



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 in regular session on 01-29-2018 at 1:00 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 Karash called the meeting to order at approximately 1:00 p.m.

2. ROLL CALL OF BOARD MEMBERS.

- Directors present were: Mike Karash; Acting Chair, Deb Cass, Rick Sherwood, Eric Terrill and Charlotte Kiffer.

3. PLEDGE OF ALLEGIANCE.

- Recited.

4. APPROVAL OF MINUTES. – CONSENT AGENDA *(The following items listed below are being placed as a Consent Agenda. Section 4; a-e; Approval of Minutes).*

a. Regular Session 11/20/2017

- Director Terrill requested revisions for item D; insert “Lake” in front of Mead City. Item K; change to “KADS.” Item 10; correct word to “cease.” Director Cass motioned to approve minutes with corrections, Director Sherwood 2nd. All members present in favor, motion passed; unanimously.

b. Executive Session 11/20/2017

- Director Sherwood motioned to approve minutes item a-e under consent agenda. Director Karash 2nd. Director Kiffer requested revisions for items b-e. Director Kiffer noted for Executive Session 11/20/2017 minutes a time needed to be added to the minutes. Mr. Whittington noted to follow “best practice” approve the minutes there are no corrections on under consent and for the minutes to be revised approve after corrections. Director Karash noted the time to reflect on executive session minutes to input is 2:25 p.m.

- Let the record reflect: Mr. Whittington; LMRFD Attorney joined the meeting via telephone at approximately 1:10 p.m.
- c. Regular Session 12/18/2017
- Director Kiffer requested revisions; pg.3 above #6; insert sentence “in the future the Chief will report the number of days Meadview is open.” Under 6 B; “after the AFDA Conference” inserted into motion by Director Sherwood. Under D; motion by Director Terrill didn’t “spell out” what the recommendations were.
 Insert on Director Kiffer statement regarding handouts “at LMRFD meeting.” Pg. 4, G; starts sentence Mr. Waalkens...insert “it depends on the call volume, the location and it varies month to month, usually there is no billing to LMRFD unless stand-by is requested by LMRFD.” Also, in last sentence correct 4 to reflect 5 regarding “if he had to guess it was down to” sentence. Item O; review of LMRFD website; insert “Director Kiffer stated she did not put this on the agenda.” Pg. 6 “since this information hadn’t been received from Mr. Whittington” needs inserted into items b, d, e and f to explain why items were tabled. Pg. 6 in Call to the Public; under 1st bullet 3rd sentence insert “to do the Board Minutes.” Under Pat Kelley Staab remark; insert “Grapevine-Mesa had a Board Member; the Clerk do the minutes” and she suggested staff research that item. Under Walt Kiffer remark, add remark “on the website are the ALS and BLS rates are set by the State of Arizona.” Director Terrill requested revisions in the Call to the Public, 2nd bullet point edit CANS to reflect “aluminum cans,” stating CANS is not an acronym. Director Terrill noted revisions for last 2 bullet points, to remove PO Boxes/physical address from the minutes and insert city only. Director Terrill and Director Kiffer noticed that Director Terrill didn’t have the correct copy of minutes. Director Kiffer had stated the addresses weren’t on hers. Mr. Whittington advised the Board they can entertain a motion with amendments to approve minutes and make sure those changes occur. Director Karash motioned to accept the minutes as amended, Director Cass 2nd. Director Kiffer asked who would check those changes. Chief DeMaio stated the Administrative Office will make the changes and get those back out. All members present in favor, motion carried; unanimously.
- d. Executive Session 12/18/2017
- Item moved to Executive Session for revisions.
 - Item tabled.
- e. Special Session 1/3/2018
- Director Kiffer requested revisions, Pg. 1 insert “four” for the number of sample templates reviewed. Place the word “sample” before “template.” Correct “prepare” to “provided them.” Insert for section regarding Director Cass creating templates; insert, “she would develop a self-evaluation form for the Chief.” Director Kiffer motioned to accept these with the corrections, Director Karash 2nd. All members present in favor, motion carried; unanimously.



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5. REPORTS AND CORRESPONDENCE.

a. December 2017 Financial Report(s). *(The financial report(s) are to be reviewed and approved by the Board).*

- *Mr. Buldra reported the financials.*
- *Revenue for December was \$72,066 which was \$14,976 over budget.*
- *Mohave County Revenue for December was \$57,872 which was \$25,030 over budget. (Variance is due to timing)*
- *Tax Revenue is \$119,752 over budget.*
- *Non-Tax Revenue for December was \$14,193 which was \$40,007 under budget. (Variance due to grant revenue which is \$30,000 under budget.*
- *Expenses for December totaled \$59,956 which was under budget by \$4,426.*
- *Year to Date Revenue is \$623,710 which is \$92,881 over budget.*
- *Year to Date Expenses are \$422,591 which is \$32,091 under budget.*
 - *Mr. Buldra also noted that the credit card reconciliation has been cleared up. Director Terrill inquired about deposits showing as debits. Mr. Buldra explained in accounting world it's referred to as a debit when it is collected in the account whereas a credit is outgoing. Director Sherwood asked Mr. Buldra for a list of the assets for LMRFD.*

Director Terrill motioned to approve the December financials, Director Sherwood 2nd. All members present in favor. Motion carried, unanimously.

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.)*

- *December run report: 2 fire calls, 45 EMS, 33 transports, hazardous conditions 1, public service calls 4, good intent calls were 7, false alarms were 6. Total calls: 65*
- *2017 Calendar Year End total calls: 814; down 30 or so calls from previous year.*
- *Attended Meetings: WACEMS, AFDA, DOHLS, Community block grant.*
- *VFA grant awarded for just over \$7,000 for wildland hose and gear. 50/50 grant.*
- *DOHLS grant is being worked on*
- *AFG grant – over \$155,000 for SCBA's. This is a big-ticket item, they are coming to the end of their service life. SCBA's are the air packs firefighters wear.*
- *Repair St. 41 for wind damage; complete.*

- Meadview coverage; does not fall below 15 days a month. December 2017 coverage in Meadview: 24 days. January 2018 coverage in Meadview: 26 days. Projected February 2018 coverage 20 days in Meadview. St. 43 is covered with one paramedic. ALS coverage has been at St. 43 last several months.
- New Ambulance went to Henderson, NV for oil leak and door locks issue; warranty coverage.
- E-411 received new tires per approval of purchase.
- Posting on websites regarding LMRFD; review of posted material. Review of current cost for personnel for FY. Outdated policy manual posted on a website; didn't come from Administration. Suggesting this be placed on the agenda for February regarding these documents/postings. Director Kiffer suggested that Mr. Buldra be sent the document(s) for review to check the numbers.

6. REGULAR BUSINESS.

- a. Discussion and possible action regarding: FY 16-17 Audit presentation by Brian Richards, CPA for LMRFD. (Richards)
 - Mr. Richards presented the LMRFD FY 16-17 Audit via telephone. Mr. Richards advised there were no internal or external issues; no findings were found. Mr. Richards asked if there were any questions regarding the Audit.
- b. Discussion and possible action regarding: Approval of FY 16-17 LMRFD Audit. (Board)
 - Director Kiffer motioned to approve the FY 16-17 LMRFD Audit, Director Terrill 2nd. Director Kiffer, Director Terrill and Director Cass motioned “aye.” Director Sherwood abstained. Motion carried.
- c. Discussion and possible action regarding: Template design approval for Fire Chief’s annual review. (Kiffer)
 - Director Kiffer stated the Board must evaluate the Chief and the Chief must do a self-evaluation. Stating, in his Contract his duties are to be reviewed. Director Cass asked if Director Kiffer wanted the two evaluations to be identical. Director Kiffer wanted the evaluations to reflect the job duties listed in his Contract. Director Kiffer stated the document listing his duties would be helpful to the Chief as well, when doing the evaluations. Director Terrill stated the Chief’s evaluation should “closely mirror” the other form. Director Kiffer stated to attach the duties document to the other form and refer to it when using this form. Director Sherwood agreed with what Director Kiffer was suggesting. Director Kiffer motioned use the sheet of duties for evaluation and attach this to the other form for same ratings, Director Terrill 2nd. All members present in favor, motion carried, unanimously.
- d. Discussion and possible action regarding: Materials and/or information delays from LMRFD Attorney Bill Whittington. (Kiffer)
 - Item moved to Executive Session
- e. Discussion and possible action regarding: Annual Fire Chief’s Review date; contract date; fiscal year-end date; hire date; beginning of Calendar year. (Cass)
 - Tabled
- f. Discussion and possible action regarding: Exterior work on Administration/Station 41; cost estimates. (Terrill)
 - Chief DeMaio stated he was receiving estimates; unable to obtain roofer estimate thus far. Noting he has 2 paint estimates and is waiting for one more estimate before bringing to the Board. Director Kiffer suggested Mohave Rancho Lumber



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donating items for this project. No action, information only. Item postponed until February.

- g. Discussion and possible action regarding: Ride Along Contract with Mohave Community College. (Administration)
 - Item briefly mentioned by Chief DeMaio; needs further review. Tabled.
- h. Discussion and possible action regarding: Annexation of Section 23; Township 30 North; Range 17 West; Unit 4; Lot 1124; Parcel 34306016; Address 825 West Crescent Drive Meadview, AZ 86444; Owner: Atanas Petrov (Administration)
 - Tabled
- i. Discussion and possible action regarding: Administrative Staff production of meeting minutes for LMRFD; recordings and postings; review of Executive Session minutes handling; confidentiality; LMRFD Board Clerk or Administration to transcribe Executive Session minutes. (Administration/Kiffer)
 - Item moved to Executive Session
- j. Discussion and possible action regarding: Nomination for LMRFD Board Chairman. (Board)
 - Director Kiffer nominated Director Sherwood for Chairman, Director Terrill 2nd. Director Sherwood respectfully declined. Director Kiffer nominated Director Terrill for Chairman. Director Sherwood nominated Director Cass for Chairwoman. There were no 2nd's for either nominee. Director Cass phoned Director Karash. Director Sherwood (via speakerphone) advised Director Karash that there was a nomination for Director Cass which Director Karash 2nd. Director Terrill noted he was also nominated and not mentioned to Director Karash before the 2nd. Director Sherwood readvised Director Karash of both nominations and Director Karash 2nd for Director Cass again. Director Sherwood, Director Karash and Director Cass motioned "aye." Director Kiffer and Director Terrill motioned "nay." Motion passed; 3 "aye" and 2 "nay" vote.
 - **NOTE from Director Kiffer:** *"The Acting Chair or Chair can only vote in case of a tie, when Director Karash was called and asked for a 2nd motion for either Director Cass or Director Terrill. That should not have happened. If Director Cass voted for herself and Director Terrill voted for himself, then Director Karash can vote to break the tie."*
- k. Discussion and possible action regarding: Nomination for LMRFD Board Clerk. (Board)
 - Director Kiffer nominated Director Sherwood for Clerk, Director Cass 2nd. Director Sherwood inquired about Clerk duties. Chief DeMaio stated that Clerk signs a few documents when needed and takes over a Board Chair if the Board Chair is absent. Director Sherwood accepted the offer. Directors Kiffer, Terrill, Cass (present) and Karash (via telephone) all voted in favor. Motion carried, unanimously.
- l. Discussion and possible action regarding: Alternative Funding Committee. Items; research documents/material; members of committee.

(Bower/Kiffer/Administration)

- Tabled

- ❖ *Director Karash concluded this portion for public meeting at approximately 1:45 p.m. with an approximate 5-minute recess; advising to the Public that the Board would enter Executive Session; after recess concluded.*

7. EXECUTIVE SESSION - CONSENT AGENDA *(The following items listed below are being placed as a Consent Agenda; section 7; 1-2; 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. Discussion and possible action regarding: Review of 9/1-11/30 2017 invoices from LMRFD Attorney Bill 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)
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. Discussion and possible action regarding: Personnel Matter re: Administrative Assistant Karen Jackson; work log; assignment; hours; wages. (Terrill/Administration)
 - b. Discussion and possible action regarding: Personnel Matter re: Administrative Assistant Karen Jackson; Administrative job description(s); assignment; wage; hours/days; wage comparison; cost breakdown; previous Administrative information. (Cass/Administration)
 - c. Discussion and possible action regarding: Receptionist work log. (Terrill/Administration)
 - d. Discussion and possible action regarding: Personnel Matter re: Fire Chief DeMaio complaint re: Board Member Kiffer. (Administration/Board/Whittington)
 - e. Discussion and possible action regarding: Personnel Matter re: Fire Chief DeMaio; Director Kiffer response re: complaint from Chief DeMaio. (Kiffer/Administration/Whittington)
 - f. Discussion and possible action re: Fire Chief's Annual Review. (Kiffer/Administration/Whittington)
 - g. Discussion and possible action re: Review of Fire Chief's Contract. (Kiffer/Administration/Whittington)

- Director Karash motioned to enter Executive Session at approximately 1:53 p.m. for item 5 (A), 6 (B) (F) (G), 7 (1) (A-D) and 7 (2) (A-G), Director Cass 2nd. Directors Karash, Cass and Terrill motioned "aye." Directors Kiffer and Sherwood motioned "nay." Motion carried 3-2.
- Director Mike Karash excused himself physically from the remainder of the Executive Session and Public Session at approximately 3:00 p.m.; advising he would be available if needed via telephone.
- Director Sherwood motioned to enter public session, Director Terrill 2nd. All members present in favor, motion carried unanimously.
- Director Cass adjourned Executive Session at approximately 4:03 p.m.
- Director Cass reconvened the meeting into public session at approximately 4:05

8. EXECUTIVE BUSINESS.

- a. Discussion and possible action regarding: Review of 9/1-11/30 2017 invoices from LMRFD Attorney Bill Whittington. (Kiffer)
 - Director Kiffer stated a \$150.00 credit would be received. No action.
- b. Review of draft Administrative Staff Office policy; hours of operation. (Kiffer)
 - Information not received; item tabled.
- c. Review of draft Administration Staff Office Vacation policy; accrual of hours; usage; and limitation(s). (Kiffer)
 - Information not received; item tabled.
- d. Review of draft Vacation policy for Suppression; accrual of hours; usage; and limitation(s) (Kiffer)
 - Information not received; item tabled.
- e. Discussion and possible action regarding: Personnel Matter re: Administrative Assistant Karen Jackson; work log; assignment; hours; wages. (Terrill)
 - Tabled
- f. Discussion and possible action regarding: Personnel Matter re: Administrative Assistant Karen Jackson; Administrative job description(s); assignment; wage; hours/days; wage comparison; cost breakdown; previous Administrative information. (Cass)
 - Tabled
- g. Discussion and possible action regarding: Receptionist work log. (Terrill)
 - Tabled
- h. Discussion and possible action regarding: Personnel Matter re: Fire Chief DeMaio complaint re: Board Member Kiffer. (Board)
 - Pending item, I; no action.
- i. Discussion and possible action regarding: Personnel Matter re: Fire Chief DeMaio; Director Kiffer response re: complaint from Chief DeMaio. (Board)
 - Pending item; no action.
- j. Discussion and possible action re: Fire Chief's Annual Review. (Kiffer)
 - Tabled
- k. Discussion and possible action re: Review of Fire Chief's Contract. (Kiffer)
 - Tabled

9. CORRESPONDENCE & 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.*

- Letter from E. Bower to LMRFD Board of Directors; re: Chief DeMaio
 - “I want a public apology for Tony’s slanderous remark about my training of Nancy. I have trained numerous people, several in the LMRFD, and one of them remotely via telephone and internet, with nothing but accolades as to my training ability. I spent 2 months meticulously going over every detail, leaving behind step by step written instructions for every duty performed, and then spent another month, WIHTOUT PAY, making myself available to answer questions as they arose. I left electronic copies of everything the new Chief and administration office could ever need to know about the LMRFD

history and operations, on zip drives provided to each of them. I offered to continue to be available on a contract basis, to help as needed, but that was not accepted. "You are left with what you are left with" because that is what Tony wanted, it had nothing to do with "Ellen's training!" There was no fault in my training, and that remark galls me. I demand a public apology noted in the minutes for posterity, just as his slanderous remark is." (Ellen Reh-Bower)

Ms. Bower opened with a personal complaint against the Fire Chief. She referenced draft minutes from the 11/20/2017 regular session. Ms. Bower also noted that she gave notice in May and assisted until August. Ms. Bower also noted that she had 10 days of training when she started that job. Ms. Bower stated she was employed through LMRFD for 11 years, noting she took early retirement due to Social Security requirements. Ms. Bower also reiterated, "the more I think about it, the more it galls me, and I want a public apology, I do not deserve it."

- This was Ms. Bower's letter she handed out to the Board/Staff; reading most of it aloud in Call to the Public/Correspondence.
 - Director Kiffer asked for this matter to be placed on the February agenda for discussion and action.
- Pat Kelley-Staab reminded/reiterated that she posts the Agenda/Minutes in Meadview (St. 43) or the Post Office if there is too much to post. Stating she does this as a convenience because there isn't always somebody on duty up there. Ms. Staab noted there was a PSPRS meeting, that she is on the Board for it and two of us were not available. Ms. Staab noted she realized there was quorum. Ms. Staab stated she was unaware there was a meeting until 2:00 p.m. on the day before when there was a meeting 8:30 a.m. the following morning. Ms. Staab stated they were in violation of posting because it wasn't 24 hours prior to a meeting. Ms. Staab also noted the Agenda's have a "prepared date" on them and it bears no relation as to when she receives them to post, stating "which I guess it doesn't matter as long as we have a 24-hour notice." Ms. Staab stated the PSPRS agenda reflected it was prepared on 1/9/18; stating that some of us on the Board should have had enough notice to possibly change our plans so we would have been available for that meeting.
 - Director Karash noted this matter be placed on the February agenda.
- Theodora Koeppen, inquired about the meeting times. Noting she thought it was at 1:30 p.m, when she arrived and just learned the meeting had started at 1:00 p.m. Ms. Koeppen wanted to know how to find out about changes to meeting times/dates. Ms. Staab advised her of the posting locations for the meetings and that they are also posted on the Website. Ms. Koeppen stated last meeting she attended and had questions and was not allowed to speak; two people spoke and "I was not a privileged person." Noting, she is making the comments she intended for last meeting at this meeting. Ms. Koeppen also inquired

about the Attorney for the tax override; wanting to know who recommended that Attorney. Ms. Koeppen stated she recalled Director Kiffer inquiring about the advice from the LMRFD Attorney and LMRFD receiving a possible credit back from the tax override Attorney. She stated in her opinion, “he really did mess up in this situation.” She suggested a letter of condemnation be sent to the law review board. Also stating, “that seemed like an essential piece to voting...”

- Director Karash noted this matter to be placed on the February agenda.

10. CONSIDERATION OF FUTURE AGENDA ITEMS.

- All tabled/postponed items
- Ms. Bower’s letter of complaint/public apology
- Attorney for tax override (condemnation letter sent to AZ State Bar)
- Review of Ms. Bower’s spreadsheet for District Personnel / Mr. Buldra review
- Local PSPRS Board Meeting information
- Chief DeMaio response to Director Kiffer response

11. NEXT REGULAR BOARD MEETING DATE & LOCATION.

- February 26, 2018 at 1:30 p.m. (unless otherwise noted) – Meadview, AZ

12. ADJOURNMENT.

- Director Cass adjourned the meeting at approximately 5:21 p.m.

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

Date: 02/01/2018

