



# TUBAC FIRE DISTRICT

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TUBAC FIRE DISTRICT BOARD MEETING MINUTES  
 SPECIAL MEETING OF THE BOARD OF DIRECTORS  
 May 12, 2020

1. Call to order and Pledge of Allegiance: The meeting was called to order at 9:00 a.m. by Mary Dahl. The Pledge of Allegiance was recited.
2. Roll call of Board Members: Board Members present telephonically were Bill Kirkpatrick, Herb Wisdom, Candy Clancy, Mike Connelly and Mary Dahl. Attorney Scott Bennett, Attorney Sam Coppersmith, Gabe Buldra, and Keith Walters were present telephonically. Present at Tubac Station #1 were Chief Horvath, Deputy Chief Rivera, Deputy Chief Guerrero, and Nancy Lindsey.
3. Convene into Executive Session: Mary Dahl made a motion to convene into Executive Session Herb Wisdom seconded the motion; all were in favor, the motion passed.
4. Executive Session relating to the District's cell tower site. The purposes of this Executive Session are [1] discussion or consultation for legal advice with the attorney or attorneys of the District in accordance with A.R.S. § 38-431.03(A)(3), and [2] discussion or consultation with designated representatives of the District in order to consider the District's position and instruct its representatives regarding negotiations for the purchase, sale, or lease of real property in accordance with A.R.S. § 38-431.03(A)(7).
5. Conclude Executive Session: Executive session concluded.
6. Discussion and possible action related to negotiation for sale of Peck Canyon cell tower: Bill Kirkpatrick made a motion to authorize the Board Chair to negotiate and execute a Letter of Intent regarding the sale of the Peck Canyon cell tower. Mike Connelly and Candy Clancy both expressed their concerns with the Board Chairman signing the Letter of Intent (LOI) with American Tower. Candy Clancy made a motion to have Attorney Scott Bennett continue negotiation concerning the sale of the tower and return with a letter of intent for the Board to review and Mike Connelly seconded the motion. Mary Dahl commented that it would be in the best interest of the District and to avoid any further delay from the Board to move forward with signing the LOI with the proposed changes suggested by the attorneys and as requested by American Tower pertaining to earnest money and representatives of warranties. Candy Clancy commented that it has not been the Board causing a delay in this and that consultants have acknowledged that the negotiations the Board has not been involved in has taken time. Candy reminded the Board that Attorney Bennett stated his office could make the language changes to the LOI and have it back to the Board for review and execution either this afternoon or tomorrow. Mary Dahl called for a vote on Candy Clancy's motion. Candy Clancy, Mike Connelly and Herb Wisdom were in favor of having the attorneys make the changes to the LOI to bring it back for execution and Mary Dahl and Bill Kirkpatrick were opposed. The motion passed 3:2.

7. Next meeting: May 27, 2020

8. Adjourn Meeting: Board Chairman Mary Dahl adjourned the meeting.