



NOTICE OF PUBLIC MEETING
Yucca Fire Department
Minutes
12349 Frontage Road
Yucca, AZ 86438
REGULAR SESSION
September 18th, 2020

1. Call to Order- By Chairman Richard Knowles at 5:31 PM

2. Roll Call of Members-

- a) Kayla Carr Board Member (Clerk); Richard Knowles, Board Member (Chairman)

3. Pledge of Allegiance-

- a) Led by Assistant Fire Chief Mike Schmidt.

4) APPROVAL OF MINUTES:

Kayla Carr made the motion to accept the listed minutes with the Executive session minutes; Richard Knowles 2nd; Carr-Yea; Knowles-Yea; Motion carried.

- a) Sep 3rd 2020
b) Sep 8th 2020
c) Sep 10th 2020

5) CHIEF'S REPORT WITH FINANCIAL UPDATE:

- a) Chief Schmidt reported the following:
- Calls: 1 Vehicle Fire, 0 Brush Fires, 4 MVAs, 11 Medical, 4 cancelations.
 - Training: Ongoing.
 - Radios that were donated to the YFD.
- b) Richard Knowles stated that Chief Schmidt handle the financials and read off the checks.
- c) Chief Schmidt listed the following checks and amounts:



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5) CHIEF'S REPORT WITH FINANCIAL UPDATE CONTINUED:

- **\$6,119.77 to the YFD attorney**
- **Received checks of \$50.00 and \$250.00 from the Yucca Community Food Pantry.**
- **\$11,233.10 to be moved from the Warrant account into the Payroll/Operation account.**
- **\$473.90 for Frontier Communications**
- **Unisource Station 1 is \$1,432.00**
- **Unisource Station 2 is \$26.86**
- **Sandy's Communications is \$450.00**

d) Richard Knowles motioned to approve the checks to be signed and sent out; Kayla Carr 2nd; Carr-Yea; Knowles-Yea; Motion carried.

e) Richard Knowles asked the Chief if he has any information on payroll. The Chief then responded with the payroll is about \$8,000 and change. Richard Knowles then addressed budget concerns and that we are close to the budget. Richard Knowles also asked if there is a way to cut the payroll down around \$6,500. The Chief replied there is no way to get that low. It was also discussed about maintaining the payroll around \$8,000.00. The Chief stated that the payroll was high was due to the wildland payments and the bookkeeper. Richard Knowles stated that the department will still need to find possible extra funds for payroll.

6) POSSIBLE VOTE TO GO INTO EXECUTIVE SESSION:

a) Possible vote to go into Executive Session for personnel matters pursuant to A.R.S. § 38-431.03(A) (1) re:

1. Payroll issues and Payroll Discrepancies.

b) Richard Knowles motioned to go into executive session to discuss payroll; Kayla Carr 2nd; Carr-Yea; Knowles-Yea; Motion carried at 5:39 PM.

7) RECONEVEN INTO PUBLIC SESSION:

a) Richard Knowles opened the meeting back into public session at 5:54 PM



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NEW BUSINESS:

8) DISCUSSION AND POSSIBLE ACTION “USE OF FACILITY AGREEMENT BETWEEN YFD AND YUCCA COMMUNITY FOOD PANTRY:

- a) Richard Knowles asked the President of the Yucca Community Food Pantry to present the pantry’s proposal.
- b) The President of the Yucca Community Food Pantry read to the public and the YFD board the food pantry’s proposal which is a “Use of Facility Agreement” between the YFD and the food pantry. The President also provided some financial figures to back the amounts (fees) the food pantry will give to the YFD. The Yucca Community Food Pantry agrees to pay \$50.00 towards the pest control and \$250.00 for towards the YFD electric bill every month. The President of the Yucca Community Food pantry also stated that they are getting insurance and will provide copies to the YFD Board. The Chief stated what about having an attorney take a look at the contract.
- c) Richard Knowles made a motion to accept and sign the Yucca Community Food Pantry’s proposal; Kayla Carr 2nd; Carr-Yea; Knowles-Yea; Motion carried.

9) DISCUSSION AND POSSIBLE ACTION: RECORD MANAGEMENT, BOARD ACCESS TO DOCUMENTS, STORAGE OF RECORDS, FILING PROCEDURES/PROPER DESTRUCTION OF DOCUMENTS:

- a) Kayla Carr addressed the Chief in regards to having a written policy for Record management or proper procedure for destruction of records. The Chief stated it was in the A.R.S.
- b) Kayla Carr asked the Chief how are they destroying the documents? The Chief then replied stating that they have not destroyed any documents. Kayla Carr then read out the 2018 AFDA Redbook Chapter 10 about the legality and the severity of proper/improper destruction of records/documents.



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- Section 5 - Destruction of Records LEGALITY OF DESTRUCTION

Destroying public records without having the lawful authority to do so is a class 4 felony. A.R.S. §38-421. The Arizona State Library, Archives and Public Records is charged by law with the responsibility of authorizing the destruction of qualified public records.

9) DISCUSSION AND POSSIBLE ACTION: RECORD MANAGEMENT, BOARD ACCESS TO DOCUMENTS, STORAGE OF RECORDS, FILING PROCEDURES/PROPER DESTRUCTION OF DOCUMENTS CONTINUED:

A.R.S. § 41-151.15. To reiterate, no record should be destroyed while it still has significant value, but no record should be maintained once it no longer merits continued retention. The determination as to whether records should be destroyed is ultimately the responsibility of the Arizona State Library, Archives and Public Records. A.R.S. §41-151.15. This applies to all records irrespective of whether they are listed on approved schedules. **Destruction must be reported** to the Arizona State Library, Archives and Public Records after it has taken place and at least once a year. A.R.S. §41-151.19. To simplify and standardize the reporting of records destruction, a preprinted "Report/Certificate of Destruction" form must be used.

c) Kayla Carr also stated that there are forms that must be completed to be able to properly dispose of records and they needed to be sent into the Arizona State Library for approval and or certificate of destruction and we must maintain those records as well. Kayla Carr also discussed the retention schedules for all types of records and that must be followed. Kayla Carr also stated that we need to establish a policy on proper record management because the record management at the YFD is a mess. Kayla Carr also stated per the Redbook the employee's medical records to be maintained separately from their personnel files.

d) The Chief then addressed Kayla Carr stating he has no idea where she is getting the idea that the department is shredding anything. Kayla Carr then stated that it is just a statement to try to figure out the record management at the YFD. Richard Knowles then stated that the department has a problem with missing documents. Kayla Carr stated that the YFD has a problem and we need to fix it and we are all on the same side. Kayla Carr also addressed the fact that the Arizona State Library also has training and record management education available. Kayla Carr stated before we move forward on this she would need to do further research before a decision can be made.

e) Kayla Carr stated we need to address the Board access and read from the YFD Bylaws: Article IV Section 1. The Clerk shall keep the minutes of the board and all correspondence and the records of the District. Kayla Carr made a motion that the board member should and will have access to all the documents and records. Richard Knowles made a suggestion to reword the motion.



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f) Kayla Carr then made a motion that the Clerk of the board to have access to all document and records and the storage of the files and documents and to figure out the record management; Richard Knowles 2nd; Carr- Yea; Knowles-Yea; Motion carried. Page | 5

10) Richard Knowles made a motion to move to item 12 from the agenda; Kayla Carr 2nd; Carr-Yea; Knowles-Yea; Motion Carried;

11) DISCUSSION AND POSSIBLE ACTION: BOARD MEMBERS ACCESS TO YFD WEBSITES AND SOCIAL MEDIA SITES:

a) Kayla Carr stated that she needed access so she would be able to post the agendas and minutes when the Chief is unable to do so since the Chief is only here two days a week and the agendas and minutes are time sensitive and need to be done quickly. Richard Knowles agreed that the Clerk needs the access.

b) Kayla Carr made a motion to sit down with the Chief when he has time to receive the access to the YFD websites and social media sites so she is able to post the documents needed when the Chief is unavailable; Richard Knowles 2nd; Carr-Yea; Knowles-Yea; Motion carried.

12) DISCUSSION AND POSSIBLE ACTION: GOLDEN VALLEY FD COMING TO HELP YFD TO GET YFD FINANCIALS IN ORDER:

a) Richard Knowles stated that Golden Valley is willing to send us their Comptroller to help the YFD get their financials together and to take a look to see if GVFD could help us. The Comptroller will be at YFD for a day or two and then the fee would be about \$34.00 per hour. The Comptroller might be able to help with the missing data from the Quickbooks program also they have a CPA that could possibly help the YFD.

b) Richard Knowles made a motion to have Golden Valley Fire Department come out and assess the YFD financial situation; Kayla Carr 2nd; Carr-Yea; Knowles-Yea; Motion carried.

13) DISCUSSION AND POSSIBLE ACTION: WORKER'S COMP POLICY:

a) Chief Schmidt addressed the topic and stated that he was working on getting a new policy and should hear back from the company either today or tomorrow (Sep 18th 2020 or Sep 19th 2020) and would get the board the numbers. Chief stated that he hopes to get the cost down because right now it is about \$14,000.00. Richard Knowles addressed that it is coming due Sep 22nd 2020 for the old policy to either to renew or cancel.



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b) Richard Knowles stated there is no motion or action to be made since the board does not have the documents needed. Kayla Carr asked how would we go about handling this since we do not have another meeting scheduled before the due date? Richard stated we would have to have an emergency meeting on the 21st. Kayla Carr stated she would not be available on that day but could be present via telephone. The board agreed the Chairman would be able to sign and get it done with one signature of the board members. Page | 6

14) DISCUSSION AND POSSIBLE ACTION: YFD INSURANCE POLICY:

- a) Richard Knowles addressed that he thought it was coming up sooner then he originally thought it is not due until Nov 2020.
- b) Richard Knowles stated no action for this item.

OLD BUSINESS:

15) DISCUSSION AND POSSIBLE ACTION: FINGERPRINTING AND BACKGROUND CHECKS:

- a) The Chief stated that he has a few more employees to get completed and when they all get complete he will send them in together because it would be cheaper. Kayla Carr asked if all employees are getting it done to even include all volunteers, the Chief's answer was yes everyone, all employees will have it done.
- b) Richard Knowles stated no action at this time on this item.

16) DISCUSSION AND POSSIBLE ACTION: UPDATE ON THE PAYMENT TO THE YFD ATTORNEY:

- a) Richard Knowles stated that the Chief provided a check and now that we have two signers we could get this done and the Chief would get the check mailed out to the attorney.
- b) Richard Knowles stated that there is no further action to be taken on this item.

17) CALL TO THE PUBLIC:

- a) Kayla Carr made a motion to open the Call to the Public; Richard Knowles 2nd; Carr-Yea; Knowles-Yea; Motion carried.
- b) Members concerns and questions in regards to the following:



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- Board access to documents; members or the public stated the board has no business being involved in the Fire Districts records/documents.

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Richard Knowles addressed that he considered this criticism and he may respond; Richard Knowles stated the board has access to everything the Fire District has as to the documents the board may be privy too. Also the board is responsible for the information we have.

17) CALL TO THE PUBLIC CONTINUED:

- Concerns about the empty board position and the intentions of the current board with the vacancy.
Richard Knowles addressed the comments; Richard Knowles stated it is something the board needs to handle and no applications have been turned in yet so the board is unaware of anyone who would want to apply. Kayla Carr then stated that there was one gentleman who expressed interest but still no application yet.
- Concerns about Attorney fees.
Richard Knowles stated the fees were inherited from previous board members.
- Concerns about the Board overriding the budget.
Richard Knowles addressed that the attorney fees were due to previous board member not doing the agendas correctly. The board has not been contacting the attorney since the Kayla Carr was on the board and it was also due to the Spray Systems lawsuit.
- Concerns about the Chief “having his feet held to the fire” because of what the board is doing.
- Concerns about the budget and setting policies for the district and what authority does the board have to set policies?

18) Adjourned: Richard Knowles made a motion to adjourn the meeting, Kayla Carr 2nd, Carr-Yea; Knowles-Yea; Motion carried. Adjourned at 6.50 PM

I, _____ of the Yucca Fire District, do hereby swear that I posted the foregoing Minutes at the water tower located in Yucca on Frontage Road, District’s Fire Station #1 on Frontage Road, and “R” Burger Joint on Frontage Road, on this Date and Time: _____, 2020 @ _____ A.M/P.M

*Executive Session: Pursuant to Ariz, Rev. Stat. 38-431.03 (A)(2) and (A)(3), the Yucca Fire Department Board may, upon a majority vote, enter into an executive session to discuss or consider information that the law requires be maintained as confidential. Such a session will



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not be open to the public. Matters on the agenda may be discussed in Executive Session for the purpose of obtaining legal advice on those matters. _____ Page | 8

Pursuant to the Americans with Disabilities Act (ADA) the Board endeavors to ensure the accessibility of its meetings to all persons with disabilities. Reasonable accommodations will be made upon request for persons with disabilities or for those who speak English other than very well. If you need an accommodation for a meeting, please call the Fire Department at (928)766-2300 at least 48 hours prior to the meeting so that an accommodation can be arranged.