

INSCRIPTION CANYON RANCH SANITARY DISTRICT
P.O. Box 215 Chino Valley, AZ 86323

~PUBLIC SESSION MINUTES~

April 3, 2018

Approved May 1, 2018

Date: Tuesday April 3, 2018

Time: 4:00 p.m.

Place: The meeting was held in the Conference Room at 5360 W. Inscription Canyon Drive
Prescott AZ

1. CALL TO ORDER.

The Governing Board for the Inscription Canyon Ranch Sanitary District convened into public session at 4:05 p.m.

2. ROLL CALL.

Present were David Barreira, Board Chairman and Bill Dickrell, Board Member. Also present were Bill Whittington, legal counsel; Bob Busch, District Manager and Isabel Yribe, Clerk. Members of the public were Bob Hilb, Derek Scott, Clint Poteet and Davin Benner.

3. Mr. Barreira moved that the board 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. Possible changes to the Amended & Restated Development Agreement, concerning but not limited to Sections 7 & 8; financing and repayment issues and repayment options for WWTP replacement and expansion.**
- B. Consulting Contract with Z1 Consulting for work in connection with upgrades to the existing WWTP.**
- C. Capacity Assurance Forms for Sterling Ranch at Talking Rock Phase 13 (amended).**

Mr. Dickrell seconded the motion. The motion is passed unanimously without discussion.

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

CONVENE into Executive Session at 4:06 p.m.

RECONVENE from Executive Session at approximately 5:22 p.m.

Mr. Barreira moved that the board go back into executive session. Mr. Dickrell seconded the motion. The motion passed without discussion.

CONVENE into Executive Session at approximately 5:22 p.m.

RECONVENE from Executive Session at approximately 5:23 p.m.

4. OLD BUSINESS - DISCUSSION & POSSIBLE ACTION RE:

A. Possible changes to the Amended & Restated Development Agreement, concerning but not limited to Sections 7 & 8; financing and repayment issues and repayment options for WWTP replacement and expansion and;

B. Consulting Contract with Z1 Consulting for work in connection with upgrades to the existing WWTP. *Mr. Barreira moved to proceed as recommended by legal counsel in executive session for agenda items 4A and 4B. Mr. Dickrell seconded the motion. The motion passed, and the following discussion ensued:*

- *Mr. Bob Hilb read a portion of the Restated Development Agreement that included a clause that required the district board to fill out capacity assurance forms with no questions asked. Mr. Hilb also stated that Mr. Whittington was the district's legal counsel back when Mr. Hilb assisted in authoring the Restated Development Agreement. Mr. Whittington told Mr. Barreira that he would not respond to Mr. Hilb.*

C. Capacity Assurance Forms for Sterling Ranch at Talking Rock Phase 13 (amended). *By way of consensus, the board asked that this item be taken off the agenda.*

5. ADJOURNMENT

Therefore, the meeting was adjourned at 5:30 p.m.

Date

Board Clerk