

# Mayer Domestic Water Improvement District

## Minutes of Regular Meeting

### July 27, 2023

#### 1. MEETING OPENING

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1.1. CALL TO ORDER 6:00 p.m.

1.2. ROLL CALL OF MEMBERS

Chairman Kathy King – Present, Clerk Shasta Guthrie – Present, Member Keith Francen – Present, Member Kevin Jones – Present, Member Jacque Burruss – Absent

Manager Mardi Befort, Project Manager Tom Thurman, District legal counsel Michael Foy and Dan Jones were also present at the meeting.

1.3. PLEDGE OF ALLEGIANCE

1.4. COMMENTS FROM THE PUBLIC – 9 members of the public were present –

Patrick Thurman (Tom Thurman's brother) inquired about the property on central (referring to the RV park development agenda item 5.1) that was asking for more meters he stated that he was on the Board for Black Canyon City for 6 years he learned about water company's and meters and what you can do and all the other stuff down there, people can't just do what they want to do. I have been here for 18 years on the waiting list. They can't do it, its more new meters. Forget that its not right, you are dealing with a business instead of local residents and local residents are number one first and the District doesn't have the water like Black Canyon City does. You can't allow this.

Gina Barnum, I am number 121 or 122 on the meter waiting list if anyone gets a meter I expect to get one since I was treated so wrongly by the Water District. I did not think you could take a meter away from whoever's name was on the meter, the meter was in my name, I was paying the bills. You turned off my water and gave it to someone else. Left me with less water and paying \$80 a month for water when I used to pay like \$27. I have suffered and am fed up with Mayer for me giving them my thirty years and them giving me back crap. I have a question, when Bob Kaufman was on the Board there were 100 meters purchased and paid for, do you still have those 100 meters, I want a list of all the meters and a copy of all the people on the list waiting for a meter. It is outrageous that I heard they want 10 meters. If you are going to give away 10 meters to a company who was told by Tom (Thurman) that they could only serve them (RV park) by a well or haul water when they bought that property. The fact is that no one should be getting a meter until you get to number one (on the wait list) and the rest of us get in line.

James Hunt, She (Gina) had no money for a tank at her property. I gave her the money for the tank.

Chairman King informed the public she was moving 4.1 and 5.1 back to back. Then they will do 4.2

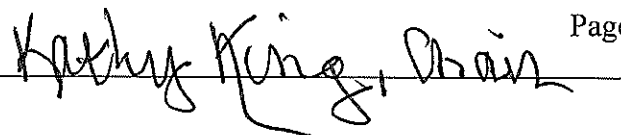
#### 2. CONSENT AGENDA

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2.1. Approval of May 2023 Financials

2.2. Approval of June 22, 2023 Meeting Minutes

Approved 8/24/2023 Board Member Signature and Title



**Member Jones moved to accept the minutes as stated. Member Francen 2nds, Chairman asked for a vote, Ms. Befort stated the motion was only to accept the minutes, Member Francen amended the motion to include the May 2023 financials, Vote – Chairman King – Aye, Clerk Guthrie – Aye, Member Francen – Aye, Member Jones – Aye. PASSED**

### **3. ADMINISTRATION/STAFF REPORTS**

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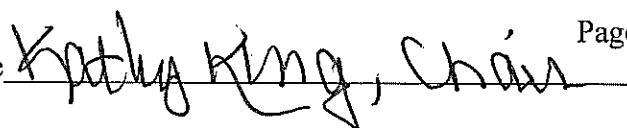
#### **3.1. & 3.2 Manager's Report/Office Report – By Manager Mardi Befort**

- We had 7 blue stakes as of today.
- We had 4 leak this month.
- Oak Hills contractor hit water line twice they are paying for the repairs and moving the line
- ARPA Grant update: No Update still waiting on engineering to be completed.
- Oakhills, No Update
- Racetrack well: Waiting on ADOT Permit and FUP from BLM (6 months)
- Sandfilter update: No Update
- Meter Replacement Grant: Met with Bureau of Reclamation Tuesday. Should have contract to sign in a few weeks. Then I can order the materials. Hoping to start the project in February.
- Poland Junction Project. The APS portion of this took longer than expected, still waiting on final approval of panel.
- The Vac Trailer Cleaned up and repainted trailer.
- Poland Junction customer donated a generator to the District with the stipulation to be used at the Poland Junction booster.
- Water Turn Off's/Past Due Account
  - This month we sent out 60 past due bills.
  - There were 4 people on the shut off list this month, all are back on.
- Water usage this month and last month
  - Chris and Tom read meters this month. It took 2 days to read meters.
  - 19 rereads – 18 for high usage only one was a bad read.
    - 88 (14%) customers used 10,000 or more gallons of water totaling 1.6 million gallons which is 48% of the water sold
    - 136 (21%) of our customer used between 5000-10,000 gallons of water totaling 942,520 which is 28% of the water sold
    - 322 (51%) of our customers used between 1-5000 gallons of water totaling 770,600 which is 24% of the water sold
    - 84 (14%) of our customers used between zero gallons of water
- Website usage
  - In the past 30 days our website has had 438 views and 233 unique visits
- Direct deposit payroll transfer check for the Bank of the West:
  - July \$12,002.68 – 3 pay periods
  - Payroll taxes are filled and paid through QB. Will be requesting to add additional funds. Waiting on accountant.
- Correspondence in your packets.
  - Liability insurance and
- Workman's comp. \$2549 refund after audit.

### **4. OLD BUSINESS ACTION AND DISCUSSION ITEMS**

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Approved 8/24/2023 Board Member Signature and Title

 Kathy King, Chairman

**4.1. Discussion and possible action regarding the Lucas Well Litigation.**

*Pursuant to Arizona Revised Statutes 38-431.03(A)(3) or (A)(4), the Board may vote to convene in executive session for discussion or consultation for legal advice with the attorney or attorneys of the public body or for discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body'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 on the Lucas Well Litigation. No action will be taken in executive session.*

**5.1 Discussion and possible action on application request to increase number of dwellings and change of use of parcel at 12900 Central Ave.**

*Pursuant to Arizona Revised Statutes 38-431.03(A)(3), the Board may vote to convene in executive session for discussion or consultation for legal advice with the attorney or attorneys of the public body in order to consider its position on this matter. No action will be taken in executive session.*

**Member Jones moved to go into executive session at 6:12 p.m., Clerk Guthrie 2nds, Vote – Chairman King – Aye, Clerk Guthrie – Aye, Member Francen – Aye, Member Jones – Aye – PASSED**

**Exited executive session at 7:18 p.m.**

**Chairman King asked if Priscilla (owner of the property for agenda item 5.1) was present. Ms. Befort stated that she was not. Chairman King stated she was supposed to be present to present her proposal, Chairman King stated that this customer already has a meter on the property, she is not asking for another meter. As per our policy 6.B. we will contact her requesting further info as we review the info that was given. We are not making a decision today. A member of the public asked for a copy of the policy Chairman King was referring to and the Chairman offered him her copy.**

**4.2 Discussion and possible action on the renewal of the cell tower lease.**

**Clerk Guthrie moved to accept the lease as written, Chairman King 2nds**

**Discussion, Member Jones asked about the 3% escalator, he thinks it should be 6%. Chairman King stated that without Legal Counsel Tosca Henry it was difficult for her to make a comment specifically about it. We have been going over it month by month for at least 3 years. But she does remember the escalator was reduced because they gave us some money in other areas. There was a trade off.**

**Ms. Befort stated they give us \$6000 a year for maintenance which is why it was reduced from 5% to 3%, they (American Tower) were supposed to be doing maintenance over the past 30 years and never did so we are getting on lump sum of 32,000 to do the repairs up there.**

**Mr. Thurman stated it will be used for the driveway and fencing.**

**Ms. Befort stated that her only concern which she knows everyone is not in agreeance on, is they are not going to notify us when they will be there which leaves it up to the staff to determine if they are authorized to be there. There are several entities that are on the tower and we don't have contacts from them all. We have water tanks up there that need to be protected.**

**Mr. Thurman stated that he doesn't think we need to police that. We will have a gate with locks and only authorized people will have keys. We can also put up cameras and even a key code access that will notify us that someone is accessing the area. Mr. Thurman gave several other options for helping monitor when someone is up at the tower site.**

**Ms. Befort stated that she remembers Tosca stating a concern at one point about the**

District using cameras and us being a public entity she could not remember exactly what the concern was.

Chairman King stated that if someone is up there Ms. Befort can go up there and exchange business cards and ask as a professional courtesy can they please contact us when they are going to be up there. This can be one of our goals moving forward.

Member Jones asked if they can make changes to the tower without notifying us. Ms. Befort stated that the original contract stated that they have to get permission from the District if they are making changes, that was not taken out.

Mr. Thurman stated that we need to remember that in 5-7 years everything will be going GPS satellites and the towers will be going away. Who knows how much longer we will be getting revenue from the tower.

Vote - Chairman King - Aye, Clerk Guthrie - Aye, Member Francen - Aye, Member Jones - Nay - PASSED

## 5. ADJOURNMENT

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Clerk Guthrie moved to adjourn at 7:29 pm, Chairman King 2nds, Vote - Chairman King - Aye, Clerk Guthrie - Aye, Member Francen - Aye, Member Jones - Aye, PASSED