

# **Mayer Domestic Water Improvement District**

## **Minutes of Regular Meeting**

### **December 16, 2021**

1. **CALL TO ORDER** 6:00 p.m.
2. **ROLL CALL OF MEMBERS** Chairman Joe Mish – Present, Clerk Kathy King – Present, Member Kevin Jones – Present, Member Ed Cocchiola – Present, Member Jacque Burruss – Absent

#### **3. PLEDGE OF ALLEGIANCE**

4. **COMMENTS FROM THE PUBLIC** No public present. Mardi Befort informed the Board there was a request via email to have a public comment read aloud as the water customer was unable to attend the meeting in person. Ms Befort asked Chair Mish if she could read the comment. Chair Mish asked how long it was, Ms Befort replied not very long. Chair Mish said go ahead. Ms Befort proceeded to read the emailed comment as written from Elizabeth Davison of 11100 E Watkins Dr in Poland Junction:

“Public comment for 12/16/21 please read for Elizabeth Davison as unable to attend Minutes of 11/18/21/not posted MDWID website needs updated hired staff counsel has been emailing Elizabeth Davison having Mrs. title before and now MDWID account 722 reflect Elizabeth Davison now agenda tonight you have another concern narrative given by the management team for Elizabeth Davison still paying counsel from public monies STOP now MDWID staff manager Frank Soto has put a concern narrative over communication all that has been sent to MDWID is for resolve on account 722 THIS 56111331 meter sequence of 6681 RESOLVE IN 2007 as in of 14years IN GOOD STANDING these concern narrative by management now wants to keep the narrative going even after illegally with holding of mailing postcard BILL then took off line bill pay then illegally locking water meter THEN WATER LINE of existing system SHUTOFF VALVE in existing right of way Alley in on 11214 E.Watkins Dr. how much has been lost spent put out to his concern narrative please read in the minutes Thank You”

#### **5. CONSENT AGENDA**

- 5.1. Approval of October 2021 financials
- 5.2. Approval of November 18, 2021 regular meeting minutes

**Clerk King made the motion to accept the consent agenda, Member Jones 2nds, Vote - Chair Mish - Aye, Clerk King - Aye, Member Jones - Aye, Member Cocchiola - Aye - PASSED**

#### **6. ADMINISTRATION/STAFF REPORTS**

- 6.1. Manager's Report – By Mardi Befort Frank Soto absent
  - We had 4 blue stakes as of today
  - We have the electrical panel up and done at the Sandfilter. We are now waiting for the APS inspector to approve it so we can install the booster.
  - We have not gotten the tires on the backhoe replaced yet as we are still getting quotes. The person we used last time we bought tires for the backhoe we have not been able to reach.
  - Frank will be gone starting December 23 until after the 1<sup>st</sup> of January.
- 6.2. Office Report – By Mardi Befort
  - Water Turn Off's/Past Due Account
    - We had 15 customers scheduled to be shut off this month.
      - 4 paid the day of shut off or made payment arrangements with Angie



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*Joe Mish Chairman*  
*Kathy King Secretary*



- 11 were turned off, 4 are still off. Only one has called after hours to make a payment and has not called back.
  - For December bills we have 83 past due account, bills will be mailed out tomorrow.
- Website usage
  - In the past 30 days our website has had 1141 views (refers to the number of times the website has been visited) and 241 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 we trained Angie the meter route. Angie drove while Frank and I directed her where the meters were, and Chris read the meters. Frank, Angie and Chris read meters until 11:30 am. Angie, Chris and I read meters read from 12:00 pm until 5:00 pm. We were able to get all of the meters read in 1 day. We had 3 re-reads which we for high water usage and not an error in reading the meter. We read meters this week on, Tuesday Dec 14
  - This month we pumped 2,025,700 gallons of water which is 472,100 gallons less than last month.
  - We sold 1,784,100 gallons of water this month which is 394,600 gallons less than last month.
  - This month we had a water loss of 11.93% compared to 12.78% last month
- Reminder that at the January Board meeting we will need to elect a Board Chairman and Clerk, as well as our legal posting places and schedule a time for an open meeting law review
- The water heater in the office is finally hooked up and we now have hot water after 4 years of only having cold water.
- Zoom was automatically renewed today for \$149.90
- This month's direct deposit check for the Bank of the West account was \$7,670.81.
- I want to remind everyone that any communication directed to the Board that comes in via email or snail mail is all put in your packets. I will make sure that it is tabbed as such in future packets. Of course anything of a time sensitive nature I always get to your immediately.
- We have had internet issues for the past few days, I was unable to post the agenda online, I had to do it from home later in the evening and also if Tosca Henry is disconnected from zoom I will call her back by phone.

**Clerk King made the motion to accept the administration/staff reports, Member Jones 2nds, Vote - Chair Mish - Aye, Clerk King - Aye, Member Jones - Aye, Member Cocchiola - Aye - PASSED**

## **7. ACTION AND DISCUSSION ITEMS**

### **7.1. OLD BUSINESS**

- 7.1.1.** Discussion and possible action regarding the renewal of the cell tower lease. (Tosca/Frank)

**Update only.**

**District Attorney, Tosca Henry gave an update to the Board regarding the negotiations with American Tower. American Tower is willing to give the \$6000 per year for maintenance at the tower site, but in return they are wanting to be**



able to get a credit for overpayments made by American Tower to the District. Ms Henry stated after discussions with Ms Befort and Mr Soto regarding this. It was brought up that the time frame for American Tower to notify the District that an overpayment was made should have a time limit., they can't come back 10 years later that there was an overpayment.

**7.1.2. Discussion and possible action on Oak Hills well and Racetrack Well. (Frank/Mardi)  
Update only.**

**Oakhills update:**

**Engineer Greg Carlson recommended that we get cathodic protection on the casing. We have someone coming out to look at the Oakhills well and get us a quote.**

**Racetrack well:**

**Materials have been purchased from Ferguson**

**Drill Tech will be installing the pump on December 21<sup>st</sup>.**

**We have received a quote for fencing and will get them scheduled to come out and install the fencing at the well site.**

**We have not been able to get a quote for the water tanks yet. We are restricted a specific color according to BLM rules. Ed Poppewell is looking into this for us.**

**We are working on the electrical, APS has a list of pre-approved panels you can use, of course the panel we use is not on the list of pre-approved panels so it will take 6-8 weeks for the approval. I contacted Winlectric for other options of panels that are pre-approved by APS and they are out of stock with the supplier until April 2022. So it will be faster to get approved by APS. I do not anticipate APS not approving it as we have use this panel for the last 3 projects, Oakhills, Roberts and the Sandfilter.**

**7.1.3. Discussion and update from Thomas Thurman regarding Yavapai County grant (Mardi/Frank/Tom)**

**Mr Thurman gave an update on new requirement by the county that we sign a document that states we understand and will follow the requirements of the grant. This form needs to signed and returned by January 28, 2022 or we are automatically withdrawn from the grant**

**Clerk King made the motion to sign the document. , Member Jones 2nds, Vote - Chair Mish - Aye, Clerk King - Aye, Member Jones - Aye, Member Cocchiola - Aye - PASSED**

**7.1.4. Discussion and possible action on adding meter policy to Rulers and Regulations regarding request for a deviation in meter size. (Mardi/Frank)**

**Clerk King made the motion to approve adding meter policy to rules and regulations regarding a request in deviation in meter size, Member Jones 2nds, Vote - Chair Mish - Aye, Clerk King - Aye, Member Jones - Aye, Member Cocchiola - Aye - PASSED**

**7.1.5. Discussion and possible action on application for customers requesting a deviation in meter size (Mardi/Frank)**

**There was discussion regarding who was going to approve the application. Ms Befort stated per the policy the manager or authorized agent of the District will approve the application. Ms Befort stated that this is a new policy, as issues arise**



we have not thought of, we will bring it to the Board and add it to the policy. A question was asked is there an appeal process if the application was denied. Ms Befort stated she will work on that and add it to the next Board meeting. Clerk King made the motion to approve application for customers requesting a deviation in meter size. Member Jones 2nds, Vote - Chair Mish - Aye, Clerk King - Aye, Member Jones - Aye, Member Cocchiola - Aye - PASSED

## 7.2. NEW BUSINESS

- 7.2.1. Discussion and possible action on employees rate of pay. (Frank/Mardi)  
Ms Befort stated we typically do raises in the beginning of the year in January. Here are our recommendations.  
**Current Minimum wage \$12.15**  
**Effective January 1, 2021, increases to \$12.80**  
**January 1, 2023, increases to \$13.50**  
**January 1, 2025 increases to \$15.00**

**Josh** \$12.15/hr Employed 7/2021 recommend raising to minimum wage \$12.80/hr

**Chris** \$12.50/hr Employed 6/2018 Recommend raising to \$14.00/hr

**Angie 3** \$14.00/hr Employed 8/2021 Recommend raising to \$15.00/hr

**Archie** \$14.00/hr (Welding and Backhoe) Employed since 11/2017 Recommend raising to \$16.00/hr

**Gary** \$14.00/hr (Backhoe) Employed 8/2018 – 11/2018 then again 9/2020 recommend raising to \$15.00/hr

**Clerk King motions to approve recommendations in pay increases. Member Cocchiola 2nds, Vote - Chair Mish - Aye, Clerk King - Aye, Member Jones - Aye, Member Burruss - Aye, Member Cocchiola - Aye - PASSED**

## 7.3. OLD BUSINESS POSSIBLE EXECUTIVE SESSION ITEMS

- 7.3.1. Discussion and possible action concerning communication from Elizabeth Davison (Mardi/Frank/Tosca)  
Per Tosca Henry's advice, Ms Befort was asked to read a prepared public statement regarding this agenda item. At this time she did not feel an executive session was necessary, it would depend on Board questions.  
"The water meter for account 722 was pulled because:  
The meter was installed, according to the application and the meeting minutes dated 4/5/2007, for the property 11100 E. Watkins Drive to **increase** customer's pressure. (Elizabeth Davison claims the meter is for 11155 E. Putnam Dr. John Davison is on the meter request waiting list #53 for Putnam Dr. this request was never removed from the list after the meter was installed in 2007)  
According to the minutes from the meeting dated 12/7/2006 and resolution 2006-12-07, the Manager **did not** have discretion to install a new meter in Poland Jct for these reasons.
- This zone was identified as being unable to safely meet additional water demands.
  - The water meter request was not ranked in the top 20 requests under the policy.
  - There were no fees paid for this meter installation.

On April 22, 2021 the MDWID Board of Directors voted to have the meter for account 722 removed for the following reasons.

- This meter was installed for address 11100 E. Watkins to resolve low water pressure and this would not be the way to resolve a low water pressure issue.
- If the meter was installed for 11155 E. Putnam Rd. The meter was not legally installed per the policy at the time.
- There were no fees paid for the installation of a new meter.

Elizabeth Davison has asked for a meeting with the Board of Directors for an explanation as to why the meter was pulled. Per, our legal counsel, Tosca Henry, all information regarding this matter was relayed to the attorney retained by the Davison's and there were talks with their attorney on possible ways to resolve the issue with regards to the low water pressure statement made by the then District Manager Casey Boone in the 2007 minutes.

Per Elizabeth Davison's most recent communication to the District the attorney was retained for John Davison's meter 681, this is not accurate as Tosca Henry was in communication with the attorney regarding the meter for account 722 before she was in communication with him regarding the meter for account 681.

According to Yavapai County the property owner is John Davison and not Elizabeth Davison. Even though the application is in her name, per the Districts policy the ultimate responsibility for a water meter is the property owner which in this case would be John Davison, this matter would need to be disputed by John Davison and not Elizabeth Davison." Clerk King stated that the Board voted months ago for legal process regarding this matter and would like to keep it that way. Ms Befort stated that we are not asking for action on this matter, she was just providing an update.

- 7.3.2. Discussion and possible action regarding the Lucas Well Litigation.  
Ms Befort stated we do not need to discuss this matter.

## 8. ADJOURNMENT

**Clerk King made the motion to adjourn the board meeting at 7:02 p.m., Member Jones 2nds, Vote – Member Cocchiola – Aye, Chairman Mish Aye**