

-Inscription Canyon Ranch Sanitary District

**PO Box 215
Chino Valley, AZ 86323**

Rev 3/12/19

NOTICE OF MEETING

The Governing Board of the Inscription Canyon Ranch Sanitary District will meet in a Public Session on Thursday, March 14, 2019 at 1:00 pm at Granite Peak Unitarian Universalist Congregation, 882 Sunset Avenue, Prescott Az. 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 attorneys 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. ROLL CALL OF BOARD MEMBERS**
- 3. CALL TO THE PUBLIC**
- 4. CONSENT AGENDA** (Routine items that may be approved by one motion)
 - Minutes of Meetings
 - Public Meeting Minutes of February 4, 2019.
 - Executive Session Minutes
 - Executive Session Minutes of February 4, 2019
 - Reimbursement to District Manager (\$665.59)
 - Springhill Suites- Meeting Room for Public Meeting of February 4th (\$357.00)
 - Mileage- Travel to Phoenix for meeting with ADEQ, February 26th (\$125.28)
 - GoDaddy- SSL Certificate Renewal- 1 year (\$79.99)
 - G.P.U.U.C. Meeting room- March 14th (\$79.00)
 - Walmart- Copy paper & supplies (\$15.32)
- 5. SPECIAL REPORTS AND POSSIBLE ACTION:**
 - A. Report and review of wastewater treatment plant operating status and capacity and status of plans for expansion by Civiltec Engineering with possible Board action.
- 6. POSSIBLE VOTE TO GO INTO EXECUTIVE SESSION FOR:** discussion or consultation for legal advice with the attorneys of the Inscription Canyon Ranch Sanitary District pursuant to A.R.S. Section 38-431.03.(A)(3) and discussion or consultation with the attorneys of the Inscription Canyon Ranch Sanitary District in order to consider its position and instruct its attorneys regarding the District's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation pursuant to A.R.S. Section 38-431.03.(A)(4) re:
 - A. Status of litigation brought by Talking Rock Land, LLC (TRL), possible next steps, alternatives;
 - B. Discussion and Possible action regarding appeal of ruling of Yavapai County Superior Court in case P1300VC201800380, Talking Rock Land vs ICR Sanitary District, including but not limited to March 1, 2019 attorney fee award..
 - C. Status of monetary claim filed by Talking Rock Land LLC.
 - D. Status of insurance company response to District concerning coverage.
 - E. Possible action for Declaratory Relief in connection with sections of the Amended and Restated Development Agreement.
 - F. Possible response to settlement proposal from Peter Burger of Symmetry Companies
 - G. Mailing to District property owners, newsletters including response to comments and emails from Talking Rock.
 - H. Alleged Open Meeting Law violation letter from Attorney Generals Office dated February 25, 2019 .
 - I. Possible Bylaw amendment.

During the Executive Session, the public will be asked to leave the Board meeting room until the general session is reconvened

RECONVENE INTO PUBLIC SESSION

7. REPORTS

Report from District Manager

- Status of District operations
- Latest average daily flows through the treatment plant (February-46,056 gpd- high day 65,700 gal)
- Status of Phase 1 improvements to WWTP
- Report on information security in ICRSD electronic files.
- Report on pre-application Meeting with ADEQ
- Open Meeting Law Complaint

8. OLD BUSINESS - DISCUSSION & POSSIBLE ACTION RE:

- Setting a date and time for future ICRSD Board Meeting(s)
- Pending litigation re: P1300VC201800380, Talking Rock Land vs ICR Sanitary District.
- Claim by Talking Rock Land, LLC
- Communications with insurance company re: possible involvement in settlement efforts with Talking Rocking Land, LLC.
- Possible response to settlement proposal from Peter Burger of Symmetry Companies.
- Discussion and possible approval of amendment to District By-laws concerning notification to the public of Board seats up for election.

9 . NEW BUSINESS - DISCUSSION & POSSIBLE ACTION RE:

- Discussion and possible approval to mail to District property owners, newsletters including responses to comments and emails from Talking Rock.
- Discussion and Possible action regarding appeal of ruling of Yavapai County Superior Court in case P1300VC201800380, Talking Rock Land vs ICR Sanitary District, including but not limited to March 1, 2019 attorney fee award.
- Approval of financial reports for January and February, 2019, and possible action concerning forecast shortage of funds between March and November, 2019.
- Possible action for Declaratory Relief in connection with sections of the Amended and Restated Development Agreement.
- Discussion and possible approval of code of ethics for Board of Director Members.
- Discussion and Approval authorizing District Manager to distribute and file Executive Session Minutes and tape recordings,
- Discussion and possible approval of Engagement letter for Alyx Cohan, CPA for preparation of Financial Review Report for fiscal year 2018-19. The cost of the review is estimated at from \$3,900 to \$4,600.
- Possible approval of expenditures for legal services and response in connection with Attorney General investigation of alleged Open Meeting Law violation during November 27, 2018 Meeting.

9. ADJOURNMENT

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting District Manager Bob Busch at r.busch@icrsd.net or calling 713-0548. Requests should be made as early as possible to arrange the accommodation.

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the attached notice was duly posted on the District's website: www.icrsd.net on March 12, 2019 at 5:00 pm in accordance with the statement filed by the ICR Sanitary District.

Dated this 12 day of March, 2019.

Robert M. Busch

Print Name

Robert M. Busch

Signature