

**MINUTES FOR SPECIAL MEETING OF THE NORTHERN ARIZONA CONSOLIDATED FIRE
DISTRICT #1 GOVERNING BOARD
Monday, November 21, 2016**

The Governing Board of the Northern Arizona Consolidated Fire District #1 met in regular session this 21st day of November, 2016 at 2485 Northern Avenue, in North Kingman. (Kingman, AZ, 86409).

1. **CALL TO ORDER** – The Meeting was called to order by Chairman Bailey at 6:00 p.m.
2. **PLEDGE OF ALLEGIANCE** – Chairman Bailey led in the reciting of the Pledge of Allegiance.
3. **ROLL CALL OF BOARD MEMBERS** – All Board members present – Chairman Bailey, Board Clerk Collins, Directors Berg, Lewis, and Riccardi.
4. **APPROVAL OF MINUTES** - The minutes of October 26, 2016 Special Board Meeting were approved as presented.
5. **REPORTS AND CORRESPONDENCE (for advice and discussion only)**
 - A. Chief's Report – Chief Moore presented the Operations and Training Report. The administrative report contains statements from Chief Moore:

Decision made on Hall/PSPRS case, affected employees will receive a refund of a portion of their respective PSPRS overpayment.

NACFD Firefighter's Association notified of a \$5000 donation.

NACFD Board Election resulted with incumbents Chairman Bailey and Board Clerk Collins being re-elected. Candidate Sue Wilkin was elected. Incumbent Director Erik Berg was not re-elected. New Board effective December 1, 2016.

Mohave County Fire Officer's Association (MCFOA) – Chief Moore re-elected for president.

October 28, 2016 Phone Call: I received a phone call from BOS Jean Bishop. Supervisor Bishop indicated that NACFD Board Member Patti Lewis had called and inquired about the Mohave County BOS assuming control of the NACFD and terminating the Fire Chief. Member Lewis also alleged that I was gone for 3 weeks and she did not know when I would be returning. Supervisor Bishop advised Member Lewis of the protocols that are applicable for BOS intervention. Currently NACFD does not meet or warrant the protocols for BOS intervention. Member Lewis also stated to BOS Bishop that she would be going to Phoenix to talk to the Governor.

October 26, 2016 Board Meeting: I have reviewed the video of the October 26, 2016 special Board Meeting. During the meeting, several scripted questions were posed by members of the audience. As of this time, I have not received any written communication from audience members from the meeting. I have answered the questions that were posed in the meeting.

Jerry Lucero- *Mr. Lucero asked during the call to the public "what's the purpose of rescheduling the meeting in November. Besides that Why?"* I provided a written memo indicating that I would not be able to attend the regular meeting due to a "funeral" (Long-planned family memorial event) I would be attending out of state. This memo was included in the Board Member's packet for the October meeting.

"Since the Chief is gone is there a Battalion Chief in charge of the District or is the Attorney in

charge?" The Battalion Chief's supervise the daily operations of the District. This is the typical operational procedure that has been in place for 8 years. The Attorney isn't in charge of the District and has never attempted to fill this position.

Alice VanStocken- *"We have heard the Fire Safety Officer has left. _ if this position will be filled...."* The position will be filled. It is anticipated the application & testing process will be completed and the position will be filled in mid-December. In the interim, other personnel are filling the vacant position as needed.

Marie Varod- *How much money has the Fire District received in grants in the last four years?* Since 2012 we have been awarded approximately \$ 257,655 in grant funding. We have received approximately \$ 207, 655 as of this time.

Sue Wilkin- *Can someone please tell me how many Firefighters have been lost through whatever means, retirement, quitting, whatever and how many have been replaced out of that bunch?* Need to be more specific, however, since January 1, 2016 we have one Firefighter that has resigned and one Fire Prevention Specialist resigned. Both left for other Fire Service jobs. Both positions are currently being filled. All staffing levels are approved by the Board annually.

Additional questions and/or comments were subsequently made during the meeting by Board Member Patti Lewis and Vic Riccardi:

Vic Riccardi- *"What is the reason for the rescheduling?"* Please see above regarding the memo that was in the Board Packets.

"BIA Mutual Aid agreement I asked to redo it with the corrections I want I'm asking my secretary.... I did speak to the Chief... I think we need to come to an agreement. Agenda Item for this November Meeting

Patti Lewis- (3:46) *You know he is only allowed to be out of town 2 weeks this year? He promised this Board... My earned time (Sick & Vacation) use is authorized and permitted within the NACFD Policy. I have not violated any policy in my use of earned time. I have never been advised otherwise and I would challenge someone to provide verification of statements that I promised the board in manner regarding time out of town. I am occasionally out of town representing the NACFD in regards to State Legislative efforts, Mutual Aid policy creation for the State, Fire Chiefs Association and instructing as a lead instructor for the AFDA.*

(4:07) *"Someone going to die by Thanksgiving?"* My grandfather passed away October 19, 2015. His wish was for his funeral to occur this November for personal reasons. I was bewildered by her conduct and comment.

(16:51) *"Last year he had 5 weeks vacation from October to December and we were promised no more than 2... That is not accurate. From October 1st until December 31st I used 160 hours of earned time or 4 weeks. My earned time use was in accordance with District Policy.*

(17:09) *"I just want to make it a matter of record that I didn't even know he was going to be out of town, especially not over the weekend"* This statement is a complete lie as I specifically advised Board Member Lewis that I would be out of town for this meeting on October 20th. I spoke to Board Member Lewis 3 times (5:51, 6:09 & 7:00) on the evening of the 20th in regards to the special meeting that she was demanding to be had, specifically on October 26th; knowing that I would be out of town on October 26th.

October 31, 2016 meeting with Patti Lewis: I met with Board Member Lewis in my office on October 31, 2016 at 12:50 pm. Present in the administrative office at the time of the meeting was NACFD Attorney Wells and Administrative Assistant Hucker. During this meeting the following statements/topics were discussed:

*Member Lewis' statement regarding her claim that she didn't know I would be out of town for the October 26th meeting. She acknowledged that I did in fact; notify her that I would be out of town for the special board meeting during our phone conversations on October 20th.

In regards to her statement that I took 5 weeks' vacation from October through December, Member Lewis was adamant that I advised her that I took the 5 weeks' vacation and she stated that I went on vacation with my dad. She further stated that I advised the NACFD Board that I would only use 2 weeks of vacation this year. I would have never made any statement like that; my father passed away in September 2014. Member Lewis was not able to provide any information to support her claim regarding me telling the board I would only use 2 weeks' vacation. I advised Member Lewis that my use of earned time is within the parameters of the current policy.

Regarding the phone call to BOS Jean Bishop, Board Member Lewis did not deny the call or the topics discussed. Member Lewis simply stated that the "NACFD is a mess". She offered no other details or explanation. This is the first time Member Lewis has advised me that she was unhappy with the direction or current operating status of the NACFD.

Member Lewis advised she wanted a firefighter in Station #33. I advised her we are staffing as much *as we* can financially afford as the budget does not have enough funding for additional staff in the current fiscal year. The only alternative would be to split the Station #35 crew and create two one firefighter stations. She said we needed to "do something".

Member Lewis then stated that she wanted more fund raising efforts to enhance the Patti Lewis/NACFD Firefighters MCC scholarship. She admitted that the fund raising efforts typically raise around \$ 100. I advised her that the Northern Avenue Firefighter Relief Association conducts the fund raising efforts for the scholarship. The Association is not interested in conducting any pancake breakfasts or any additional fund raising efforts at this time and instead focus its efforts on the Golf Tournament.

Member Lewis did advise me that the election would dictate what the outcome would be. I concurred. I did advise Member Lewis that I would provide any additional information or clarify any information she needed but that the request would need to be sent via email. Member Lewis then stated that "if I couldn't stop the raping of my scholarship fund, I don't have anything else to say" and left my office. Our meeting ended at approximately 1:27pm.

- B. Financial and Claims Report – The financial reports for October 2016 were approved as presented.
- C. Committee Reports - There were no committee reports.
- D. Correspondence and/or other information of importance – Chief Moore presented Director Berg with an appreciation plaque for 8 years of service on the Governing NACFD Board of Directors.

6. DISCUSSION AND POSSIBLE ACTION

- A. **TABLED ITEM: Resolution 2016-06 – Approve Memorandum of Agreement with BIA – Motion made by Director Berg to untable Resolution 2016-06**

Memorandum of Agreement with BIA. Seconded by Board Clerk Collins. James Williams was in attendance representing the BIA. Motion made by Board Clerk Collins to agree to proposed changes made to MOA with BIA in Board members' packet. Seconded by Director Berg. Motion carries unanimously.

B. Report on Distribution of funds raised from 2016 Golf Tournament - DISCUSSION ONLY – Request made by Director Lewis.

Director Lewis: I asked how much money was made?

Chief Moore: NACFD Relief Association going to deposit \$1200.

Board Clerk Collins: Not controlled by Board or doesn't go through administration office. It is all the Relief Association.

Director Lewis: How can that be changed? When we, Chief Moore, myself, and the President of MCC had a meeting, and you took the first hunk of money, and gave it to them instead of giving it back to me. The deal was that the funds from this tournament would go to the school. And from what I can tell, last year no funds went, because I didn't get the paperwork from the school. This year, there is only \$1200, but it was running as much as \$4000.

Chief Moore: I can tell you that the balance is \$55,556. We have only given out \$5000 in scholarships. If you are asking, are we supporting this scholarship fund in an acceptable manner, I would believe that we certainly are. I know that doesn't fit with what you believe, or with what the other candidates running for the Board indicated, but anytime you are donating at a 4:1 ratio, then I certainly think that is a pretty acceptable margin.

Director Lewis: And you expect them to start giving you more funds for school and lowering the payment every year?

Chief Moore: That is through the Association. If we are only out \$5000, I don't see why we would increase the deposits we are making.

Board Clerk Collins: Wouldn't this be a conversation to have with the Association, not the Board? This really has nothing to do with us.

Chief Moore: Yes, as I have indicated. I am the messenger to them. If she wants to speak with the Association, you know I can coordinate and facilitate that.

Board Clerk Collins: That is what I would think. This is between Patti Lewis and the President of the Association.

Director Lewis: But the money is coming from the Golf Tournament.

Board Clerk Collins: That is put on by the Association. Has nothing to do with the Board. Board doesn't put it on, Board has no involvement. We can't vote or anything the Association does. You can, because it is your scholarship fund with the Association.

Director Lewis: It wasn't my scholarship fund with the Association; it was my scholarship fund with the Fire Department. Northern Arizona Consolidated Fire District.

Board Clerk Collins: Well I don't know how that was set up.

DA Wells: Are you saying that should be Budget Item from the tax money?

Director Lewis: No, I am saying that the funds from that thing, the Golf Tournament, were to go to the school.

DA Wells: The only funds that this Fire Department, this District, has jurisdiction over, is the funds raised through taxation.

Director Lewis: Then we were lied to in the beginning.

Board Chair Bailey: I don't think there was ever any money from the Department put into that fund, was there?

Board Clerk Collins: It couldn't be put in from the Department, that's tax money.

Director Lewis: All the money was to come from the Golf Tournament.

Board Chair Bailey: That has nothing to do with us.

Board Clerk Collins: The Board has nothing to do with this.

Director Lewis: Well, he (Chief Moore) set it up, that is all I can tell you.

DA Wells: I don't believe you. I don't think he had anything to do with setting it up.

Board Chair Bailey: Pat is just a liaison between you and the Association.

Director Lewis: He was in my dining room and he set it up.

Chief Moore: I facilitated it and it was run through the Association. I am a member of the Association, but I am not the president. I will be glad to put you in contact with the president of the Association, which is a member who works for us, and you can certainly voice your concerns or displeasure with him.

Director Lewis: Well, it's down to \$1200, and it's gone down \$1000 a year, for 3 years.

Chief Moore: Okay.

Board Chair Bailey: Did you want Pat to get you in contact with the Association?

Director Lewis: Well, we will have to set up with the President of the school, and I'll get all the paperwork that turned over the money, and we can meet in my dining room again.

Board Chair Bailey: Okay.

- C. Set date for special meeting on or after December 1, 2016, in addition to or in place of regular December meeting, for swearing in and election of officers.**
Motion made by Board Clerk Collins to combine Regular December meeting and swearing in of Board Members and election of officers meeting on Thursday, December 8, 2016. Seconded by Director Riccardi. Director Lewis was a nay vote. Motion carries.
- D. Possible Fire Chief Contract Termination –** Chief Moore informed the Board that his last day will be December 30, 2016. Motion made by Director Berg to sever Chief Moore's contract December 30, 2016, with 60 day severance package. Seconded by Board Clerk Collins. Motion carries unanimously.

7. CALL TO THE PUBLIC

Arland Berg: Thanked the Board for their service. NACFD has come heads and shoulders above what it was, has concerns about what may happen without Chief Moore. Previously had a fire at his home, NACFD responded, wrote a commendation letter to paper. Sorry to see Chief Moore go, he has done tremendous service for this Fire Department, and there could be terrible consequences. Thanked Chief Moore for his service. DO NOT LET this department go down.

Jim Williams: BIA – Thanked the District for their agreement and appreciates the help.

Brian Francis: NACFD Firefighter/Captain – Has been employed with NACFD for over 10 years, was around for the Chief Eder days. Ha watched the tax money go down by half, and what he has done financially for this Department, nobody could have done what he has done. There is a reason why he is the President of the Fire District Association for the State; there are not a lot of dummies up there. Losing Chief Moore is going to be huge loss for this Department. Thanked Chief Moore for keeping District afloat, for what he has done, and hopes that the new Board can get someone in his place that can do half of what Chief has done. He is happy to have a job.

8. BOARD MEMBER COMMENTS

Director Riccardi: Sorry to see Chief Moore go but everything must come to an end. Finances have been difficult, Chief Moore has done heck of a job. Who will represent District, where will they get the money? Understands why Chief Moore is backing out due to constant "hammering going on." As a prior Fire Chief, I might have done the same thing. Chief Moore also made the right decision to not consolidate with LMRFD. Chief Moore has done one heck of a job, and NACFD needs Chief Moore as long as they can keep him.

Board Clerk Collins: I am going to follow up with that as well. I have been on the Board for 8 years, part of the old Board, part of the new Board, been on the Budget Committee with Chief Moore, he has done a phenomenal job, keeping the Budgets intact, keeping everything turning, keeping people getting paid, he has had some great ideas to move us forward. Speaking on this

Board, it's been a pleasure working with this Board until 2 months ago, things got dicey. I will say, as part of the old Board and part of the new Board, moving forward, I am feeling betrayed and "backstabbed" by a certain individual who went to higher authority to reach a personal agenda; that is something we are going to have to definitely address moving forward with the new Board. I will say again though, Chief Moore, you have done a great job, and we do need to keep you as long as we can.

Director Berg: "I would like to take this time to publicly thank my family, citizens of the district and the NACFD for the opportunity to serve as a Board member for the last eight years. The NACFD is filled with many dedicated people.

Prior to the 2008 election, the NACFD was rife with turmoil, lawsuits, high turnover rates (employees & Board members) and poor employee morale. Outside agencies didn't recognize our Fire District as an operating fire department or respect our Fire Chief.

We have worked continuously with Chief Moore and the NACFD Administration to correct these issues, implement a strategic plan, streamline service deliver, partner with our area fire departments to improve our automatic/mutual aid, dispatching services and response capabilities.

In the last eight years, we have eliminated all of our inherited debt, purchased new fire engines, cardiac monitors, atmospheric monitors, acquired property for future stations (Hackberry and 2600 Northern Ave.) and saved funds for our future contingency and capital needs. All in large part to the leadership and vision of Chief Moore, who I believe to be the best Chief the NACFD has had the pleasure and honor to employ.

While Board members Lewis and Riccardi have worked continuously to replace either myself, Chair Bailey and/or Clerk Collins with one of their hand selected friends, I will remind those in attendance that Board member Riccardi has never completed Senate Bill 1387's required training classes for Board members, which are mandated by Statute. Board member Riccardi was required to have completed these courses by November 2015 and has still not completed them as of today.

I sincerely hope the new NACFD Board can continue the progress that has been made over the last eight years, in an effort to provide the service our community, families and friends deserve. I thank you for the support I have received and wish you all the best."

- 9. ADJOURNMENT** – There being no further business, a motion to adjourn was made at 6:40 p.m. by Director Collins, seconded by Director Berg.

These minutes were prepared by Lynn Hucker, the 23rd day of November, 2016.



 Jim Bailey, Board Chair



 Mike Collins, Board Clerk