



# Golden Valley Fire District

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[www.goldenvalleyfire.org](http://www.goldenvalleyfire.org)



## MINUTES OF REGULAR MEETING OF THE GOLDEN VALLEY FIRE DISTRICT GOVERNING BOARD

The Governing Board of the Golden Valley Fire District met in regular session on **November 19, 2014 at 7:00 p.m.** The meeting was held at the Golden Valley Fire District Public Safety Training Center, located at 423 South Colorado Road, Golden Valley, AZ 86413. The Board may vote to go into executive session on any agenda item, pursuant to A.R.S. §38-431.03(A)(3) for legal advice with the District's attorney on matters as set forth in the agenda item. Board members or other participants may attend by telephonic conference. The following topics and any variables thereto, will be subject to Board consideration, discussion, approval, or other action. All items are set for possible action.

### MINUTES

#### 1. CALL TO ORDER.

- Director Hardy called the meeting to order at approximately 7:00 p.m.

#### 2. ROLL CALL OF BOARD MEMBERS.

- Director Rhonda Brooks, Director Curt Hardy; Chairman, Director Mark Vanik; Clerk, Director Paul Gorham and Director Steven Robinson were in attendance. William Whittington, legal counsel was also in attendance. Ms. Huff attended by phone.

#### 3. PLEDGE OF ALLEGIANCE.

- The Pledge of Allegiance was recited.

#### 4. APPROVAL OF MINUTES.

##### A. Special Meeting of October 23, 2014.

- Director Robinson made a motion to approve the October 23, 2014 minutes. Director Gorham 2<sup>nd</sup> the motion. Motion carried unanimously.

##### B. Special Meeting of November 6, 2014.

- Director Robinson made a motion to approve the November 6, 2014 minutes. Director Gorham 2<sup>nd</sup> the motion. Motion carried unanimously.

##### C. Special Meeting ~ Executive Session of November 6, 2014.

- Director Robinson made a motion to approve the executive session minutes for November 6, 2014. Director Gorham 2<sup>nd</sup> the motion. Director Robinson, Director Gorham and Director Vanik voted "Aye." Director Hardy and Director Brooks abstained from the vote. Motion carried.

#### 5. REPORTS AND CORRESPONDENCE.

##### A. October 2014 Financial Report. (Administration)

- Ms. Christensen advised that the October financials were as follows: the beginning balance was \$1,509,512.67, the cleared balance was \$1,803,295.43 and the register balance was \$1,775,217.07. Director Brooks asked why there was a difference in the ending balance of September and beginning balance of October. Director Brooks asked about the "whereabouts" of check #7028, the duplication on the reconciliation of check #6826 for a Visa payment, and check #6907 written to Aetna in August of 2014, that had not cleared yet. Director Brooks reported that the Certificate of Necessity fees from July 2014 to November 12, 2014 were \$201,136.65. Director Brooks asked about the audit that was done in August of 2014. She also asked when the report would be available, and when a presentation would be given. Director Robinson explained that the beginning balance was from the County, and it reflects what the County shows have cleared. Ms. Huff confirmed (by phone) that the transactions posted from the County will reflect the balances. Ms. Huff stated that if a check has either cleared or been voided that will reflect any difference in the amounts, since the last statement was posted. She further stated that "there was one check that was voided and that would change the beginning

balance.” Chief O’Donohue asked Director Brooks to call the office before the meeting, so that staff could have time to research her questions and provide accurate answers at the meeting. Director Brooks confirmed that she would. Chief O’Donohue advised that if he was not available, a message could be left for him.

**B. October 2014 Operational Report. (Administration)**

- Chief O’Donohue reported that there were 8 Fire Incidents, 133 Medical Incidents, 1 Hazardous Condition, 47 Service Calls, 11 Good Intent Calls, and 10 False Alarm Incidents in the month of October.

**C. Fire Chief’s Report. *The governing body may not propose, discuss, deliberate or take legal action on this matter unless the specific matter is properly noticed for legal action. Therefore, action taken as a result of the Chief’s report will be limited to directing staff to study the matter or scheduling the matter for further consideration and decision at a later date. (A.R.S. 38-431.02.K.)***

**1. Fire District properties**

**a. Public Safety Training Center: (423 S. Colorado)**

- i. No report

**b. Station-11: (3480 N. Bacobi Road)**

- i. No report

**c. Station-12: (749 S. Egar Road)**

- i. No report

**d. Station-13: (Walnut Creek area / Hwy-66)**

- i. No report

**2. Assistant Chief Yeager – monthly review**

a. Assistant Chief Yeager reported on last months’ activities as follows:

- FedEx tour
  - Preparing for an Active Shooter training scenario
- Assisting Mohave County with the voting / setting up the PSTC for the elections
- VFIS Driver training for all members
- Completed the Pump-Testing
- Personnel matters

**3. Incidents and items of note / Thank you**

a. Responded Mutual-Aid for the large structure fire west of Kingman in the NACFD area, covering the City of Kingman for several hours while KFD & NACFD battled the fire.

b. The grant for the station communication equipment is moving forward. The grant is for placing video conferencing communication equipment in all local fire stations. The 10% financial match will save the District approximately \$90,000 on the cost of installation, and amortize itself.

- i. This will allow crews to stay in-quarters to conduct training.
- ii. Reduce fuel costs wear & tear on apparatus.
- iii. Keep the Firefighters / Paramedics in their assigned “Response District” so emergency response times will be reduced.
- iv. Facilitate Emergency Operations Centers from across the State to communicate via video conferencing.
- v. Participants are:
  - a. Bullhead City Fire
  - b. Kingman Fire
  - c. Sedona Fire
  - d. Verde Valley Fire
  - e. Lake Havasu City Fire
  - f. Northern Arizona Consolidated Fire
  - g. Sun City West Fire
  - h. Laughlin / Bullhead Airport Fire

c. Chief O’Donohue advised that the District’s legal counsel, Bill Whittington, informed staff that meeting minutes needed to only “be available” for inspection, and not posted to the website in

their draft form. Chief O'Donohue further advised that staff would continue to attempt to post within three days, but overtime would no longer be approved to complete the task.

- d. Chief O'Donohue advised that the CON hearings took place October 27<sup>th</sup> through November 6<sup>th</sup>. He stated that the Hearings went well and the next step was for Briefs to be prepared by legal counsel for RMI and Golden Valley Fire. He stated that the briefs are due January 26, 2015. The Briefs will be considered by the Administrative Law Judge, and she will make a ruling based on all the information. Following the Administrative Law Judge's ruling, the case will proceed to Director Will Humble for his review. The Director will either confirm the Judge's ruling, or overturn it. Chief O'Donohue stated that he expects a final determination mid April 2015, but that estimated date had not been confirmed. Chief O'Donohue advised that he had drafted thank you letters to the following staff for their assistance during the CON hearings: Assistant Fire Chief Yeager, Captain Dave Martin and Administrative Assistant Karen Christensen.
- e. A Candidate Forum was held at the GVFD Public Safety Training Center. Four of the five candidates participated in the Forum wherein citizen's questions were answered by the candidates.
- f. GVFD participated in the Annual "*Pink Heals*" parade on October 15<sup>th</sup> in Kingman. The parade began at the Staples parking lot and ended at KRMC where there were presentations on cancer awareness, and treatment, and inspiring stories of recovery.
- g. Chief O'Donohue, Assistant Chief Yeager and Administrative Assistant Karen Christensen participated in the MTC / Kingman Prison 10-year anniversary celebration. GVFD officials praised the prison for being a partner with Golden Valley Fire for several years, and giving back to the Golden Valley community and the Fire District.
- h. Chief O'Donohue and Assistant Chief Yeager arranged and participated in the Veterans' Day parades on November 8<sup>th</sup> on Northern Avenue, and on November 11, 2014 at the Lingenfelter Center. The Veterans' who could not attend the parade on the 8<sup>th</sup> were wheeled out in their beds and chairs to see the parade. Truck-134 participated as the lead vehicle in both parades.

#### **4. Anniversaries**

- a. None

*~End of Chief's Report~*

- D. Card from Jerry L. Sternes, Complex Administrator MTC-ASPCCK re: Thank You – Attendance at 10 year anniversary luncheon.
  - Director Hardy read the card aloud. No action.
- E. Letter from Curt Hardy re: Support Letter for Golden Valley Fire District – Certificate of Necessity Application.
  - Director Hardy read the letter aloud. No action.
- F. Letter from Chief O'Donohue re: Thank You – Jack Yeager, Assistant Fire Chief.
  - Director Hardy read the letter aloud. No action.
- G. Letter from Chief O'Donohue re: Thank You – David Martin, Captain.
  - Director Hardy read the letter aloud. No action.
- H. Letter from Chief O'Donohue re: Thank You – Karen Christensen, Administrative Assistant.
  - Director Hardy read the letter aloud. No action.

#### **6. VOTE TO GO INTO EXECUTIVE SESSION.**

- A. **Consideration and possible action re: Board of Directors may vote to go into Executive Session pursuant to A.R.S. §38-431.03(A)(3) for legal advice and A.R.S. §38-431.03(A)(4) for giving direction to legal counsel re: Guerrero Personnel Matter; possible settlement. (Whittington)**
- B. **Consideration and possible action re: Board of Directors may vote to go into Executive Session pursuant to A.R.S. §38-431.03(A)(3) for legal advice and A.R.S. §38-431.03(A)(4) for giving direction to legal counsel re: Legal Representation on the issue of a pending personnel matter. (Hardy)**
- C. **Consideration and possible action re: Board of Directors may vote to go into Executive Session pursuant to A.R.S. §38-431.03(A)(3) for legal advice and A.R.S. §38-431.03(A)(4) for giving**

**direction to legal counsel re: Board Member Brooks contact with District vendors, renters, lease agreements and/or Contracts for Fire Suppression/Emergency Medical Service Agreements, and the potential related impacts to the Fire District. (Hardy)**

- ❖ Director Robinson made a motion to go into Executive Session for items A, B and C listed under Executive Session. Director Gorham 2<sup>nd</sup> the motion. Motion carried unanimously.

The Board of Directors convened into Executive Session at approximately 7:33 p.m.

The Board of Directors reconvened into Public Session at approximately 8:43 p.m.

**7. BUSINESS.**

**A. Consideration and possible action/approval re: Guerrero Personnel Matter; possible settlement. (Whittington)**

- Director Hardy made a motion to direct legal counsel to proceed as directed in Executive Session. Director Robinson 2<sup>nd</sup> the motion. Director Hardy, Director Robinson, Director Vanik and Director Gorham motioned “Aye.” Director Brooks abstained from the vote. Motion carried.

**B. Consideration and possible action/approval re: Legal Representation on the issue of a pending personnel matters. (Hardy)**

- Director Vanik made a motion to allow the Chief to pursue another Attorney for this particular personnel matter.. Director Robinson 2<sup>nd</sup> the motion. Director Vanik, Director Robinson, Director Gorham voted “Aye.” Director Hardy and Director Brooks voted “Nay.” Motion carried.

**C. Board Member Brooks contact with District vendors, renters, lease agreements and/or Contracts for Fire Suppression/Emergency Medical Service Agreements, and the potential related impacts to the Fire District. (Hardy)**

- Director Hardy made a motion to take no action. Director Robinson 2<sup>nd</sup> the motion. Motion carried unanimously.

**D. Discussion and possible action/approval re: Presentation from Wyatt Wong, VFIS re: Proposal and possible acceptance of insurance renewal offer for Golden Valley Fire District properties. (Administration)**

- Wyatt Wong provided an overview to the Board of Directors regarding renewal of the insurance for the Golden Valley Fire District properties. He stated that most of the policy was the same except the Mayer Rd. property had been turned into a renter’s portion only policy, since being sold. Director Robinson made a motion to approve and accept the renewal. Director Brooks 2<sup>nd</sup> the motion. Motion carried unanimously.

**E. Discussion re: Inmate Labor to/for Golden Valley Fire District properties. (Brooks)**

- Director Brooks withdrew this item from the meeting, in order to expedite the meeting.

**F. Discussion re: September financial information. (Brooks)**

- Director Brooks asked if checks written over \$5,000 had to be approved by the Board before payment was provided. Director Brooks inquired about a check written to Coppersmith & Brockelman for approximately \$30,000. Chief O’Donohue stated that the Board approved the legal representation of Coppersmith & Brockelman. Director Brooks also inquired about checks written to CopperPoint (Workmen’s Compensation) totaling approximately \$71,429.66. Director Robinson stated that the payroll wages for June were added into the report for CopperPoint for reporting wages of \$638,000 but it should have been reported at \$231,000. He further stated that staff needed to contact CopperPoint with the amended amount. Chief O’Donohue stated part of the total check amounts was from an audit they performed as well. Ms. Huff explained the error. She stated that she gave CopperPoint the wrong figure and it could be corrected, but the District was going to owe it by the end of the year. She further advised that she could contact CopperPoint and see if they would give the District a refund, but if not, the District would just have a credit for a couple of quarters. Director Hardy said, “Ok” and asked what the overpayment amount was. Ms. Huff replied about \$28,000. She further stated the District bills were running about \$12,000. .” Director Brooks inquired about Visa card #5815, issued to Ted Martin. She asked what the Supply Cache purchase was for and if the card has been canceled. Chief O’Donohue stated that the charge was being looked into and there were a few things on the

statements we are looking at. Chief O'Donohue also stated that his card was canceled by National Bank without any notification due to a Home Depot breach. He further stated that a new card had been issued and that the balances and statement would reflect confusing cross-information. Director Brooks asked, if Visa card #5815 had been canceled. Ms. Christensen replied, "Yes." No action.

**G. Discussion re: Clarification of Political Activities Policy; employee status re: "on duty" versus "on call." (Robinson)**

- Director Robinson stated that this item was in response to the Call to the Public question from a member last month. He stated that there was a difference between "on duty" and "on call." Director Robinson advised that the Chief is on duty from 8:00 a.m.-5:00 p.m. and on call after hours. He further clarified that when on a call the Chief is on duty. No action.

**H. Discussion and possible action/approval re: Solicitation and Distribution / Political Activity Policy. (Robinson)**

- Director Robinson stated that there was confusion regarding political activity while "on duty." Director Robinson read aloud article 41.7 within the Policy Manual and stated that he'd like to strike out the sentence "when they are on duty." He stated that someone having a discussion could not express their opinion in casual conversation without it being against the current policy. Mr. Whittington stated that he didn't see a problem with Board Member Robinson's suggestion, but pointed out that Article 41.2.3 needed to be cleaned up to make it clear that they are not to be considered "on duty" even though they are "on call". Mr. Whittington advised that the District might want to modify 41.2.3 to include "when "on call"." Mr. Whittington stated that the term "on duty" should not include, unpaid meal or break period or when "on call". Director Robinson motioned to accept the proposed changes to Article 41, adding when "on call" to 41.2.3, and then for 41.7 strike out the line "when they are not on duty." Director Brooks 2<sup>nd</sup> the motion. Director Robinson, Director Brooks, Director Vanik and Director Gorham voted "Aye." Director Hardy abstained from the vote. Motion carried.

**I. Discussion re: CopperPoint Workers Compensation premium and payment information. (Robinson)**

- Item I was included per Director Hardy in with Item F.

**J. Discussion re: Follow-Up on hiring a temporary Administrative Office Accountant. (Robinson)**

- Director Gorham stated that the Board had directed the Chief to move forward on this item two months ago. Chief O'Donohue stated that there was a direction given on this item, but he stated that there was trepidation on his part. He further stated that he sent resumes to the Board of Directors and advised them that the people who had submitted resumes were leery of the temporary position due to having to quit a current job. Chief O'Donohue stated that with an upcoming resolution to the current issue, he believed the criteria could be widened for more hopeful candidates. Director Gorham asked if the job was advertised. Chief O'Donohue replied that he had not advertised the position yet. Director Hardy stated that the Board had discussed the issue before and that the Chief could have gone to a temp agency and put something in there and made it happen. He asked the Chief if he had done that. Chief O'Donohue stated that he had not. Director Brooks stated she had job descriptions and provided those to the Board Members. Director Gorham voiced his concern that the District could not be run as a mom and pop operation. Director Gorham also stated that the person doing the job currently is doing her absolute best (Karen Christensen), but that there needs to be qualified help with the criteria/qualifications for accounting. Director Gorham stated that the Board would help in any way. No action.

**K. Discussion and possible action/approval re: Small Construction Policy. (Administration)**

- Chief O'Donohue advised that this policy was in the interest of speed for small construction work. The vendors would be listed on an approved list. Chief O'Donohue further advised that it was only for work up to \$5000.00. Director Gorham stated that the contractor needed to be licensed, insured and bonded. He suggested that a minimum of two firms be presented. Director Brooks asked if there was a limit on the amount of projects being done at once. Chief O'Donohue stated that there was a budget limit, and anything over \$5000.00 had to be presented to the Board.

Director Hardy made a motion to approve the Small Construction Policy. Director Robinson 2<sup>nd</sup> the motion. Motion carried unanimously.

**L. Discussion and possible action/approval re: Waiving Public Safety Training Center fees for a Golden Valley Community Town Hall Meeting with Supervisor Bishop and County Staff. (Administration)**

- Director Hardy asked for clarification on the issue. Mr. Whittington stated that as long as Ms. Bishop wasn't running for office, there was no issue holding this event. Director Robinson made a motion to approve waiving the fees. Director Vanik 2<sup>nd</sup> the motion. Motion carried unanimously.

**M. Discussion re: Installation of newly elected Board Members. (Administration)**

- Director Hardy advised that at the next Board meeting there would be a swearing in ceremony of the new elected Board Members. Mr. Whittington stated that the Board should provide a consensus on holding the ceremony at the next meeting. All present Board Members were in consensus. Chief O'Donohue wanted clarification if that would be the next regular board meeting. Director Hardy stated "yes."

**N. Discussion re: Golden Valley Fire District elected officials open meeting law training. (Administration)**

- No action

**O. Discussion and possible action/approval re: Regular Monthly Board Meeting time; conflict with Legal Counsel scheduling. (Administration)**

- Mr. Whittington stated that the third Thursday of the month conflicted with another District's meeting. He provided the Board of Directors with his available times. Director Hardy advised the public that this was for purposes of monitoring as required by the Attorney General's Office for the next 5 months, either via telephone or in person. Mr. Whittington stated that he is available the 3<sup>rd</sup> Monday, Tuesday, Wednesday or Friday's of the month. Director Robinson stated that they should vote to change it for the next 5 months. Director Robinson made a motion to set the Board meetings on the 3<sup>rd</sup> Wednesday of the month through April 2015. Director Hardy 2<sup>nd</sup> the motion. Motion carried unanimously. Director Hardy made a motion and addendum for the meetings to be at 6:00 p.m. Director Robinson 2<sup>nd</sup> the motion. Motion carried unanimously.

**P. Discussion and possible action/clarification re: Board Member Rhonda Brooks censure. (O'Donohue)**

- Chief O'Donohue stated that there had been challenges with the censure (against Director Brooks). He stated that Director Brooks was to only speak to the Fire Chief and not to the staff. He explained that there had been some staffing changes, but staff included everybody except the Fire Chief. Chief O'Donohue then stated that staff tried to be very cordial when Director Brooks called. Chief O'Donohue asked if the Board still supported the censure. Director Hardy permitted Mr. Hommel to speak on the issue.. Mr. Hommel stated that the situation had been ongoing for quite some time, and was very visible, very apparent, and strictly in order to promote some harmony, and continuity. He suggested that the censure be voided. Director Hardy thanked Mr. Hommel for his input. Director Gorham stated that he was not involved in the censure thing and that there were several parts to the censure he didn't understand. Director Gorham asked how Director Brooks gets notified of a Special Meeting, which differs from the regular scheduled meeting. Director Brooks explained that she is notified by phone or by personal service. Chief O'Donohue stated that in the last 90-days the interaction with Director Brooks had been more cordial and although there's periodically some challenges, he thought it to be in the best interest of the District for Director Brooks to be able to interact with staff and if any issues should arise, he would bring them to the Board's attention. He recommended that the Board temporarily or permanently void the censure. Director Hardy asked Mr. Whittington if the Board could make a motion to cancel the censure. Mr. Whittington advised the Board that it could. Director Robinson stated that there was a need for better communication. Chief O'Donohue said that he would encourage the Board to lift the censure. He also stated that the censure was never meant to be left in place permanently, urging that once the problem was fixed, it should be removed. Chief O'Donohue expressed a desire to have more interaction with Director Brooks and said he believed it was needed in order to assist Director Brooks in doing her job as a Board member.

Director Robinson stated he agreed with Chief O'Donohue. Director Robinson pointed out that part of the censure was to force Director Brooks to have regular meetings with the Chief. Director Hardy asked Director Brooks if she was willing to sit down and talk to the Chief. Director Brooks stated she would not. She stated she would only be willing to talk to him during a Board Meeting in public session. Director Robinson made a motion to table the item. Director Gorham 2<sup>nd</sup> the motion. Motion carried unanimously.

**Q. Discussion and possible action re: Petition for Annexation into the Golden Valley Fire District for vacant property identified as Mohave County Parcel #339-30-016 / T22N R18W SEC 5 & 8 Parcel 146 (Legends Ranch in Golden Valley) 44.05 acres. (O'Donohue)**

- Chief O'Donohue stated this property was now with the County road-ways and it's in Legends Ranch, which is mostly unoccupied area. Chief O'Donohue stated the owners were not local, but had signed a petition to be annexed in. Director Robinson made a motion to approve the annexation, Director Gorham 2<sup>nd</sup> the motion. Motion carried unanimously.

**R. Discussion and possible action/approval re: Authorizing the Fire Chief to spend in excess of the \$5,000.00 pre-authorized spending limit to repair the Ladder Truck (T-134) for waterway rebuild quoted at \$9053.90 for the general rebuild of the "Hydromotion" Unit, less "Major Parts" if needed. (O'Donohue)**

- Chief O'Donohue stated that the average re-build cost was about \$9,053.90, but there was a major part that the quote might not cover. He stated it's at the base of the ladder where all the water and electronics are contained within that swivel. It is about the size of a 3lb coffee can according to the mechanic. Mr. Sutherland (Mechanic) stated that the cost included the shipping, tax, and components, but there could be parts inside that need to be worked on as well. Mr. Sutherland stated a brand new one was approximately \$13,000.00. Director Hardy made a motion to approve the purchase, not exceed \$13,000. Director Gorham 2<sup>nd</sup> the motion. Motion carried unanimously.

**8. CALL TO THE PUBLIC. *Consideration and discussion of comments and complaints from the public. Those wishing to address the Golden Valley Fire District Board need not request permission in advance. The Fire District Board is not permitted to discuss or take action on any item raised in the call to the public, unless the item is specifically noticed for discussion or legal action. However, individual Board members may be permitted to respond to criticism directed to them. Otherwise, the Board may direct that staff review the matter or that the matter be placed on a future agenda. The Fire District Board cannot discuss or take legal action on any issue raised during the Call to the Public that is not on the Agenda due to restrictions of the Open Meeting Law.***

- None

**9. ADJOURNMENT.**

- Director Hardy adjourned the meeting at approximately 9:50 p.m.

**MINUTES prepared by: Karen Christensen**  
*(This is a working draft, until Board approval.)*

**Date:** 11/24/2014