



FLAGSTAFF RANCH FIRE DISTRICT

Board of Directors

Special Meeting Minutes for January 9, 2023

A special meeting of the Flagstaff Ranch Fire District was held on **Monday, January 9, 2023 at 2:00 PM** in person at the Flagstaff Ranch Golf Club Board Room. This meeting was accessible to both Board members and the public.

CALL TO ORDER: Board Chair Bob Woodings called the special meeting of the Flagstaff Ranch Fire District Board to order at 2:02 pm.

BOARD ATTENDANCE: In Person: Board Members Bob Woodings, Paul Butters **Via Phone:** Peter Heguy; a quorum was present.

PLEDGE OF ALLEGIANCE

OTHER ATTENDANCE: Controller Kirt Palmer, Administrative Specialist Sara Diaz, Board-Elect Ted Vanderlaan

PUBLIC ATTENDANCE: Flagstaff Ranch Members Claudia Sangster, Dan Basmagian, Brad Thomas and Jeff Hudspeth

PUBLIC COMMENT:

- Flagstaff Ranch Member and Board Member Elect Ted Vanderlaan provided a written statement to the Board.
- Flagstaff Ranch Member Claudia Sangster provided comment on the process for appointing a Member to the Board and the application process. She stated that the application she provided was the same as the original application provided except for an added date. She expressed her concerns with Board Chair Bob Woodings rejecting the application before the Board had time to review and discuss the original that was provided. She expressed also that the process was made complicated and the call for candidates was kept from others.

APPROVAL OF MINUTES: Deferred to January 27, 2023 Meeting

CONTROLLERS REPORT ON FINANCES: Deferred to January 27, 2023 Meeting

SUMMARY OF CURRENT EVENTS AND CORRESPONDANCE: Deferred to January 27, 2023 Meeting

TOPICS OF DISCUSSION AND POSSIBLE LEGAL ACTION:



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Agenda Item 1: Discussion and possible action concerning the contents of and potential candidate responses to the 2nd Call for Registered Voter Candidates, current Board support of it contents sustaining the call for candidates, and acknowledging the new Board of Directors is responsible to appoint the third Board Member – potential appointment of a new Board Member will not be discussed, considered or decided at this meeting;

Discussion:

- The Board discussed the provided report from Board Chair Bob Woodings that listed the current Flagstaff Ranch Members that have reached out and expressed interest in serving on the Board.

Item 2: Board Member Paul Butters made a motion for Board Clerk Peter Heguy to chair the meeting. This motion was seconded but then denied by Board Chair Bob Woodings.

Item 3: Board Member Paul Butters made a motion to discuss the current and/or possible Board candidates. This motion was seconded by Board Clerk Peter Heguy with no official vote made by any three Board Members.

Item 4: Board Member Paul Butters made a motion for future meeting agendas that the Chairman develop an agenda and the Clerk review and approve the agenda. This motion was seconded by Board Clerk Peter Heguy. Board Chair Bob Woodings voted no; the motion was **approved 2:1. Later determined null and void with resolution 2023-1.**

Item 5: Board Member Paul Butters offered to remain on the Board until a new Board Member is appointed and that he would be more than willing to provide his services until then.

- Board Member Paul Butters made a motion that he remain on the Board and provide his services until a new Board Member is appointed. This motion was seconded by Board Clerk Peter Heguy. Board Chair Bob Woodings voted no; the motion was **approved 2:1. Later determined null and void with resolution 2023-1.**

Item 6: Board Chair Bob Woodings discussed with the Board that he would like to present the motions made to the County Attorney for advice on the validity of the motions as they were not listed as topics of discussion and the provided agenda.

- Board Clerk Peter Heguy made note that both his and Board Member Paul Butters request for a meeting and meeting items were overrode by Board Chair Bob Woodings. With that, the motions made were initiated



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because of the override from the Chairman.

Item 7: Board Clerk Peter Heguy made a motion to call for an emergency meeting pursuant to section 4920 regarding emergency meetings, after the Special Meeting was adjourned due to the procedural error made by Board Chair Bob Woodings in regards to the meeting requests made by Board Clerk Peter Heguy and Board Member Paul Butters. This motion was seconded by Board Member Paul Butters. Board Chair Bob Woodings voted no; the motion was **approved 2:1. Later determined null and void with resolution 2023-1.**

BOARD MEMBER COMMENTS

- Board Chair Bob Woodings stated that he may call a special meeting to review what is presented by the County Attorney.

NEXT MEETING DATE AND TIME: A regular meeting will be held on Friday, January 27, 2023 at 2:00 pm.

ADJOURNMENT: Board Member Paul Butters made a motion to adjourn the special meeting at 4:10 pm. This motion was seconded by Board Chair Bob Woodings. Board Clerk Peter Heguy voted no; the motion was **approved 2:1.**

Minutes prepared by Administrative Specialist Sara Diaz

Minutes reviewed by Board Clerk Ted Vanderlaan

¹ Flagstaff Ranch Fire District Meeting January 9, 2023

Addendum:

Presenter: Flagstaff Ranch Member and Board Member Elect Ted Vanderlaan

It's been 3 weeks since I was appointed to the board; my term starts tomorrow. I want to share my observations since then.

- The original solicitation sent by the chairperson for candidates to fill the open board seat was sent out selectively, excluding qualified residents the chairperson didn't want on the board. For example, he said he didn't know which email address to use for the person he had recently served with on the POA.
- The chairperson only reluctantly agreed to a second, broader email to all residents, when multiple attendees at the Dec 16 meeting recommended this.

¹ Flagstaff Ranch Fire District Forum



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- The chairperson discouraged me from posting a similar call for applicants on the FR Facebook group but gave no valid reason. He also cited, incorrectly, my email proposing this as violating the Open Meeting Law.
- The chairperson rejected applications by 2 qualified residents, citing an invalid reason about using out-of-date forms that were essentially identical to the forms he provided me, and he did not notify the applicants of the rejection.
- The chairperson first resisted a request from an existing board member for this special meeting to discuss and, ideally, select an applicant for the open board seat, then agreed to the meeting but unilaterally decided to specifically preclude allowing a vote to fill the board seat at this meeting.

The fire district handbook states: "Every Director represents the interests of the Fire District equally." The chairperson's unilateral actions violate this duty.

Per the handbook one of the chairperson's duties is to "Assist staff in developing agendas for Fire Board meetings." Not unilaterally deciding what is included in the agenda.

The chairperson should have closed the loop with the requesting board member before changing the agenda. He may cite the Open Meeting Law as a reason for not doing so, but this is a clear misinterpretation of this law. The law states that directors may not "discuss, propose or take legal action, including deliberations" outside of a posted meeting. This does not preclude discussions of what to include in the agenda, nor discussions of facts, such as whether there are any applicants for the open position, and their names. He might say that his interpretation of the open meeting law is safer. But when it prevents the board from fulfilling its duties properly, it's dangerous.

He may cite the Dec 16 meeting in which it was agreed to send the second solicitation, with the objective to have candidates before the next regular meeting on Jan 27. No formal motion was taken or approved in regard to appointing someone on the specific date of January 27th. Even if he thought that this was agreed, he should have brought that opinion to this meeting for discussion with the other board members, not unilaterally excluded the option to fill the board seat at this meeting.

He might say that the new board should fill the position, not the outgoing board. But I was appointed by the outgoing board, just 3 weeks ago. I would have preferred that the outgoing board, with their experience and knowledge of the requirements of the position, fill the position.

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So I am starting my 4-year term very concerned about my ability to fulfill my duties, to serve the best interests of the community, if the last 3 weeks are indicative of what we can expect going forward.

Ted Vanderlaan 09Jan23