



# LAKE MOHAVE RANCHOS

## FIRE DISTRICT

16126 Pierce Ferry Road | P.O. Box 611

Dolan Springs, AZ 86441

Phone: (928) 767-3300 | Fax: (928) 767-3301

[www.lmrfd.org](http://www.lmrfd.org)



### MINUTES OF THE SPECIAL 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 **12/29/2020** at **10:00 a.m.** The Meeting was held at **Dolan Springs Community Council located at 15195 N. 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 and A.R.S. §38-431.03(A)(4) for legal direction 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.*

#### 1) CALL TO ORDER.

- Director Susan De Lara called the Meeting to order at approximately 10:05 a.m.

#### 2) ROLL CALL OF BOARD MEMBERS.

- Board Members present: Director Douglas Braaten; Director Phyllis Aitken, and Director Susan De Lara all present; Director Mike Karash absent.
  - Director De Lara conducted the Meeting.
  - Director Joe Campbell sent a written resignation effective 12/17/2020. Accepted.

#### 3) PLEDGE OF ALLIANCE & MOMENT OF SILENCE. *(To honor those who serve our Country and within Public Safety and to those we've lost).*

- Recited & Acknowledged.

#### 4) EXECUTIVE BUSINESS

1. Board of Directors may vote to go into Executive Session pursuant to A.R.S.~38.431.03(a)(1) for personnel matters for the following matters:
    - ◆ Discussion regarding review of duties as relates to Budget and matters regarding direction and response and/or lack of response to items pertaining to direction provided by the Governing Board. Discussion and possible action regarding Chief Winn's 60 day notice and or any separation from LMRFD.
    - ◆ Discussion regarding and possible action re the hiring of an Interim Fire Chief.
    - ◆ Discussion regarding and possible action re employees who have not turned over items belonging to LMRFD upon separation or during transition period.
  - Fire Chief acknowledged that he had received notice of meeting and he asked that this portion of the meeting be held in Public. This was agreed to.
- Chief Winn's 60 day notice was submitted on 12/12/20. The Board provided a copy of the letter sent to the Chief for review to the Chief. Asked about what the Chief's intent of last day of work with 60-day notice. It was noted that all of the items that needed to be turned over to LMRFD such as the email program, website, documents, etc. LMRFD has not been able to post or utilize any of these items. Chief said he had asked for these things and was not aware of the access that Administrative Manager had and he was continuing to work on this issue. Board Chair reiterated that the request was made and the refusal of complying with turning over the access and control of the email and website. The

Board is looking to work with the best interests of the Fire District. The Statute states that this is a level 4 felony if compliance is not reached. It was noted that requests for minutes, agendas, and requests that have been made to the Administrative Manager have not been responded too since 12-7-20. The Chief responded that he had requested this and she has stated she was going to do it but there was nothing more that he could do. Discussion regarding how all business that was conducted by the Administrator over the last few years was done through email. It was pointed out that the Administrator is the Chief's employee and his responsibility to make the transition happen. Director Braaten stated he was confused why everything has not been returned to LMRFD.

- Review of contract. Chief recently called in sick, provided a doctor's note and while this is fine the Chief is responsible for appointing someone to act in your stead. No key had been provided to retrieve the mail from the post office. You never informed me that you had named someone in charge. Mike Pettway was apparently your selection but you did not provide them with direction. You did not let the Board Chair know what you had set up. Your office was locked and items needed for Board meeting was not available for use. I did authorize the changing of the lock to retrieve the items needed and left the key to your office taped to your computer and the second key was put in the lock box in the reception office that had always been used to hold a key for the Chief's office. Payroll had to be submitted during this time frame and your staff person required a great deal of assistance to process the payroll. Director Aitkens stated she had contacted DHS regarding the lack of turning over the items. She outlined the procedure that will take place if the stalemate with turning over the items continues. Director Aitken stated she expected all of the passwords and logins that control the website and email would need to be provided by no later than today. The Chief said he would pass on the severity of the situation.
- Credit Card Statement revealed that a purchase of a tail light assembly on the Chief's truck. The Chief explained that he replaced the bulb in the tail light assembly several times and it keeps going out and this was one of the fixes that he tried. It appears to be an electrical problem. Director Braaten stated that he would contact the Dodge Dealership with a question to see if this is a common problem or to google the problem and see what kind of comments have been made by others. This concern over the repair was because there have been a couple accidents with the agency vehicles where LMRFD paid Golden Valley was reimbursed over \$2500 for hitting their vehicle at an incident. The agency truck hit the door at Meadview removing it's mirror and damaging the door. No drug tests were done. The Chief stated he was unaware of the Policy about drug testing.
- Concerns about the condition of the Fire Station regarding it's cleanliness and pest control. The notice on the fridge about the vermin they have caught or seen. The Station's condition reflects on the attitude of staff and people. There does not appear to be a sense of pride in where they work. There appears to be a lack of leadership. The infestation of the rats, mice, snakes, and scorpions should be addressed with the Pest Control Company as well as the cleanliness and maintenance of the building. This would also apply to the vehicles. I saw that the staff had a form to fill out and keep track of the vehicle maintenance and items on the vehicles. Those forms haven't been used in months. It appears that a second generator has come up missing but you won't be able to track when the last time it was on the truck because those forms are not being utilized. Chief responded he had no idea that there were no reports of missing equipment. He was asked how he would know that there was a need for vehicle maintenance? He stated that there is monthly maintenance done on the vehicles but no response on how this is determined. He stated there was no money to pay for pest control. It was pointed out that \$11,300.00 was paid in overtime to one employee but we had no money for pest control.
- Chief was given opportunity to respond. He had no additional comments to make. Director Braaten had no further comments to add. Director Aitken requested the Chief sign the letter that he wanted this meeting in public and that he had received it. This was done.
- Last item that the Attorney stated that Employee Personnel records and vendor files are within the Boards prevue to look at but not remove from the Office minus any medical HIPPA items. Chief Winn stated that we would have to fill out a public request to view these items. He was informed that he knew that the Board did not have to fill out those forms. The request has been made but he has refused to allow this item.

Adjourn to Executive Session at 11:40 AM.

#### **RECONVENED AT 12:15 PM**

Director Aitken motioned to reconvene Regular Session at 12:15 pm. Director Braaten seconded. No discussion. Director Aitken aye, Director Braaten aye, and Director De Lara aye. Motion carried, unanimously.

## 5) REGULAR SESSION

- Question to the Chief: Is EVR connected with any other repair shop? Response not that the Chief knows of. When were they selected to be the main repair shop? Response was shortly after he became Chief. Are you aware of any relationships with your employees that are related that are receiving pay or benefits.
  - This was asked due to the fact the minutes reflect that Karen Jackson was related to someone at the Martin Swanty group. It was her husband. This was a grossly hypocritical action when you look at a the releasing of a volunteer who receives no financial benefit but is related to Director Aitken and Karen Jackson has the same relationship as it is her husband that works at Swanty and would get a commission on business he brings to the business and this would definitely fit the description of the statute that was used to try to remove the volunteer. The minutes show discussion about EVR and Swanty doing the transmission but nothing in the minutes show approval for EVR to do the transmission.
  - Is the Ambulance back in service? There was an additional repair the alternator and the unit was returned to service. There is a warranty on parts.
  - Did Karen Jackson ever disclose her relationship to Lovelle Barret? Chief stated he was unaware of the relationship.
  -
- a.) Discussion and possible action re Chief Winn's 60 day notice submitted 12/12/2020. Any further discussion needed? Director Braaten motioned to terminate the contract with Chief Winn for cause effective immediately. Director Aitken seconded. Discussion none. Director Braaten aye, Director Aitken aye, and Director De Lara aye. Motion carried, unanimously.

- b.) Discussion and possible action re the hiring of an Interim Fire Chief.  
The following information is being used to make this decision. Recommendation from Chief Pat Moore of Bullhead, recommendation from Fire Chief now located in Oregon, recommendation Supervisor Jean Bishop as a good local candidate, local recommendation from former Board member. The fact that he was accused of lying but no lies are submitted into the record just the statement, witness to the submitting of materials to the Board Chair that showed he attended the workshop and paid for the workshop. We need someone immediately, I am noting the training he worked to make happen, he was good at applying for grants, and he appeared to have a good relationship with employees. I think a lot was made of an incident in his personal life that was dismissed and be all accounts from the Board said this had nothing to do with the firing of Tim Bonnee. The Accountant that worked for the district at the time stated he had very little contact with the Chief because the Administrative Assistant was being used to do the business of LMRFD at the direction of the Board. Mr. Gabe Budra stated he would be happy to work with him.

Director Aitken made a motion to bring back Tim Bonnee as Interim Fire Chief. Director Braaten seconded. Discussion none. Director Aitken aye, Director Braaten aye, and Director De Lara aye. Motion carried, unanimously.

This will be a contracted position as Interim Fire Chief and will be for 6-months. At the 3-month mark there will be a review that will look to see if any additional guidance is necessary. After 6-months upon successful completion of the Interim period he will be made Fire Chief.

- c.) Discussion and possible action regarding employees who have refused to turn over LMRFD intellectual property, documents, equipment, keys, and any and all items belonging to LMRFD.  
The website and email program are still under the control of the Administrative Manager. Chief stated he had the passwords and logins. There are three people who will testify that the laptop was provided to Karen Jackson. Chief stated the laptop has been returned. Director Aitken asked how long the Chief has been in possession of the passwords and logins. He did not provide a date. Chief stated he had all passwords and logins except website, email, Lexipol, and a QuickBooks password for the Accountant. The changes to the passwords on the reception desk computer were changed after 12-9-2020 so no access.

Director De Lara motioned if there is no response by 5:00 PM from Karen Jackson or receiving all information that leads to control of website and email program with a signed document from her saying she is no longer the administrative of the website or email program LMRFD will take immediate action to file complaints with the County and the State regarding the situation. Director Braaten seconded. No further discussion. Director Braaten aye, Director Aitken aye, Director De Lara aye. Motion carried, unanimously.

Chief excused from the meeting with Interim Chief Bonnee to start working on above items. At 12: 40 PM.

- d.) Discussion and possible action regarding applications for Customer Service Clerk. We have received at least 4 applications all with the understanding this is part time, \$12.15 hour, 5 days a week, one day a week in Meadview. These items will be provided to the Chief and he will review and contact whom he feels is qualified.
- e.) Discussion and possible action regarding the open Board Seat vacated by Joe Campbell who provided written notice on 12/17/2020 of his resignation. We have announced we have an open position so any who wish to apply can do so via the website.  
Director Braaten motioned to accept Director Joe Campbell's resignation effective 12/17/2020. Director Aitken seconded. No discussion. Director Braaten aye, Director Aitken aye, and Director De Lara aye. Motion carried, unanimously.
- f.) Discussion and possible action regarding the Picard Hearing on 1/19/2020 at 3:00 PM at the Court house in Kingman. We are asking if anyone is interested in putting a letter together in how the action of falsifying timesheets and not being at the Meadview station for the year he did this we would like their letter. Please feel free to attend the hearing so the judge sees the community concern.

**Call to Public:** *(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).*

Theodora from Meadview read her letter regarding her concerns about the Piccard actions. Debra Cass stated she was unable to read the minutes with the different colors. It was explained that the differences was the ratifications that were made due to an improper notification of the meeting.

#### **9) CONSIDERATION OF FUTURE AGENDA ITEMS.**

- Specified tabled items will move to following month's Regular Meeting, unless noted otherwise and/or pending additional information.

#### **10) NEXT REGULAR BOARD MEETING DATE & LOCATION.** (Subject to change, notice/announcement will be posted via District Website, if any changes occur.)

- 1/21/2020 at 10:00 a.m. – Dolan Springs, AZ

#### **11) ADJOURNMENT.**

- Director Aitken motioned to adjourn the Meeting, Director Braaten 2<sup>nd</sup>. Directors Braaten, De Lara and Aitken voted, "Aye." Motion carried, unanimously.
- Director De Lara adjourned at approximately 1:07 p.m.

MINUTES prepared by: Director De Lara  
(This is a working draft, until Board approval)

Date: 12/29-1/13/2021