

**MAYER DOMESTIC WATER IMPROVEMENT DISTRICT
12994 CENTRAL AVENUE
P.O. BOX 416
MAYER, ARIZONA 86333**

**Board Meeting Minutes
January 17, 2012
Regular Session**

CALL TO ORDER:

Joe Mish, Board Chairman, called the meeting to order at 6:00 p.m.

ROLL CALL OF BOARD MEMBERS:

Joe Mish, Kevin Jones, Pat Champion and Rita Macdonald were present.
Gordon Nelson was absent.

APPROVAL OF MINUTES: Pat made a motion to accept the minutes of December 13, 2012, Rita seconded the motion. Rita asked if the corrections had been made to the minutes that she had given Heather. Heather said they were put in the Board members packets. Pat made a motion to accept the minutes as corrected. Rita seconded, the Board voted, all in favor.

CALL TO THE PUBLIC:

Kathy King said this was a comment on the well situation. She said even though Margie Good was not present she wanted to thank her for her hard work and research on the Lucas well situation. Kathy also said she wanted to thank Riata Macdonald for all her work and time spent on researching the Lucas well situation. She said Rita is an example of how a Board member should operate.

Frank Soto said that it seemed that the District was operating without a Policy and Procedure manual. He said when he was working for the District there was an extensive one and he was wondering what happened to it.

BOARD REPORTS:

Pat said that due to the dry conditions and the creek not running that the District needs to start being proactive on conservation and rates. She said that the Board should have this issue on the next month's agenda.

Kevin said that he has been working on the watershed project for the past two years. He said erosion is happening and he wants get help from the State and get a project in place to slow down the water coming through this area.

REPORTS AND CORRESPONDENCE:

Heather read the Manager's report as Casey was out ill. Heather said that there had been no lost time or accidents for 2012. They repaired 1 leak. The lumber has been bought for the pump houses-for the arsenic wells. Casey wrote that there had

been trouble keeping the Tower tank full. They were patrolling the system daily for customer leaks of which they found 6

Totaling 40,000 gallons, which is equal to 8' on the Tower tank. They also had to replace the booster pump in Poland Junction. Rita said she had questions but because the Manager wasn't here she would wait until next meeting. Kevin made a motion to accept the Manager's report. Pat seconded the motion. The Board voted, Kevin and Pat for and Rita opposed.

Office report: Heather stated that the audit was coming along nicely and that Alyx will probably be here next meeting to present her audit. Pat made a motion to accept the office report. Kevin seconded. The Board voted, all in favor. Rita asked Heather if she had

given the auditor all of the information she requested and Heather said yes. Rita asked that now that she was done with the auditor could Heather get to Rita's request for the 4 years of financial records. Heather said she had just started with the copying. Rita said that now that it was 2013 she wanted five years of the financials.

Financial report: Pat made a motion to accept the financial report. Kevin seconded. The Board voted, Pat and Kevin in favor, Rita opposed.

ELECTION OF OFFICERS:

Kevin made a motion to table this until all Board members were present. Pat seconded. The Board voted, all in favor.

DISCUSSION REGARDING THE OWNERSHIP OF THE LUCAS WELL BETWEEN THE BOARD AND THE PUBLIC: Joe gave Rita the floor as this was her agenda item. Rita addressed the public and gave a history of what had transpired between Stephen and Carol O'Bresly and the District in regards to the ownership of the Lucas well. Rita stated that Mr. O'Bresly came to the June meeting and told the Board that he could pull the Lucas well with six months' notice. Rita stated that Margie Good started doing research and checked with ADWR and that the Lucas well was registered to Mayer Water District. Rita told Margie to check again on the 13th and it was in Stephen and Carol O'Bresly's name. Rita called ADWR and told them to change it back to Mayer Water District's name. Rita said she spoke to a representative at ADWR and Rita accused Heather of authorizing the change of well ownership. Rita then read an agreement between Philip and Era Jean Albins and David and Christine Albins, dated August 20th, 1987. Joe showed the public a title report from Pioneer Title. Pat stated that it went back to 1935. She said there are 13 easements that are recorded. Pat also stated that there was an original contract that showed the Albins well and the Lucas well on it.

Joann Coe, Border Street, stated that she was disappointed that the Board knew nothing about the District. She stated that the overseers were not diligent about overseeing the Districts biggest resource. She said that it was unnerving that the District would just give it away. She said all her paperwork that she has says that the Lucas well belongs to the District. Joanne stated that in regard to the Albins well, Dave did not want to pay for the electric to the Lucas well and the Albins well so it was disconnected.

Joe stated that he had a document dated July 14th, 1995. He read the document and his question was when the electric and pipes were severed and if the well was abandoned.

Frank Soto said that he worked for the District from June of 1992 and left in June of 2002. He said the well was used on and off. He said he received a call from Dave Albins saying he wanted to clean up the area. Frank said that Dave got the Albins well back in exchange for the Lucas well.

Joe stated that he has been on the Board for four years and has been cleaning up the mess from the past.

Rita asked Stephen O'Bresly why he has been paying for water all this time if the well is his.

Alex Vakula, Stephen's attorney from Prescott, said he recommended getting all the facts before attacking Stephen's character. Alex asked for a copy of the title report.

Rita said she was not attacking Stephen. She said that this whole issue was Heather Pressley's fault. The matter was to be tabled until more information had been acquired.

DISCUSSION/POSSIBLE ACTION RE: Spending 15 minutes after the meeting where the Board could talk to the public: Pat said she had spoken to the Ombudsman regarding open meeting law and that the Ombudsman did not think it would be a good idea. The Ombudsman did say that it is still okay for board members to speak after a meeting, in public, as long as the members are not speaking about District matters. Item was

Frank Soto stated that there was something written that if the static level of the Lucas well falls to a certain level that Dave Albins would not pump from his well.

ADJOURNMENT:

Pat made a motion to adjourn. Kevin seconded. The Board voted, all in favor. Meeting adjourned at 6:48 p.m.