

Mayer Domestic Water Improvement District

Minutes of Regular Meeting

September 22, 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 via Phone, Member Kevin Jones – Present, Clerk Ed Cocchiola – Present, Member Jacque Burruss – Present

4. **COMMENTS FROM THE PUBLIC**

Joanne Coe – Ms. Coe stated that she wants the Board to consider had they (the Board) not taken unfounded actions against Tom Thurman many of the problems we are currently having could have been avoidable and taken care of quickly, because that was going to be one of his jobs project manager now we don't have anyone to do that. Mardi is doing a good job at what she is doing. But she has got to be overwhelmed. Ms. Coe thinks it is costing us more money and it was an unnecessary act (letting go of Tom Thurman) because he wasn't let go and told he couldn't participate in anything with the District because of anything he had actually done but more of a personal thing.

She also stated that she feels some things are unavoidable and that some of the Board members are doing their job, but that for personal reasons she feels some of the Board members have failed to be the overseers of the District we are still dealing with things that should have been dealt with and solved already like the tower. It is not up for 100 years there it can be looked at again.

Ms. Coe also stated that the time and money that is being spent on trying to give away a well that was purchased years ago and rather than represent the water users some of you seem to want to give that well away and we paid for it. It is ours it is in the records. We have spent so much time and money on this issue. We shouldn't be paying for it again. Ms. Coe would like to see that we try and keep this vital resource. That the Board make good legal decisions based on the legal advice that we are getting.

Ms. Coe said that the elections are coming up and its right around the corner. Many people will be voting on these more serious issues and we all need to be mindful of these actions and vote appropriately

Shasta Guthrie – Wants to make everyone aware that League of Women Voters for Central Yavapai County are sponsoring a candidate forum on Tuesday, October 4th from 6-7:30 at the Community Center the candidates for the Board positions have all been invited, some have committed hopefully the other will. It is an opportunity for a formal question and answer, kind of like a town hall. As well as an opportunity for the public to meet the candidates and ask questions and find out where people are on the issues and their interest in the Board Ms. Guthrie wants to make sure the public is aware and spread the word and I hope everyone is there. It is at the Community Center on Miami from 6-7:30 candidates are invited to come at 5:30 to meet with the public.

5. **CONSENT AGENDA**

5.1. Approval of July 2022 financials

5.2. Approval of August 25, 2022 Regular Meeting Minutes

Member Jones motioned to approve the August 25, 2022 Regular Meeting Minutes, Clerk Cocchiola 2nds, Vote – Chairman Mish – Aye, Clerk Cocchiola – Aye, Member King – Aye, Member

Approved 10/27/2022 Board Member Signature and Title Kathy King, Member Page 1 of 5

Jones – Aye, Member Burruss – Aye – PASSED

Chairman Mish motioned to approve the July 2022 financials, 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. Manager Report -By Mardi Befort

- We had 4 blue stakes as of today.
- While digging the trench for the boring company on Thursday September 8th, Archie hit the main waterline on Central. This is AC pipe which is very fragile. We have had 2 more leaks at this location since that happened. Because every time we go to backfill the hole the line breaks in another spot. We typically use fresh shade around the pipe then native dirt when we back fill. But because the native dirt is still saturated I order fresh dirt back fill the entire ditch.
- We had 1 service line water leak, it washed out the gravel in the customers driveway and we had to replace it. We believe while APS was doing work on Saguaro they park off the side of the road which is what caused the line to break.
- I have had an ad for a backhoe/field operator in the coffee gram , on our website and on Facebook for over 2 months and have had one interview, he has a grade 1 Distribution certification, experience with water systems, backhoe experience, I offered him the job asked him to show up the next day at 7am, He never showed up. Other than him I have had no other serious inquiries.
- Oakhills update:
 - There are no updates for Oakhills
- Racetrack well:
 - I met with APS for our trench for the electrical.
 - I have asked for some quotes from contractors so we can get this done. I have not gotten the quotes back yet.
 - I also asked Underground Communications to get me a price on boring sleeves across the Grapevine road because we are not able to shut down the road to traffic. We will be making 5 cuts across the Grapevine Rd. The cost was \$4000 a bore for the 8” sleeves and \$1000 for the electrical sleeve. This would be \$17,000. They did come down \$5000 from their original quote. We can definitely do this for much less in house if we had a crew that I could dedicate specifically to this project.
- I did not add Chris’s pay to this agenda as I have not had the opportunity to do his review. I am working on an evaluation form.
- There is correspondence in your packets.
 - Regarding our State Land Right of Way (ROW) application - There is a letter from Arizona State Land Department they are not requiring us to do a cultural Review for the ROW. This is good news. I still have not received any notice as to what we are to pay for past rent.
 - The article from the newspaper article Joe Mish was referring to at last months meeting is in your packet as well as copies for the public.
 - Central States Water Resources/Cactus State Utility emailed an inquiry asking if the District would be interested in a conversation about selling the District to a private company.
- Hill Bothers where we purchase our chlorine. They are upping the delivery charge \$100. So it will now cost \$200 every time we get a delivery. We currently place an order twice year.

7.2. Office Report - by Mardi Befort

- Water Turn Off's/Past Due Account
 - September there were 4 shut offs. All are back on.
 - We sent out 80 past due bills this month.
- Website usage
 - In the past 30 days our website has had 868 views (refers to the number of times the website has been visited) and 471 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.
 - This month we pumped 2.79 million gallons, 350,000 gallons less than last month.
 - We sold 2.37 million gallons of water this month which is 410,000 gallons less than last month.
 - This month we had a water loss of 15.13% compared to 13.20% last month.
 - We have 5 meters with high reads this month that is not typical usage for them, all were over 40,000 gallons. With one be over 80,000 gallons.
- This month's direct deposit check for the Bank of the West account was \$8,429.52.
Member Jones Motions to accept the managers report and office report as stated, Clerk Cocchiola 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 the American Rescue Plan Act (ARPA) Grant Projects

Update by Ms. Befort, at the last meeting the question was asked if we can use volunteers for any of our ARPA projects, Ms. Befort Reached out to the County and their response was "We would need to make sure our insurance covers them and document the cost."

Ms. Befort said at this point she is still just doing a lot of paperwork, waiting for the County to get the RFP form so she can start sending out RFP's (Request for Proposals) as well as the reimbursement request form. The County Attorney still needs to approve them. Ms. Befort is still finalizing the detailed budget that is required for reimbursement from the County.

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

Ms. Befort gave an update:

At the last meeting the question was raised is there were any restrictions for the District to shore up the bank. Ms. Befort reached out the County and their reply was:

"Any restrictions would be within the normal runoff line and I think at this point your banks are way past that line. This is considered emergency repair and we can deal with notifying any agencies as we know more about what your plans are."

Pioneer Landscaping reached out to me last month offering their help and at no cost to use, they came out and placed large boulders along the bank then smaller boulders on top of those. An

engineer from Haley and Aldrich was there to oversee the project. They were out this week adding more riprap on the down side of the wash to prevent the water from swirling back under the bank. This is by no means a permanent fix but intended to give us time to get the waterline secured and the building moved.

Empire Southwest donated the use of their CAT Equipment to get the boulders put in place.

Henrietta Mine and Pioneer Landscaping donated the materials.

The engineer from Haley and Aldrich as well as the County Engineer still recommends, we move the building. I have been working on trying to get the building taken down and putting up a new building built 80' down from the current location. Ed Cocchiola has been working with me and was able to get a building donated by 5 Star sheds here in Mayer. They can't put up the building until we pour a concrete slab. This is not something I have done before and we don't have the tools to do it. What I do know is it needs to be done correctly in order for the building to be put up. Getting bids for this has been rough because it is not a big enough job for some contractors. The location is also important as APS still needs to get around the building to the power pole. Which means we will have to build up the bank on the road for a vehicle to get around the building. My concern with taking down the current building now is I don't have a way to secure everything inside it currently and it would leave it vulnerable to trespassers. As we will have 10 feet of exposed waterline, meters, valves and a water sampling station. Thankfully with the buildup of the bank it is buying me some much needed time as everything I try to do turns into hurry up and wait. This has been a long process.

With the help of the County they arranged a meeting with USDA - Natural Resources Conservation Service, to use EWP Funds (Emergency Watershed Protection), the County filled out the application and will take the lead on the project. We have a meeting October 3rd with their team, Shad Mills, Rangeland Management Specialist with USDA, a biologist, an archeologist, an engineer and the County, Flood Control, to look at the area at risk to find a long-term solution to the erosion of the bank.

Yesterday, (September 21, 2022) at the County Supervisors Board meeting, Flood Control asked the County Supervisors to:

"Approve the professional services contract with Atkins North America, Inc. for \$57,511.00 for the Mayer Water Line Structural Support Design Project, to provide design services of a drainage mitigation project. YC Contract No. 2022-550 (District 2 - Director Gregory)"

The County Supervisors did approve this agenda item and this money will be used for the structural engineering to support the waterline above the wash. We currently use the old railway pilings and one of those pilings in the middle of the wash has become unstable and we can no longer use it to help support the waterline, therefor the waterline is starting to sag slightly. With the one remaining piling we used a piece of angle iron to hold up the brace that is supporting the waterline.

7.2. NEW BUSINESS

7.2.1. Discussion and possible action changing meeting day and time for the fall/winter (Jacque)

Member Burruss proposed to change the meeting day and time for the fall/winter to Saturday at 1pm. As it is getting darker earlier, and it would be more accommodating to the public than making the meeting time earlier during the day during the week. She reminded

the board that in the past the Board had been accused of having the meeting times earlier as a way to prevent the public from attending the meetings.

Member Jones stated that at this time he has prior commitments on Saturday's and can not do a Saturday meeting.

Chairman Mish stated he as well can not do Saturday's

Ms. Befort stated that another option would be ZOOM the Board approved ZOOM for those Board members and for those attending as part of an agenda item the Board could approve for the public to attend via ZOOM or the meetings could be broadcast live for the public to watch like they do for County meetings.

Chairman Mish allowed to members from the public to speak.

Alex Nickman stated that for the County meetings the public can submit comments to be read at the Board meetings 24 hours prior to the meeting. That would be an option.

Joanne Coe stated that yes in the past there were complaints about the meeting times but she thinks the public will be fine.

Member King stated she does not have any issue with Saturday meetings but feels every Board member should be able to attend.

Clerk Cocchiola stated he wants to do what is best for the public.

No motion was made there was only a discussion.

7.3. OLD BUSINESS POSSIBLE EXECUTIVE SESSION ITEMS

7.3.1. 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.

Chairman Mish exited the meeting at 7:00 p.m.

Member King motions to go into executive session at 7:02 p.m., Clerk Cocchiola 2nds, Clerk Cocchiola – Aye, Member King – Aye, Member Jones – Aye, Member Burruss – Aye – PASSED

Member Burruss motions to exit executive session at 7:28 p.m., Member Jones 2nds, Clerk Cocchiola – Aye, Member King – Aye, Member Jones – Aye, Member Burruss – Aye – PASSED

8. ADJOURNMENT

Member King motions to adjourn at 7:28 p.m., Member Burruss 2nds, Vote – Clerk Cocchiola – Aye, Member King – Aye, Member Jones – Aye, Member Burruss – Aye - PASSED