MINUTES OF A REGULAR MEETING OF THE
MESCAL-J6 FIRE DISTRICT GOVERNING BOARD
HELD WEDNESDAY, October 25th, 2023, AT 6:30 PM

The meeting was called to order at 1829 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 email submitted October 22, 2023, pertaining to the accepted Arizona Flora Landscape proposal, process followed for RFPs, request to seek legal counsel pertaining to the Ratification process within a 90-day time frame, possible Roof and Gutter RFP inconsistencies, detail provided and proposed timeline concerns.

Brian Wagner, owner of Arizona Flora Landscaping LLC, expressed concerns regarding the CDO publication of his businesses name stating an award had been made despite the contract having yet to be executed, concerns regarding if there will be another bidding process and if so, the implications that would have on his bid due to the CDO publication of said bid, consequently the possible questioning of his integrity now due to this situation and implications of the CDO publication of his bid with competing landscape businesses. Mr. Wagner added he bid under because he considers the Mescal-J6 Fire District a "community neighbor" and appreciates being able to work close to home.

Item 2: **Minutes:** Review, discuss, and possible action to approve the Draft minutes of the September 27th, 2023, Regular Board Meeting.

Debi Wise made a motion to approve the September 27th, 2023, Regular Board meeting Draft minutes, with possible amendment if reviewed audio recording found mention, on Item 7, of legal review for the Landscaping proposal. Dana Law seconded. Motion carries 5 – 0 with Phyllis Ellis – yes, Dana Law- yes, Debi Wise – yes, JoAnne Ellsworth – yes, Bob Murray-yes.

Item 7 on the Agenda for the September 27th, 2023, Regular Board Meeting was reviewed on the recorded audio tape and there was no mention of obtaining legal review

pertaining to the landscaping proposal by either Mr. Bob Murray or Mrs. JoAnne Ellsworth.

Item 3: **Financial Report:** Natalie Galgano-Pinkley of Municipal Accounts & Consulting will provide a brief summary of the District's recent financial activities. Board Members to review, discuss and possible board action to approve the September 2023 Financial Report, as prepared by Natalie Galgano-Pinkley of Municipal Accounts & Consulting.

Dana Law made a motion to accept as given the September 2023 Financial Report. JoAnne Ellsworth seconded the motion. Motion carries 5 - 0 with Phyllis Ellis – yes, Dana Law- yes, Debi Wise – yes, JoAnne Ellsworth – yes and Bob Murray - yes.

Item 4: **Fire Chief Report**: Fire Chief John Moran's report is included as an attachment in the District's official minutes.

No Board action taken.

Discussion took place regarding the following:

- Recent fire in Red Hawk area
- Possible issues with cell tower impeding some contact ability from the community to the fire station
- Community not being able to reach fire personnel at the fire station due to manning and firefighters being on scene of emergencies when calls come in
- Recent Red Hawk area fire being outside of District parameters
- State response to recent Red Hawk area fire
- Educating the community on Facebook and via other avenues to call 911 first to report any fire or other emergency
- Districts phone recording stating if you are experiencing/reporting an emergency to call 911
- Mescal Movie Night event outcome
- Seacom ride along and Board interest in participating

Item 5: **Polices & Procedures:** Review discussion and possible action to approve the following policies:

701 Personal Communication Devices
702 Vehicle & Apparatus Maintenance
703 Use of District Vehicles
704 Information Technology
705 Knox-Box and Other Access Systems
706 Communications Operations
707 Photography and Imaging
708 Non-Official Use of District Property
800 Records Management
801 Release of Records
802 Subpoenas and Court Appearances
803 Patient Medical Record Security
900 Illness and Injury Prevention
901 Occupational Health Inspections
902 Occupational Health Notifications
903 Communicable Diseases
904 High-Visibility Safety Vests
905 Body Armor
906 Apparatus/ Vehicle Backing

JoAnne Ellsworth made a motion to accept the 701-708 series of policies and procedures as corrected. Dana Law seconded the motion. Motion carries 5 - 0 with Phyllis Ellis – yes, Dana Law- yes, Debi Wise – yes, JoAnne Ellsworth – yes and Bob Murray – yes.

Dana Law made a motion to accept the 800-803 series of policies and procedures. Bob Murray seconded the motion. Motion carries 5 - 0 with Phyllis Ellis – yes, Dana Law- yes, Debi Wise – yes, JoAnne Ellsworth – yes and Bob Murray - yes

Debi Wise made a motion to accept the 900-906 series of policies and procedures as amended. Dana Law seconded the motion. Motion carries 5 - 0 with Phyllis Ellis – yes, Dana Law- yes, Debi Wise – yes, JoAnne Ellsworth – yes and Bob Murray - yes

Item 6: **Request for Proposals:** Review, discussion and possible action to approve two Request for Proposals, one for roof repair/replacement at the Administration Office and one for Professional Legal Services.

Debi Wise made a motion to accept the RFP for legal services as written. Dana Law seconded the motion. 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:

- RFP was reviewed by current attorneys
- Model used for structuring RFP
- How RFP should be written
- Putting a specific RFP process in place to eliminate conflict
- Who the RFP would be sent to

- How RFP will be advertised/posted if previously interviewed attorney is aware of RFP
- Possible entities in the County or other procurement business with the County that RFP could be sent to for review/sign off
- Future review of RFPs by attorney and agreement specifications with attorney

JoAnne Ellsworth made a motion to accept RFP for roof repair with corrections to verbiage, grammatical errors, format and with omits discussed and upon completion of review by Districts counsel, after which Chief Moran is to move forward with publication. Dana Law seconded the motion. 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:

- Corrections related to typos, verbiage, grammatical errors and with omits to RFP
- Copies provided
- HVAC decision
- Gutter replacement
- Shingles being removed
- Square feet specification not being included
- Materials used
- Warranties
- Workmanship warranty
- Shingle color implication
- Screws used
- Installation
- Follow up maintenance
- Notice to proceed with project after award
- Time to complete project and monies due if timeline falls outside of set parameters
- Funds set aside for roofing project
- Landscape project dependent on roof project
- Attorney review of RFP once corrections are made
- Radio advertisement of RFP

Item 7: **Job Descriptions:** Review, discussion and possible action to approve a job description for the position of Volunteer Coordinator.

No Board action taken.

Subject moved to Work Session for further discussion.

Item 8: **Board Meeting Calendar**: Review, discussion and possible action to determine a meeting schedule through the end of the calendar year.

JoAnne Ellsworth made a motion to move the December 27th, 2023, Regular Board meeting to December 20th, 2023. Dana Law seconded the motion. 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:

- November 29th, 2023, Regular Board meeting remaining scheduled as is
- December 27th Regular Board meeting moved to December 20th, 2023
- Financials for the December 20th, 2023, Regular Board meeting may or may not be available or may be limited depending on information needed being received within the time frame needed
- Work Sessions scheduled for November 8th, 2023, and November 14th, 2023
- Possible items to be discussed at Work Sessions and having any topics of interest for discussion not mentioned emailed to Chief Moran and Phyllis Ellis prior to Work Session
- No December Work Sessions being scheduled

Item 9: **Allocation of Funds for Landscaping Project:** Review, discussion, and possible action to determine which fund shall be used for payment(s) related to the Administration landscaping project: the Reserve Fund, the Operations & Maintenance Fund, or a combination of both.

Dana Law made a motion to accept previously approved proposal #1 from Arizona Flora and pay for it from the Reserve Budget. Debi Wise seconded the motion. Motion carries 4- 0 with Phyllis Ellis – yes, Dana Law- yes, Debi Wise – yes, JoAnne Ellsworth – yes. Bob Murray – abstains.

Discussion took place regarding following:

- Proper procurement policies in accordance with Arizona agency handbook
- State laws not being applicable to the District as it is not a state agency
- District policies in effect versus not in effect
- District policies followed
- Landscape project funds coming from the Reserve budget versus the M&O Budget
- Error in previous verbiage used pertaining to landscape project funds and where they would come from
- Landscape project being on the 5-Year Plan
- Questioning of approval from Board members prior to correctly stating where the funds would come from
- No RFP process implicated for the landscape project
- Board members expression of thanks and full support of Arizona Floras bid
- Board members recognition of landscape project being on task with the 5-year plan/ focused with plans discussed
- Brian Wagner of Arizona Flora expressed concerns of public perception of him being the only bidder and said bid being exposed to competitors

Item 10: **Future Meeting Dates**: Review, discussion and possible action to schedule future work sessions and change date of December Regular Board Meeting to December 22nd or another day that best meets the needs of the District.

No Board action taken.

Agenda Item 10 determined to be redundant to Agenda Item 8.

Item 11: **Adjourn:** Bob Murray made a motion to adjourn. Dana Law seconded the motion. Motion carries 5 - 0 with Phyllis Ellis – yes, Dana Law- yes, Debi Wise – yes, JoAnne Ellsworth – yes, and Bob Murray – yes.

Phyllis Ellis adjourned the meeting. Meeting End Time 1952 hours

Minutes complied and submitted by:
Denise Serna
Office Administrator