

## MINUTES

**Central Arizona Fire and Medical Authority  
Central Arizona Fire and Medical Authority Board of Directors  
Regular Meeting  
Monday, September 25, 2017, 4:30 pm - 5:30 pm  
Central Arizona Fire and Medical Authority, Administration, 8603 E. Eastridge Drive,  
Prescott Valley**

### **In Attendance**

Darlene Packard; Dave Tharp; Jeff Wasowicz; Julie Pettit; Laura Mowrer; Matt Zurcher; Nicolas Cornelius; Scott A Freitag; Susanne Dixon

### **Not In Attendance**

Dave Dobbs

## **NOTICE OF MEETING**

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Central Arizona Fire and Medical Authority Board of Directors and the general public that the **Central Arizona Fire and Medical Authority** will hold a meeting open to the public on **Monday, September 25, 2017 at 4:30 p.m.** The meeting will be held at **Central Arizona Fire and Medical Authority, Administration, 8603 E. Eastridge Drive, Prescott 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 Pettit called the Central Arizona Fire and Medical Authority (CAFMA) Board of Director's meeting to order on September 25, 2017 at 4:29 p.m.**

### 2. PLEDGE OF ALLEGIANCE

**Chair Pettit asked Prescott Valley Town Councilman Grossman to lead the Pledge of Allegiance.**

### 3. PRESENTATIONS

#### A. Prescott Valley Town Council Report

**Town of Prescott Valley Council Member Grossman gave an overview of Prescott Valley community growth.**

#### B. Board Members' Reports Including: Prescott Regional Communications (PRCC), Public Records Requests, Legal Fees, and Labor/Management

**Director Wasowicz stated there was nothing unusual with the Prescott Regional Communications Center (PRCC) monthly bill. Attorney Cornelius informed the Board that the revised PRCC agreement will be presented at the October meeting.**

**Public Records Requests: no report.**

**Legal Fees: no report.**

**Labor/Management: no report.**

C. Recognition of Fire Corps Member Mal Bruce

**Fire Marshal Chase introduced Fire Corps Volunteer Mal Bruce, mentioned that Mr. Bruce was also a volunteer in Green Valley, and thanked him for the great job he is doing.**

D. Recognition of Lance Swenny for Extinguishing a Fire in a Business

**Fire Marshal Chase explained that Mr. Swinney observed a fire in a neighboring business on June 12, 2017 and had most of it extinguished prior to the crew's arrival. Thanks for a job well done! We apologize for misspelling Mr. Swinney's name.**

E. Recognition of Erik Baile for Donation of Smoke Detectors

**Erik Baile was not present.**

4. CALL TO THE PUBLIC

Those wishing to address the Central Arizona Fire and Medical Authority 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 Pettit opened the meeting for public comments.**

**CYFD Director Jacobs asked the Board for consideration of the White Paper, and she explained that on Page 6 of the White Paper it indicates non-CAFMA Board members may have input during the CAFMA Board meetings. She stated she feels it is very important to start incorporating a better relationship between the boards. She suggested non-CAFMA Board members be given the opportunity to provide direction or input or ask questions after each agenda item. She stated this is a positive way for people not to feel they're being excluded in making decisions. She stated there have been times when she wasn't allowed to have input, but she had the knowledge that maybe we would have made a different decision and saved some more money. Director Jacobs asked the Board consider this idea and possibly have a vote on it at next month's meeting.**

5. CONSENT AGENDA

All matters listed under consent agenda are considered to be routine by the Central Arizona Fire and Medical Authority 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 Regular Session Minutes - August 15, 2017

- B. Approve Executive Session Minutes - August 15, 2017
- C. Approve General Fund Financial Statements
- D. Approve Intergovernmental Agreement for Purchasing with Copper Canyon Fire and Medical Authority
- E. Approve Fire Protection Agreements: Burgoyne, Carpenter, Changala, Losey, Owens, Shackelford, Shaw, Willer
- F. Approve Intergovernmental Agreement for Fire Apparatus Maintenance and Repairs with US Forest Service LEI

**Motion to approve the Consent Agenda as read.**

Move: Darlene Packard Second: Matt Zurcher Status: Passed

Yes: Darlene Packard, Julie Pettit, Jeff Wasowicz, Matt Zurcher

6. CORRESPONDENCE

- A. Letters from the Public

**Chief Freitag mentioned a call that Engine 54 responded to for a child that was bitten by a rattle snake. Because of the crew's extra effort in determining what caused the boy's injury, he is alive today.**

- B. Monthly Division Reports from the Fire Chief and Staff in Regard to Current Activities of the Fire Authority and the Status and Progress Relating thereto

**Chief Freitag explained that he attended a statewide mutual aid meeting today, and they are working on improving the communications and response across the state. He was asked to testify at an ad hoc committee regarding EMS and certificates of necessity (CON); however, the hearing was specific to session law passed last year (Bill 2154). Chief Freitag's information did not fit that specific topic; however, he did listen to the discussion as it could have future impact on our organization with ongoing concerns with AMR's level of service. There is a meeting scheduled for October 4th with AMR and the City of Prescott to discuss response times. Chief Freitag explained that he and Prescott Fire Chief Light will only meet together with AMR. Chief Freitag mentioned that if it is in the best interest of the patient's care, we will transport.**

**Director Wasowicz confirmed that the Agency does not charge for these transports.**

**Chief Freitag gave an overview of AMR arriving on scene, leaving the scene, and fire crews transporting the patient. He explained that it's not against the law for AMR to leave the scene as they did not notify their dispatch that they had arrived.**

**Chief Tharp explained the delay in the financial documents was due to the mailbox being removed for construction. He explained that it has taken an act of congress to have it re-installed; the box affected five other businesses.**

**Fire Marshal Chase informed the Board that he and Chief Tharp attended a ground breaking ceremony for the Talking Glass Apartments.**

**Chief Bliss thanked Technical Services and Facilities personnel for all of their work on the new admin building.**

7. VOTE TO GO INTO EXECUTIVE SESSION

- A. 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 Letter of Admonishment to Director Jacobs Regarding Unfounded and Unsubstantiated Allegations Against Chief Freitag
- B. 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
- C. Legal Advice Pursuant to A.R.S. §38-431.03(A)(3) Concerning AMR Letter to CAFMA Board, Response thereto and Complaints Filed by CAFMA to the AZ Department of Health Services
- D. Legal Advice Pursuant to A.R.S. §38-431.03(A)(3) Regarding Fire Chiefs Evaluation
- E. Legal Advice Pursuant to A.R.S. §38-431.03(A)(3) Regarding Purpose of Legal Services and the Uses thereof

**Motion to go into Executive Session at 4:51 p.m.**

Move: Darlene Packard Second: Matt Zurcher Status: Passed

Yes: Darlene Packard, Julie Pettit, Jeff Wasowicz, Matt Zurcher

8. OLD BUSINESS

**Chair Pettit reconvened into Public Session at 5:25 p.m.**

- A. Discussion and Possible Action Regarding Letter of Admonishment to Director Jacobs Regarding Unfounded and Unsubstantiated Allegations Against Chief Freitag

**Attorney Cornelius advised that a letter was sent to Director Jacobs and the Board Chairs, and they are public record. He will email to any Board member that would like a copy; they are public record.**

**Attorney Cornelius advised that there were no findings of any potential violations by Chief Freitag; Director Jacobs and her legal counsel had time to provide relevant documents, and there were none. Attorney Cornelius advised that the allegations against Chief Freitag and staff were unfounded.**

**Chair Pettit stated that this matter is closed.**

- B. Discussion and Possible Action Regarding the Formal Investigation into Director Jacobs' Allegation Re: Possible Coercion of Staff by Chief Freitag

**Attorney Cornelius advised that he conducted a formal investigation in both written and verbal form - there were no findings of any improper conducts by Chief Freitag or by Captain Merrill in connection with his promotion. Attorney Cornelius advised that this should be public record.**

- C. Discussion and Possible Action Regarding AMR Letter to CAFMA Board, Response thereto and Complaints Filed by CAFMA to the AZ Department of Health Services

**Chair Pettit indicated that she and Chief Freitag will be completing the letter for delivering to AMR.**

**Chief Freitag informed the Board that the Arizona Fire District Association (AFDA) and Professional Fire Chief's Association (PFFA) are all working on draft letters to the International Association of Fire Chiefs (IAFC) as well as the International Association of Firefighters (IAFF) with formal complaints of AMR's activities in Arizona. California is also experiencing the same problem and we are contacting them to see if we can bring everyone together.**

**Chair Pettit asked that this item be placed on the October agenda.**

## **9. NEW BUSINESS**

### **A. Discussion and Possible Action Regarding Fire Chief's Evaluation**

**Chair Pettit stated that the CAFMA Board will solicit input from non-CAFMA Board members. She asked that they submit their summary review of their observations to their Board chairs so that the CAFMA Board may consider them for the formal process next month. She asked that the comments be submitted by October 9th.**

### **B. Discussion and Possible Action Regarding Purpose of Legal Services and the Uses thereof**

**Chair Pettit confirmed that Attorney Cornelius has direction regarding correspondence that he receives; if they are deemed nonlegal matters, they are to be immediately directed to the respective Board chairs.**

### **C. Chair Pettit Response to Statement and Documentation Presented by Mr. Jacobs During August Call to the Public**

**Chair Pettit explained that Mr. Jacobs presented numerous items. She further explained that FOIA is a reference that we use for public records requests whether they are covered by state or federal statutes.**

**Chair Pettit stated that she reviewed the information that Director Packard had referenced in the meetings that Mr. Jacobs was referring to. She found there are billing statements and supporting documents to the information that Director Packard was putting into the public record; there are multiple FOIA requests with associated costs.**

**Chair Pettit stated that the purpose of minutes is to capture the essential parts of the meeting and not dictation; it is a summary of discussion and not verbatim that is reviewed by the Board and they are approved at the next meeting. The minutes are a record of action, direction, and other public matters that take place. Chair Pettit stated that the CAFMA minutes of June have properly captured the essence of what was said at the meeting; they were approved in July and they stand as the public record.**

**Chair Pettit stated that she cannot speak to someone's state of mind with regard to their feelings of being intimidated, which is defined as making to feel afraid or fearful or to compel or deter someone by threat. She stated that there is nothing in the public record that indicates Director Packard has done any such thing. Chair Pettit stated that she finds the claim of intimidation to be unsubstantiated.**

10. ADJOURNMENT

**Motion to adjourn meeting at 5:33 p.m.**

**Move: Darlene Packard Second: Matt Zurcher Status: Passed**

**Yes: Darlene Packard, Julie Pettit, Jeff Wasowicz, Matt Zurcher**

**Board Clerk / Date**

  
JW 10/23/17

