



LAKE MOHAVE RANCHOS

FIRE DISTRICT

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MINUTES OF REGULAR MEETING OF THE LAKE MOHAVE RANCHOS FIRE DISTRICT GOVERNING BOARD

*The Governing Board of the Lake Mohave Ranchos Fire District met in regular session on **03-26-2018** at **1:30 p.m.** The meeting was held at **The Dolan Springs Chamber of Commerce, 16154 Pierce Ferry Rd, Dolan Springs, AZ.** The Board may vote to go into executive session on any agenda item, pursuant to A.R.S. §38-431.03(A)(3) for legal advice with the District's attorney on matters as set forth in the agenda item. The following topics and any variables thereto, will be subject to Board consideration, discussion, approval, or other action. All items are set for possible action.*

MINUTES

1. CALL TO ORDER.

- Director Cass called the meeting to order at approximately 1:30 p.m.

2. ROLL CALL OF BOARD MEMBERS.

- Deb Cass, Charlotte Kiffer, Eric Terrill, Rick Sherwood and Mike Karash.

3. PLEDGE OF ALLEGIANCE.

- Recited.

4. APPROVAL OF MINUTES.

- Regular Session 01/29/2018
- Director Karash motioned to approve the minutes, Director Terrill 2nd. All members present in favor, motion carried.
- Regular Session 02/26/2018
- Director Kiffer noted a revision to the minutes: pg. 3 last bullet regarding annexation, noting it doesn't spell out what form is being spoken about and the changes. Also stating, that on pg. 5 G – 2nd sentence from bottom, noting Ms. Staab wasn't at the meeting (needs removed). Director Kiffer noted she did submit those changes in an email. Director Terrill motioned to approve the minutes with corrections, Director Kiffer 2nd. All members present in favor, motion carried.

NOTE: Director Cass advised the Board and public that due to a conflict; Executive Session was going to take place at this point. Director Kiffer motioned to enter Executive Session, Director Terrill 2nd. All members present in favor, motion carried.

NOTE: Chief DeMaio left due to an emergency call and public was dismissed for Executive Session.

5. REPORTS.

- February 2018 Financial Report(s). *(The financial report(s) are to be reviewed and approved by the Board).*
- Mr. Buldra reported for the month of February the total Revenue was \$17,517, the Mohave County Revenue was \$13,537 which was \$19,537 under budget. Non-Tax Revenue was \$22,570. Expenses were \$64,252, Year to Date is \$728,492 in Revenue and Year to Date in Expenses is \$583,087. Director Kiffer asked for a simple breakdown of how much money the District has, and Mr. Buldra advised, as of February the District has \$538,000 in cash noting that was an increase. Director Kiffer asked what the average income and expenses were. Mr. Buldra noted the average monthly income is around \$85,000 and expenses are around \$71,000. Director Karash motioned to approve the financials, Director Cass 2nd. All members present in favor, motion carried.

b. Fire Chief's Report *(The governing body may not propose, discuss, deliberate or take legal action on this matter unless the specific matter is properly noticed for legal action. Therefore, action taken as a result of the Chief's report will be limited to directing staff to study the matter or scheduling the matter for further consideration and discussion at a later date. (A.R.S. 38-431.02.K.)*

- February Run Report: Total 62 calls (EMS 43, Transports 30, Refusals 9, DOA 3, 1 No Contact, 2 Fire, 5 Service, 5 Good Intent and 7 False Alarms.)
- Meadview coverage for April is showing 6 days not covered.
- Fuel Cards: seeing a savings and tracking the fuel costs and cost compared to KUSD school yard.
- Pump repair C-401, using old one as a spare.
- T-418 air compressor repair and valve repairs were performed. Regular maintenance performed as well, along with two new front tires.
- R-415 received two new front tires
- Meetings attended: Run Review, Pre-Hospital Care, Preliminary Budget, TB training and an Airway trauma lab.
- VFA grant finalized (wildland fire grant) and make purchases for those items soon.
- MCI is scheduled April 12th near Diamondbar Rd.

6. REGULAR BUSINESS.

a. Discussion and possible action regarding: Resolution 2018-002 PSPRS 30-Year Amortization for LMRFD. (Buldra)

- Mr. Buldra stated that Legislation has passed a bill to allow an organization to go to a 30-year Amortization. Mr. Buldra recommended doing this to have some savings in the District's pension costs. He stated this offers it at a 30-rate, but the District could always go back to a 20-year rate. He stated with the Resolution, it allows the Board that opportunity. Director Kiffer motioned to accept Resolution 2018-002, Director Karash 2nd. All members present in favor, motion carried.

b. Discussion and possible action regarding: Schedule of LMRFD FY 18-19 Budget Workshop. (Administration)

- Mr. Buldra suggested 4/30/18 for a budget workshop date at 1:30 p.m. with location TBD. The Board voted by consensus, all in favor.

c. Discussion and review: Personnel cost analysis. (Kiffer/Buldra)

- Mr. Buldra stated the revenue portion calculated on Ms. Bower's spreadsheet was "pretty correct." Mr. Buldra noted the personnel part of the spreadsheet indicated a personnel cost for 2 employees being \$362,000 and that for 6 employees the total personnel cost would be \$356,000 stating year to date the District hasn't reached that. Mr. Buldra noted there are variances in those numbers. No action.

d. Discussion and possible action regarding: Roberts Rules of Order; Arizona Open Meeting Law. (Cass)

- Director Cass stated she placed this item on the Agenda because at last month's meeting she was told she couldn't vote unless it was a tie. She noted that in speaking with Mr. Whittington regarding this, he advised that the Board does not follow Robert's Rules of Order, also stating that is more for corporate. Director Cass noted, we follow AZ OML. No action.

e. Discussion and possible action regarding: Administration Staff Office Policy; Hours of Operation. (Board)

- Director Cass stated she placed this back on the agenda to be able to vote on it, noting that #6 is in most policies (regarding working from home). Also stating, this reminds us of legal accommodations for Staff if we need to. Mr. Whittington had recommended keeping #6 in the policy as a reminder that there are legalities. Director Kiffer read aloud #6 and agreed that #6 should remain in. The staff is reinstating that paragraph in that policy and the Board will then review it at the next Regular Board Meeting. Item tabled.

f. Discussion and possible action regarding: Administration Staff Office Policy; Vacation. (Board)

- Director Kiffer wanted to know the cost for vacation on both Item F & G. Director Cass attempted to reach Mr. Buldra. Director Kiffer asked Mr. Buldra about cost to the District when on vacation (suppression/admin). She also asked if there was a cost associated with filling those vacancies

while those people would be out. Mr. Buldra stated a full-time employee for the District cost is within the budget. Mr. Buldra noted if that person is on OT that will cost the District \$657 approximately to replace that person, \$347 with a POC to cover (this is regarding estimates for suppression staff). Mr. Buldra stated this is only if that person must be replaced. Mr. Buldra noted that there are 4 full-time suppression staff employees. Mr. Buldra noted that those monies are in the budget. Chief DeMaio noted that it's not a full 96 hours up front, they are on an accrual basis at first. Mr. Buldra noted that for Administration vacation is the same, it's within the budget. Mr. Buldra noted to cover the AA while on vacation it would cost approximately \$216 (based on \$12 per hour/8-hour day). Chief DeMaio stated they could use the minimum wage of 10.50 for that coverage if needed, and that would save some money. Director Terrill motioned to approve the Administrative Staff Vacation Policy, Director Cass 2nd. Director Kiffer voted "nay." Directors Terrill, Cass, Karash and Sherwood in favor, motion carried.

g. Discussion and possible action regarding: Suppression Staff Policy; Vacation. (Board)

- Part of the discussion for this Item is included with Item F (see above). Director Kiffer motioned to approve the Suppression Staff Vacation Policy effective 3/26/18, Director Terrill 2nd. All members present in favor, motion carried.

h. Discussion and possible action regarding: LMRFD District emails; accounts. (Cass)

- Director Cass mentioned this is to follow record retention and ensure following the laws. Director Cass noted the Board of Directors can be added to the current District email profile. Chief DeMaio returned to the meeting, during this item. He stated that Karen would set the email accounts up and the Board Members would then change their passwords. Director Sherwood motioned to use LMRFD emails, Director Karash 2nd. All members present in favor, motion carried.

i. Discussion and possible action regarding: Exterior work St. 41/Administration; cost estimates; work requested and/or to be performed. (Terrill)

- Chief DeMaio noted there were only 2 quotes provided. Also noting it's an automatic 2-year warranty for the work that is stated in the Registers of Contractors. For paint specs the contractors referred Chief to the manufacture. Director Terrill wanted to know how many people the Chief contacted for bids. Chief DeMaio advised he contacted 4. Director Terrill motioned to accept the proposal bid from Lakeside Drywall and Paint, Director Kiffer 2nd. All members present in favor, motion carried.

j. Discussion and possible action regarding: LMRFD and Mt. Tipton Water Company 2013 Agreement; re: use of potable water. (Terrill)

- Brenda Mona from Mt. Tipton Water Co. asked that in all non-emergency situations that the Fire District use the non-potable water and Chief DeMaio stated, "we can make that happen." No action.

k. Discussion and possible action regarding: Draft letter of condemnation to AZ State Bar Association; Tax Override Attorney; possible approval of letter. (Kiffer)

- Director Kiffer advised she reviewed the information located on the AZ Bar website. She noted the one this falls under is incompetency. Director Kiffer reviewed the ballot samples. She noted that the verbiage on the ballots appeared confusing, but that certain verbiage couldn't be added. She noted at this point, I feel we would be hard pressed with this and they would investigate. She recommended thinking about what the language used was. Director Kiffer motioned to not send a letter of complaint, Director Cass 2nd. All members present in favor, motion carried.

l. Discussion and possible action regarding: LMRFD 180-day Notice of Election for Members term dates. (Administration)

- Chief DeMaio notified the Board that notification was received from the County, for 3 Board seats coming up for election and we are on the 180-day notice. Chief DeMaio noted that Director Terrill, Director Karash and Director Sherwood are the members up on term for election in November. No action.

m. Discussion and possible action regarding: Sale of surplus vehicle. (Administration)

- Chief DeMaio stated there are some vehicles the District should look at getting rid of, noting insurance is still being paid on them because they are owned and on LMRFD property. Chief DeMaio suggested he place them on a public auction website, with Board approval. Chief DeMaio stated he is looking for a minimum purchase bid of \$500 per vehicle. He noted the following vehicles: 2 ambulances with blown motors, 2 engines in Meadview. Director Sherwood motioned to approve the Sale of Surplus vehicles, Director Cass 2nd. All members present in favor, motion carried.
 - n. Discussion and possible action regarding: Research for specific grant writer. (Administration)
- Chief DeMaio stated he was in contact with a grant writer, noting her flat fee is \$2500. He stated she doesn't do big grants though. He noted she has a good track record and saves us time. Chief DeMaio noted that is a per grant cost. No action.
 - o. Discussion and possible action regarding: LMRFD Volunteer information. (Sherwood)
- Director Sherwood stated looking into Meadview for some professional help from retired individuals but making sure Meadview wants the coverage. He stated help with office, traffic control, these individuals could be male/female. He noted once upon a time there was a MESA program in Meadview and maybe they could start something like that. Director Sherwood shared his ideas with the Board, Chief and public regarding assistance, noting this was just a talking point item at this time. Director Sherwood stated he would work with the Chief with this matter to help the District as well. No action.
 - p. Discussion and possible action regarding: Public apology Letter to E. Bower. (Administration)
- Chief DeMaio offered an apology to Ms. Bower, stating he spoke about her while she was not at a Board Meeting (non-attendee) he stated he had no intention on diminishing her dedication to the LMRFD, or the people of the Community, and in no way intended to marginalize or diminish her work with the LMRFD and the Community while she was an employee with the LMRFD. He asked Ms. Bower to please accept his apology, Ms. Bower responded, "Thank you."
 - q. Discussion and possible action regarding: Medicare Extenders. (Kiffer)
- Chief DeMaio stated this matter was investigated and that for the super-rural, he noted an outside agency works with the District for billing and that Medicare renews every 5 years and in Meadview is being billed as super-rural as well as other areas covered within the CON. Chief DeMaio stated it's based on census information and zip code. Chief DeMaio stated the biller assured him that Meadview and 86444 is being billed as super-rural. No action.
 - r. Discussion and possible action regarding: Annexation information and process; review of material received from LMRFD Attorney. (Kiffer)
- Director Kiffer stated that this was brought up by the Attorney regarding a form (previous meeting) and he later sent an email to the Board with 5 different attachments that went into detail. She noted that he has done this work beyond what was expected. Director Kiffer noted we are way over budget with the Attorney and she noted her concern for receiving this material, when it wasn't clear who requested it. Director Kiffer stated she felt the District shouldn't be billed for this when only a form was requested. Director Sherwood motioned the have the Chair challenge the invoice, Director Kiffer 2nd. All members present in favor, motion carried.

7. CALL TO THE PUBLIC & CORRESPONDENCE. *(Consideration and discussion of comments and complaints from the public. Those wishing to address the Lake Mohave Ranchos Fire District Board need not request permission in advance. The Fire District Board is not permitted to discuss or take action on any item(s) that are not on the Agenda that are raised in the call to the public. However, individual Board Members may be permitted to respond to criticism directed to them. Otherwise, the Board may direct that staff review the matter or that the matter be placed on a future agenda. The Fire District Board cannot discuss or take legal action on any issue raised during the Call to the Public due to restriction of the Opening Meeting Law.)*

- Ms. Bower spoke regarding the personnel cost analysis stating she didn't have current information to base that off. She stated her opinion about costs associated with staffing Meadview.
- Mr. Porzio noted that it's like pulling teeth for the Chief to get anyone out in Meadview. He stated it's not easy and commended the Chief on what he's done. He also asked what the cost for November 2018 Election would be if each Board Member up for re-election had no opposition.

8. **EXECUTIVE SESSION – CONSENT AGENDA** *(The following items listed below are placed on a Consent Agenda).*
1. *Board of Directors may vote to go into Executive Session pursuant to A.R.S. §38-431.03 (A)(3) for legal advice and pursuant to A.R.S. §38-431.03 (A)(4) to give direction to legal counsel re:*
 - a. Discussion and possible action regarding: Executive Session Minutes 12/18/2017; revisions and/or approval. (Board)
 - b. Discussion and possible action regarding: Executive Session Minutes 01/29/2018; revisions and/or approval. (Board)
 - c. Discussion and possible action regarding: Executive Session Minutes 02/26/2018; revisions and/or approval. (Board)
 2. *Board of Directors may vote to go into Executive Session pursuant to A.R.S. §38-431.03(A)(1) for personnel matter, A.R.S. §38-431.03 (A)(3) for legal advice and pursuant to A.R.S. §38-431.03 (A)(4) to give direction to legal counsel re:*
 - d. Discussion and possible action regarding: Personnel Matter: Picard, Philip (POC) re: payroll discrepancies. (Board)
 - e. Discussion and possible action regarding: Personnel Matter: Director Kiffer’s response to Fire Chief complaint; Fire Chief’s response to Director Kiffer. (Kiffer/Administration)
 - f. Discussion and possible action regarding: Personnel Matter: DeMaio, Tony (Fire Chief) re: records; AZ Records Officer Handbook. (Kiffer)
 - g. Discussion and possible action regarding: Personnel Matter: Fire Chief Annual Performance Review from Board; Fire Chief self-evaluation. (Board/Administration)
 - h. Discussion and possible action regarding: Personnel Matter: LMRFD Interim Fire Chief Contract and/or Fire Chief Contract. (Board/Administration)
- Executive Session Part I began at approximately 1:35 p.m.
 - Public Session reconvened at approximately 1:54 p.m.
 - Executive Session Part II began at approximately 4:28 p.m.
 - Public session reconvened at approximately 4:45 p.m.
 - Executive Minutes provided to the Board of Directors (confidential).

9. **EXECUTIVE BUSINESS.**

- a. Discussion and possible action regarding: Executive Session Minutes 12/18/2017; revisions and/or approval. (Board)
 - Tabled for revisions.
- b. Discussion and possible action regarding: Executive Session Minutes 01/29/2018; revisions and/or approval. (Board)
 - Director Kiffer motioned to accept the corrected minutes, Director Terrill 2nd. All members present in favor. Motion carried.
- c. Discussion and possible action regarding: Executive Session Minutes 02/26/2018; revisions and/or approval. (Board)
 - Tabled for revisions/preparation.
- d. Discussion and possible action regarding: Personnel Matter: Picard, Philip (POC) re: payroll discrepancies. (Board)
 - Director Sherwood motioned to have the Board Chair work with the Chief for documentation for the Board’s understanding, Director Terrill 2nd. All members present in favor, motion carried.
- e. Discussion and possible action regarding: Director Kiffer’s response to Fire Chief complaint; Fire Chief’s response to Director Kiffer. (Board)
 - Tabled until reviewed by the Board of Directors.
- f. Discussion and possible action regarding: Personnel Matter: DeMaio, Tony (Fire Chief) re:

records; AZ Records Officer Handbook. (Board)

- Per Mr. Whittington this item is a public item, Director Cass moved this into public session. Director Kiffer stated the Chief had mentioned he had a few policies but didn't know which one was current. Director Kiffer asked who the Record's Officer was/are, Chief DeMaio advised it's himself and Karen. Chief DeMaio noted he has a Records Retention book in the office. She noted it talks about discarding and shredding of materials. She noted that throwing out anything is a violation. Chief DeMaio stated that it wasn't tossed in the trash, it was placed in a pile to be shredded. Director Kiffer stated, "you didn't follow procedure and there are violations for that." Chief DeMaio asked if she assumed that was the only copy. Director Kiffer stated, "you said I threw out the policy and procedures." She noted that was the impression she had based on what was said. Chief DeMaio clarified that there was a copy of a policy book in the station and it was removed, stating there is an electronic copy available. Chief DeMaio apologized for giving the wrong impression about destruction of District material. No action.
- g. Discussion and possible action regarding: Fire Chief Annual Performance Review from Board; Fire Chief self-evaluation. (Board)
 - Discussed in Executive Session; no action.
- h. Discussion and possible action regarding: LMRFD Interim Fire Chief Contract and/or Fire Chief Contract. (Board)
 - There was discussion that at the next Regular Board Meeting the Board Members and the Chief will table what each person does or does not want in the new contract. Director Terrill motioned, and it was 2nd by Director Kiffer that the Chief's current contract be extended two months until June 1, 2018 while negotiations take place regarding a new contract for the Chief. All Board Members present in favor, motion carried, unanimously.

10. CONSIDERATION OF FUTURE AGENDA ITEMS.

- All tables items will automatically move to following month's Regular Meeting, unless noted otherwise.

11. NEXT REGULAR BOARD MEETING DATE & LOCATION.

- April 30, 2018 at the Meadview Civic Center in Meadview, AZ – 1:30 p.m.

12. ADJOURNMENT.

- Director Terrill motioned to adjourn the meeting, Director Sherwood 2nd, all members present in favor, motion carried.
- Director Cass adjourned the meeting at approximately 4:55 p.m.

MINUTES prepared by: Karen Jackson
(This is a working draft, until Board approval)

Date: 04/13/2018

