

TOWN OF WELLTON

Minutes of the AUGUST 6, 2013 Regular Council Meeting

Mayor James L. Deermer called the regular session to order at 7:00PM on Tuesday, August 6, 2013, lead the Pledge of Allegiance and gave the invocation. Roll call was taken.

Council Members Present: Mayor James L. Deermer, Vice Mayor Cecilia C. McCollough, Councilmen Alejandro M. Bejarano and Lisa J. Jameson

Staff Present: Town Manager Rodney L. Rinehart, Financial Director Ana M. Flores and Interim Police Chief Jeff Philpot.

Guests Present: Frank Hibbard, Terry Romine, Ed and Sally Hawley, Juell and Vera Barker, Rob Hohlbein, Jose Luis Gomez, Sylvia and Ralph Davidson, Sam Romine, John Nussbaumer, Juan Salcido, Johnny Salcido, Adolfo Lopez, Alfredo Flores Jr., Jose Castro, Cosme Saboria and Donald Pelfrey.

Call to the public: No written requests submitted.

DISCUSSION AND ACTION ITEMS

1. Approval of Cash Disbursements List

A. For the month of July 2013

A motion was made by Vice Mayor Cecilia McCollough, seconded by Councilman Jameson to approve the Cash Disbursements for the month of July 2013. Voice vote 4-0, motion carried.

2. Discussion of method and timeline to be used to fill vacant council seat.

Rodney detailed the previous method was to accept letters of application from interested parties. The council would review the letters and then conduct interviews. Rodney discussed the newsletter, the web site and flyers around town as methods of advertising the vacancy. Agreed to set time limit to approximately 30 days (letters by August 29 to be able put it in the packets to review for the September 3 meeting) to accept applicants. Work session to be at 5:00PM (prior to the regular meeting at 7:00PM).

3. Appoint Rodney L. Rinehart as Chief Fiscal Officer for FY 2013-2014

A motion was made by Vice Mayor Cecilia McCollough, seconded by Councilman Bejarano to Appoint Rodney L. Rinehart as Chief Fiscal Officer for FY 2013-2014. Voice vote 4-0, motion carried.

4. Discussion to review the use of golf carts, Off Highway Vehicles, and other means of transportation on public right of ways and public roadways.

Interim Police Chief Philpot distributed a handout detailing information regarding golf carts and discussed the prevalence of unlicensed drivers on golf carts in Wellton. Detailed the requirements to be able to drive an electric or gas golf cart on the roads legally. The state requirements are: the vehicle needs to be licensed and registered; insured and the driver have a valid driver's license.

5. Discussion and update of the Wellton Police Department personnel activities.

Interim Police Chief Philpot informed the council about the ongoing personnel issue to bring them current on the situation. As it is an ongoing personnel matter – Interim Police Chief Philpot was

limited on the amount of information he could release. An in-house investigation was conducted as well as an investigation by Yuma Police Department.

Councilman Jameson asked if the YPD investigation was complete and if we had the findings. Interim Police Chief Philpot said we did have the findings but we could not disclose them at this time in the public forum. Councilman Jameson wants to let the public know the outcome. Councilman Jameson said she has discussed the issue with the Yuma Police Department and they told her the outcome of the investigation. She did not understand why we (as the Town) could not disclose. Chief Philpot stated that based on the Town policy regarding personnel and employee grievances, there are certain steps to be followed. The timeline is: After disciplinary action the employee has 2 days to appeal to (file a grievance with) the Personnel Director. (Upon review of the Town of Wellton Personnel Policy the correct length of time is 5 days.) The Personnel Director then has 10 days to submit the grievance to the Employee Review Board (the Town Council). The Employee Review Board then has 30 days to review the decision by the Personnel Director and take action on that decision. The Personnel Director then has 10 days to notify the employee the decision the Employee Review Board reached. Then, Interim Police Chief Philpot feels it could then be addressed in open forum.

Councilman Bejarano questioned what the Town's process for letting an employee go from the Town's employment.

Councilman Jameson questioned if background investigations are done on new hires. Interim Police Chief Philpot said all new hires are screened through AZ Post prior to employment. He described the lengthy process. Mental healthcare provider also checked out this particular employee prior to employment with WPD.

Councilman Bejarano questioned the process if a citizen would like to file a complaint against an officer. Complaint process is detailed. A form is available at the Police Department for a citizen to fill out and sign (notarized) to file a formal complaint against an officer. They also take complaints verbally.

6. Discussion and Action to approve Police Chief Employment Agreement with Russ Ellis.

Review of the 2-year employment agreement between Russ Ellis and the Town of Wellton. Proposed change to the severance package from 1 year severance salary to 6 month severance salary.

A motion was made by Councilman Jameson, seconded by Councilman Bejarano to approve the Agreement with the changes and "give it to Mr. Ellis". Voice vote 4-0, motion carried.

7. Discussion of the Wellton Fire Department and Tri-Valley Ambulance Service regarding personnel and facility use arrangements.

Town Manager Rinehart turned it over to Fire Chief Rivera to explain the situation. An e-mail was sent to the Chief at TVA from Chief Rivera in July requesting the spare ambulance be parked outside and the WFD would park their service vehicle in the station so it and the equipment would be secure. Town Manager Rinehart received a copy of the email at that time. Sam Romine said TVA agreed to the e-mail and there were minutes from their meeting to prove it.

John Nussbaumer stated this is an issue that needs to be resolved by the boards immediately. Sam Romine agreed stating the crews get along and obviously this is a personnel issue that needs to be revisited in a joint meeting.

Chief Rivera stated the individual has a problem with every other entity in East County (Wellton Fire Department, Tacna Fire Department, Dome Valley Fire Department, Yuma County Sheriff's Office, etc.).

Town Manager Rinehart assured the TVA President that the Town was not trying to "kick them out" of the Town's facilities.

Chief Rivera stated he had devoted his life to the Wellton Fire Department. His volunteers are very dedicated. He is just "tired" of the backstabbing (by an individual) that is going on in the Town's facility.

Chief Rivera stated that Tri-Valley Ambulance is obligated by contract with DHS to cover the Town of Wellton and outlying areas until February 28, 2016.

Extensive discussion regarding the lease agreement with TVA.

Terry Romine stated that "TVA needs to grow up. This is not the 70-80's when it was an all-volunteer department. This is 2013 - they need to pay their own bills."

Captain Donald Pelfrey from Tacna Fire was at the meeting in show of support of Wellton Fire Department. He stated the 3 departments (WFD, TFD and TVA) work well together when the individual is not present. Chief Pelfrey discussed his meeting with his board and TVA board regarding his conflict with the Chief at TVA.

TVA and Wellton Town Council are to meet in Executive Session to discuss the personnel issue. They will also hash out the Lease Agreement at that time. TVA and Town Council meeting will be August 14 or August 15.

- **Future Agenda Items** Library Card Sign-Up Month in September, potentially adopting the agenda at the beginning of each meeting, sales tax implementation to be posted 60 days prior to the meeting it is to be discussed, work sessions.
- **Other Reports** No Other Reports
- **Manager's Report** San Jose Avenue cul-de-sac removal should be complete by Thursday, APS construction, Los Angeles Avenue and William Street stop sign progress (first part of September)
- **Adjournment** A motion was made by Councilman Bejarano, seconded by Vice Mayor McCollough to adjourn the meeting. Voice vote 4-0, motion carried. The meeting was adjourned at 8:36PM.



 James L. Deermer, Mayor

ATTEST:



 Joseph Grant, Interim Town Manager

CERTIFICATION:

I hereby certify that the forgoing minutes are a true and correct copy of the regular meeting held August 6, 2013 and the meeting was duly called and posted and that a quorum was present.



 Joseph Grant, Interim Town Manager