

Dwight Kadar

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August 22, 2017

Randy Garrison

Supervisor District 3

Yavapai County

10 South 6th Street

Cottonwood, Arizona 86326

Dear Randy Garrison:

On behalf of Sedona Fire District taxpayers, I am filing a formal complaint with the Yavapai County Board of Supervisors against the Sedona Fire District Fire Chief, Kris Kazian, for trying to influence the outcome of Sedona Fire District bond election in favor of the District.

We didn't initially object when we found out Kazian was going to be the depository for all the PRO and CON statements and voter ballot pamphlet preparation. By no definition can Kazian be considered a "neutral party" when it comes to the bond proposal. I don't think any of us were comfortable with the idea of Kazian being put in charge, but we left it alone because none of us knew the full implications.

Only after we submitted our CON statements and received Kazian's emails, informing us that he had the authority to "correct factual misstatements," did we realize how he could influence the outcome of the bond election. Additionally, Kazian told us he had "adjusted numbers" and intended to "delete" statements that he felt were "not factual." Magnanimously, Kazian offered to "listen to your rationale" if you have "any information to validate your claim."

Further, Kazian redlined and changed our language to lessen the impact of what we wrote in our CON statements. This had nothing to do with correcting factual misstatements. Kazian just didn't like how it would sound to the public. Finally, the threat: "We have until tomorrow at 0900 to have the documents to the bond council and would like to make sure your statement is accurate and *is included in the pamphlet.*" [emphasis mine]. In other words, if you don't agree to my changes, I won't allow it to be published.

The whole process has been contaminated – beginning with what was actually submitted. What assurance do the voters have that Kazian didn't put his thumb on the scales and enhance the PRO statements while trying to dismantle the CONs? Was there collusion? Who knows?

When we asked Kazian to cite his legal authority, he named an Arizona Revised Statute that was written to allow county school superintendents to prepare informational reports and ballots for school district budget override elections. How does this statute apply to a special district like the Sedona Fire District? Well, we don't believe it does.

We believe the Yavapai County Board of Supervisors, as a neutral party that oversees special districts, should be in charge of this process. The Board would be the appropriate governmental body to run this election including the development of informational voter pamphlets – not Chief Kazian.

Below we have included a legal opinion from Arizona Attorney General Mark Brnovich to Yavapai County Attorney Sheila Polk regarding “Influencing the outcomes of elections.”

Please contact me as we have considerable documentation to provide you supporting our formal complaint of election tampering.

Sincerely,

Dwight Kadar

cc: Bob Thorpe, LD6 Representative
Brenda Barton, LD6 Representative
Sylvia Allen, LD6 Senator

<https://www.azag.gov/sgo-opinions/use-public-funds-influence-outcomes-elections>

“Influencing the outcomes of elections” means supporting or opposing a candidate for nomination or election to public office or the recall of a public officer or supporting or opposing a ballot measure, question or proposition, including any bond, budget or override election and supporting or opposing the circulation of a petition for the recall of a public officer or a petition for a ballot measure, question or proposition in any manner that is not impartial or neutral.