



Superstition Fire & Medical District

Phone (480) 982-4440 ~ sfmd.az.gov

Administration Office
565 North Idaho Road
Apache Junction, AZ 85119
Fax (480) 982-0183

Regional Training Center
3700 East 16th Avenue
Apache Junction, AZ 85119
Fax (480) 982-3268

Fleet & Facilities Services
1455 East 18th Avenue
Apache Junction, AZ 85119
Fax (480) 983-7443

Governing Board Meeting Minutes

May 28, 2021

PURSUANT TO A.R.S. §38.431.02, NOTICE IS HEREBY GIVEN TO THE GENERAL PUBLIC THAT THE SUPERSTITION FIRE & MEDICAL DISTRICT GOVERNING BOARD OF DIRECTORS HELD A MEETING ON FRIDAY, MAY 28, 2021. THE MEETING WAS HELD AT THE SUPERSTITION FIRE & MEDICAL DISTRICT'S ADMINISTRATION OFFICE, 565 N. IDAHO ROAD, APACHE JUNCTION, ARIZONA.

THIS MEETING WAS OPEN TO THE GENERAL PUBLIC (VIA CONFERENCE CALL) AND BEGAN AT 9:01 AM.

A. Call to Order

Chairman Chamberlain called the meeting to order at 9:01 AM.

B. Pledge of Allegiance

The Pledge of Allegiance led by Captain John Walka

C. Roll Call

Board Members in attendance were Chairman Kathleen Chamberlain, Clerk Jeff Cross, and Director Shawn Kurian and Director Todd House. Director Jason Moeller attended via conference phone.

Senior Leadership Team in attendance were Fire Chief Mike Farber and incoming Fire Chief John Whitney. Also in attendance was Sherry Mueller, Human Resources Generalist and Board Secretary and Legal Counsel William Whittington.

1. Call to the Public. (BOD #2021-05)

Due to the Covid-19 virus, the Board Meeting was a closed-door meeting to the public. A notice was posted on our website, front door, Regional Training Center and Station 264 with our conference call number and pin code if anyone from the public wanted to call in and listen to the meeting. There was no person from the public over the conference phone.

NONE

2. Possible vote to go into Executive Session for legal advice pursuant to §A.R.S.38-431.03(A)(3) and possible instructions to legal counsel pursuant to §A.R.S. 38-431.03(A)(4) re: the pending White personnel matter; and related Office of Administrative Hearing matter relating thereto. (BOD #2021-05-01)

Motion by Director House to go into Executive Session at 9:03 a.m. for legal advice pursuant to §A.R.S.38-431.03(A)(3) and possible instructions to legal counsel pursuant to §A.R.S. 38-431.03(A)(4) re: the pending White personnel matter; and related Office of Administrative Hearing matter relating thereto.

Seconded by Director House

Vote 5 ayes, 0 nays, **MOTION PASSED**

Back in public session at 10:47 a.m.



Superstition Fire & Medical District

Phone (480) 982-4440 ~ sfmd.az.gov

Administration Office
565 North Idaho Road
Apache Junction, AZ 85119
Fax (480) 982-0183

Regional Training Center
3700 East 16th Avenue
Apache Junction, AZ 85119
Fax (480) 982-3268

Fleet & Facilities Services
1455 East 18th Avenue
Apache Junction, AZ 85119
Fax (480) 983-7443

3. Possible vote to go into Executive Session for legal advice pursuant to §A.R.S.38-431.03(A)(3) in regard to the possible disposition of computer and phone equipment; records preservation issues. (BOD #2021-05-02)

Motion by Director Kurian to go into Executive Session at 10:50 a.m. for legal advice pursuant to §A.R.S.38-431.03(A)(3) in regard to the possible disposition of computer and phone equipment; records preservation issues.

Seconded by Director House

Vote 5 ayes, 0 nays, **MOTION PASSED**

4. Back in Public Session at 11:22 a.m. Possible action re: the pending White personnel matter and related Office of Administrative Hearing matter. Possible instructions to legal counsel relating to the same; Discussion and possible action re: disposition of computer and phone equipment; Fire Chief's request relating to the same; records preservation issues. (BOD #2021-05-03)

Regarding Agenda Item 2:

Motion by Director Kurian to authorize legal counsel to proceed as instructed in the Executive Session on the White matter.

Seconded by Director House

Vote 5 ayes, 0 nays, **MOTION PASSED**

Regarding Agenda Item 3:

Discussion regarding the phone, phone number and computer used by Chief Farber.

Chairman Chamberlain asked Chief Farber what he wants relating to his phone and computer. Chief Farber stated that he wants to keep his phone number only, not the phone nor the computer. Chief Farber has had the phone number for 18 years. He wants his personal data from his phone and computer as well as his SFMD email address.

Director Kurian expressed his concern about Chief Farber receiving District calls on his old number, which should be going to Chief Whitney in the future. Chief Farber should not have co-mingled his personal and business phone information together through the last 18 years.

Clerk Cross expressed his concern about legal matters going forward and the data that may be needed in the future located on Chief Farber's phone/number. Clerk Cross wants a mass text sent and a voice message placed on Chief Farber's old phone number stating the new Fire Chief Whitney's number for a period of about 6 months. If the phone company can guarantee the data can and will be secured and protected, Chief Farber can keep the phone number. But if it cannot be guaranteed, he needs to get his own, new phone number.

Chairman Chamberlain expressed her main concern about whether SFMD would still be able to access the data if we don't still own the phone number. This would need to be guaranteed by the phone company. If it can't be guaranteed, Chief Farber will have to obtain a new phone number. Chairman Chamberlain suggested that Chief Farber get a new, separate phone number.

Chief Whitney stated he has reservations of Chief Farber keeping the same number relating to future District business and missed opportunities for Chief Whitney to get in front of issues and future matters. He does understand Chief Farber wanting to keep the number after that many years.

Chief Farber understands and agrees to the issues mentioned. He will do what is best for the District.



Superstition Fire & Medical District

Phone (480) 982-4440 ~ sfmd.az.gov

Administration Office
565 North Idaho Road
Apache Junction, AZ 85119
Fax (480) 982-0183

Regional Training Center
3700 East 16th Avenue
Apache Junction, AZ 85119
Fax (480) 982-3268

Fleet & Facilities Services
1455 East 18th Avenue
Apache Junction, AZ 85119
Fax (480) 983-7443

Motion by Director Kurian to direct that the data from the phone and computer used by Chief Mike Farber be preserved, controlled and protected by the District in a safe place and maintain the chain of custody according to State record retention rules.

Seconded by Clerk Cross

Vote 5 ayes, 0 nays, **MOTION PASSED**

5. Discussion and possible action re: workers compensation coverage issues; Administrative and management personnel participating in emergency calls; policy issues relating to the same. (BOD #2021-05-04)

Chairman Chamberlain asked Chief Farber if he still intended to fight fires before he retires as he had mentioned previously. Chief Farber stated he does not intend to fight any fires in his last days before retirement. Chief Farber turned in his mask and equipment.

Chairman Chamberlain discussed the workers compensation codes for administrative people as opposed to the codes used for suppression employees. Administrative employees are not covered by workers compensation for fire-fighting, therefore, they should not be fighting any fires.

No Motion

6. Discussion and possible action re: update on fire chief transition. (BOD #2021-05-05)

Clerk Cross stated we are on track with turning in all items such as turnouts, mask, District credit card, and ID badge phone and computer.

Chief Farber stated he would be in the office until about 4:00 p.m. on Monday, May 31st, 2021 if crews or anyone would like to stop by Admin to say farewell.

Chief Whitney thanked Chief Farber for his professionalism in welcoming him to the District.

No Motion

7. Discussion and possible approval of Resolution #2021-05-28-16 for the annexation of undeveloped Arizona State Land Trust property. (BOD #2021-05-06)

Chief Farber stated that he spoke to Karen Dada from State Land Trust and she said they would approve the annexation in the future when there is more development started, but will not approve the annexation at this time.

No Motion


Adjourn (BOD #2021-05-07)

Motion by Clerk Cross to adjourn the meeting at 12:11 p.m.

Seconded by Director Kurian

Vote 5 ayes, 0 nays. **MOTION PASSED.**

Governing Board Approval:


Board Clerk Jeff Cross
Sherry Mueller