

INSCRIPTION CANYON RANCH SANITARY DISTRICT

P.O. Box 215 Chino Valley, AZ 86323

PUBLIC SESSION

~MINUTES~

Approved 5/1/12

Date: Wednesday December 14, 2011

Time: 3:00 p.m

Place: Days Inn Conference Room 1, 688 Fletcher Court, Chino Valley, AZ 86323

1. CALL TO ORDER.

The Governing Board for the Inscription Canyon Ranch Sanitary District convened into public session at approximately 3:00 p.m.

2. ROLL CALL.

Brian Ray, Board Member; Scott Robbins, Interim Chairman; Bob Hilb, (via telephone) Bob Busch, District Manager; Isabel Yribe, District Clerk; J.J. Coughlin, Legal Counsel; Bill Whittington, Legal Counsel (via telephone); Jim Evans, Legal Counsel (via telephone); Greg Williams, Legal Counsel (via telephone); and the following audience members according to the sign in sheet:

Eileen McGowan	Charles O'Brien
Charlie Turney	Lani Beach
Gene Leasure	Barb Hilb
Bob Cella	Michael Hecht
Dick Tracey	Jim Carlin
John Freeman	Harvey Roberts
Jimmy Stoner	Chris Stoner
Bruce Barley	Hugh Pryor
Clint Poteet	

- 3. EXECUTIVE SESSION** Interim Chairman Scott Robbins made a motion 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. Pending litigation with Harvard Investments et. al., Case #CV2010000036 & #P1300CV210-01855.
- B. Pending litigation with Marvin L. Kaiser et. al., Case # P1300CV201100061.

- C. A claim against the District by Alfred & Nancy Moss. Claim #AZSP210040024.
- D. Possible Indemnification of former board members in connection with litigation in cases A, B, & C.
- E. Possible settlement agreement of the matters listed in A, B, C and D above.

Brian Ray seconded the motion. There was no discussion and the motion passed unanimously.

Members of the audience were asked to leave and Executive Session commenced at 3:10 p.m.

4. RECONVENE INTO PUBLIC SESSION at approximately 4:10 p.m.

- Gene Leasure asked if there would be any signing at the end of this meeting in regards to the settlement agreement. *Counsel Coughlin stated that if the acceptance of the settlement agreement was approved, there would be signing of the document today.*

Brian Ray made a motion to accept the Settlement Agreement regarding the following cases and to authorize Interim Chairman Scott Robbins to sign said document on behalf of the Inscription Canyon Ranch Sanitary District.

- A. Pending litigation with Harvard Investments et. al., Case #CV2010000036 & #P1300CV210-01855.
- B. Pending litigation with Marvin L. Kaiser et. al., Case # P1300CV201100061.
- C. A claim against the District by Alfred & Nancy Moss. Claim #AZSP210040024.
- D. Possible Indemnification of former board members in connection with litigation in cases A, B, & C.
- E. Possible settlement agreement of the matters listed in A, B, C and D above.

Bob Hilb, via telephone, seconded the motion. There was no discussion and the motion passed unanimously. *Counsel Jeff Coughlin reminded Mr. Robbins that he had to fill out the blank space on page four of the agreement with the date of 12-14-2011. Mr. Robbins did so and signed the document at exactly 4:19 p.m. The entire audience was present at the time of signing.*

- **Gene Leasure** asked if the filling in of the date on page four had to be initialed. *Counsel Jeff Coughlin stated that it did not have to be initialed.*

5. ADJOURNMENT

Thereafter the public session adjourned at approximately 4:20 p.m.

Mr. Turney asked why there was no exhibit for the Moss Claim. Jeff Coughlin stated that the time for public comments had since passed and the meeting had been adjourned.

Date

Board Clerk

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