



MINUTES OF THE BUCKSKIN FIRE DEPARTMENT DISTRICT FIRE BOARD
12/21/21-Special Emergency Open Meeting: Minutes to be approved at open public meeting on Tuesday, 01/11/2022. A Public meeting of the Buckskin Fire Board convened on December 21, 2021, that started at 12:30 pm in the classroom of the Buckskin Fire District, located at: 8500 Riverside Drive, Parker, AZ 85344. The following matters were discussed at the Open Meeting

This meeting is being called pursuant to the emergency provisions of A.R.S. §38-431.02. D whereby in the case of an actual emergency a meeting, including an executive session may be held on such notice as is appropriate to the circumstances. If this subsection is utilized for conduct of an emergency session or the consideration of an emergency measure at a previously scheduled meeting the public body must post a public notice within twenty-four hours declaring that an emergency session has been held and setting forth the information required in subsections A.R.S. §38-431.02.H and I.

Agenda

1. Call to Order: *12:33 pm*,
2. Roll Call.
Members Present: *John Mihelich, Wayne Posey, Jeff McCormack, Don Rountree, Chairman Daniel (telephonically)*
Staff Present: *Interim Chief Dennen (telephonically), Barbara Cole, Captain Byrd & FF Rather.*
Public Present: *Donna Aversa, attorney from Leonard & Felker, PLC, (telephonically).*
3. (Discussion and Possible Action Item): Discussion & determination as to whether or not an actual emergency exists.
Summary of basis for emergency: The Board expected to discuss and determine whether or not an emergency exists for the approval of general counsel in conjunction with the sale pending Certificate of Participation transaction.
Interim Chief Dennen, stated because of the time constraints and the closing date of the bond issue that we have and only because we become aware of the issue yesterday around 2pm did we know that there is an emergency administratively to retain Donna as our attorney on record to review the POC documents regarding the re-finance of the pension debt, and to issue a statement on the entire process and the contracts. Chief stated that in his opinion we do have an emergency as this needs to be handled right away as we have a closing scheduled on December 29th. Ms. Aversa stated that Stifel had a deadline of when they wanted the documents signed and returned to them before the date of the 29th. There is some significant consequences if you cannot close on the stated date as related to the securities aspect of the transaction because of the pricing that had already gone out. She



states that the Chief was correct and there is a significant time crunch going on. Chief Dennen stipulated that the emergency is if we don't close on December 29th, we jeopardize our A rating with S & P and our interest rate that we received. Ms. Aversa stated that is some of the consequences at a minimum, and that she agreed with Chief Dennen regarding the emergency of this meeting. Chief Dennen state that if the Board would call on a vote for the reason for the emergency meeting. Wayne Posey made a motion to move that the Board declare an actual emergency exists and that under the current circumstances that are related to the complying with the requirements of the underwriter for issuance of the Certificates of Participation and complying with the closing requirements of a meeting of the Buckskin Fire District maybe held at this time under the authority of A.R.S. §38-431.02.D and I further move that within 24 hours of this meeting staff is directed to post that an emergency board meeting has been held and setting forth the specific matters discussed and considered at this meeting, along with a second from John Mihelich.

There were no comments or questions prior to voting.

Ayes: Daniel, Rountree, Posey, Mihelich & McCormack

Nays:

Absent:

Abstain:

Chairman Daniel: Motion passed by a unanimous vote on agenda item #3.

4. (Discussion and Possible Action Item): Discussion and Possible action regarding approval of fee for agreement with Donna Aversa, Leonard & Felker Law Firm, to serve as the district's general counsel.

Interim Chief Dennen stated that Ms. Aversa's fee schedule was included int the Board package and is outlined what her services are and the expectations of, not only to her for the District but from the District and the payment to her would be approximately \$5,500. A motion was made by Wayne Posey to approve Donna Aversa, with Leonard & Felker Law Firm to serve as the district's legal counsel based off the fee agreement that was provided in the Board package. Along with a second from Don Rountree. There were no comments or questions prior to voting.

Ayes: Daniel, Rountree, Posey, Mihelich & McCormack

Nays:

Absent:

Abstain:

Chairman Daniel: Motion passed by a unanimous vote on agenda item #4.



5. (Action Item): Board action to direct posting of public notice within 24 hours of the meeting declaring that an emergency session as been held and setting forth the matters discussed, considered, or decided at the meeting.

A motion was made by Wayne Posey to direct staff to do a direct posting of the public notice of the meeting within 24 hours of the meeting declared that an emergency session has been held and setting forth the matters discussed, considered, or decided at the meeting, along with a second from Jeff McCormack.

There were no other comments or questions prior to voting.

Ayes: Daniel, Rountree, Posy, Mihelich & McCormack

Nays:

Absent:

Abstain:

Chairman Daniel: Motion passed by a unanimous vote on agenda item #5.

6. Adjourn of Board Meeting: 12:42 pm.

Jeff Daniel
Jeff Daniel, Chairman

1/11/22
Date

Barbara Cole
Office Administrator

12/21/2021
Date

Minutes approved by: JM

Date: 1/11/22

Minutes approved by: Jan

Date: 1-11-22

PERSONS WITH A DISABILITY MAY REQUEST A REASONABLE ACCOMMODATION BY CONTACTING, PAT DENNEN, INTERIM FIRE CHIEF OF BUCKSKIN FIRE DISTRICT (928) 667-3321 AT LEAST **48 HOURS** PRIOR TO THE SCHEDULED MEETING. FACILITIES ARE HANDICAPPED ACCESSIBLE.