

WITTMANN FIRE & MEDICAL DISTRICT  
GOVERNING BOARD  
SPECIAL SESSION

Thursday, October 13, 2016

MINUTES

(Agenda items may have been taken out of order at the discretion of the Chairman.)

**1. CALL TO ORDER AND ROLL CALL**

The Governing Board Meeting was called to order by Board Chairman Doug Edwards on Thursday, October 13, 2016, at 9:35 a.m. at Fire Station 761, 20303 W. Patton Road, Wittmann, AZ 85361

Members Present: Board Chairman Douglas Edwards, Board Clerk Vince Nielsen, Board Member Jared Hobson and Board Member Dennis Yost

Members Absent: None

Staff Present: Fire Chief Tom O'Donohue

Legal Counsel: Wittmann Fire & Medical District Attorney Bill Whittington

Guests Present: Gabe Buldra and Ben Archer-Clowes, The James Vincent Group; Simon Davis, ESM Consulting Group; Luis Cordova, Rounds Consulting Group; North County Fire & Medical District Fire Chief Rob Biscoe; North County Fire & Medical District Assistant Chief Mary Dalton; North County Fire & Medical District Assistant Chief Tim Van Scoter; and North County Fire & Medical District Administrative Coordinator Deb Johnson

Public Comment: Norm Benoit, John Kadow, Sue Dolphin, Daisy Anderson, Andy Mazon, Ray Terry, Glenn Klitzka, Fran Noe, Bob Clark, Eddie Rios, Kathleen Welch, Ceri Ahlborn

Media Present: None

**2. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA**

**3. CALL TO THE PUBLIC**

There was no response to the Call to the Public.

**4. PUBLIC HEARING REGARDING THE PROPOSED CONSOLIDATION OF NORTH COUNTY AND WITTMANN FIRE & MEDICAL DISTRICTS**

a. Staff Consultant presentation regarding proposed consolidation

Wittmann Fire & Medical District Chief Tom O'Donohue gave an overview of the consolidation process and introduced North County Fire & Medical District's staff who were present. Following Chief O'Donohue's overview, Gabe Buldra of The James Vincent Group and Simon Davis, ESM Consulting Group reviewed their consolidation feasibility analysis followed by Luis Cordova of Rounds Consulting Group's review of their valuation projections study.

- Chief O'Donohue summarized the comments received from the Maricopa County Board of Supervisors in reference to the proposed consolidation.
- Chairman Edwards opened the Public Hearing at 10:53 a.m. He stated that everyone was welcome to speak and be heard. Chairman Edwards advised that questions would attempt to be answered at the end of the hearing so that everyone would have a chance to speak. He also stated that some Frequently Asked Questions are on the District website. The following comments were made:
  - Norm Benoit spoke in favor of the consolidation and stated that that he feels the economy justifies it. He asked why consolidation would be an attraction for the personnel of North County Fire & Medical District.
  - John Kadow stated that from what the consultants have said Wittmann residents are the ones that are going to benefit, not North County, so what different presentation would be given to North County to get them to absorb Wittmann's costs. Mr. Kadow also expressed concern about what would happen if the City of Surprise attempted to annex the area and what would then happen to the Fire District.
  - Sue Dolphin spoke in favor of the consolidation but really appreciates the Wittmann firefighters and wants to make sure that they remain in the District.
  - Daisy Anderson spoke in favor of the consolidation and has been a realtor in the area for ten years. Ms. Anderson stated she had a very positive experience with the Wittmann Fire & Medical District. She expressed an interest in the department improving and the firefighters having salaries that are commensurate with other area departments.
  - Andy Mazon had a question regarding the turnover in the Wittmann Fire & Medical District.
  - Ray Terry wanted to thank the Chief and the crew who have been to his house.
  - Glenn Klitzka asked who the current backup is for Wittmann Fire & Medical District.
  - Fran Noe is a resident of Cross River. She stated she hadn't heard of any problems with the service from North County Fire & Medical Service. However, she expressed a preference for both entities trying to include individuals from both districts on the governing board.
  - Bob Clark spoke in favor of consolidation but stated that he is in favor of districting with a representative from each district.
  - Eddie Rios spoke in favor of consolidation and is a former chief of Wittmann Fire & Medical District. He indicated that he thinks that Wittmann residents and personnel will benefit from the consolidation.
  - Kathleen Welch spoke in favor of consolidation but has a concern regarding the volunteers who have retired from the District and are or will be drawing a

pension. She expressed an interest in whether or not they would lose those pensions.

- Ceri Ahlborn, a former Board member for Wittmann Fire & Medical District, spoke in favor of consolidation although she was concerned at first. But she feels that in the long run, it will be the best for the community and the firefighters. Ms. Ahlborn expressed an interest in how the consolidation would impact the upcoming Governing Board election and asked why a consolidation and not a merger.

Board Chairman Edwards closed the Public Hearing at 11:00 a.m.

Board Chairman Edwards asked staff and the consultants present to address some of the questions raised by individuals commenting during the Public Hearing. Consultants Gabe Buldra and Simon Davis responded to some of the questions. Fire Chiefs O'Donohue and Biscoe also responded to some of the questions raised.

Board Chairman Edwards re-opened the Public Hearing at 11:15 a.m. to hear additional comments from previous individuals with follow-up questions that were answered.

Board Chairman Edwards closed the Public Hearing at 11:22 a.m.

## 5. **NEW BUSINESS**

- a. Discussion and possible vote to go into executive session for purposes of receiving legal advice pursuant to A.R.S. §38-431.03(A)(3), for discussion or consultation for legal advice related to the proposed consolidation of Wittmann and North County Fire & Medical Districts

**Board Clerk Nielsen moved that the Governing Board convene into Executive Session pursuant to A.R.S. §38-431.03(A)(3) for those items listed on the agenda. Board Member Yost seconded the motion.**

Vote conducted. **MOTION CARRIED.**

AYES: Edwards, Nielsen, Hobson, Yost

NAYS: None

The Governing Board adjourned to convene into Executive Session at 11:30 a.m. The Special Meeting reconvened at 11:48 a.m.

- b. Discussion & Possible Action re: adoption of Resolution #16-1013-01 approving the consolidation with North County Fire & Medical District and determining the public health, comfort, convenience, necessity or welfare will be promoted by the consolidation

Board Chairman Edwards read Resolution #16-1013-01 into the record as follows:

**“WITTMANN FIRE & MEDICAL DISTRICT  
BOARD OF DIRECTORS RESOLUTION # 16-1013-01  
(Consolidation by Unanimous Consent)**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WITTMANN FIRE & MEDICAL DISTRICT APPROVING THE CONSOLIDATION WITH NORTH COUNTY FIRE & MEDICAL DISTRICT AND DETERMINING THE PUBLIC HEALTH, COMFORT, CONVENIENCE, NECESSITY OR WELFARE WILL BE PROMOTED BY THE CONSOLIDATION.**

**WHEREAS**, the Wittmann Fire & Medical District held a public hearing for purposes of determining if a consolidation would be in the best interest of the District and would promote public health, comfort, convenience, necessity or welfare of the District; and

**WHEREAS**, no single taxpayer in either of the affected districts owns 30% or more of the net assessed valuation of the total net assessed valuation of the district, in accordance with A.R.S. § 48-822(C); and

**WHEREAS**, the Wittmann Fire & Medical District and the North County Fire & Medical District, pursuant to A.R.S. § 48-822(F), are authorized and choose to consolidate by unanimous resolution; and

**WHEREAS**, the Wittmann Fire & Medical District has completed a notice/impact statement and has taken all such other action necessary to complete a consolidation with the North County Fire & Medical District.

**NOW THEREFORE, BE IT RESOLVED** that Wittmann Fire & Medical District governing body hereby determines it to be in the best interest of the District and that it would promote the public health, comfort, convenience, necessity or welfare of the District to consolidate with North County Fire & Medical District.

**FURTHER RESOLVED**, the Wittmann Fire & Medical District is hereby authorized, by unanimous resolution, to consolidate with the North County Fire & Medical District, without the need for an election, and does hereby unanimously approve said consolidation with the North County Fire & Medical District.

**FURTHER RESOLVED**, that in the event said consolidation is approved by a unanimous vote of the North County Fire & Medical District, all equipment, assets, liabilities, and property of the Wittmann Fire & Medical District shall be transferred to the newly consolidated fire district, including any books and records of any fire fighter’s relief and pension fund, and authorizes and directs the Wittmann Fire & Medical District Governing Board, Fire Chief and staff to take any action necessary to effectuate the same, and further directs and authorizes the North County Fire & Medical District Governing Board, Fire Chief and staff to take any action necessary to effectuate the same.

**ADOPTED AND UNANIMOUSLY APPROVED** by the Board of Directors of the Wittmann Fire & Medical District this 13<sup>th</sup> day of October, 2016.”

Board Chairman Edwards stated that he carefully listened to the public hearing comments, discussions that the Board has had for several months evaluating and discussing and it is his opinion that the consolidation meets the public health, comfort, convenience, necessity or welfare standard that’s required.

Board Member Hobson stated that as the current longest standing member of the Wittmann Fire and Medical Board that this was not a decision that was made lightly or taken lightly. Obviously, the Board has done a lot of research to figure out what was best for the District and both parties involved. Board Member Hobson stated he is a member of the system that North County is a part of and that it will be a good thing for the community and the firefighters as well. Board Member Hobson added that when he got on the Board, he made it very clear that his first priority was the community and his second priority was the firefighters. He also stated that he wasn't going to sacrifice the firefighters for the community. Board Member Hobson feels this resolution and this move satisfies both by taking care of his family and Wittmann residents and definitely takes care of the firefighters.

Board Member Yost stated he has been a resident for fourteen years, has seen growth slowly and he believes this is a positive move. He stated that he wants to see the District grow in a positive manner and he believes this would be a positive change.

Board Clerk Nielsen stated he's lived in Wittmann since 2005 and as Jared said he looked after the community first and then the firefighters and longevity of the department. Board Clerk Nielsen feels this definitely promotes growth for the firefighters and the sustainability of the District and is definitely a move in the right direction and positive for all parties involved.

**Board Clerk Nielsen moved to adopt Resolution 16-1013-01 approving the consolidation with North County Fire & Medical District following the Board's determination that the consolidation would promote public health, comfort, convenience, necessity or welfare. Board Clerk Smith seconded the motion.**

Not further discussion. Vote conducted. **MOTION CARRIED UNANIMOUSLY.**

AYES: Edwards, Nielsen, Hobson, Yost  
NAYS: None

**6. ADJOURNMENT**

The meeting adjourned at 11:55 a.m.

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Russell Smith, Board Clerk