

**MINUTES OF THE REGULAR PUBLIC MEETING OF THE  
CHRISTOPHER-KOHL'S FIRE DISTRICT GOVERNING BOARD.  
HELD ON JUNE 13, 2011**

**A regular public meeting of the Christopher-Kohls Fire District Governing Board was convened on Monday, June 13, 2011 at 6:08 pm in the Fire Station 51 community room.**

**Agenda Item #1: (Call To Order/Pledge of Allegiance)**  
Call to order 6:08 pm, June 13, 2011

**Agenda Item #2: (Roll Call)**

**Present at the meeting were the following members of the Christopher-Kohls Fire District Governing Board :**

*Deborah Dawson (Chairman)*

*James Oliver (Board Member)*

*Jeff Daniels (Clerk/Treasurer)*

**Present at the meeting were the following members of the Christopher-Kohls Fire Department :**

*Rob Jarvis (Interim Chief)*

*Travis Kilbourne*

*Rick Schantz*

*Sam Seay*

*Linda Digman (Administrative Assistant)*

**The following matters were discussed, considered, and decided at the meeting:**

**Agenda Item #3: (Previous Minutes)**

**A. Special Meeting of April 27, 2011:**

The Minutes were discussed and Mr Daniels made a motion to approve the Meeting Minutes, Ms Dawson seconded. A vote was taken Mr Daniels and Ms Dawson voted Aye, Mr Oliver abstained.

**B. Regular Meeting of May 9, 2011:**

The Board did not have enough time to review the Minutes so the vote on approval was tabled to be a Future Agenda Item.

**Agenda Item #4: (Reports & Correspondence)**

**A. Chiefs Report:**

In May the Department had 10 EMS calls, 5 Special Duty calls, 4 abandoned/reckless campfires, 2 wildland assignments, 1 Structure Fire and 1 vehicle fire. There Public Safety Personnel Retirement System contribution percentages have changed and we have complied with those changes saving the District about \$400/yr. We have changed health insurance providers from BCBS saving the District \$2300/mos. We have made several improvements to the Station 51 property using some donations from Buds Plumbing, Roy Haight, Nick Umbenhauer and Curt Palace. Safeway and Walmart donated to the Memorial Day Pancake breakfast. The Sheriffs Office supplied a storage unit to separate CCHA property from CKFD property. DOT inspections were done on all the vehicles and have passed. We are trying to get SCF to adjust our account to give the proper discounts and are looking into other options. We have hired 2 new volunteers and have 2 awaiting background checks. Sam Seay has come back to assist with Grants, Etc... 3 of our engines have gone on Wildland duty to the Wallow Fire earning the Department about \$300/hr. There was a brush fire in our District between Colcord Estates and Ponderosa springs that was contained with under an acre of damage. Several Grants that we are pursuing were mentioned. Expansion of the Creekside RV Park was discussed. Mr Oliver questioned the Chief transferring money between the district accounts, assigning District assets to leave the District to assist in the Wallow fire and asked, under whose authority did he act.

**B. Treasurers Report:**

The Treasurers' report was moved to after Agenda Item #5 due to lack of some preparation so the Board moved to Correspondence of Interest.

Mr Daniels thanked Ms Digman for her efforts to prepare a summary for the Board and then stated the status of the District Bank accounts. Ms Dawson questioned the transfer of \$40, 000 from the general account to the capital account

for the engine payment. Mr Daniels made a motion to approve the Treasurers' Report, Ms Dawson seconded the motion. A vote was taken, Ms Dawson and Mr Daniels voted Aye and Mr Oliver abstained. The Board then moved to Agenda Item #6.

**C. Chairmans Report:**

This Agenda Item was not addressed at this meeting.

**D. Correspondence of Interest:**

Ms Dawson stated the County Elections Departments' next available election date would be 11-8-11. She also mentioned that the Chief has informed her that the CKFIRE.ORG Domain name for the Department website is now registered to the Department. Affidavits for the publication of the Budget have been provided. She also had a notice of an opinion from the County Attorneys' Office relating to another Fire District and Conflict of Interest. Mr Oliver mentioned that there was a mention of a specific Conflict of Interest incident that might relate to our Fire District regarding one-way communications between Board Members.

Mr Oliver stated that the Ms Dawson assisted on a call with the Department and he stated his opinion that this was an especially arrogant act by her. He continued by incorrectly stating that one of the reasons given for firing the previous Chief was for allowing non-department personnel to assist on a call. He then accused Ms Dawson of violating State law (ARS 48-805(B)(1)) and exposing the District to Civil and Criminal liability. He then requested that Ms Dawson resign immediately and the Chief be fired for allowing Ms Dawson to assist with the call.

**Agenda Item #5: (2011-2012 Budget)**

Mr Oliver stated his opinion that the approval of the Budget Posting at the last meeting and the discussion of the Budget at this meeting were not properly worded on the Agendas and are violations of the Open Meeting Law. He continued stating that Ms Dawson has a Conflict Of Interest with the Department and should recuse herself from any discussion or action on the Budget. Ms Dawson requested public comment on the Budget and none was offered. Mr Oliver stated his discrepancies with the Budget and discussed them with the Chief and Board. The Budget was discussed in detail including line items that could be possibility cut or adjusted throughout the next fiscal year. Mr Oliver's discrepancies were discussed in detail. The remaining Board Members and Chief could not define nor satisfy Mr Oliver's objections. Mr Oliver stated his opinion that the Budget needs to be redone.

Mr Daniels stated his opinion that the possibility of the District expenses out-weighting the Income of the District has been inherited by this Board and Chief from the previous administration. He continued that if the Board approves a Budget that includes the maximum increase in Levy/Mil rates then the Department has no other choice but to work within that Budget. Mr Sundra questioned the personnel Insurance Policy and deductibles. Ms Armenta questioned Mr Oliver on her observation that he has possible solutions to the Budget conflict but has refused to provide them. Mr Oliver stated that he has given his solutions and the need to reduce the amount in the Capital account to balance the Budget.

The Capital account and the need to use some of those funds were discussed. Ms Thornton suggested that the Budget be re-evaluated before approval. Mr Daniels made a motion to approve the Budget as presented. Ms Holmes mentioned that we have an engine out on the Wallow fire, providing income, as it was intended and Mr Daniels "should stop bitching about it". Mr Daniels denied the accusation and stated that it was his duty to look at all District expenses. Ms Dawson seconded the motion to approve the 2011-12 Budget as presented. A vote was taken. Ms Dawson and Mr Daniels voted Aye Mr Oliver abstained stating "I'm not gonna' get into this, you two can do it".

**Agenda Item #6: (Procedures on Acquiring New Chief Applicants)**

The Board moved back to the Treasurers' Report Agenda Item. The Chief had prepared several job descriptions for Department employees including the Chief position. This Item was tabled to be a Future Agenda Item allowing time for further review.

**Agenda Item #7: (Procedures for sale of Surplus Assets)**

The Item was briefly discussed and the Chief felt that the Department did not have any surplus assets at this time. This Item was tabled to be a Future Agenda Item allowing time for further review.

**Agenda Item #8: (Audio Recordings as Public Record)**

Ms Dawson discussed several laws relating to Public Records with the Board. Mr Daniels explained that the audio recordings would be the most accurate record of the meetings and an unofficial summary of the meeting with time stamps for each item could be provided for the public's convenience. Mr Oliver stated his opinion that using audio recordings as Public record would make it impossible for the public to find specific subjects discussed. He continued by stating that State

laws do not allow this method of keeping public record. Mr Daniels mentioned several of the laws that Mr Oliver stated in the previous meeting being non-existent. Mr Daniels requested a County Attorneys' Opinion on the matter. Ms Dawson requested that this Item be tabled to be a future Agenda Item and to request the County Attorneys' Opinion.

**Agenda Item #9: (Wells Fargo Tri-Party Collateral Agreement)**

Mr Daniels explained his understanding of the agreement after a previous discussion with a Wells Fargo representative. He stated that he still did not completely understand the necessity of the document. Ms Dawson agreed to further research this document. The Item was tabled to be a future Agenda Item.

**Agenda Item #10: (Tonto Rim Christian Camp Fire Protection Contract)**

Mr Oliver questioned signing a new contract when it has been previously signed and does not need to be renewed. Ms Dawson moved the Board to Agenda Item #11. This Agenda Item was resumed after Agenda Item #11. Ms Digman provided a copy of the previous contract. Mr Oliver mentioned that the new contract simply had a change of address and re-signing it was not necessary. Ms Dawson requested that this Item be tabled until the Camp made an official request for a new contract.

**Agenda Item #11: (Payment Timeline Change Request for Camp Tontozona)**

Mr Fracker from the management company operating Camp Tontozona stated his request and reasoning to make payments on the contract for fire protection rather than the normal single yearly payment. The issue was discussed in detail including the past precedent of the Board. Several different payment options were discussed. The Board policies/procedures for default from non-payment or payment extension of the due date of the contract were discussed. Mr Armistead expressed his concerns that the District may not get paid if we allow an exception. The fact that the contract is with ASU and not the management company, therefore ASU is liable to satisfy this contract, was discussed. Mr Sundra, Ms Christansen and Ms Holmes mentioned a previous situation with the Tonto Rim Christian Camp whereas the Board allowed payments to satisfy the contract. The provisions in the contract and terms were discussed in detail. The fact that ASU has continuously in the past had issues with payment of this contract was discussed. Mr Schantz suggested that ASU was trying to "skip out" on their obligation. Mr Fracker stated that he did not feel that ASU was attempting to deceive him but it was simply an oversight on their part. Mr Oliver made a motion that the Board enforce the contract as written with ASU. Ms Dawson seconded the Motion. A vote was taken, all in favor. The motion was passed. The Board then moved back to Agenda Item #10.

**Agenda Item #12: (Request for Grant from prop 202)**

Chief Jarvis notified the Board that he would make a request for Prop 202 Grant money from a local Tribe. It was determined that this request was within the limits of the Chief and not a Board Issue.

**Agenda Item #13: (Future Agenda Items)**

The Items listed in the previous Agenda Items to be placed on a Future Agenda were discussed. Mr Daniels noted that the revised By laws have never been voted on and should be a Future Agenda Item

**Agenda Item #14: (Call to the public)**

Ms Grootegoed questioned if our District was involved in the Emergency Call System that Hellsgate FD is working with. Chief Jarvis answered that he does not think that we are involved in the reverse 911 system if that is what she was referring to and would get more details and information on the system.

**Adjournment:**

With no further comments from the public, Mr Daniels made a motion to adjourn and Ms Dawson seconded the motion. A vote was taken Ms Dawson and Mr Daniels voted Aye, Mr Oliver abstained. The meeting was adjourned at 8:04pm.

Approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
By [authorized signature] Fire District Governing Board