

Mayer Domestic Water Improvement District

Minutes of Regular Meeting

October 27, 2022

1. **CALL TO ORDER** 6:00 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL OF MEMBERS** Chairman Joe Mish – Present, Member Kathy King – Present, Member Kevin Jones – Present, Clerk Ed Cocchiola – Present, Member Jacque Burruss – Present via Phone

4. **COMMENTS FROM THE PUBLIC**

Joanne Coe – Ms. Coe wanted to know what the letter regarding buying the District is about. The town voted to form the District, the District can't just be sold. She wants to learn more about the process.

Bruce Bennett – Wanted to thank the District for cleaning up the area behind his son's house where our water line is. He also, thinks it would be dumb to sell the District.

Rita MacDonald – Wants to know the status of the well situation. She wants to know what is going on and why it is taking so long.

5. **CONSENT AGENDA**

5.1. Approval of August 2022 financials

5.2. Approval of September 22, 2022 Regular Meeting Minutes

Member King motioned to approve the consent agenda, Member Jones 2nds, Vote – Chairman Mish – Aye, Clerk Cocchiola – Aye, Member King – Aye, Member Jones – Aye, Member Burruss – Aye – PASSED

6. **ADMINISTRATION/STAFF REPORTS**

6.1. & 6.2 **Manager/Office Report -By Mardi Befort**

- We had 6 blue stakes as of today.
- On Friday, October 14 we discovered the solenoid valve on the Lower Goodwin tank was closed not allowing the tank to fill. This valve is electrically controlled, and the breaker popped. Resulting in portions of Oak Hills to have low water pressure or no water. We have put in extra steps in our daily rounds routine to prevent this from happening again.
- The tank in Poland Junction has 4 leaks. Superior Tanks came out Tuesday to look at the leaks, and do a visual inspection of the tank. He was able to tighten the bolts and stop the leaks, he feels the tank is still in good condition with minimal rehab needed.
- I have not been able to replace the gravel in the customers driveway that was washed away from the leak last month, because Big Bug Sand and Gravel (BBS&G) is out of stock on that specific size and color of gravel. I have been in communication with the customer, and he understands the situation and is willing to wait.
- I hired a field tech/backhoe operator October 20, Monday was his first day.
- We have 2 areas that are needing asphalt patches. We are required to buy a minimum amount of asphalt which is more than we need for both patches. We have been in communication with the County

regarding this and they are aware of our situation and are working with us. This coming week the guys will level out the current patch on Fairland.

- Oakhills update:
 - Frank will be coming out to help me get the Approval of Construction (AOC) completed, the final step is to get pressure tests in 2 areas at the same time.
- Racetrack well:
 - There are no updates for the Racetrack well, but it was suggested that I look into USDA grants to get this finished as they are forgiving significant amounts of the loan portions of the grants right now. I will look into this and bring it to the Board with details if this is viable option.
- Water Turn Off's/Past Due Account
 - October there were 16 shut offs. 2 are still off. One by choice, one person has not contacted us yet.
 - We sent out 64 past due bills this month.
- Website usage
 - In the past 30 days our website has had 352 views (refers to the number of times the website has been visited) and 209 unique visits (Actual number of people who have visited the website). Example: if a customer goes onto our website 10 times in 1 day it will show there are 10 views and 1 unique view.
- Water usage this month
 - This month it took us 2 days to read meters.
 - We pumped 2.51 million gallons, 280,000 gallons less than last month.
 - We sold 2.31 million gallons of water this month which is 60,000 gallons less than last month.
 - This month we had a water loss of 7.83% compared to 15.13% last month.
 - We have 3 meters with high reads this month that is not typical usage for them, 2 were over 60,000 gallons. With one over 90,000 gallons. The one with the higher read was also high last month. Carla and I have both spoken with the customer and suggested they look for a leak as the meter was turning.
 - One of the high leaks last month which was over 80,000 gallons of water turned out to be a toilet leak.
 - 34 customer this past month used 10,000 or more gallons of water totaling 701,800 gallons of water which was 30% of the water sold.
- This month's direct deposit check for the Bank of the West account was \$7,083.94.
- Correspondence in your packets.
 - On October 11 each jurisdiction was invited to attend the Official Logic and Accuracy Test of the voting equipment used for the November 8, 2022 General Election. I attended this test and certified the equipment was working accurately. In your packet is the Certificate of Accuracy signed by every jurisdiction who has in attendance for the test.
 - As you are all aware there is a letter of concern circulating via mail to residents in the area. I have provided the Yavapai County Sheriff's office a copy of the letter and they are investigating. There is copy of the letter in your packet.
 - Between October and November we receive two separate payments from American Tower that are direct deposited into our bank account. The first payment for \$105,309.59 was deposited in our account October 19, 2022. A copy of the email notifying us of the payment is in your packet.
 - I created an employee evaluation form for the District to use to when doing employee performance reviews that is based on the Districts expectations of employee growth and job



performance. There is a copy of the form in your packet. I did have the form reviewed by counsel to ensure there were no questions that could put the District at risk.

- On Sunday, October 16, 2022 I was made aware of an error on the ballot for the November 8th election. I notified Tosca immediately; she emailed the County Sunday and followed up with a phone call first thing Monday morning. A copy of their press release is in your packets. I also, posted the press release on our website, post office, library, District office and on our Facebook.

Member King Motions to accept the Administration/Staff Reports, Member Jones 2nds, Vote – Chairman Mish – Aye, Clerk Cocchiola – Aye, Member King – Aye, Member Jones – Aye, Member Burruss – Aye - PASSED

7. ACTION AND DISCUSSION ITEMS

7.1. OLD BUSINESS

7.1.1. Discussion and possible action on upgrade of T-Mobile equipment on the Tower.

Member King motions to approve the upgrade of T-Mobile equipment on the Tower, Clerk Cocchiola 2nds, Vote – Chairman Mish – Aye, Clerk Cocchiola – Aye, Member King – Aye, Member Jones – Aye, Member Burruss – Aye - PASSED

7.1.2. Discussion and possible action on the American Rescue Plan Act (ARPA) Grant Projects

Update by Ms. Befort, The Boring crew is still putting in the culverts for the new lines across roadways.

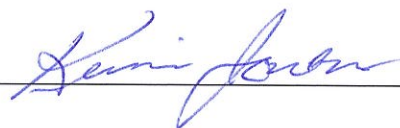
We are required to send out Invitation for Bids (IFB's) for every aspect of this grant that we are asking for reimbursement. Tosca is helping with this like she has with other requests we have sent out. We are kind of at a standstill for any work being started until we get the IFB's out and get the responses.

7.1.3. Discussion and possible action on the waterline across the creek at the Sandfilter

Ms. Befort gave an update:

The shoring of the bank was completed this month, thanks to Pioneer and Henrietta Mine, donating more equipment, labor and materials, with the rain we had and Pioneer's equipment being down it took longer than expected. This is still only temporary until the more permanent solution by the USDA – Natural Resources completes their design and the work is completed. From my understanding this could take up to a year to complete which will take us back into monsoons. We did not qualify for the urgent funding which would have been few months. This whole process has taken longer than I expected. But I have been working with several different entities and with the monsoons being over I am looking at long lasting solutions to this and not a temporary fix that we will be dealing with again in the next few years. I am wanting to make sure everything is done correctly and will last for hopefully forever or at the very least 20 – 30 years.

We had our kickoff meeting with Atkins North America on October 17th, they will be doing the structural support design for the waterlines. They have recommended that we leave the current building intact until they are able to come out on site and see how removing it could affect the



support of the waterline. The building does support the waterline spanning approximately 14 feet from the last piling to the edge of the building. Flood control agrees with this because the monsoons are over and the likelihood of catastrophic flooding in the wash is minimal this time of year. We are looking at about 3 months for this engineering to be completed.

Concrete slab – Was completed this week.

New Building – Should be completed tomorrow if he does not complete it tomorrow then we are waiting until December.

Easement – Surveyor was here today doing the survey for the 25' x 25' easement for the building only. I should have the easement back next week for him to sign. The property owner has agreed to that and has been very pleasant to work with. This took longer than expected, by the time I got permission from the property owner, Tom Liuzzo with Granite Basin was out sick with the flu for a week or this would have been completed 2 weeks ago.

7.2. NEW BUSINESS

7.2.1. Discussion and possible action on accepting the employee review of Chris Pomichter and recommended wage increase.

Manager Befort explained she did not include the review in the packet as it is employee related and would become public record. But she did Chris's review and they discussed his goals for the next year and recommended a \$1.00 raise to being him to \$15.00/hours.

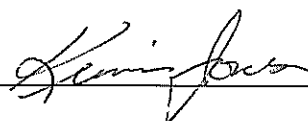
Clerk Cocchiola motioned to approve the wage increase, Member Jones 2nds, Member King asked if they also needed to approve accepting the employee review, Counsel Henry stated they did and suggested Clerk Cocchiola amend his motion to include that. Clerk Cocchiola amended his motion to accept the employee review and approve the wage increase, Member Jones 2nds – Vote – Chairman Mish – Aye, Clerk Cocchiola – Aye, Member King – Aye, Member Jones – Aye, Member Burruss – Aye – PASSED

7.2.2. Discussion and possible action on changing the meeting day and time for November 2022 because of Thanksgiving (Mardi)

Member King motioned to have the November 2022 meeting on November 17 at 5pm, Clerk Cocchiola 2nds, Vote – Chairman Mish – Aye, Clerk Cocchiola – Aye, Member King – Aye, Member Jones – Aye, Member Burruss – Aye – PASSED

7.2.3. Discussion and possible action on changing the meeting day and time for December 2022 because of Christmas (Mardi)

Member King motioned to have the December 2022 meeting on December 15 at 5pm, Clerk Cocchiola 2nds, Vote – Chairman Mish – Aye, Clerk Cocchiola – Aye, Member King – Aye, Member Jones – Aye, Member Burruss – Aye – PASSED



7.2.4. Discussion and possible action on correspondence from anonymous source expressing desire to remove the board members (Joe)

Chairman Mish stated that this has his attention, and these emails are what is causing this stuff. I think it's time that we cease and desist Because I am gonna tell you that's why, I got this letter, please forward to Chairman Joe Mish, My name is Jamie Shannon, it's in respect to purchasing this water company, now you guys at home almost lost this water company twice, if it wasn't for myself and couple of other guys doing our little dance there wouldn't be no Mayer Water today and when we got this kind of stuff going on that's how this comes about and I will read it to you. But since I had an operation on my eyes. I am going to ask the Board Clerk to read it.

Counsel Henry asked a question of the Chairman as to point of order. Inquiring if we were on 7.2.4 or 7.2.5.

Chairman Mish replied both as they are connected.

Counsel Henry again asked if 7.2.4 and 7.2.5 were connected as they are agenzized separately and was wondering if we wanted to do 7.2.5 first then 7.2.4

Chairman Mish stated that he received a letter in the mail and showed the public the letter and envelope and that he thinks that everyone knows including Mardi because she called me on it. He has a very serious problem as he doesn't know who these people are and he doesn't really give a crap. But, he takes exception to people who will write a letter and they are so unproud of it that they won't even sign it. If you are that good at it, why don't you sign it.

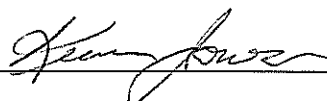
Member King stated that at this point she is not interested in having a public discussion over an item that is currently being investigated by the Sheriffs department.

Clerk Cocchiola – “Good because I gotta say this now.”

Chairman Mish to Clerk Cocchiola, “Go Ahead”

Clerk Cocchiola (looking at the public) – “Deputy with your permission Mr. Chairman. For those of you who haven't seen this. I want you to look at it. Deputy would you pass this around. This letter is disgusting. When people, in this county we live in, we pledge allegiance to that flag, when people take the law into their own hands. That's a no-no. America is the land of law, our laws we founded (pointing to Counsel Henry) you will tell them. Back from old English law, which was derived from the Holy Bible, the good book. That letter, prompts me, tomorrow, bright and early, I will be at 7th Street and Deer Valley Road and if anybody doesn't know what's on 7th Street and Deer Valley Road, I will tell you. The Federal Bureau of Investigation. That letter falls under the Patriot Act and if somebody doesn't know what the Patriot Act is I will explain it. It's called Domestic Terrorism. If you wanna hear more I will tell you more. Clerk ask Chairman Mish and Member Jones if they wanted to hear more to which they indicated they did. He then asked Member King, Ms. Befort and Ms. Henry if they wanted to hear more and they did not reply. The Federal Bureau of Investigation in every town and every City in America has what they refer to as ears, we call them informants. They're not necessarily criminals or ex-criminals they are Patriotic Americans a lot of them.

They keep their ear to the ground and they listen to what's going on. We've got 2 of them in this community, I don't know who they are, so help me God I don't. I've been told. Could be your next-door neighbor, could be the pastor at your church. That's where they are gonna go first. They are gonna listen to what they got to say, what do you know? What do you think? That's the first move, the second move they are going to come right down here. They are going to investigate every one of us, oh yeah. They are going to investigate every body who has been at this meeting for the last 6 months to a year. How are they going to do that? Modern forensics, What do they call that, face points, on a computer? Turning to Ms. Befort he asked "Did you put these meetings on the web?" Ms. Befort replied, "they're not on the web, no." He stated they would down to see her (Ms. Befort) to get them. They will identify everybody, they will look at your criminal records, they'll pull drivers licenses from Mayer, they will pull drivers licenses from Cortez, Spring Valley, Poland, everybody will be identified. Okay, what's that gonna do? Here's what that is gonna do. There's 3 primary things they look at. A person of interest, that's number 1, number 2 a suspect, and number 3 primary suspect. They will go to a person of interest, they'll knock on your door. Do you got a moment to talk. Don't tell anybody that you talked to us. What do you know? What've you heard? Hmm. If they come to your door take a sigh of relief. You're not a big suspect anymore. Then from there they will. (inaudible) They may take their time. Remember something, the die has been cast. Time is on their side and by the way there is not statute of limitations on that. If they talk to you. The Feds, tell them the truth, whatever you do, do not lie to them, if you lie to them, oh God help you if you don't believe me. Ask Hunter Biden, he'll tell you. A panel of the grand jury because they keep hearing the same name over and over and over again, the grand jury will hand down an inditement. That came through the post office. He then asked Ms. Befort how many letters she knows of. Ms. Befort replied 4. Clerk Cocchiola stated that will be 4 counts alone if there's 10 there will be 10, if there's 50 there will be 50, if there 100 there's 100, if there's 1000 there's 1000 counts right there. The Feds love this word conspiracy. That means. Is that one person or person and persons unknown? If it's more than one, hmmm, that's conspiracy, looking at that letter I can see at least 4 counts, now what will happen when that name keeps coming up. The informants will testify before the grand jury, and the grand jury, a Federal Grand Jury is made up of between 12 and 24 people incase you didn't know. There usually retired old folks, from retirement communities and what have you. Yep and they'll hand down an indictment. Knock on the door, 2 Federal Marshalls, they'll take them down to the County jail, and keep them there until they are ready to bring them to the federal court house chained together, then they get to make a plea, if you plead guilty, you will stay there. If you plead innocent. You might luck out and get a bond, I hope somebody is hearing this. Because I am telling the truth. And everything I've said and if you don't believe me look it up. Okay? Federal Judge he's like God when he sits there. If you luck out you might get \$100,000 bond, could be \$250,000 or half a mil. If you get \$100,000 bond it will cost you \$10,000 to get out. But that's only the beginning, then you need a lawyer, not many lawyers want to go into a federal court, no. I happen to know one of the top 10 lawyers in Arizona, his name is Larry Kazan, when you walk in his office. You put \$100,000 bucks on his desk for him to take your case. Then he will charge you as he goes on. You will get indited. I'm seeing at least 4 counts on this. (referring to the letter) Each count, 10 years, sometimes up to a \$250,000 fine for each count. These idiots or idiot, whatever, I love this, right here, (picks up the letter and reads) "We have been to your meetings", What do you think they are gonna do? They are gonna look up everybody that has been to the meetings. They will leave no stone unturned. They want to know. Why? What? Federal Bureau of Investigation is nothing to fool with. So I think they deserve the best. At the bottom of this letter this, "Watch and



See" I'm telling you all this right here, watch and see what's gonna happen, watch and see. It's gonna take them awhile, maybe 6 months, maybe less, I don't feel sorry for whoever did this. Whoever did this I will make them one big promise. You wanna know what it is? I'm gonna be there when they sentence them and I bet you anything half this community will be there.

Ms. Henry stated this is not a discussion we need to stay on exactly what is on the agenda, this is not a discussion.

Clerk Cocchiola stated he addressed what was on the agenda, I'm done you heard me, if you didn't believe me, look it up.

Chairman Mish, Well.

Clerk Cocchiola, forgive me Mr. Chairman, but I am mad.

Chairman Mish, well probably not as mad as I am.

Clerk Cocchiola, probably wouldn't want to live on the difference.

Chairman Mish well anyway, I don't think they want to discuss it. They want to remove all Board members.

Clerk Cocchiola, yeah.

Chairman Mish, I guess we will just go and see where it goes.

Clerk Cocchiola, let me know Mr. Chairman they tell me there is not extradition in Rio de Janeiro but the Feds..

Ms. Henry states we need to stick to the agenda,

Clerk Cocchiola, states we are.

Ms. Henry stated you said your peace close enough to the language on the agenda

Clerk Cocchiola, asked her if she liked it several times while Mr. Henry was trying to tell him we needed to move on.

Chairman Mish stated he would table this item, Ms. Henry reminding him that because there was already discussion it can't be tabled, if there is any action the Board would like to take otherwise they may do so or just move onto the next agenda item.

Clerk Cocchiola, counselor I don't suppose I could say anything

Member King interrupted Clerk Cocchiola and stated point of order. Chairman Mish asked her to state her order. Member King stated we needed to move on to 7.2.5

7.2.5. Discussion on email from Central States Water Resources (CSWR) / Cactus Utility (Joe)

Chairman Mish – Do you guys want to hear about this outfit that wants to buy Mayer Water?

Member Burruss – No

Clerk Cocchiola – I would like to hear it.

Chairman Mish – Well I think the public should be aware of what is happening.

Member Burruss – It's Nothing, It's junk mail.

Chairman Mish – I will ask the clerk to read this letter to the public. Because I think it deserves the public to know what's going on. If the public doesn't want to hear it. Fine. Because I think it is all germane. Chairman Mish asked the clerk to read the letter.

Dear Chairman Mish,

My name is Jamie Shannon, I work for Central States Water Resources (CSWR) / Cactus State Utility. I am emailing to inquire if you and your board would be interested in having a discussion regarding selling the water utility for Mayer Domestic Water Improvement District?

CSWR is an investor-owned water and wastewater utilities doing business in Arizona and 11 other states. We are interested in buying water and or wastewater utilities. In Arizona we operate under the name Cactus State Utility Operating Company. Nationwide our affiliated companies serve over 200,000 people in 10 states companies and growing, soon we will be adding service in two more states.

We are an option for municipalities, districts, and privately owned water and or wastewater systems who are looking for an exit plan or an alternative to running their own water and or sewer utility. We are often able to produce an offer that will make sense for you.

CSWR knows firsthand the types of challenges utilities face owning, managing, and operating water and wastewater systems. Our services can help resolve challenges related to lack of funding, aging labor force, infrastructure improvements and necessary capital upgrades and stricter governmental water quality regulations. We also work to provide our customers with service benefits and enhancements to be sure they are getting full value from their water and wastewater service provider.

You can view our website, <https://www.centralstateswaterresources.com/> as well as the attached information about CSWR.

If you would like to have a further discussion regarding selling your water utility or need more information, please let me know, I can be reached at 314-275-2877. I can also have our Regional Director, Fred Kriess, arrange to call you or meet with you and your board in person.

Thank you for your time and consideration,

Approved 11/17/2022 Board Member Signature and Title 

Jamie Shannon
Business Development Associate
Email: jshannon@cswrgroup.com
O: (314) 375-2877
1630 Des Peres Rd., Ste. 140, Des Peres, MO 63131

Chairman Mish – What is your pleasure on the letter? Do you want to follow up with it or turn it down what do you want to do?

Member King, - This was part of the correspondence packet that was in the September 22 meeting. I was on remote, I didn't see it until I came back and got the packet from last month. When I saw this my first indication was it was a marketing letter end of story, marketing letter. That's how I read it. Then I saw it appeared on our agenda, so I was like well why would that be on our agenda? It's just a marketing letter. Member King has no intentions, of selling the Water District. So I called these people and they basically confirmed exactly what I thought. This is a marketing letter. I talked with Shannon and I also talked with Fred Kriess. Super nice people and they have been tasked with developing and purchasing water/waste water businesses in this area and what caused all the attention to the corridor they picked, was that they got a call from an HOA in this area, might have been White Horse Ranch, he couldn't remember the name. They were looking at the possibility of selling their water system to this company. This company hired Fred Kriess, who has been in water distribution for 45 years in the state of Arizona, he's retired from that and for 2 years he's been working for this company. Central States Water Recourses. He's been tasked to find small water companies to buy. We were on a list of water systems in the area and they sent it out to us. Just as a marketing thing. That was it. Nothing more, nothing less. So that's how it goes.

Clerk Cocchiola – I hear everything you are saying. Did you get a letter like that? The same thing?

Member King – It was in the packet from last month. I went through it and saw it.

Clerk Cocchiola – Oh my God, I never even seen it.

Member King – I read it and all of a sudden it is on the agenda, and I was like why is this on the agenda. Who requested this?

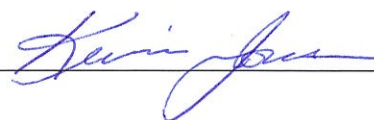
Chairman Mish – I did, I requested it.

Member King – I specifically asked this company, did anybody from the Mayer Water reach out to them and they said no. This was purely a marketing thing.

Clerk Cocchiola – It's a marketing thing, It's a marketing thing.

Member King – So I am not sure why it is on the agenda.

Chairman Mish – Okay let's move on. The Chairmans decision is not to answer them not to go to work and say anything to them. We're not selling our water company.



Member Jones – I will second that.

Ms. Befort – There is no action required this was just a discussion item.

7.3. OLD BUSINESS POSSIBLE EXECUTIVE SESSION ITEMS

7.3.1. Discussion and possible action regarding the Lucas Well Litigation

This agenda item was not discussed.

8. ADJOURNMENT

**Member King motions to adjourn at 7:05 p.m., Clerk Cocchiola 2nds, Vote – Chairman Mish – Aye,
Clerk Cocchiola – Aye, Member King – Aye, Member Jones – Aye, Member Burruss – Aye - PASSED**

