they're going to want their legal fees. And you know what? If they don't pay them, they are going to sue our ass off and we're still going to have to pay them. Now we got an EEOC investigation? What's that going to cost us? How much money? Twenty, twenty-five, thirty thousand dollars? Where are we going? This is because Mike Collins and Jim Bailey, instead of settling the issue with the fire

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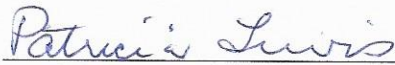
truck in-house, had to go run to the County Attorney's office. [Directed at Director Bailey:] I find you're mean-spirited, you're deceitful. You need to resign from the Board and he [pointing to Director Collins seat] needs to resign from the Board. You need to get the hell out and get the right people in here. Your shadow government doesn't work here. You're here for your own good, you're not here for our good, and I still got a couple hundred votes to get but we'll get you. One way or the other, we're going to get you." **Director Bailey:** Whatever. **Mr. Veradt:** This is just the start. The next thing I want to find out is if we can un-annex an area where there is one house and was the only thing Pat Moore annexed in his whole eight years. And who is living there? Mike Collins. I'm going to find out how that was done. I want to find out how come Jean Bishop gave him a contract and there was no conflict of interest. And yet you go after him [indicating Interim Chief Eder] and her [indicating Board Clerk Wilkin] and him [indicating Director Riccardi] for \$1,347. **Director Bailey:** You're accusing me of going after him? **Mr. Veradt:** Somebody's going after him. You didn't do anything to stop it, did you? When he went, did you go or did you stop it, or did you say, 'No, we can handle this in-house'? No. you sat there. You didn't do a damn thing. You didn't defend them, you didn't do anything, so that makes you part of the problem."

Board Clerk Wilkin asked if anyone else wanted to speak. Resident Arthur Garnica requested to speak and was recognized. He gave each Board Member and Interim Chief Eder a copy of the NACFD Board Policies Manual, page 20. Director Bailey moved it to the side. Director Riccardi asked him if he was going to read it. Director Bailey stated he wasn't going to read it, he had no idea what it was, and he didn't bring his glasses. **Mr. Garnica** [to Director Bailey]: "You just told me to shut up. You don't gotta like me, but you're going to respect me. So if you're..." **Director Bailey:** "You're going to be disrespectful, he [indicating a Mohave County Sheriff's Officer] is going to escort you out of here." **Mr. Garnica:** I didn't do nothing. You're the one being disrespectful. You told me to shut up. You called me a fool. You told me to shut up, you told me to sit down before. What does that paper say? You can't talk to me that way." **Director Bailey:** I didn't bring my glasses, I can't read that. I'll read it when I get home. This is a call to the public, it's not on the agenda, I can't discuss it with you." **Mr. Garnica:** "I'm just saying, you don't gotta like me, but you're gonna respect me. And what I want to tell you guys is: I ran into the guy who sold the building [indicating 2600 Northern Ave], Butch, and he said he don't know why you guys bought the building, because he told them, 'Don't buy this building, lease it from me, build it up to what you want to be built to, and then sell this building right here [fire station 31] and pay me off.' But they told him, 'No, we got the money, and we're going to build this fire station and do this and that, and five years later, still ain't done nothing.'" **Mr. Veradt:** "What?" **Mr. Garnica:** "I talked to the guy that sold the building." **Mr. Veradt:** "Thanks Art, you just threw another log on the fire." **Mr. Garnica:** "So I just wanted to say that, and I'm still waiting for an apology for calling me a fool. So I'll get it, trust me, I'll get it. That's all I gotta say, thank you."

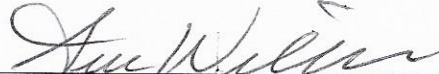
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9. **ADJOURNMENT** – Board Clerk Wilkin made a motion to adjourn. Director Bailey seconded. Director Riccardi voted yes. Board Chair Lewis did not vote, as the phone call terminated. Motion passed 3-0. Board adjourned at approximately 6:50 P.M.

These minutes were prepared by Nikki Berry this 30th day of August, 2017.



Patricia Lewis, Board Chair



Sue Wilkin, Board Clerk