

**MINUTES FOR REGULAR MEETING OF THE
NORTHERN CONSOLIDATED FIRE DISTRICT #1 GOVERNING BOARD**

Thursday, January 18, 2018 6:00 PM

The Governing Board of the Northern Consolidated Fire District #1 met in a regular session this 18th day of January 2018, 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 Chair Lewis at 6:05 P.M.

2. INVOCATION AND PLEDGE OF ALLEGIANCE –

Chaplain Paul Pitts led an invocation and the Pledge of Allegiance.

3. ROLL CALL OF BOARD MEMBERS -

Board Members present: Board Chair Lewis, Board Clerk Wilkin (arrived at 6:10 P.M.), Director Bailey, and Director Collins.

5. AWARDS AND PRESENTATIONS: None

6. CONSENT AGENDA

A. Approval of Minutes:

- i. Executive Session (A)(3) and (A)(4) minutes for meeting on 11/16/17
- ii. Regular Session minutes for meeting on 11/16/17
- iii. Special Emergency Session minutes for meeting on 12/07/17

Director Collins motioned to accept the minutes as written. Director Bailey seconded. Board Chair Lewis voted in favor. There was no discussion on the motion. Board Clerk Wilkin had not yet arrived to the meeting. Vote was 3 – 0 in favor. Motion carried.

7. REPORTS AND CORRESPONDENCE:

A. Correspondence and/or other information of importance: None

B. Fire Chief's Report:

From December's Meeting Packet:

- i. Training:** Completed Wildland Training and Hazardous Materials Training in December. Planning on starting Emergency Medical Responder training in January, (which has been started).
- ii. Volunteers:** We have two volunteers responding out of Station 39 in Chloride. We're currently using digital dispatching for them, through the Dispatch center. It's been working well.
- iii. Apparatus:** BIA engine was repaired and returned to Station 37 (at BIA's expense – service, tires, pump testing was done.) Ladder trucks repaired and returned to service. We've done some pump testing and have a couple of engines that we need to work on pump throttle issues with. Chief Eder is trying to tie those repairs into another project he'll talk about later, so the repairs don't cost the District any money.
- iv. Equipment Maintenance:** the main issue we've been having is the SCBA compressors for filling our Self Contained Breathing Apparatus. We found that the bottles had not been tested, the compressors had not be serviced and we have one

system at station 33 that was completely down due to faulty valves. The valves have been replaced, and Captain John Brower, who is in charge of the SCBA compressor maintenance, indicated that we have the parts but the work has not yet been done on the Station 33 compressor. We've been able to get some SCBA equipment in.

v. Training for Paid Staff: EVOC (Emergency Vehicle Operation Course) and Officer Training for new captains, and we did lots of HazMat training: Awareness, Operations, and some Technician training. There was also Incident Commander Type 5 and Wildland Firefighter Type 1.

vi. Dispatch and Response Times: There is some response information in the December Chief's Report. Chief Eder has a meeting with Dispatch and Chief Rhoades next week. We're still working out a couple of bugs with CAD. Chief Eder plans on getting calendar year-end dispatch statistics to the Board at next month's meeting.

vii. Christmas Holiday Party – was held December 2, 2017. Chief Eder thanked the Relief Association and the other folks who helped make it a great success.

viii. Grants: Volunteer Firefighters Assistance grant contains a Wildland component. This year we had put in for Wildland Academy training and Wildland equipment for the volunteers. We just received notification that we did not receive Wildland training portion, but we did get the volunteer equipment portion of the grant on a 50/50 match. We had budgeted for that. They are giving us \$5,000 so we need to match \$5,000. It's not official yet, so we'll address it again in the February meeting. Chief Eder asked Secretary Nikki Berry to add that to next month's agenda.

ix. Copperpoint payment: Director Bailey had asked about a Copperpoint payment at November's meeting. Mrs. Berry confirmed there was only one payment to Copperpoint this fiscal year and speculated that the "second payment" that Director Bailey thought he saw was the check in reconciliation.

x. PSPRS – The PSPRS interest payment was made last month and the credit that was recorded with PSPRS has been reconciled.

xi. Surplus Dodge – Director Riccardi had asked in November about including parts in the possible disposal of the Dodge Ram (Item 8H). Chief Eder and Dustin of ACR Diesel and Repair worked out a comprehensive list of issues to be addressed. Dustin will be submitting a proposal and Chief Eder will bring that to the Board next month.

There were no questions regarding the Chief's Report.

C. Financial and Claims Report – November 2017

D. Financial and Claims Report – December 2017

8. DISCUSSION AND POSSIBLE ACTION:

A. Possible approval of Monthly Financial and Claims Report for November 2017.

B. Possible approval of Monthly Financial and Claims Report for December 2017.

Board Chair Lewis brought up a concern regarding the invoices from District Counsel Bill Whittington. A spreadsheet had been made detailing all the charges on the October – December invoices (there were 2 invoices total). Board Chair Lewis stated that she had repeatedly requested Mr. Whittington specify which members of the Board he spoke with, and with few exceptions, he only references “client” on the invoices. Board Chair Lewis stated this makes it difficult to understand who he is assisting. In addition, Mr. Whittington isn’t being specific about what he spoke to Mohave County Attorney’s Office about. When Board Chair Lewis called Mr. Whittington to discuss these issues, he couldn’t provide additional information on who he spoke to or what was discussed with any specificity.

Board Chair Lewis indicated that one of the invoices was for over \$11,000 and that Mr. Whittington spoke to the County Attorney 22 times. There are no new laws or rules, and while we have two members of the Board that are in trouble, it’s not the whole board, and the individuals in trouble have hired their own attorneys. Director Bailey said that Mr. Whittington had explained that when he was speaking to the County Attorney, it was on Board business. Board Chair Lewis reiterated that Mr. Whittington cannot tell her what was discussed during some of those calls. She stated that if there was a new law, the County Attorney should contact Chief Eder or herself to advise of the new laws, and doesn’t need to go to the District’s attorney, who will then charge the District for that contact. Board Chair Lewis asked Directors Bailey and Collins if they spoke to Mr. Whittington about new laws. They said they did not.

Director Collins noted a charge on one invoice for Board Chair Lewis contacting Mr. Whittington regarding the County Attorney interviewing her. She explained that the Mohave County Attorney’s Office requested an interview with her regarding the two Board members who were in trouble. She asked Mr. Whittington what to do, and he told her to have the County Attorney call him (Mr. Whittington). She did that, and got a bill for it, and volunteered to pay it. She was told that the District should pay for it. Board Chair Lewis asked the audience why they should have to pay for that. She had asked Mr. Whittington to bill anything like this to her, and he billed it to the Board.

Board Chair Lewis made the invoices and spreadsheets available to the audience. Director Bailey stated that Mr. Whittington had told them that if he was in the car when he took the call, he couldn’t write down who exactly he was talking to. Board Chair Lewis asked if that was the case 22 times. Director Collins stated that the totals on the spreadsheets for both invoices for the “client” category were \$770 and \$495. “You’re upset about \$770 and \$495?” Board Chair Lewis pointed out the County Attorney charges and stated that she didn’t understand why the County Attorney had to call Mr. Whittington 22 times in a month.

Director Bailey stated that any time a District resident makes a complaint against a Board Member, it goes to the District's attorney. "Every time you make a frivolous complaint against us, the attorney has to follow up on it. That's the way it works." A member of the audience said, "It should be explicitly stated, though." Board Chair Lewis agreed. Who called and why? Resident Arthur Garnica stated that he hasn't made 22 complaints.

Some audience members opined that the bill should not be paid. Board Chair Lewis said, "When we're asked to sign the checks, we have to know it's the right thing to do. This is county tax money." She stated that she thought a lot of this has to do with the two Board members in trouble, and Mr. Whittington should have nothing to do with that case. They hired private attorneys. Board Chair Lewis stated, "They used Mr. Collins as a witness for the State for them and we got charged for it, and I'm not liking it. That's where they got the questions, and I asked. And that's where they got them questions. So there's something wrong with having this attorney, and my request is to find a more honest one." Board Chair Lewis said that she wanted to bring it to the whole Board. We have houses and homes and families to protect (in the District) and we don't need to be spending all this money on an attorney with an \$11,000 bill and then a \$5,000 bill. We've never had that before. Mr. Garnica asked why Director Riccardi and Board Clerk Wilkin had to hire their own attorneys for their case, but Director Collins and Director Bailey got to use the District Attorney for the same case. Board Chair Lewis said that we'll let the Arizona bar decide that, but we need to get a different attorney.

Member of the Press Dave Hawkins asked why this wasn't on the agenda tonight and Director Collins told him that it was, under the financial and claims report.

Director Bailey brought up that the Board did have, "an attorney on retainer for \$2000 a month, she sat in on every meeting, and did everything we asked her to, but y'all chased her off." Board Chair Lewis and Board Clerk Wilkin stated they didn't, and Director Bailey reiterated they did. Board Chair Lewis stated she (the former attorney for the District) didn't do that kind of work, but they sure didn't get bills like this.

Board Chair Lewis stated she wanted to bring it before the public and get their input on the subject. Director Bailey stated that they, as a Board, speak for the people. It was asked if they were going to vote on whether to pay the bill, and Board Chair Lewis said there would be no vote until the public had a chance to see the bill. No motion or vote was made regarding the \$11,000 invoice.

Director Bailey made a motion to approve the November and December 2017 financials as presented, Board Clerk Wilkin seconded the motion, but abstained on the vote. There was no discussion on the motion. Vote was 3 – 0 in favor of the motion. Motion carried.

C. Discussion and possible adoption of Resolution 2018-001 re: annexation request of James and Sylvia Dillow.

D. Discussion and possible adoption of Resolution 2018-002 re: annexation request of Pace Ventures, LLC

E. Discussion and possible adoption of Resolution 2018-003 re: annexation request of Thomas and Carolyn Green

Director Bailey motioned to adopt Resolutions 2018-001, 2018-002, and 2018-003. Director Collins seconded. There was no discussion on the motion. Vote was unanimously in favor. Motion carried.

F. Possible authorization for Fire Chief to solicit donations and use those donations to repair the Chloride parade truck and fund the District Centennial Celebrations.

Chief Eder said that we've been getting requests from several community groups who would like to donate to specific projects. The one big project that we see coming up this year is the 100th anniversary of the Chloride Fire District. The refurbishment on the Chloride fire truck isn't quite complete; there is an electrical issue and some lettering that needs to happen. Chief Eder wanted to get Board approval before accepting donations, and we have been asked if we are going to do anything for the District centennial. So at this point, Chief is asking the Board for approval to create a unique Chloride account where we would put all the donations, and then he will seek Board approval to expend monies out of that account, to be used specifically for the Chloride centennial. Director Bailey motioned to allow Chief Eder to set up a donation account to use for repairs on the Chloride fire truck. Director Collins seconded the motion. There was no discussion on the motion. Vote was unanimously in favor. Motion carried.

G. Discussion and Possible Action Re: Procedures for release of Executive session minutes and recordings to Board Members and the Public.

Board Chair Lewis asked if the Board thinks they should release the minutes to the public. Director Bailey stated that he thinks the vote should be by majority vote like everything else. He's heard that it can be majority vote and that it has to be unanimous vote. He doesn't know what the right answer is or who could answer it. Mrs. Berry suggested that Mr. Whittington can answer it, because at this time, he is still the District's attorney. Director Bailey stated that he's one of the ones who think it has to be a unanimous vote, but other people say it doesn't have to be, but he'd like to have some kind of clarification on that. Chief Eder suggested the Board table this until next month and he will provide Arizona Revised Statutes regarding Director Bailey's concerns.

H. Discussion and Possible Action re: possible disposal of 2006 Dodge Ram 2500 4X4.
Per the Chief's Report, this was tabled until next month.

4. ELECTION OF OFFICERS:

This item was moved due to Board Clerk Wilkin being late to the Board meeting

Board Chair: Director Collins nominated Director Bailey for office of Board Chair. There were no seconds. Vote was Director Collins and Director Bailey for the nomination, Board Chair Lewis declined to vote, and Board Clerk Wilkin abstained. Since there was no majority vote, election of Board Chair was tabled until next month's meeting, when we have some guidance from the Arizona Revised Statutes on how abstentions and no majority effects Board officer appointments.

Board Clerk: Director Bailey nominated Director Collins for office of Board Clerk. There were no seconds. Vote was Director Collins and Director Bailey for the nomination, Board Chair Lewis declined to vote, and Board Clerk Wilkin abstained. Since there was no majority vote, election of Board Chair was tabled until next month's meeting, when we have some guidance from the Arizona Revised Statutes on how abstentions and no majority effects Board officer appointments.

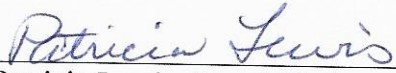
9. CALL TO THE PUBLIC: Board Clerk Wilkin received the Call to Public Sign-in Sheet and called Resident Arthur Garnica to speak. Mr. Garnica present the Board with copies of checks written on the District account to Kingman True Value Hardware, signed by former chief Patrick Moore, Director Bailey, and Director Collins. He stated that Kingman True Value is owned by Patrick Moore's father-in-law. Mr. Garnica stated that Director Bailey and Director Collins got Director Riccardi thrown in jail for the same things they were doing while Mr. Moore was chief. Director Collins asked Chief Eder if we still have an account at True Value. Chief Eder said yes. Director Collins asked if we had that account prior to Mr. Moore coming on as chief. Chief Eder said yes. Board Chair Lewis stated that if Mr. Moore was related to True Value, the District probably should have gone to another store. Director Collins said, "At the end of the day, it's not any Board member that's related, but the Fire Chief is hired by the Board members." Mr. Garnica said, "But you're a Board Member signing checks." Director Collins said, "But we're not related, though." Board Clerk Wilkin said that she wasn't related to Director Riccardi, and I still got charged. Mr. Garnica said that Board Clerk Wilkin got charged for the same thing that Directors Bailey and Collins did and that he had already filed a complaint.

Board Chair Lewis ask if there was anyone else who wanted to speak. There were no others on the sign-in sheet.

10. FUTURE AGENDA ITEMS AND STAFF TASKS: None

11. ADJOURNMENT – Board Chair Lewis motioned to adjourn the meeting, Board Clerk Wilkin seconded. There was no discussion on the motion. Vote was unanimously in favor. Motion carried. The meeting was adjourned at 6:45 P.M.

These minutes were prepared by Nikki Berry this 19th day of January, 2018 and corrected per Board Request on February 16, 2018.


Patricia Lewis, Board Chair

(Board Clerk position vacant)