

TIMBER MESA FIRE AND MEDICAL DISTRICT NOTICE OF MEETING

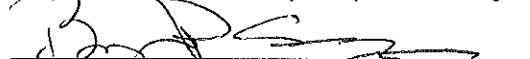
The Fire Board of the Timber Mesa Fire and Medical District will meet in special session on Friday, **November 6, 2015 at 4:30 p.m.** The meeting will be held at 2922 W. White Mountain Blvd., Lakeside, Arizona. The Board may vote to go into executive session on any agenda item, pursuant to A.R.S. § 38-431.03(A)(3) for legal advice with the District's attorney on matters as set forth in the agenda item. Board Members or other participants may attend by telephonic conference. The following topics, and any variables thereto, will be subject to Board consideration, discussion, approval, or other action. All items are set for possible action.

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF BOARD MEMBERS
4. POSSIBLE VOTE TO GO INTO EXECUTIVE SESSION
 - A. Legal advice pursuant to A.R.S. §38.431.03(A)(3) re: pending litigation re: Arrowhead Mobile Healthcare, Inc. vs. Timber Mesa Fire and Medical District, et al. Cause Nos. CV2015-00436 & CV201500437.
 - B. Instructions to legal counsel pursuant to A.R.S. §38-431.03(A)(4) re: pending litigation re: Arrowhead Mobile Healthcare, Inc. vs. Timber Mesa Fire and Medical District, et al. Cause Nos. CV2015-00436 & CV201500437.
5. BUSINESS
 - A. **Discussion and possible action** re: pending litigation re: Arrowhead Mobile Healthcare, Inc. vs. Timber Mesa Fire and Medical District, et al. Cause Nos. CV2015-00436 & CV201500437. Possible approval of Chairman and Fire Chief to sign verifications and/or other pleadings or documents as may be necessary in conjunction with said above referenced pending litigation.
 - B. **Discussion and possible action** re: possible approval of Resolution #2015-3 authorizing William R. Whittington, Esq. and the law firm of Boyle, Pecharich, Cline, Whittington & Stallings, PLLC, the law firm of Gallagher and Kennedy, and Brett Rigg, Esq. to appear and participate in the above referenced pending litigation, Cause Nos. CV2015-00436 & CV2015-00437.
 - C. **Discussion and possible action** re: authority to withdraw pending application for boundary modification in ADHS file EMS 4054 and to re-file the same.
6. ADJOURNMENT

If any person needs accommodation, please notify the Timber Mesa Fire and Medical District prior to the scheduled meeting time. A copy of the agenda background materials is provided to the Fire District Board Members (with the exception of materials relating to the possible executive session) and is available to the public at the Administrative Office of the Timber Mesa Fire & Medical District, located at 2922 W. White Mountain Boulevard, Lakeside, Arizona 85929.

I, Bryan P. Savage, do hereby certify that this foregoing Notice was posted on Thursday, November 5th, 2015 by 4:30 p.m.



Fire Chief, Timber Mesa Fire and Medical District

**TIMBER MESA FIRE AND MEDICAL DISTRICT
NOTICE OF MEETING
(Ratification)**

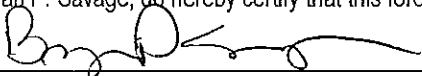
The Fire Board of the Timber Mesa Fire and Medical District will meet in special session on **Thursday, November 12, 2015 at 6:00 p.m.** The meeting will be held at 2922 W. White Mountain Blvd., Lakeside, Arizona. The Board may vote to go into executive session on any agenda item, pursuant to A.R.S. § 38-431.03(A)(3) for legal advice with the District's attorney on matters as set forth in the agenda item. Board Members or other participants may attend by telephonic conference. The following topics, and any variables thereto, will be subject to Board consideration, discussion, approval, or other action. All items are set for possible action.

AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF BOARD MEMBERS
4. EXECUTIVE SESSION
 - A. Legal advice pursuant to A.R.S. §38-431.03(A)(3) re: ratification.
5. BUSINESS
 - A. **Discussion and possible action** re: approval of Ratification Resolution 2015-1 re: possible ratification of the following items:
 1. Hiring of the law firm of Gallagher and Kennedy
 2. Authorizing staff and legal counsel to proceed with the needed paperwork and process for purposes of pursuing an amendment to the District's CON for a name change and amendment to the service area of the District.
 3. Approval of Resolution 2015-05, intended to authorize legal counsel and staff to proceed with the District CON Amendment Application process and to complete and file the needed paperwork to effectuate the Governing Body's approval.
 - B. **Discussion and possible action** re: possible approval of Ratification Resolution 2015-2 re: approving execution and filing of a CON amendment application, dated 5/14/15, regarding the expansion of ambulance service within the District and authorizing the law firm of Gallagher and Kennedy to assist in the same.
6. ADJOURNMENT

If any person needs accommodation, please notify the Timber Mesa Fire and Medical District prior to the scheduled meeting time. A copy of the agenda background materials is provided to the Fire District Board Members (with the exception of materials relating to the possible executive session) and is available to the public at the Administrative Office of the Timber Mesa Fire & Medical District, located at 2922 W. White Mountain Boulevard, Lakeside, Arizona 85929.

I, Bryan P. Savage, do hereby certify that this foregoing Notice was posted on Monday, November 9th, 2015 by 6:00 p.m.



Fire Chief, Timber Mesa Fire and Medical District

NOTICE OF RATIFICATION ACTION

It has come to the Fire Board's attention that some items have been approved in the past few months that have been alleged to have been approved in violation of the open meeting law. The following is a description of each of those possible action items and the meetings during which they were approved.

As a result, while not obvious that any open meeting violation actually occurred, the Board believes ratification of those items to be prudent. Under Arizona law the Fire District Board is required to provide a detailed statement of each item which is to be ratified. This is done below. This statement is intended to be made available to the public:

1. Ratification of the hiring of the law firm of Gallagher and Kennedy.

Ratification of the approval of the hiring of Gallagher and Kennedy, previously approved at the meeting of November 25, 2014, because the agenda may have inadvertently failed to post a clear item description. This matter was set for discussion and possible action. The Board entered into Executive Session for legal advice pursuant to the preamble paragraph on the Notice of Meeting. Thereafter, the Board reconvened into public session and made a motion to approve the engagement letter and enclosures. The agenda item did not make specific reference to the possible approval of an engagement letter for representation by Gallagher and Kennedy in conjunction with the CON matter.

2. Ratification of the instructions to legal counsel to proceed as directed in Executive Session.

Ratification of the action to authorize legal counsel to proceed as directed in Executive Session, previously taken at the meeting of February 24, 2015. Because the detail of the discussion with legal counsel was had in Executive Session, the public minutes contained no individual detail as part of the motion. As a result, the detail was later included in a Board resolution approved on July 28, 2015, so as to satisfy the ADHS. That detail, as set forth in Resolution 2015-05 is incorporated herein.

3. Ratification of the approval of Resolution 2015-005.

Ratification of the approval of Resolution 2015-005, previously taken at the meeting of July 28, 2015, because the Resolution inadvertently referenced the incorrect meeting date for ratification. The Resolution references March 31, 2015 as the date the Board gave instructions to legal counsel to proceed as directed in Executive Session. However, the Resolution should have made reference to the February 24, 2015 meeting.

As a result, the Governing Board of Timber Mesa Fire District will meet on November 12th, 2015 for purposes of revisiting these issues, and will consider ratification of the above-referenced.

* Please note that copies of this Notice, the resolutions in question and copies of the previous Agendas and Minutes in question may be obtained at the Administrative Office of the Timber Mesa Fire and Medical District, located at 2922 W. White Mountain Blvd., Lakeside, AZ 85929.