



LAKE MOHAVE RANCHOS

FIRE DISTRICT

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

*The Governing Board of the Lake Mohave Ranchos Fire District met in executive session on **11-26-2018** at **11:00 a.m.** and regular session on **11/26/2018** 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.*

*****NOTE: Executive session will begin at 11:00 a.m. | Regular Session (for the public) will begin at 1:30 p.m. – all items for action will be held during public session, no action will take place during Executive Session. *****

EXECUTIVE MINUTES

1) CALL TO ORDER.

- Director Cass called the meeting to order at approximately 11:03 a.m.

2) ROLL CALL OF BOARD MEMBERS.

- Deb Cass, Mike Karash, Eric Terrill, Charlotte Kiffer and Theodora Koeppen were present.

3) EXECUTIVE SESSION.

1. *Board of Directors may vote to go into Executive Session for legal advice pursuant to A.R.S. §38-431.03(A)(3), for possible direction to legal counsel pursuant to A.R.S. §38-431.03(A)(4) and for personnel matters pursuant to A.R.S. §38-431.03 (A)(1) for the following matters:*
 - a. Discussion regarding: Waiver of executive session information for EEOC and ADA Investigations. (Terrill)
 - b. Discussion regarding: Termination of Private Investigator for EEOC matter. (Terrill)
 - c. Discussion regarding: Status; re: discount for annexation matter. (Kiffer)
 - d. Discussion regarding: Attorney services relating to executive session minutes 6/25/2018. (Kiffer)
 - e. Discussion regarding: Attorney services and invoice amount relating to service on 8/16/2018 and 8/17/2018; re: election matter re: possible resolution for

invoiced amounts. (Kiffer)

- f. Discussion regarding: Personnel Matter; re: Fire Chief Contract. (Board/Administration)
 - g. Discussion regarding: Personnel Matter re: Karen Jackson; email dated 6/4/2018. (Board/Administration)
 - h. Discussion regarding: Memo relating to Administrative Assistant position. (Kiffer)
 - i. Discussion regarding: Legal Counsel review of current Administrative Assistant position; current legal research. (Kiffer)
- Director Karash motioned to enter executive session, Director Terrill 2nd. All members present in favor, motion carried.
 - Director Cass called executive session to order at approximately 11:08 a.m.

4) ADJOURNMENT.

- Director Cass adjourned executive session at approximately 1:05 p.m.
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REGULAR MINUTES

1) CALL TO ORDER.

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

2) ROLL CALL OF BOARD MEMBERS.

- Deb Cass, Mike Karash, Eric Terrill, Charlotte Kiffer and Theodora Koeppen were present.

3) PLEDGE OF ALLIEGANCE.

- Recited.

4) APPROVAL OF MINUTES.

- a. Executive Session 6/25/2018
 - Director Kiffer noted a time discrepancy, stating it was 3:30 p.m. Director Cass agreed and stated she would provide the information to the paralegal for revision. Director Kiffer motioned to approve executive session 6/25/2018 with revision, Director Terrill 2nd. All members present in favor, motion carried.
- b. Regular Session 9/26/2018
 - Director Kiffer noted she sent a change a couple of times for pg. 4, #7 (regular business) 2nd bullet, 3rd sentence up, starts with discussion to avoid incurring unnecessary legal fees, Director Kiffer noted... Director Kiffer stated she though it should be revised to "Mr. Whittington note," not Director Kiffer unless Ms. Jackson heard different on the audio. Director Terrill noted removing from pg. 8 1st bullet point. Director Kiffer motioned to approve with revisions, Director Koeppen 2nd.

All members present in favor, motion carried. *After review of the audio, Director Kiffer's revision request is void.

c. Executive Session 9/26/2018 (Set 1, Set 2 and Item K)

- Director Terrill motioned to approve executive session 9/26/2018; Set 1, Set 2 and Item K. Director Karash 2nd. All members present in favor, motion carried. Director Kiffer inquired about placement of Item K executive minutes, Ms. Jackson advised they should be placed in a sealed envelope with the description written on it and locked up at the District Office.

d. Special Session – Executive 10/10/2018

- Director Kiffer motioned to approve special session – executive 10/10/2018, Director Koeppen 2nd. All members present in favor, motion carried.

e. Regular Session 10/22/2018

- Director Karash motioned to approve regular session 10/22/2018, Director Terrill 2nd. All members present in favor, motion carried.

f. Executive Session 10/22/2018 (Set 1, Set 2 and Item K)

- Director Karash motioned to approve executive session 10/22/2018; Set 1, Set 2 and Item K. Director Cass 2nd. All members present in favor, motion carried.

- The Board ensued in brief discussion about certain items the AA can't transcribe from executive session. Director Kiffer asked Ms. Reh-Bower if she could transcribe those items. Ms. Reh-Bower accepted, Director Kiffer noted she had the audio and would supply that to Ms. Reh-Bower for those items. Director Kiffer motioned for Ms. Reh-Bower to transcribe the portion of the executive minutes for 11/26/2018 that were not taken by the Administrative Assistant. Director Koeppen 2nd. Director Terrill stated that item isn't on the Agenda. The Board by 'consensus' nominated Ms. Reh-Bower, if willing, to transcribe that portion. Ms. Reh-Bower agreed.

5) REPORTS.

a. **October 2018 Financial Report(s).** *(The financial report(s) are to be reviewed and approved by the Board).*

- Mr. Buldra reported the financials for October 2018 as follows:
 - Revenue for the month of October was \$233,407 which was \$61,429 over budget.
 - Mohave County Revenue for October was \$200,939 which was \$53,767 over budget.
 - Non-Tax Revenue for the month of October was \$32,468 which was \$7,662 over budget.
 - Expenses for October totaled \$64,456 which was under budget by \$13,520.
 - Personnel expenses were \$7,113 under budget.
 - Managerial expenses were \$5,879 over budget.
 - Year to date Revenue is \$374,527 which is \$43,769 over budget.
 - Ambulance revenue is at \$127,205 which is \$33,316 over budget YTD.

- Year to date Expenses are \$291,842 which is \$19,166 under budget.
- Total cash is \$511,858 which is \$22,953, more than October 31, 2017. This surplus is projected to be expended during the fiscal year. Review of cash flow projections show that cash is sufficient through the end of the year and there will be no need to draw on the county line of credit.
 - Director Terrill inquired current fuel budget expenses, noting it's trending higher than what was budgeted for. Mr. Buldra stated, for October fuel expenses 'actual' was \$9,500.00 (reporting for July-current), noting fuel is budgeted for \$8,000.00 and is currently \$1,500.00 over budget. Director Terrill noted it was budgeted to spend approximately \$2,000.00 per month on fuel and it's been higher each month. Mr. Buldra noted that October was right at \$2,000.00 for fuel, also adding, "hopefully that trend comes back in line, but there is potential we run slightly over on fuel." Director Kiffer inquired about legal fees, budget vs. actual for YTD. Mr. Buldra advised, legal fees are budgeted for \$10,000.00, and expended through October is currently \$17,850.00. Director Koeppen inquired about the graph chart indicating personnel cost increase was 63% and wanted clarification on what they meant. Mr. Buldra advised, the bar graph is looking at income/expenses as a bi-monthly trend. Mr. Buldra noted that property tax revenue increased which why there's reflection of an income jump, noting between Oct, Nov, and Dec. a spike in income can occur, it will drop after that until 2nd half taxes are paid. Mr. Buldra explained the other portion to the chart is looking at expenses as an overall, noting the personnel cost is 63% of total expenses, adding that it's low and most common in Arizona is 80% or higher for average personnel cost. Director Kiffer inquired about an asset regarding land owned by the District, noting the land that the Administrative Office/St. 41 sit on is also occupied by the Library and Chamber of Commerce, stating she's heard LMRFD owns this land, which they have a lease for 99 years on. Mr. Buldra stated he would research that for confirmation.
 - Director Terrill motioned to approve the October 2018 financials, Director Karash 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.)*
- Run Report for October 2018: Transports 37, Refusals 11, Refusals Billed 4, DOA 3, AirEvac 1, Fire 4, Service Calls 7, Good Intent 3, and False Alarm 1. Total calls: 71. AMR transports for October: zero. AMR could be contacted for assistance if LMRFD is out-of-area or on an extended call, to assist, or any other mutual aide

needed from other organizations. AMR crew-member did assist with an LMRFD call due to a language barrier on one call.

- HWY-93 total calls were: 15; 2 were fire (not responded to) total response was 13 calls.
- Meadview December Coverage: 23/31 days.
- October Meetings: Medical Lab/OB, Run-Review, Pre-hospital Care Committee, Wildland Committee, Car Show/Health Fair, ADOT, Mt. Tipton/Fire Prevention and Last Call Meeting in Meadview.
- New cardiac heart monitors arrived and are being configured/tested before being put into service. An in-service training will be performed for suppression personnel 12/3/18 and 12/6/18.
- WACEMS grant awarded for extrication equipment for the 1st out ambulance. This will be replacing the gas-powered unit to a battery-operated unit.
- Water Tender grant submission completed, pending. ETA 90 days to a year.
- Chamber of Commerce (Dolan Springs, AZ) is temporarily closing for a remodel, upcoming Board Meetings may need a change of venue to accommodate the meetings. Effective January 2019; no ETA of remodel completion. January and March Meetings are scheduled for Chamber of Commerce location, Board needs to review options.
- December 2018 Regular Meeting falls on Christmas Eve, requesting a change of meeting date to the 27th, 28th or 31st due to the holiday, noting moving the meeting up could delay the financial report.
- Backflow testing completed at St. 41 and in good-standing.
- Frontier Communications: Statements were reviewed due to a high increase; promotional discounts had been removed and have since been placed back on the accounts, which will decrease the statement amounts.
- Ambulance 1165 had a check engine light come on, the ambulance was sent to the FORD dealership in Henderson, NV. The turbo was found to be bad and was replaced under warranty.
- Ambulance 1161 is in for repair of an A/C hose that blew.
- Ambulance 1186 had a broken rear shock mount; repaired.
- Water Tender 438 had a leaking front wheel seal; repaired and added new brake shoes that were contaminated by the oil. Leaf springs cost is being researched, noted those need replaced.
- Fuel comparison: Ambulance 1186 (old ambulance) averages: 7.1 miles per gallon and Ambulance 1165 (new ambulance) averages 8.4 miles per gallon.
- ADOT meeting: presented/pleaded the issue for HWY-93; Supervisor Jean Bishop also attended with presentation of a plan as well, proposing a fly-over bridge in the one lane that would meet with the I-11 corridor requirements. No decisions were made on the spot, other Dolan Springs, AZ public citizens were in attendance as well, and from the Community Council.

6) 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.)*

a. Correspondence re: Donation

- Walt Kiffer – spoke about the rumor of the property owned by the LMRFD, in research found the District owns 2 properties. Noting property searches are listed under Lake Mohave Ranchos Fire District (Dolan Springs) and Lake Mohave Ranchos Fire Dist. (Meadview). Mr. Kiffer stated he heard about the 99-year lease, noting we’re probably 42 years into the lease, suggesting if there’s any documentation regarding that, it be located and accessible. Mr. Kiffer noted he noticed the non-tax levy revenue is up, noting that usually means ambulance runs are up and does it mean better collection rate or if ambulance is running more, adding that could mean the reason for fuel increase. Mr. Kiffer spoke about the donation received by a community member, noting the gentleman was a Flight Nurse in the Mid-East of US, Trauma Nurse at UMC and his wife is a Cardiac Nurse in Las Vegas, noting he passed away and they donated \$500.00 towards the new cardiac monitors that the Board recently approved purchase of, to the LMRFD.
- Supervisor Jean Bishop – expressed her support for the outgoing Board Members and newly elected Board Members. Supervisor Bishop spoke about the HWY-93 issue, explaining she attended the ADOPT meeting and presented a letter to the members regarding a fly-over bridge that would accommodate I-11 and have an exit onto Pierce Ferry Rd. Supervisor Bishop noted statistics show that the accidents are caused by yielding traffic coming onto in coming traffic. Supervisor Bishop noted heading North on 93 doesn’t seem to be an issue, due to the right-hand turn lane, also adding the same applies when coming off Pierce Ferry making right onto HWY-93. Supervisor Bishop noted the gentlemen from the Community Council suggested a traffic light. Supervisor Bishop noted everyone in the State is fighting for a piece of the pot right now, noting that Mr. Lewkoski put in for a WACOG grant to assist with the engineering for this issue also in hopes the ADOT would accept that.
- Chief DeMaio stated there was a donation letter for the \$500.00 provided to the LMRFD for the new cardiac monitors and he was preparing to draft a Thank You letter for that being received. Director Kiffer thanked the Chief

for placing that on the Agenda and noted that this gentleman volunteered his time for Life-for-Flight and they determined to make the donation since he was dedicated to helping/serving.

7) BUSINESS.

- j. Discussion and possible action regarding: Waiver of executive session information for EEOC and ADA Investigations. (Terrill)
 - Director Terrill rescinded this item due to legal advice. No action.
- k. Discussion and possible action regarding: Termination of Private Investigator for EEOC matter. (Terrill)
 - Director Terrill stated under legal advice, no action for this item.
- l. Discussion and possible action regarding: Status re: discount for annexation matter. (Kiffer)
 - Director Kiffer noted the Chair and Attorney are to speak regarding a discount for a fee charged for annexation information; discussion is pending. No action.
- m. Discussion and possible action regarding: Attorney services relating to executive session minutes 6/25/2018. (Kiffer)
 - Director Kiffer noted as of last week these were not received, noting since that time they have been received by the Chair, stating the services we've paid for we have received the documents. No action.
- n. Discussion and possible action regarding: Attorney services and invoice amount relating to services on 8/16/2018 and 8/17/2018; re: election matter re: possible resolution for invoiced amounts. (Kiffer)
 - Director Kiffer noted after discussion with legal counsel, no action.
- o. Discussion and possible action regarding: Personnel Matter; re: Fire Chief Contract. (Board/Administration)
 - Director Terrill motioned to extend the Interim-Fire Chief Contract until the March 2019 Meeting for the newly elected Board Members to have time to review it. Director Cass 2nd. Directors Terrill, Cass, Karash and Koeppen voted "aye." Director Kiffer abstained. Motion carried.
- p. Discussion and possible action regarding: Personnel Matter re: Karen Jackson; email dated 6/4/2018. (Board/Administration)
 - Director Kiffer asked Ms. Jackson about the date of the email and the meeting having just occurred, wanting clarification as to if Ms. Jackson had heard the discussion, the reasons and rationale for the action the Board had taken. Director Kiffer asked Ms. Jackson if she had heard that. Ms. Jackson responded with, "Yes, I did." Director Kiffer asked, "After hearing that, the rationale, reasons and what the decisions were the memo on June 4, 2018, you still wrote that email?" Ms. Jackson responded with, "Correct." Director Kiffer asked Ms. Jackson if there was any other information that she wanted to add to that email. Ms. Jackson stated, "I just...no not at this time." No action.
- q. Discussion and possible action regarding: Memo relating to Administrative

Assistant position. (Kiffer)

- Director Kiffer stated the Attorney had referred to an email he sent to the Board and the Board noting they hadn't received it. Director Kiffer stated, it's been requested several times and this time he promised this time he will send it to the Board. No action.

r. Discussion and possible action regarding: Legal Counsel review of current Administrative Assistant position; current legal research. (Kiffer)

- Director Kiffer noted an email sent to the Chair by legal counsel was going to be emailed to the rest of the Board, by the Chair. Director Kiffer suggested postponing this item until review. Item tabled/postponed until December Meeting.

s. Discussion and possible action regarding: Payroll discrepancy matter re: update. (Terrill)

- Director Cass stated she did a follow-up on this and the Sherriff's Office dropped the ball, noting that the material had not been turned over to the County Attorney and it's pending another follow-up. Director Cass noted she would follow-up in 2 weeks, noting the material was just sent to the County Attorney about 3 weeks ago. Item postponed/tabled for December Meeting.

t. Discussion and possible action regarding: LMRFD Credit Card Policy; draft for possible approval. (Terrill)

- Director Cass noted Ms. Jackson did the updates and highlighted those revisions. The Board ensued in discussion regarding the AA performing the reconciliations for the LMRFD issued credit card(s), noting ultimately the Chief is responsible for the credit card(s). The Board ensued in discussion regarding adding the word 'current' in front of credit card to other areas noted in the policy. The Board ensued in discussion regarding #9 (2nd sentence) it's indicated i.e. Chase bank and adding 'or different insurer.' Also noting that if the AA performs any fraud research to clarify it to Administrative Staff and Fire Chief. The Board ensued in discussion regarding #10 (2nd sentence from bottom) regarding fraudulent activity by an employee noting to add 'will' result in disciplinary action and to remove 'may.' Also adding 'in' in front of aggregate. Item tabled for revisions.

u. Discussion and possible action regarding: LMRFD Personnel Evaluation Policy; possible draft for approval. (Terrill)

- Director Kiffer inquired about pg. 1 adding in Part-Time employees. Director Kiffer inquired about evaluation dates for employees, asking if it should be on there anniversary date. Chief DeMaio noted normally when an employee completed one year of service, they receive an evaluation and thereafter they receive one annually. The Board and Chief discussed time frames for employee evaluations. Director Kiffer suggested adding 'form' (in reference to: providing a copy to employee) also same on pg. 4. Director Kiffer wanted to know who the legal representation was for the employee, if it needed defined. Chief DeMaio noted it could be a union representative or whoever the employee wanted as an

- informal 3rd party witness. Director Kiffer noted the Grievance Policy is indicated as pending, asking if that should be completed first before approval of this policy. Chief DeMaio noted Administration can draft a Grievance Policy for review, for the December Meeting. Item tabled/postponed until December Meeting.
- v. Discussion and possible action regarding: Sale of surplus fire engines; setting minimum bid amount. (Administration)
- Chief DeMaio explained he'd like to surplus the old equipment (engines/ambulance) under the canopy at the Meadview Station. Chief DeMaio requested the Board allow him to place these items on the auction site, with a minimum start bid. Chief DeMaio suggested a minimum start bid of \$750.00 and reevaluate if there's no action on the items. Director Karash motioned to allow the Chief to surplus those items, Director Kiffer 2nd. All members present in favor, motion carried.
- w. Discussion and possible action regarding: AFDA 2019 Winter Conference; information. (Administration)
- Ms. Jackson noted the AFDA Winter Conference is scheduled for 1/18-1/19 2019, adding that newly elected and re-elected Board Members are required to attend the statutory courses. Ms. Jackson stated any other Board Members who wanted to attend to advise of that and the courses. Ms. Jackson indicated she would try to get that information out to the Board by the end of the week, so it can be returned, and she can complete registrations as soon as possible. No action.
- x. Discussion and possible action regarding: VFIS renewal policy for LMRFD; effective January 1, 2019-December 31, 2019. (Administration)
- Chief DeMaio reviewed the annual renewal proposal also noting the 'crime' portion has been added. Chief DeMaio indicated there's an increase to the policy with the 'crime' added. Director Cass noted it went up a minimum of \$490.00. Director Terrill motioned to approve the VFIS renewal policy for LMRFD, Director Karash 2nd. All members present in favor, motion carried.
- y. Discussion and possible action regarding: Resolution 2018-007 re: Annexation for Michael W. Feis property. (Administration)
- The Board and Chief ensued in discussion regarding the proposed annexation, the Resolution, meeting legal requirements. Director Terrill motioned to approve Resolution 2018-007, Director Karash 2nd. All members present in favor, motion carried.
- z. Discussion and possible action regarding: Attorney Larry H. Parker re: Lien Settlement for Ambulance charge. (Administration)
- The Board and Chief ensued in discussion regarding the settlement offer of 50% from the client, also discussing not setting a precedence, that if accepted it's a case-by-case situation. The Chief indicated he reached out to other transport agencies to inquire about an offer like this and they all indicated that their Board's usually took the offer as opposed to nothing. Director Terrill stated he was ok with the settlement amount offered, but also noting that the document

presented was a HIPAA violation (social security number not redacted). Director Kiffer reviewed the client's settlement offer received vs. the offer to the District and wanted the Board to weigh in. Director Terrill stated he agreed with the Chief, receiving something was better than nothing. The Board ensued in discussion regarding the differing amounts and the offer. Director Cass agreed with Director Terrill. Director Karash motioned to accept this offer, that any other settlement offers be reviewed on a case-by-case basis for approval. Director Terrill 2nd, all members present in favor, motion carried.

- aa. Discussion and possible action regarding: Canvas of the General Election. (Cass)
- Director Cass canvased the General Election results as follows: Phyllis Aitken 313 votes, 17.61%. Joe Campbell 424, 23.86%. Mike Karash 267, 15.03%. Ellen Reh-Bower 348, 19.58%. Eric Terrill 415, 23.35%. Write-In's: 10, 0.56%. No action.
- bb. Discussion and possible action regarding: Certificate of Compliance and Oath of Office Effective 12/1/2018 for re-elected and newly elected LMRFD Board Members. (Cass)
- Director Cass confirmed positions for Ms. Reh-Bower, Mr. Terrill and Mr. Campbell. All stated they reviewed OML and have signed the Certificate of Compliance. Director Kiffer thanked Director Karash for his service, noting he's sat on the Board since November 2016 and she also thanked Director Koeppen for being on the Board the last few months as well, and she welcomed the 2 new Board Members and Director Terrill back to the Board. Director Cass issued the Oath of Office to the re-elected and newly elected members, they verbalized the Oath aloud. Director Cass noted they officially take seat 12/1/2018. Director Cass noted the new members would have a District email set up for use. No action.

8) 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).*

- NONE.

9) CONSIDERATION OF FUTURE AGENDA ITEMS.

- All tabled items will automatically move to following month's Regular Meeting, unless noted otherwise and/or pending more information.
- List of items discussed in Board Meeting will be emailed to the Board Members for next month's Agenda.

10)NEXT REGULAR BOARD MEETING DATE & LOCATION.

- Regular Board Meeting will be on 12/27/2018 at 1:30 p.m. (due to Christmas Eve, the Board Meeting day has changed for this meeting), will occur in Meadview, AZ.
- Possible Special Meeting for 12/5 or 12/6 2018; pending legal counsel schedule.

11)ADJOURNMENT.

- Director Terrill motioned to adjourn the meeting, Director Cass 2nd. All members present in favor, motion carried.
- Director Cass adjourned the meeting at approximately 4:05 p.m.

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

Date: 11/28/2018