

**DRAFT MINUTES OF A SPECIAL MEETING AND EXECUTIVE SESSION OF THE
MESCAL-J6 FIRE DISTRICT GOVERNING BOARD
HELD WEDNESDAY, MAY 8th, 2024, AT 6:30 PM**

The meeting was called to order at 1834 hours by Board Chair Phyllis Ellis. Present at roll call were Board Members: Phyllis Ellis, Dana Law, Debi Wise, JoAnne Ellsworth and Bob Murray. A quorum existed.

Item 1: **Call to the Public:** This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date."

Mary McCool, chair of J6/Mescal CDO, presented Board members with paperwork (included as an attachment in the District's official minutes) inclusive of concerns and inquiries regarding difficulty with standing record requests, communication to the Ombudsman regarding record requests, official investigation by the Ombudsman regarding record requests and attorney conversation with the Ombudsman regarding record requests.

Item 2: **Performance Review, Chief Moran:** Pursuant to A.R.S. § 38-431.03(A)(1); "Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body" the governing board may elect to enter into an executive session for the purpose of conducting a performance review for Fire Chief John Moran. Upon the conclusion of the executive session the board may elect to take action related to the results of Chief Moran's review.

Dana Law made a motion to immediately start the process to look for a full-time Fire Chief to replace Chief Moran and to ask Chief Moran to stay on for the 6 weeks as stated in his contract. Bob Murray seconded. Motion carries 5–0 with Phyllis Ellis – yes, Dana Law- yes, Debi Wise – yes, JoAnne Ellsworth- yes and Bob Murray – yes.

Discussion took place regarding the following:

- Fire Chief John Moran's tendered resignation
- Fire Chief John Moran's performance review cancelled due to resignation submission prior to start of review
- Allegations of Board harassment of the Fire Chief
- Fire Chief John Moran's performance
- A full-time versus part-time Fire Chief position
- Whether an executive session is or is not needed

- Board requesting Chief Moran to stay on for 6 weeks, per contractual agreement
- Allegations of harassment of District and Fire Chief via a community member and a Board member
- Salary/pay and hire package for new Fire Chief position
- Private Fire Department
- Public right to record requests
- Previous public comments/statements calling out Board members
- Possible negative implications in filling the Fire Chief position, due to reputation of a Board member and a community members relationship, throughout other Districts / Departments
- Previous Board members and staff that have left the District
- Back history in regard to record request fulfillment

Item 3: **Agreement for Services, LDR Professional Services:** Review, discussion and possible action to specify the particulars of and approve an agreement for grant writing services.

No Board action taken.

Item 4: **FY 2024/2025 Budget:** Discussion related to the District's Fiscal Year 2025 budget may be discussed. Topics may include the acquisition or disposal of District assets, future needs, current and future tax collections and other topics directly related to the upcoming budget process. Actions may include directing staff to provide specific budgetary and/or expenditure information at a future meeting or work session, but the board will take no action to approve/adopt a Fiscal Year 2025 Budget at this time.

No Board action taken.

Item 5: **FY 2024/2025 Five-Year Plan:** Review of existing five-year plan followed by discussion and suggestions for revisions to the FY2024/2025 Five-Year Plan. Topics for discussion may include property acquisition, future development, tax rates, future facility and staffing needs and other topics related to the District's goals for the next five-years. Actions may include directing staff to provide specific expenditure information at a future meeting or work session, but the board will take no action to approve/adopt a Fiscal Year 2025 Five-Year Plan at this time.

No Board action taken.

Item 6: Adjourn:

Dana Law made a motion to adjourn. Debi Wise seconded the motion. Motion carries 2-1 with Phyllis Ellis – abstain, Dana Law- yes, Debi Wise – yes, JoAnne Ellsworth- abstain and Bob Murray – no.

Discussion took place regarding the following:

- Whether the meeting could or could not continue without the Fire Chief

Phyllis Ellis adjourned the meeting. Meeting End Time 1849 hours.

Minutes compiled and submitted by:
Denise Serna
Office Administrator