



NOTICE OF PUBLIC MEETING
Yucca Fire Department
Frontage Road
Yucca, AZ 86438
SPECIAL SESSION
October 13th, 2021

1. CALL TO ORDER: 4:00 PM

2. ROLL CALL OF MEMBERS:

1. Kayla Carr Clerk, Jim Fox Board Member, Richard Knowles Chairman

3. PLEDGE OF ALLEGIANCE: Led by Kayla Carr

4. POSSIBLE VOTE TO GO INTO EXECUTIVE SESSION

A. The Board of Directors may vote to go into Executive Session for legal advice pursuant to A.R.S. §38-431.03(A)(3) for response to Attorney General's letters dated September 9, 2021, re: potential violation of open meeting law.

1. Richard Knowles made a motion to go into Executive Session for legal advice; Kayla Carr 2nd the motion; Carr-Yea; Fox-Yea; Knowles-Yea; Motion carried.

2. Richard Knowles adjourned the Executive Session and reconvened into the Regular Session at 4:25 PM.

5. BUSINESS

A. Discussion and possible action re: possible approval of authorizing attorney William R. Whittington of the Law Firm of BPCWS to assist the Yucca Fire District Governing Board with preparation of responses to the Attorney General's letters re: potential violation of open meeting law

1. Kayla Carr stated that the Attorney needs to handle this. Richard Knowles agreed because the Board does not want any more problems. Jim Fox stated he agreed because this situation is over our heads.

2. Kayla Carr "so moved"; Jim Fox 2nd the motion; Richard Knowles opened it up for discussion; No further discussion; Carr-Yea; Fox-Yea; Knowles-Yea; Motion carries.

B. Discussion and possible action re: possible approval of Ratification Resolution No. 10-2021-01 ratifying certain Board actions including those taken on August 20, 2019, September 17, 2019, October 8, 2019, December 10, 2019, January 7, 2019, and January 10, 2020.

1. Richard Knowles made a notice that the agenda has an incorrect date on it January 7 2019 and it needs to be January 7 2020, but all the documents are dated correctly. The Board will go through the Resolution one line at a time and take a vote at the end.

2. Item #1 on the resolution; Richard Knowles asked if anyone has an issue with that item. Kayla Carr stated that there are no executive minutes to be found for Aug 20 2019, so it is unclear as to what happened within the executive session. William Whittington stated that the Board would only be ratifying the vote to go into Executive Session. Richard Knowles clarified that since the Executive Session did happen the board is just approving the vote they made to go into Executive Session. Jim Fox agreed to this item; Kayla Carr agreed to this item; Richard Knowles agreed to this item.



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3. Item #2 on the resolution; Kayla Carr stated that there is no documentation for the June 24th 2019 meeting. Richard Knowles asked William Whittington if he had any documentation that the Board did not know about and the response was no. Richard Knowles stated that ratifying something that the we have not seen or even know about is not a good idea. Jim Fox agreed with the statements made. Richard Knowles stated we will strike Item #2 from the resolution. Carr-agreed; Fox-agreed; Knowles-agreed. Item #2 removed.
4. Item #3 on the resolution; Kayla Carr stated that there is no documentation for the July 24th 2019 meeting. Richard Knowles stated we will strike Item #3 from the resolution; Carr-agreed; Fox-agreed; Knowles-agreed. Item #3 removed.
5. Item #4 on the resolution; Kayla Carr stated that there is no documentation for the financial report and since this is being investigated at this time, she recommends striking this item from the resolution. Richard Knowles wanted to clarify that this portion is being investigated by the Sheriffs at this time. Kayla Carr recommended this item be removed from the resolution. Fox-agreed; Carr-agreed; Knowles-agreed. Item #4 removed.
6. Item #5 on the resolution; Kayla Carr stated that since we didn't approve the Minutes for June 2019 and July 2019 listed on the Aug 20 2019 minutes that was listed on the Sep 17 2019 meeting that she recommends that this item should be removed. Richard Knowles stated it is also due to not having any documentation. William Whittington stated that the YFD Admin did find some documents. Kayla Carr stated that all she had was what was printed off of the website and that there is no paper copies or originals. Richard Knowles recommended that the board keep this item on the resolution; Fox-agreed; Carr-agreed; Knowles-agreed. Item #5 stays on the resolution.
7. Item #6 on the resolution; Richard Knowles asked if there were any financial documents for this item. Kayla Carr responded with no, there are no documents to support this item. Richard Knowles asked William Whittington if any financial documents were sent to him and Mr. Whittington responded with a no. Richard Knowles recommended that this item be removed from the resolution. Carr-agreed; Fox-agreed; Knowles-agreed. Item #6 removed.
8. Item #7 on the resolution; Richard Knowles asked if there was any issue with this item. Richard Knowles recommended the board keeps this item on the resolution. Carr-agreed; Fox-agreed; Knowles-agreed. Item #7 stays on the resolution.
9. Item #8 on the resolution; Kayla Carr stated that she has a bit of a problem with the Sep 17 2019 minutes because awhile back someone randomly posted the Executive Session minutes for this date on the website and those were the only executive sessions minutes that could be located and there is no original copies or paper copies. William Whittington clarified that the board is only going to be ratifying the decision to go into executive session not the minutes of that session. Richard Knowles recommended to keep this item on the resolution. Carr-agreed; Fox-agreed; Knowles-agreed. Item #8 stays on the resolution.
10. Item #9 on the resolution; Richard Knowles clarified that this is only ratifying that the board gave Leflet instruction to look into the misappropriations. Richard Knowles recommended that this item stays on the resolution. Carr-agreed; Fox-agreed; Knowles-agreed. Item #9 stays on the resolution.



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- 11.** Item #10 on the resolution; the intent to notify the public about selling station 2; Kayla Carr stated no for this item. Richard Knowles stated, no to this item as well and that he does not believe the board should ratify something that was so blatantly wrong. Kayla Carr and Richard Knowles recommended this item be removed from the resolution; Fox-agreed. Item #10 removed.
- 12.** Item #11 on the resolution; the decision to sell station 2; Richard Knowles recommended to strike this item from the resolution. Carr-agreed; Fox-agreed; Knowles-agreed. Item #11 removed.
- 13.** Item #12 on the resolution; Kayla Carr stated there are speculations that there are tampered with documents in regards to the Sep 17 2019 meeting. Richard Knowles stated that this meeting was the one where there were many different versions that were posted multiple times in different places. Kayla Carr stated that she was uncomfortable with approving this item due to the investigation in regards to tampered documents with the Sheriff's Office. Richard Knowles confirmed the current investigation with the Sheriff's Office. Richard Knowles asked William Whittington about his take on the situation. William Whittington stated that he does not have an opinion to this item. Richard Knowles and Kayla Carr recommended this item to be removed from the resolution. Fox-agreed. Item #12 removed.
- 14.** Item #13 on the resolution; Kayla Carr stated that again there is no financial documentation to support this item, so with no documentation she recommended to strike this item. Knowles-agreed; Carr-agreed; Fox-agreed. Item #13 removed.
- 15.** Item #14 on the resolution; Richard Knowles recommended for this item to stay on the resolution. Carr-agreed; Fox-agreed. Item #14 stays on the resolution.
- 16.** Item #15 on the resolution; Kayla Carr stated that she has not seen any supporting financial documents for Dec 10th 2019. Kayla Carr stated that she was not okay with approving this item with no supporting documents and recommended this item to be removed from the resolution. Fox-agreed; Knowles-agreed. Item #15 removed.
- 17.** Item #16 on the resolution; Kayla Carr stated that there needs to be a correction done to the resolution due to Karon Lamkin being appointed on Dec 10th 2019 not Dec 10th 2020 as stated on the resolution. Richard Knowles recommended for this item to stay on the resolution with the date correction. Carr-agreed; Fox-agreed. Item #16 stays on the resolution with modification.
- 18.** Item #17 on the resolution; Kayla Carr stated that there is a problem since Leflet was sworn in as Fire Chief on Oct 8th 2019 and not on Dec 10th 2019. Kayla Carr stated that she believes it was a mistake since on Dec 10th 2019 it was listed under old business. Kayla Carr even stated that there is a video on the YFD Facebook for Oct 8th 2019 where Leflet was sworn in by Former Chair Bob Mayo. Richard Knowles recommended that the board modify this item to reflect the correct date of Oct 8th 2019 instead of Dec 10th 2019 and to keep this item on the resolution. Carr-agreed; Fox-agreed. Item #17 with modification will stay on the resolution.
- 19.** Item #18 on the resolution; the decision to accept the cancellation of the sale of station 2; Richard Knowles stated that this is just to ratify the decision to cancel the sale of station 2. Richard Knowles recommended that this item should stay on the resolution. Carr-agreed; Fox-agreed. Item #18 stays on the resolution.



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20. Item #19 on the resolution; the decision to take back title to station 2; Richard Knowles recommended that this item should stay on the resolution. Carr-agreed; Fox-agreed. Item #19 stays on the resolution.

21. Item #20 on the resolution; Richard Knowles stated that he believes that giving someone the closing cost of \$960 is misappropriation of funds. Kayla Carr stated that she also has an issue with this item because on the minutes for Dec 10th 2019 it states the buyer would cover all closing cost but the board turned around and repaid closing cost to the buyer. Richard Knowles stated that this was for the reversal of the station 2 property. Richard Knowles recommended that this item be removed from the resolution. Carr-agreed; Fox-agreed. Item #20 removed.

22. Item #21 on the resolution; Richard Knowles asked William Whittington if he was the legal counsel for this item. Mr. Whittington responded with yes. Richard Knowles stated that since there are legal proceedings tied with this then this item should be approved. Carr-agreed; Fox-agreed. Item #21 stays on the resolution.

23. Item #22 on the resolution; Richard Knowles recommended that this item stays on the resolution. Carr-agreed; Fox-agreed. Item #22 stays on the resolution.

24. Item #23 on the resolution; Kayla Carr stated that she was really unaware of the Jan 10th 2020 meeting. Richard Knowles stated that this was the meeting that the pervious board did not have but then board members at the time came back and said yes, they did have a meeting afterwards and there were minutes for that meeting. Kayla Carr stated that we do have a former Board Chairman Karon Lamkin on video stating that there were no meetings in Jan 2020 according to the YFD Facebook video dated April 2020. Kayla Carr stated that this item is in regards to spray systems. Richard Knowles recommended that this item stays on the resolution. Carr-agreed; Fox-agreed. Item #23 stays on the resolution.

25. Item #24 on the resolution; Richard Knowles recommended that this is item stay on the resolution. Carr-agreed; Fox-agreed. Item #24 stays on the resolution.

26. Richard Knowles made a motion to approve Ratification No. 10-2021-1 as modified; Jim Fox 2nd the motion; Richard Knowles opened it up for further discussion; no further discussion; Carr-Yea; Fox-Yea; Knowles-Yea; Motion carries.

27. Kayla Carr made a motion to authorize the Board Chairman Richard Knowles to execute the modified resolution; Jim Fox 2nd the motion; Richard Knowles opened it up for further discussion; no further discussion; Carr-Yea; Fox-Yea; Knowles-Yea; Motion carries.

C. Discussion and possible action re: Authorize staff to post the Arizona Attorney General's letter dated September 9th, 2021, to the YFD website for one year.

1. Richard Knowles made a motion that per the Attorney General, that the district is to post the Attorney General's letter dated September 9th 2021 to the website for one year; Kayla carr 2nd the motion; Richard Knowles opened it up for further discussion; no further discussion; Carr-Yea; Fox-Yea; Knowles-Yea; Motion carries.



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6. ADJOURNMENT.

1. Kayla Carr made a motion to adjourn the meeting at 5:03 PM; Jim Fox 2nd the motion; Richard Knowles opened it up for further discussion; no further discussion; Carr-Yea; Fox-Yea; Knowles-Yea; Motion carries.

MINUTES prepared by: Kayla Carr

Date: 10/14/2021

(This is a working draft, until Board approval)

MINUTES Posted by: Kayla Carr

Date/Time: 10/15/2021 at 4:05 PM

The Yucca Fire District endeavors to ensure accessibility of all its programs, facilities, and services to all persons with disabilities. If any disabled person needs any type of accommodation, please notify the Yucca Fire District at 928-766-2300, prior to the scheduled meeting time.