

MINUTES

**Central Arizona Fire and Medical Authority
Central Yavapai Fire District Board of Directors
Regular Meeting**

Tuesday, August 15, 2017, 3:30 pm - 4:30 pm

Central Arizona Fire and Medical Authority, Station 61, 1133 W. Road 3 North, Chino Valley

In Attendance

Darlene Packard; Dave Tharp; Jeff Wasowicz; Laura Mowrer; Matt Zurcher; Nicolas Cornelius; Scott A Freitag; Susanne Dixson; Tom Steele; ViciLee Jacobs

NOTICE OF MEETING

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Central Yavapai Fire District Board of Directors and the general public that the **Central Yavapai Fire District** will hold a meeting open to the public on **Tuesday, August 15, 2017 at 3:30 p.m.** The meeting will be held at the **Central Arizona Fire and Medical Authority, Station 61, 1133 W. Road 3 North, Chino Valley, Arizona.** The Board may vote to go into Executive Session on any agenda item, pursuant to A.R.S. §38-431.03(A)(3) for discussion and consultation for legal advice with Authority's Attorney on matters as set forth in the agenda item. 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.

1. CALL TO ORDER / ROLL CALL OF BOARD MEMBERS

Board Chair Packard called the Central Yavapai Fire District Regular Session to order on August 15, 2017 at 3:31 pm.

2. PLEDGE OF ALLEGIANCE

Director Steele led the Pledge of Allegiance.

3. CALL TO THE PUBLIC

Those wishing to address the Central Yavapai Fire District Board need not request permission in advance. However, we ask that you complete a Call To Public Form for the record. The Board is not permitted to discuss or take action on any item raised in the Call to the Public due to restrictions of the Open Meeting Law; however, individual Board members may be permitted to respond to criticism directed to them. Otherwise, the Board may direct the staff to review the matter or the matter may be placed on a future agenda. Individuals may be limited to speak for three (3) minutes with a total of 30 minutes allotted for Call to the Public per meeting.

Board Chair Packard opened the meeting for public comments. There were no comments.

4. CONSENT AGENDA

All matters listed under consent agenda are considered to be routine by the Central Yavapai Fire District Board and will be enacted by one motion. There will be no separate discussion

on these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately for discussion and possible action.

- A. Approve Joint Session Central Yavapai Fire District, Chino Valley Fire District, and Central Arizona Fire and Medical Authority Minutes - June 27, 2017 and Addendum
- B. Approve Regular Session Minutes - July 25, 2017
- C. Approve Executive Session Minutes - July 25, 2017
- D. Approve General Fund Financial Statements
- E. Approve Bond Debt Service Financial Statements
- F. Transfer July Revenues from Central Yavapai Fire District to Central Arizona Fire and Medical Authority in the Amount of \$52,864.89

Director Jacobs asked that Item C. Approve Executive Session Minutes - July 25, 2017 be removed from the Consent Agenda. She would like to address the reason in Executive Session.

Motion to approve Consent Agenda Items A, B, D, E, and F.

Move: Matt Zurcher Second: Tom Steele Status: Passed

Yes: ViciLee Jacobs, Darlene Packard, Tom Steele, Jeff Wasowicz, Matt Zurcher

5. OLD BUSINESS

- A. Discussion and Possible Action Regarding Moving Monthly Board Meetings to the Fourth Monday or Tuesday of the Month

Chief Freitag stated that since the CAFMA and Chino Valley Boards elected for the meetings to be held on Mondays, this was brought back to the CYFD Board for further discussion.

Director Steele clarified that the proposal was to reverse the meetings with holding Chino's meeting first and ending with CYFD's meeting. The change in meeting order was due to CYFD's meetings requiring more time and conflicting with other Board meetings.

Director Jacobs asked how the process would work for items that required CAFMA Board approval. Chief Freitag explained that the CYFD Board would discuss the matter the month prior to the CAFMA Board meeting.

Motion to hold the meetings the fourth Monday of the month with Chino starting at 4:00 p.m., CAFMA starting at 4:30 p.m., and CYFD starting at 5:30 p.m. with meetings rotating between Prescott Valley new Administration building and Station 61 in Chino Valley.

It was noted that this schedule will begin in September.

Move: Jeff Wasowicz Second: Matt Zurcher Status: Passed

Yes: ViciLee Jacobs, Darlene Packard, Jeff Wasowicz, Matt Zurcher

No: Tom Steele

6. NEW BUSINESS

- A. Approve Annexation and Resolution 2017-17 - Miller - 14055 E. Agua Fria Lane - Parcel 402-11-020

Chief Freitag confirmed that the property has been reviewed by Operations personnel.

Approve Annexation and Resolution 2017-17 for Miller property located at 14055 E. Agua Fria Lane, Parcel 402-11-020.

Move: Tom Steele Second: Jeff Wasowicz Status: Passed

Yes: ViciLee Jacobs, Darlene Packard, Tom Steele, Jeff Wasowicz, Matt Zurcher

7. VOTE TO GO INTO EXECUTIVE SESSION

Motion to go into Executive Session at 3:41p.m.

Move: Matt Zurcher Second: Jeff Wasowicz Status: Passed

Yes: ViciLee Jacobs, Darlene Packard, Tom Steele, Jeff Wasowicz, Matt Zurcher

- A. Legal Advice Pursuant to A.R.S. §38-431.03(A)(3) and Instruction to District Legal Counsel Pursuant to A.R.S. §38-431.03(A)(4) Re: Training Center Drainage
- B. Legal Advice Pursuant to A.R.S. § 38-431.03(A)(3) Regarding Attorney Cornelius' Follow-up to Chief Freitag's Complaint and Director Jacobs' Response
- C. Legal Advice Pursuant to A.R.S. §38-431.03(A)(3) Regarding Letter Received by Chair Packard From Attorney Pilch
- D. Legal Advice Pursuant to A.R.S. §38-431.03(A)(3) and Personnel Matter Pursuant to A.R.S. §38-431.03(A)(1) Concerning the Formal Investigation into Director Jacobs' Allegation Re: Possible Coercion of Staff by Chief Freitag

Chair Packard reconvened the Public Session at 4:42 p.m.

8. NEW BUSINESS CONTINUED

- A. Approve Executive Session Minutes - July 25, 2017

Attorney Cornelius advised that the Board needs a motion to table Item C. Approve Executive Session Minutes - July 25, 2017 so that Director Jacobs can proceed as discussed.

Motion to table the minutes.

Attorney Cornelius clarified that there is an expectation that Director Jacobs will proceed as discussed and that the minutes will be placed on the next scheduled Board meeting agenda.

Move: Jeff Wasowicz Second: ViciLee Jacobs Status: Passed

Yes: ViciLee Jacobs, Darlene Packard, Tom Steele, Jeff Wasowicz, Matt Zurcher

9. OLD BUSINESS CONTINUED

A. Discussion and Possible Action Related to Training Center Drainage Issues

Attorney Cornelius advised the Board that depositions of experts who were retained by various parties have been scheduled. Discussions with counsel are moving forward; we should have some type of resolution in a few weeks.

B. Discussion and Possible Action Regarding Attorney Cornelius' Follow-up to Chief Freitag's Complaint and Director Jacobs' Response

Attorney Cornelius advised that he generated correspondence following up with Director Jacobs' counsel to determine if there were any documents that were necessary to address Chief Freitag's complaints and addendum and Director Jacobs' response. He explained that he will hold the correspondence until the after Central Arizona Fire and Medical Authority (CAFMA) Board meets as the correspondence was addressed to both Board Chairs. The document sets out the analysis and resolution after Director Jacobs' counsel stated there were no documents. This matter is deemed closed; the letter may become public record after discussion with CAFMA Board.

10. NEW BUSINESS CONTINUED

A. Discussion and Possible Action Regarding Letter Received by Chair Packard from Attorney Pilch

Attorney Cornelius confirmed that he has his instructions.

B. Discussion, Possible Direction, and Follow up from Attorney Cornelius Concerning the Formal Investigation into Director Jacobs' Allegation Re: Possible Coercion of Staff by Chief Freitag

Attorney Cornelius advised that he conducted an inquiry to determine if there was a basis to the suggestion; it appears clear that there is none. He stated that the Board suggested that he generate a letter to that affect and it would become part of the formal public record. He advised that he will proceed in that manner.

11. ADJOURNMENT

Motion to adjourn at 4:46 p.m.

Move: Tom Steele Second: Matt Zurcher Status: Passed

Yes: ViciLee Jacobs, Darlene Packard, Tom Steele, Jeff Wasowicz, Matt Zurcher

Board Clerk / Date

Jay 9/25/17