

# HARQUAHALA VALLEY FIRE DISTRICT

## MINUTES FOR REGULAR MEETING

Thursday, March 19, 2015

9:00 AM

The Harquahala Valley Fire District Governing Board (HVFDB) convened in a Special Meeting on Thursday, March 19, 2015 at 9:00 am at Fire Station 371, 51501 W. Tonto Street, Tonopah, Arizona, 85354.

Chairperson Henderson advised that the Board may vote to go into executive session on any agenda item, pursuant to A.R.S. 38-431.03 (A)(3)(4) for legal advice with the District's attorney on matters as set forth in any agenda item.

### 1. CALL TO ORDER

Chairperson Henderson called the meeting to order at approximately 9:00 P.M.

### 2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was performed by all in attendance.

### 3. ROLL CALL OF BOARD MEMBERS

Present were Susan Combs, Charles "Chip" Main, Judy Henderson (Chairperson), Harry Thomas (Clerk), and Stacy Smith.

Also present were Brenda Tranchina – Human Resource Specialist, Renee Haynes – Administrative Manager, Michael Long – Interim Fire Chief, and William Whittington – the District's attorney.

### 4. CALL TO THE PUBLIC

- Frank Haas – Mr. Haas inquires as to why the Board in the past few meetings was so concerned over the budget issues citing examples of Overtime and fire fighters' pay. He asks the Board where the District is regarding budgeting for the attorney due to Mr. Whittington's attendance at multiple meetings. Mr. Haas also expressed concern regarding the attendance of Mrs. Tranchina and her charges to the district; his opinion was that the District did not need a HR specialist.
- Board Member Combs (speaking as community member) – Mrs. Combs speaks to the community regarding the status of former community member and board member, Joe Roman; his crimes committed have rendered him a sentence of 18 years in the Arizona Department of Corrections, and is currently assigned to the Eyman Complex in Florence, Arizona. Mrs. Combs advises the community members if they would like more information, she has his ADC booking number so they can research his status on the Arizona Department of Corrections web site.
- No other comments were made from the public.

## 5. APPROVAL OF MINUTES

- A. **REGULAR** Board Meeting of February 23, 2015
- B. Special Board Meeting of March 2, 2015
- C. Special Board Meeting of March 9, 2015

Board Member Combs notes an error on the agenda under (5) (A), it reads “Special Board Meeting” and should read “Regular Board Meeting” (as noted in **BOLD** print above).

Chairperson Henderson has questions regarding the minutes for March 2, 2015. Mrs. Henderson states regarding the flooring issues in Fire Station 371. Mrs. Henderson states that Board Member Combs had mentioned on the record that the fire fighters had been to her home “all the time”, yet it was not mentioned in the minutes. Mrs. Combs rebuts that she did not feel that it was necessary information for the minutes due to her siting a personal observation of how the flooring in the Fire Station and her home were both laid incorrectly the same way, and how the tiles are breaking constantly.

Chairperson Henderson mentions Fire Fighter Denny’s concern regarding the “Meet and Confer” agreement and the process regarding the hiring of the Interim Fire Chief. Mrs. Henderson states that FF Denny did not say “Meet and Confer”, but said MOU, which the District does not have a MOU. Board Member Combs rebuts stating the recording said “Meet and Confer” because FF Denny was reading from a letter that the Union later presented; Mrs. Combs and Mrs. Henderson both stated they would review the March 2, 2015 minutes and make appropriate changes if necessary.

Mr. Whittington asks permission to address the Board, and was granted. He notes that a “red-lined” version of the minutes for February 23, 2015 were sent to Board Member Combs and the other Board Members for review. Mr. Whittington suggests that the minutes be reviewed before approval; he notes that there is no law stating the minutes not have to be approved if placed on the agenda. Mr. Whittington recommends that any minutes be tabled in which the Board is questioning. Mr. Whittington notes that the Board can later approve modified minutes. Recommendation: table minutes for February 23, 2015 and March 2, 2015 pending modification and review. Board Member Combs states that she had only a few minutes to review the minutes, and will be reformatting future minutes as per recommendation of Mr. Whittington.

Board Member Smith asks why Mr. Whittington was only given the minutes for February 23, 2015. Board Member Combs replies that Mr. Whittington requested the minutes be sent to him for review due to the length of the meeting because of the Executive Session and Interviews that were held, prior to dissemination to the rest of the Board. Mrs. Combs advises that the minutes for the February 23, 2015 minutes are not complete as there is still one interview and the final executive portion remaining.

Board member Smith made a motion to table the meeting minutes for February 23, 2015 and March 2, 2015, 2<sup>nd</sup> by Board Member Main.

Public comments – Engineer/Fire Fighter George Denny (Union Trustee Local 4677): FF Denny would like to make it clear to the Board that there is no MOU, but a “Meet and

Confer” with the Board. He has concerns that the Board is not “meeting”, nor “conferring” with the Union/Fire Fighters.

The motion was unanimously approved.

Board Member Smith made a motion to approve the meeting minutes for March 9, 2015, 2<sup>nd</sup> by Board Member Thomas.

Public comments – none

The motion was unanimously approved.

Board Member Combs reminds Board Member Henderson that an amendment to the agenda needs to be completed changing the February 23, 2015 meeting from “Special” to Regular”.

## **6. FEBRUARY FINANCIALS**

### **A. Discussion and possible action re: approval of December 2014 and January 2015 financials**

Chairperson Henderson inquires as to issues regarding item 5131 – power tools. Administrative Manager Haynes explains to Mrs. Henderson that money was received from a grant which was placed into “Grant in” category. The cost of the tools (extrication tools) was taken out of the “power tools” (operations) category when purchased waiting for the grant money to be allocated. Mrs. Haynes explains the reason for the “Grant in” category; the District cannot budget for costs that are unknown/not guaranteed. Eng/FF George Denny explains to the Board “block grants” from the Chief Governor’s Office of Highway Safety; items must first be paid for by the District, then Grant money is approved and allocated accordingly. Mrs. Henderson’s main concern is the charting of the money on the financials, and should be reviewed. Board Member Combs mentions that a letter to the County Clerk’s office should be generated to reallocate funds from one area to another in order for the areas of concern to “come out even.”

Chairperson Henderson notes that the attorney fees are over budget.

Chief Long explains that in the future in regards to receipt of grant money versus money spent for items of which the grant money is being request. Chief Long explains in detail to the Board how this process works in the budgeting process.

Chairperson Henderson continues regarding attorney fees. She refers to multiple issues that have recently been brought to the Board’s attention which require legal advice and assistance, and the expertise of Mrs. Tranchina for HR issues.

Chairperson Henderson questions line item 6111 for Office Manager (pay), stating that the budget shows that there is only \$1,173.64 left in the budget for the year for Mrs. Haynes’ pay. This item was questioned also by Mrs. Haynes. (\*\*Note: it was noted off the recording that the financials that Mrs. Henderson was looking at during this review were the financials for the year to date, not for the entire Fiscal Year. FY financials show that there

*is still enough money budgeted for Mrs. Haynes' pay through the end of the 2014-2015 Fiscal Year.)*

Board Member Main notes that there is \$100,000 budgeted for the Power Plant which that obligation, if not mistaken, was fulfilled. Thus, this money could possibly be used and reallocated to areas which are over budget. Board Member Smith questions whether or not the obligation to the Power Plant was satisfied, and in writing. Mrs. Haynes comments that she does not believe the obligation was satisfied. Direction was given to Chief Long to follow up on this subject and advise the Board accordingly.

Chairperson Henderson notes and questions further areas: insurance for the District, overtime, uncategorized expenses. Mrs. Haynes explains the "uncategorized expenses" as payment to LN Curtis (& Sons). Mrs. Haynes states this error was caught by the auditor and was changed. *(Mrs. Haynes later provided the Board with documentation and communication with the auditor on the changes made to this area.)*

Board Member Smith made a motion to approve the February 2015 financials barring the aforementioned questions, 2<sup>nd</sup> by Board Member Thomas.

Public comments – none

The motion was unanimously approved.

## **7. REPORTS AND CORRESPONDENCE**

A. Chair's Report – Chairperson Henderson gives her report (please see attached report)

B. Chief's Report – Chief Long gives his report (please see attached report)

Public comments – none

## **8. EXECUTIVE SESSION**

Possible vote to go into Executive Session for legal advice pursuant to A.R.S. 38.431.03 (A)(3) re: investigation into harassment complaint; EEOC complaint; vacation pay request by prior Chief Dan Caudle; guidance on Board Member standards of conduct; instructions to attorney pursuant to A.R.S. 38.431.03 (A)(4) re: harassment complaint; EEOC complaint; vacation pay request by prior Chief Dan Caudle.

Board Member Smith mad a motion to convene into Executive Session, 2<sup>nd</sup> Board Member Main.

This motion was unanimously approved.

Chairperson Henderson comments regarding Executive Session; she feels that it is appropriate for Chief Long to attend as he now will be personally involved with all the issues that are on the agenda.

Board Member Smith makes a motion to have Chief Long attend the Executive Session out of necessity, 2<sup>nd</sup> by Board Member Thomas.

Board Member Combs abstains from voting due to conflicting issues.

The motion was unanimously approved by remaining Board Members.

The Board convened into Executive Session at approximately 9:40 a.m.

The Board reconvened into Regular Session at approximately 11:39 a.m.

## **9. BUSINESS**

### **A. Discussion and possible action re: Easter event.**

Chairperson Henderson has concerns regarding insurance issues. Mr. Whittington notes that offsite events need to be researched as to whether or not the owners of the property being used have insurance coverage. Mrs. Haynes states that such events hosted/sponsored by the District are covered by the insurance; noted in the VFIS coverage packet given to the Board Members at the workshop held on March 2, 2015. Chairperson Henderson feels that the event is appropriate.

Board Member Main makes a motion that the Easter event be conducted as presented with monitoring by Chief Long, 2<sup>nd</sup> by Board Member Smith.

Public comments – none

This motion was unanimously approved.

### **B. Discussion and possible action re: recruitment/selection process for hiring of a full-time Fire Chief.**

Chairperson Henderson states that the cost for the process will cost upwards of \$16,000. Mrs. Henderson feels that an appropriate amount of time needs to be given to Chief Long to see if he is able to fulfill the stipulations of the agreement he has acknowledged. Board Member Combs makes a motion that the hiring of a full-time chief be tabled until July 1, 2015, 2<sup>nd</sup> by Board Member Main.

Public comments – none

This motion was unanimously approved.

### **C. Discussion and possible action re: follow-up on EEOC complaint.**

Board Member Main makes a motion that the Board authorizes Chief Long to develop a reimbursement plan on the Falbo matter in conjunction with Mrs. Tranchina in an amount not to exceed \$15,000, 2<sup>nd</sup> by Board Member Thomas.

Public comments – none

This motion was unanimously approved.

### **D. Discussion and possible action re: follow-up on investigation of harassment complaint.**

Board Member Thomas makes a motion to authorize Chief Long to develop policies, and authorize Mr. Whittington to develop by-laws to address Board Member responsibilities and chain of command, 2<sup>nd</sup> Board Member Main.

This motion was unanimously approved.

### **E. Discussion and possible action re: contracting for services for development of a Human Resource Policy Manual.**

Board Member Combs makes a motion to have Chief Long develop a Human Resource Policy Manual and consult with Mrs. Tranchina, not to exceed consultation quote of \$6500, 2<sup>nd</sup> Board Member Main.

Public comments – none

This motion was unanimously approved.

### **F. Discussion and possible action re: vacation pay request by prior Chief Dan Caudle.**

Board Member Thomas makes a motion to have Mr. Whittington to move forward as instructed in Executive Session, 2<sup>nd</sup> by Board Member Combs.

Public comments – none  
This motion was unanimously approved.

**10. ADJOURNMENT**

Chairperson Henderson adjourned the meeting at approximately 11:47 a.m.

\_\_\_\_\_  
Susan Combs

\_\_\_\_\_  
Date