

***Inscription Canyon Ranch Sanitary District***  
**P.O. Box 215**  
**Chino Valley, AZ 86323**

**NOTICE OF MEETING**

The Governing Board of the Inscription Canyon Ranch Sanitary District will meet in Special Session on **Tuesday, February 5 at 9:00 am**. The meeting will be held at the Days Inn, 688 Fletcher Court, Chino Valley, AZ, in Conference Room 1. 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 attorney 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**

*Those wishing to address the Inscription Canyon Ranch Sanitary District Board need not request permission in advance. The Sanitary District Board is not permitted to discuss or take action on any item not specifically identified on the agenda (A.R.S. 38-431.01(G)). However, individual Board members may be permitted to respond to criticism directed to them. Otherwise, the Board may direct that staff review the matter or that the matter be placed on a future agenda.*

**4. 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. Missing and unaccounted for records and documents, property of the District, that have not been produced by the previous District Board members.
- B. Claims for reimbursement of attorney fees previously paid by the District.
- C. Possible changes and additions to ICRSD Bylaws, Rules, and Policies including Article II, Section 4 and new section 28; Article III, new Sections A7-A9 and Sections B9 and B10..
- D. Complaint against the District Board Members for Open Meeting Law violation(s) filed with the Office of Attorney General.
- E. Resolution 2013-1 Acceptance of Whispering Canyon, Onsite and Other Related Wastewater Facilities and approval of Bill of Sale in the amount of \$1,181,001.43, for infrastructure in Whispering Canyon, Phases 1 through 4 and possible amendment to the Amended and Restated Development Agreement dated March 1, 2012 (Implementation Agreement).
- F. Approval of Sewer Service Agreements and Capacity Assurance Certificates for Whispering Canyon Phases 5-7.
- G. Public Participation in Board Decision Making and at Public Meetings and order of business.
- H. Definition of fees and rates charged by the District

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

**RECONVENE INTO PUBLIC SESSION**

## 5. REPORTS:

Report from insurance agent Bill Weber of Weber's Insurance Agency

- o Proposal for insurance coverage for the District

Report from District Manager

- o Report on District Operations: WWTP Flows & performance; flushing & odor control
- o Closure of Escrow Account and transfer of fund and the status deeds of trust
- o Engineering review of plans for Whispering Canyon phases 5-7.
- o Report on possible of transfer of funds within the budget
- o Status of RFQ
- o Results of meeting with ADEQ and recommendation regarding modification to wastewater treatment plant permit.
- o Management Letter and Financial Report for fiscal 2011-2012 prepared by Alyx Cohan, CPA for submittal to Yavapai County.

Report from Accountant

- o Review of Financial Report for October and November and December, 2012

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

### 1) Minutes of prior meetings

Minutes of Rate Hearing, January 8, 2013

Public Meeting Minutes of January 8, 2013

Executive Session Minutes of January 8, 2013.

### 2) Reimbursement to District Manager for \$122.04 for:

*Travel to attend meeting with ADEQ in Phoenix.*

### 3) Invoice from Peshkin & Kotalik, P.C. dated January 24, 2103 in the amount of \$8,402.67 for:

*Legal services to the District*

## 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.
- B. Claims for reimbursement of attorney fees previously paid by the District
- C. Complaint against the District Board Members for Open Meeting Law violation(s) filed with the Office of Attorney General.
- D. Approval of Management Letter and Financial Report for fiscal 2011-12 prepared by Alyx Cohan, CPA, for submittal to Yavapai County.
- E. Resolution 2013-1 Acceptance of Whispering Canyon, Onsite and Other Related Wastewater Facilities and approval of Bill of Sale in the amount of \$1,181,001.43, for infrastructure in Whispering Canyon, Phases 1 through 4 and possible amendment to the Amended and Restated Development Agreement dated March 1, 2012 (Implementation Agreement).
- F. Possible changes and additions to ICRSD Bylaws, Rules, and Policies including Article II, Section 4 and new section 28; Article III, new Sections A7-A9 and Sections B9 and B10.
- G. Consideration of Approval of Sewer Service Agreements and Capacity Assurance Certificates for Whispering Canyon Phases 5-7.
- H Set time and place for next Public Meeting

## 8. NEW BUSINESS - DISCUSSION & POSSIBLE ACTION RE;

- A. Public Participation in Board Decision Making and at Public Meetings and order of business.
- B. Approval of Financial Reports for October, November and December, 2012.
- C. Authorization for District Manager to approve invoices for legal fees that will cause the line item account to exceed the line item amount in the approved budget.
- D. Approval of new/updated Insurance Proposal presented by Insurance Agent, Bill Weber.
- E. Approval to authorize Granite Basin Engineering to resubmit to ADEQ, the permit to operate the Santec plant, and SBR plant closure information as discussed in the meeting with ADEQ staff.

**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](mailto: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 at 14501 N. Talking Rock Ranch Road, Prescott, Arizona and at 5360 W. Inscription Canyon Drive, Prescott, Arizona on February \_\_\_\_\_, 2013 at \_\_\_\_\_ a.m. /p.m. in accordance with the statement filed by the ICR Sanitary District.

Dated this \_\_\_\_\_ day of February, 2013.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature