



Lake Mohave Ranchos Fire District
16126 Pierce Ferry Road, Dolan Springs, Arizona 86441
Office: (928) 767-3300 · Fax: (928) 767-3301
www.lmrfd.org

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

*The Governing Board of the Lake Mohave Ranchos Fire District met on 11-20-2017 at 1:30 p.m. The meeting was held at **The Dolan Springs Chamber of Commerce, located at 16154 Pierce Ferry Rd, Dolan Springs, AZ 86441.** 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.

- The meeting was called to order at approximately 1:33 p.m.

2. ROLL CALL OF BOARD MEMBERS.

- Directors present were: Michael Karash, Deb Cass, Eric Terrill and Charlotte Kiffer.

3. PLEDGE OF ALLEGIANCE.

- Recited.

4. APPROVAL OF MINUTES.

a. Regular Session 9/18/2017

- Director Cass motioned to approve the minutes with the changes, Director Kiffer 2nd. All members present, in favor. Motion carried. (Director Cass noted a few corrections (pg. 2) and within the Call to the Public section), that needed to be made to the September minutes. Director Kiffer noted pg. 2 3rd bullet down needed to be more specific regarding the question and answer. Pg. 3 last bullet, the "32" needs corrected to reflect a "30" instead.)

b. Regular Session 10/16/2017

- Director Karash motioned to approve the minutes with corrections, Director Terrill 2nd. All members present in favor, motion carried. (Director Kiffer noted that on pg. 2 within the financials that Mr. Buldra said \$4,392 and wanted that dollar amount spelled out. Pg. 5 under item I, needed corrected regarding where the possible LMRFD candidate lived.)

- c. Special Session 10/23/2017
 - Director Karash motioned to approve the minutes with corrections to be made. Director Terrill 2nd, all members present in favor. Motion carried. (Director Kiffer noted a few changes for Mr. Whittington's office to fix. Regarding some of the "fill-in" items that weren't clear. Director Kiffer is emailing Mr. Whittington the corrections.) (Note: these minutes were supplied by Mr. Whittington's office.)
- d. Special Session – Executive Sessions 10/23/2017
 - Director Karash motioned to table this item due to corrections and review, Director Cass 2nd. All members present in favor. Motion carried. Item Tabled until December regular meeting.

5. REPORTS AND CORRESPONDENCE.

- a. October 2017 Financial Report(s). (The financial report(s) are to be reviewed and approved by the Board).
 - Mr. Buldra reported for the month of October 2017 the revenue was \$21,559 which was \$49,951 over budget. Mohave County Revenue was \$188,743 which was \$44,335 over budget. Non-Tax Revenue was \$29,816 which was \$5,616 over budget. Expenses were \$67,097 which were under budget by \$13,617. Personnel costs were \$11,987 which were under budget due to PSPRS. Year to Date Revenue is \$373,336 which is \$46,299 over budget and Year to Date Expenses are \$257,795 which is \$58,122 under budget. Mr. Buldra reviewed projections as well. Mr. Buldra noted the ambulance revenue is coming back up and stated the audit is taking place today for LMRFD. Mr. Richards (auditor) noted that the audit would be reported either in person or by phone during the regular meeting. Director Kiffer inquired about ambulance revenue reporting. Mr. Buldra explained that is within the Wells Fargo payroll account and it's a timing thing with deposits monthly. Also noting it funds the payroll account. Director Kiffer inquired about a credit balance/credit from Chase. Mr. Buldra noted that the credit card reconciliations aren't all put in and those will be updated. Director Kiffer noted the credit balance reflected \$5,531.21 on Chief DeMaio's credit card and Mr. Buldra stated that is an accumulation, it's not for just one month of charges. Director Kiffer inquired about a difference between unrestricted net assets between last year and current year and Mr. Buldra explained it's retained earnings, based on prior years' profit and losses. Mr. Buldra noted that property taxes are coming in for the first half as well. Director Kiffer stated that LMRFD had more carry over last year than the year before. Director Kiffer noticed a difference in Elwood Staffing payments, she wanted further clarification on. Chief DeMaio stated he would report back. Director Terrill motioned to accept the financial report, Director Cass 2nd. All members present in favor, motion carried.



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- 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.)*
- Total calls for the month of October were: 67
 - Total EMS for the month of October were: 40
 - Total transport calls for the month of October were: 30
 - Total refusals for the month of October were: 1
 - Note: some calls were canceled.
 - WT-438 had damage to front side wall tire and are at the end of their service life. Cost to replace is \$1239.77 tires.
 - More tire purchases in the future due to service life expiring. That will be on the next Agenda.
 - Research on 10/23/17 Special Meeting (call to the public): billing on stabilization. Stabilization has several factors. Medicare doesn't pay for stabilization. Chief DeMaio stated he is reviewing full- assessment with suppression crew. VA doesn't pay for stabilization as well. Blood pressure checks aren't paid for because they aren't considered stabilization. Chief DeMaio provided an overview of what can be billed and paid for regarding treatments, stabilizations, basic care, air flight, patient refusals, etc.
 - Any patient can refuse medical transport if they meet certain criteria and aren't a danger to themselves. LMRFD can't unwilling transport a patient, it would be unlawful and LMRFD would be charged with kidnapping.
 - All crews have been advised if a full work up is performed to obtain insurance information and provide that with a detailed report for billing, even if a refusal of transport took place.
 - Out of District calls receiving same priority and service as in District calls: As it pertains to fire responses this is not true. LMRFD prioritizes out of District calls based on need. Not all out of District fires get the same response as in District, a limited response or delayed response or no response may occur. As far as medical is concerned we respond within our CON and not beyond, keep in mind the CON covers 2k sq. miles. The CON was obtained in 1990 and has not changed.

- Annexation request form on the website: Once the research is done, the proper language/changes will be corrected and added. The county attorney has assisted in the right of way language due to some changes regarding annexations. The original post on the website was provided by John Flynn and it will be pulled down off the website until further clarification is provided by the county attorney.
- The website is continually being worked on and updated with cosmetic fixes.
- VFA grant application will be submitted. It is for wildland or urban interface equipment. Hose, nozzles, PPE, tools at 50%. Matching cost to the District under 4K.
- Any billable calls will be billed, some charges will be denied and not paid.

6. REGULAR BUSINESS.

- a. Discussion and possible action regarding: Canvass of Special Election results of November 7, 2017. (Administration)
 - Director Cass stated: Registered Voters were 1592, ballot cast were 456 and 2 blank votes. Voter turnout total was 28.64% and 13% blank. Yes, votes were 218. No, votes were 236. Total of 454 votes. Director Kiffer asked, “why do you think it didn’t pass?” Director Cass responded, “I know so many people who voted before that pamphlet came out.” Director Kiffer stated that the ballots arrived on Monday and the pamphlets arrived on Friday and the language on the ballot may have been misleading. The tax increase was for .25%, NOT 3.50%. The tax rate is 3.25% and the amount to raise was .25% bringing the total to 3.50%. Director Kiffer stated that people didn’t have additional information, stating that the pamphlet itself was mailed 10/3/17, but didn’t reach voters for almost 2.5-3 weeks. Director Kiffer stated the language of the ballot “was not good.” Chief DeMaio stated that an attorney was involved for language for the pamphlet. Also noting that LMRFD resources aren’t allowed to be used to affect the outcome of an election, suggesting door-to-door may have helped with further information for the public. Director Kiffer asked Mr. Whittington if there was anything legally that can be done for the language on the ballot from the other attorney. Mr. Whittington stated he’d have to review the work, for a possible refund, but also stated that he knows this law firm has received recognition for good work. Director Karash motioned to approve and certify the election results as provided with a resolution, Director Terrill 2nd. All members present in favor, motion carried. (Note: copy of certification and resolution that were voted on will be turned into the County).
- b. Discussion and possible action regarding: Special Election for Lake Mohave Ranchos Fire District; tax override information process and results; total cost for breakdown. (Kiffer)
 - Director Kiffer noted that when the Board first spoke about this item the figure was around \$7500 cost to LMRFD. Director Kiffer stated that the total cost wound up being \$10,469.14 to LMRFD. (Mohave County Elections Department \$2186.52, Mohave County Voter Registration \$1862.64, the Attorney (whose firm handled the voting information, not the LMRFD Attorney) \$4727.25, the pamphlets \$1362.73 and postage of \$330.



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Chief DeMaio noted that the \$7500 was an estimate of cost that was provided. Director Terrill noted that the postage invoice was \$323, but came out to \$330 and that the elections department figure for mail-in ballot didn't seem correct. Chief DeMaio stated that he has actual copy of the invoice that was emailed. Chief DeMaio stated O'Neill Printing wanted the invoice for postage pre-paid and the cost difference could be estimate versus actual. Chief DeMaio stated he'd look into the \$7 credit refund from O'Neill Printing. Director Cass noted with a correction to the totaling; the total cost spent was \$10139.14. No action.

- c. Discussion and possible action regarding: Rescinded nomination from Ed Bennett. (Administration)
 - Director Karash noted that Mr. Bennett lived in Lake Mead City, not Meadview. The property didn't fall within District boundaries. Director Bennett was withdrawn for consideration for LMRFD Board Member seat due to this reason. No action.
- d. Discussion and possible action regarding: Appointment of Board Member for Lake Mohave Ranchos Fire District. (Board)
 - Four potential candidates presented themselves for consideration. Ms. Aiken, Jay Fleming, Rick Sherwood and Jeff Rumbles. Each provided an overview of themselves and backgrounds. Also noting that each is a registered AZ voter and all live within LMRFD boundaries. Director Terrill asked each candidate to provide an answer to what they would/could bring to the District. Each potential candidate responded. The Board ensued in discussion and review of the candidates. Ms. Bower suggested balancing the board with selection from Meadview. The open board seat term is up for re-election in 2018. Director Kiffer nominated Rick Sherwood to fill the open LMRFD seat, Director Cass 2nd. All members present in favor, motion carried.
- e. Discussion and possible action regarding: Swearing in Appointed Board Member; Oath of Office. (Board)
 - Director Karash swore in the newly appointed LMRFD Board Member, Rick Sherwood to serve for LMRFD until November 2018 upon re-election. The Oath of Office was read by Director Karash and repeated by Mr. Sherwood. No action.
- f. Discussion and possible action regarding: Approval for Appointed Board Member to become a signer on the WellsFargo (County – Warrants) account and WellsFargo (payroll) account for Lake Mohave Ranchos Fire District. (Board)
 - Director Cass motioned to table items F, G and H until the December Regular Board Meeting, Director Kiffer 2nd. All members present in favor, motion carried.

- g. Discussion and possible action regarding: Nomination for Board Chairman. (Board)
 - Director Cass motioned to table items F, G and H until the December Regular Board Meeting, Director Kiffer 2nd. All members present in favor, motion carried.
- h. Discussion and possible action regarding: Nomination for Board Clerk. (Board)
 - Director Cass motioned to table items F, G and H until the December Regular Board Meeting, Director Kiffer 2nd. All members present in favor, motion carried.
- i. Discussion and possible action regarding: Reimbursement for PSPRS training for Board Member Michael Karash. (Administration)
 - Director Kiffer motioned to approve the training cost and mileage for the PSPRS training that Director Karash attended, Director Terrill 2nd. Director Kiffer, Director Terrill and Director Cass voted “Aye”. Director Karash abstained from the vote. Motion carried.
- j. Discussion and possible action regarding: Alternate Funding Committee update. (Administration/Bower)
 - Ms. Bower stated the annexation for citizens has been tabled by the Alternative Funding Committee. Ms. Bower noted there is preliminary work on boundaries that needs done for annexing more Meadview residents in. Ms. Bower read the A.R.S. pertaining to ambulance service. Chief DeMaio and Ms. Bower ensued in discussion regarding stabilization, billing and reporting. Ms. Bower stated that if Medicare denies payment for blood pressure checks then the patient needs billed. (A citizen in the crowd asked what this had to do with alternative funding). Ms. Bower noted that these need to be collected on an ambulance run. Director Kiffer reviewed with Ms. Bower the alternative funding ideas that have been researched. Director Kiffer stated that some monies uncollected in billing is where Ms. Bower has come to for looking for money back to the District. Director Cass noted that there is a KADS flyer circulating with the LMRFD name on it and it’s not a District fundraiser, there has been no notification to the Board regarding this. No action.
 - The Board voted to go into Executive Session at approximately 2:25 p.m. for Executive Session Item 7. 1 a-g and 7. 2 a-b.

7. EXECUTIVE SESSION.

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. Update and review of credit card payment for ambulance service(s). (Whittington/Kiffer)
 - b. Review of draft Administrative Staff Office policy; hours of operation. (Whittington/Kiffer)
 - c. Review of draft Administration Staff Office Vacation policy; accrual of hours; usage; and limitation(s). (Whittington/Kiffer)
 - d. Review of draft Vacation policy for Suppression; accrual of hours; usage; and limitation(s) (Whittington/Kiffer)



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- e. Discussion and possible action regarding: Financial postings on the Lake Mohave Ranchos Fire District Website; cover page of monthly financials. (Whittington/Buldra/Board)
 - f. Review of Administrative Office staffing positions; hours; wages; alternative staffing levels; job descriptions and/or duties required for positions. (Administration/Buldra)
 - g. Review of Elwood Staffing Agreement. (Administration/Whittington)
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:
- a. Fire Chief's performance review; review of role and responsibilities. (Administration/Whittington/Kiffer)
 - b. Review of Fire Chief's Contract. (Administration/Whittington/Kiffer)
- Regular Session reconvened open to the public at approximately 4:15p.m.

8. EXECUTIVE BUSINESS.

- a. Discussion and possible action regarding: Credit Card payment for Ambulance. (Kiffer)
 - Director Kiffer motioned to rescind and remove this item from the Agenda until a future date, Director Terrill 2nd. All members present in favor, motion carried.
- b. Discussion and possible action regarding: Administrative Staff Office policy; hours of operation. (Kiffer)
 - Director Terrill motioned to table these items (b,c and d) until the paperwork is received from the Attorney, Director Cass 2nd. All members present in favor, motion carried.
- c. Discussion and possible action regarding: Administrative Staff Office Vacation policy; accrual of hours; usage; and limitation(s). (Kiffer)
 - Director Terrill motioned to table these items (b,c and d) until the paperwork is received from the Attorney, Director Cass 2nd. All members present in favor, motion carried.
- d. Discussion and possible action regarding: Vacation policy for Suppression; accrual of hours; usage; and limitation(s) (Kiffer)
 - Director Terrill motioned to table these items (b,c and d) until the paperwork is received from the Attorney, Director Cass 2nd. All members present in favor, motion carried.
- e. Discussion and possible action regarding: Financial postings on the Lake Mohave Ranchos Fire District Website; cover page of monthly financials. (Board)

- Chief DeMaio stated that Mr. Buldra advised that the summary of the financials is provided in the minutes. Also noting that he could provide a letter to the Board regarding this matter to consider. Director Kiffer motioned to have Mr. Buldra draft a letter regarding financial postings, Director Cass 2nd. All members present in favor, motion carried.
- f. Discussion and possible action regarding: Administrative Office staffing positions; hours; wages; alternative staffing levels; job descriptions and/or duties required for position(s). (Administration)
 - Chief DeMaio and the Board of Directors ensued in discussion regarding expenditures for two Administrative staff personnel, alternative staffing options and current work situations. No action.
- g. Discussion and possible action regarding: Elwood Staffing Agreement. (Board)
 - The Board and Chief DeMaio ensued in discussion regarding termination fee with the Agreement; noting there isn't one. Discussion was had involving current staffing situations. No action.
- h. Discussion and possible action regarding: Fire Chief's performance, role and responsibilities. (Kiffer)
 - Tabled until December meeting.
- i. Discussion and possible action regarding: Fire Chief's Contract. (Kiffer)
 - Tabled until January meeting.

9. CALL TO THE PUBLIC. *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.*

- Mr. Farmer inquired about ambulance service from Kingman, wanting to know how often AMR responds into LMRFD. Mr. Farmer requested this be placed on the December agenda.
- Pat Kelly-Staub addressed a concern regarding the Attorney preparing certain minutes and that's a cost to taxpayers. Ms. Staub stated there is two office staff employees who can do these. Mr. Whittington stated to the Chairman to contact him regarding this.

10. CONSIDERATION OF FUTURE AGENDA ITEMS.

- Item 4: D
- Item 6: F, G and H
- Item J – repeat/overview
- Item 7 (section 1): B, C and D – Executive Session
- Item 7 (section 2): B – Executive Session
- Item 7 (section 1): E
- Ad in paper seize & desist letter regarding unapproved LMRFD fundraiser
- Website
- Human Resources Investigation
- Call to the Public Agenda requested items

11. NEXT REGULAR BOARD MEETING DATE & LOCATION.

- December 18, 2017 – Meadview, AZ



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12. ADJOURNMENT.

- Director Karash adjourned the meeting at approximately 5:30 p.m.

MINUTES prepared by: *Karen Jackson*

Date: *11/29/2017*

Approved with Revisions: **1/29/2018**