

NOTICE OF SPECIAL MEETING

Special Session

INCLUDING RATIFICATION OF PRIOR ACTION
AND POSSIBLE REGULAR BUSINESS

Inscription Canyon Ranch Sanitary District

P.O. Box 215

Chino Valley, AZ 86323

September 16, 2011

3:30p.m.

Pursuant to A.R.S. § 38-431.02 and A.R.S. § 38-431.05 the public is hereby given Notice that the Inscription Canyon Ranch Sanitary District Board will meet in public session on September 16, 2011 at 3:30p.m. in the Windmill Room of the Talking Rock Ranch House, 15075 N. Talking Rock Ranch Road, Prescott, Arizona 86305.

The purpose of the special meeting is to ratify prior actions of the Sanitary Board of the Inscription Canyon Ranch Sanitary District taken during various previous board meetings at which time the Board discussed items in executive sessions and may have taken action either in said executive sessions or during the public sessions ensuing thereafter.

This ratification is taking place because the decisions relating to the approval of such actions may have been taken after inappropriate discussions were had in executive sessions, and/or approved, following said executive session discussions.

AGENDA

- I. CALL TO ORDER.
- II. ROLL CALL OF THE BOARD MEMBERS.
- III. PUBLIC FORUM.

Speakers are limited to a two-minute oral presentation, but may submit written comments of any length for Sanitary Board files. The Sanitary Board is required under law to accept any materials not on the agenda without response or comment.

- IV. NEW BUSINESS/RATIFICATION.
 - A. Ratification of the approval of the use of Isabel Yribe as a recording clerk to the Board under contract, previously approved during the meeting of June 29, 2011; possible direction to legal counsel to prepare a contract for the same.
 - B. Ratification of the hiring of the law firm of Boyle, Pecharich, Cline, Whittington & Stallings, P.L.L.C. as general counsel for the District, previously approved during the meeting of August 1, 2011.

- C. Ratification of the hiring of Jeffrey J. Coughlin as special legal counsel for the mandamus/attorneys' fees litigation matter, previously approved during the meeting of August 12, 2011.
- D. Ratification of the hiring of E.J. Kotalik of the law firm of Peshkin & Kotalik, as special legal counsel for the litigation matter involving Harvard Simon I, LLC; The Preserve at the Ranch, LLC; Old Capitol Investments LLC; and Whispering Canyon Development, LLC (and others), previously approved during the meeting of June 23, 2011.
- E. Ratification of the contact with the County Attorney regarding possible open meeting violations in regard to the previous board and the direction to work with the County Attorney for document recovery from that board, previously approved during the executive session of July 12, 2011.
- F. Ratification of the termination of Mr. Nelson, previous Board counsel, approved during the meeting of August 1, 2011.
- G. Ratification of the discussion and prior action relating to the adoption of a fee schedule for the Sanitary District, during the meeting of August 25, 2011. Said fee schedule, to the extent different than the Ordinance previously approved in 2008, and as thereafter amended, shall serve to amend said Ordinance to comply with the fee schedule herein approved.
- H. Ratification of the approval of Ordinance 2008 (Fee Schedule) previously approved during the executive session of January 24, 2008.
- I. Ratification of the adoption of the budget previously approved during the meeting of June 30, 2011.
- J. Ratification of the approval of an agenda item for legal advice at the next board meeting, approved during the meeting of July 8, 2011.
- K. Ratification of the use of Act III Investments, LLC, for consulting services to the District, previously approved during the meeting of June 23, 2011; possible authorization for preparation of contract with Act III Investments, LLC for said consulting services.
- L. Ratification of the use of MDI Taxes & Accounting, for accounting and billing services, previously approved during the meeting of July 12, 2011; possible authorization for preparation of a contract with MDI Taxes & Accounting for said accounting and billing services.
- M. Ratification of the use of Northern Arizona Websites for website design, hosting and maintenance, previously approved during the meeting of July 8, 2011; possible

authorization for preparation of a contract with Northern Arizona Websites for said services.

- N. Ratification of the previous approval of the contract with AQuality Water Co. for a sanitary system operator, in 2006, as thereafter extended, and authorizing a renegotiation of said contract.
- O. Ratification of the Board's decision to discuss a potential settlement agreement with Harvard, during the meeting of June 23, 2011.

V. OTHER NEW BUSINESS

- A. Possible motion to go into executive session for legal advice pursuant to A.R.S. §38-431.03(A)(3) in regard to the Harvard litigation; possible instructions to legal counsel pursuant to A.R.S. §38-431.03(A)(4) re: possible resolution of same.
- B. Approval of Jim Evans as legal counsel for the 207 litigation matter.
- C. Approval of the hiring of Bob Busch as Manager for the Sanitary District.

The public may obtain a detailed written description of the actions to be ratified, and all deliberations, consultations and decisions by Board members of the public body that preceded and related to this action to be ratified, at 14501 N. Talking Rock Ranch Road, Prescott, Arizona 86305.

VI. ADJOURNMENT.

Robert Hilb, Board Chair

ATTEST:

Robert Hilb, Board Chair

Note: The Sanitary District Board may vote to go into Executive Session on any agenda item, pursuant to A.R.S. § 38-431.03 (A) (3) for discussion and consultation for legal advice with the District's Attorney on the matter(s) as set forth in the agenda item.

Posted by: Robert Hilb
Date: September 13, 2011
Time:

