

**INSCRIPTION CANYON RANCH SANITARY DISTRICT**

**P.O. Box 215 Chino Valley, AZ 86323**

**~PUBLIC SESSION MINUTES~**

**approved January 21, 2015**

**November 12, 2014**

**Date:** Wednesday November 12, 2014

**Time:** 10:00 a.m.

**Place:** 5360 W Inscription Canyon Dr, Prescott, AZ 86305

**1. CALL TO ORDER.**

The Governing Board for the Inscription Canyon Ranch Sanitary District convened into public session at approximately 10:00 a.m.

**2. ROLL CALL.**

Present were Bill Dickrell, Chairman; Al Poskanzer, Board Member; David Barreira, Board Member; Bill Whittington, District Counsel; Bob Busch, District Manager and Isabel Yribe, District Clerk. Also, Charles Muchmore, District Counsel joined in via telephone during the Executive Session. Also present were the following audience members.

Bruce Eldredge

Davin Benner

Clint Poteet

Bob Hilb

**3. CALL to the PUBLIC** *No comments from the public audience were made.*

**4. FINANCIAL REPORT from Bruce Eldredge.** This item was taken out of order as Mr. Eldredge had a time constraint that prevented him from reporting at the appropriate time in the meeting. Mr. Eldredge reported on the financial reports for August and September of 2014. Mr. Eldredge went through his report line item by line item for each month. When the board members needed clarification or confirmation on a line item, Mr. Eldredge would answer at that time. There was nothing significant to report during his financial reports other than the day to day business for the district.

**5. Bill Dickrell made a motion to 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. Missing and unaccounted for records and documents, property of the District, that have not been produced by the previous District Board members.
- B. Attorney fees previously paid by the District in the Developer Lawsuit and possible action for reimbursement.
- C. Authorization for Jeffrey Coughlin, P.C., to release confidential documents to attorneys, Burch & Cracchiolo, in connection with the matter in item B. above.
- D. Approval to invoice Harvard Investments for electricity and repair costs at Silent Moon Lift Station from 3-1-2012 to date.
- E. Proposed Resolution 2014-4 – Ratification of changes to Intergovernmental Services Agreement, correcting paragraph 5 to indicate the District declines to receive discounted rates for providing assistance or facilities in administering elections.
- F. Proposed Resolution 2014-5 – Approval to pay for Capital Expenditures for Alarm and Pump Equipment from District General Fund. The amount of the approved work orders is \$19,322.
- G. Open Meeting Law issues, especially regarding Public Meetings and “Call to the Public”, and Article II, Sections 20 and 22D of the District’s Bylaws, Rules and Policies.
- H. Authorization and Approval for the District Manager to sign Sewage Treatment Facility and Sewage Collection System Capacity Assurance forms for Talking Rock, Phase 11.
- I. Approval of Work Order #106 to Granite Basin Engineering to prepare standard sewer system details and approved grinder pumps for the District at a cost of \$10,000.
- J. Approval of Draft Reserve Study prepared by Facility Advisors. Page 2 of 3
- K. Approval of Essential Record List to be filed with Arizona State Library, Archives & Public Records.

*David Barreira seconded the motion. The motion passed unanimously without discussion.*

*During the Executive Session, the public was asked to leave the Board meeting room until the public session was re-convened*

**Executive session began at approximately 10:27 a.m.**

**RECONVENE INTO PUBLIC SESSION at approximately 11:55 a.m.**

#### **4. REPORT from the District Manager**

- **Status of Plant Operations** *Mr. Busch stated that Odor Control device has been installed and is “up and running”. He also stated that there were approximately 480 active accounts in the district and an additional 39 which are in some stage of hookup/payment/process. Mr. Busch stated that landscape cleanup work at the treatment plant will start sometime next week and also that the Insurance Renewal questionnaire forms were received and completed for the policy due to renew on February 1, 2014. Cable One phone service was started at the WWTP November 1, 2014 with the small business addendum included in the contract. Mr. Busch stated that Yav. Co. Board of Supervisors cancelled the 2014 election for the District and appointed Mr. Dickrell to a four year term on the Board. Mr. Busch also reported that the*

*District paid \$700.00 review of the plans for TRR Phase11 by Lyon Engineering and the amount has since been reimbursed by Talking Rock Ranch.*

- **Plant treatment daily averages** *Mr. Busch stated that the daily flows for September were 39,504 gpd and 37,316 gpd for the month of October.*
- **Status of Sludge Handling Pilot Project** *To date, Mr. Busch stated that there has been a savings of approximately \$14,500 since switching over to this process in May of this year.*
- **Operating Costs/Repairs at Silent Moon Lift Station** *There were a few concerns regarding this matter so Mr. Busch would ask counsel in Executive Session.*
- **Review of Reserve Study Report from Facility Advisors** *There were a few concerns regarding the draft report and the members felt needed counsel's opinion and would ask during Executive Session.*

#### **6. CONSENT AGENDA (Routine items that may be approved by one motion)**

- Minutes of prior meetings
  - Executive Session Minutes of September 11, 2014
  - Minutes Public Meeting of September 11, 2014
- Reimbursement to District Manager for \$32.08
  - Staples- Copy expense- Final Reserve Study Report (\$17.04)
  - Wal-Mart - Copy paper & supplies for Board Packets (15.04 )
- *Mr. Dickrell made a motion to approve the consent agenda. Mr. Poskanzer seconded the motion. The motion passed unanimously without discussion*

#### **7. OLD BUSINESS - DISCUSSION & POSSIBLE ACTION RE;**

- A. Missing and unaccounted for records and documents, property of the District, that have not been produced by the previous District Board members.** *There is nothing to report on this matter at this time.*
- B. Attorney fees previously paid by the District in the Developer Lawsuit and possible action for reimbursement.** *There is nothing to report on this matter at this time.*
- C. Authorization for Jeffrey Coughlin, P.C., to release confidential documents to attorneys, Burch & Cracchiolo, in connection with the matter in item B. above.** *Mr. Dickrell made a motion to authorize Mr. Coughlin to release the documents as requested. Mr. Poskanzer seconded the motion. The motion passed unanimously without discussion.*
- D. Approval to invoice Harvard Investments for electricity and repair costs at Silent Moon Lift Station from 3-1-2012 to date.** *Mr. Dickrell made a motion to allow Mr. Busch to converse with Talking Rock Ranch about the Silent Moon matter. Mr. Barreira seconded the motion. The motion passed unanimously without discussion*
- E. Setting a time and place for future meetings of the District Board** *A time and place will be set at a later date.*

**8. NEW BUSINESS – DISCUSSION & POSSIBLE ACTION RE;**

**A. Approval of Financial Reports- August & September, 2014.** *Mr. Dickrell made a motion to approve the financial reports for August and September, 2014. Mr. Barreira seconded the motion. The motion passed unanimously without discussion.*

**B. Authorization and Approval for the District Manager to sign Sewage Treatment Facility and Sewage Collection System Capacity Assurance forms for Talking Rock, Phase 11.** *Mr. Dickrell made a motion to authorize Mr. Busch to sign and execute Sewage Treatment Facility and Sewage Collection System Capacity Assurance forms for Talking Rock, Phase 11 including the footnote added by Mr. Busch.*

- **Clint Poteet** *asked if he could read the footnote. After reading it, he stated that if the County had no issue with the footnote and its content, he didn't either. He did, however state that he would have an issue with it if it caused issues with his project production.*

*Mr. Barreira seconded the motion. The motion passed unanimously.*

**C. Approval of Work Order #106 to Granite Basin Engineering to prepare standard sewer system details and approved grinder pumps for the District at a cost of \$10,000.** *There was a brief background review given by Mr. Busch regarding this matter. Mr. Davin Benner also opined on this matter specifically on producing a database that a landowner could use to ensure they are using the approved equipment for their hookups. Clint Poteet stated that the County didn't care and wouldn't help alleviate the situation. He stated that it was ultimately the responsibility of the owners of the property to ensure they were using approved equipment to hook up to the sewer, but that he was policing the situation the best it could be. Again, Mr. Benner suggested that information be linked to a spreadsheet on the district website where a landowner could click on his parcel and check the required specifications of the approved equipment. Also, Mr. Benner suggested that an inventory be taken of the already existing equipment presently being used. Mr. Busch stated that perhaps letting the applicant know of the required equipment necessary to hook up to the sewer services on the application itself would inform the property owner of the requirements..*

*Mr. Dickrell made a motion to that Mr. Busch execute the Work Order #106 to Granite Basin Engineering to prepare standard sewer system details and approved grinder pumps for the District at a cost of \$10,000 with the stipulations that the word "estimate" be removed from the order and also that the small business addendums be added. Mr. Barreira seconded the motion. The motion passed without further discussion.*

**D. Proposed Resolution 2014-4 – Ratification of changes to Intergovernmental Services Agreement, correcting paragraph 5 to indicate the District declines to receive discounted rates for providing assistance or facilities in administering elections.** *Mr. Dickrell made a motion to approve Resolution 2014-4 ratifying changes to Intergovernmental Services Agreement, correcting paragraph 5 to indicate the District declines to receive discounted rates for*

*providing assistance or facilities in administering elections. Mr. Poskanzer seconded the motion. The motion passed unanimously.*

**E. Approval of Resolution 2014-5 Approval to pay for Capital Expenditures for Alarm and Pump Equipment from District General Fund. The amount of the approved work orders is \$19,322.** *Mr. Dickrell made a motion to approve Resolution 2014-5 as presented. Mr. Barreira seconded the motion. The motion passed unanimously without discussion.*

**F. Open Meeting Law issues, especially regarding Public Meetings and “Call to the Public”, and Article II, Sections 20 and 22D of the District’s Bylaws, Rules and Policies.** *This item was deferred to a future meeting.*

**G. Approval of Draft Reserve Study prepared by Facility Advisors** *Mr. Dickrell made a motion to authorize Mr. Busch to work with Facility Advisors to finalize report with the assistance of Mr. Dickrell. Mr. Barreira seconded the motion. The motion passed unanimously.*

**H. Approval of Essential Record List to be filed with Arizona State Library, Archives & Public Records.** *This item was deferred to a future meeting.*

**9. ADJOURNMENT**

Therefore the meeting was adjourned at 12:55 p.m.

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Date

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Board Clerk