

MAYER DOMESTIC WATER IMPROVEMENT DISTRICT

12994 Central Avenue

P.O Box 416

Mayer, Arizona

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Board Meeting Minutes

By H2O District at 8:15:44 AM, 10/23/2013
October 17, 2013

Regular Session

CALL TO ORDER:

Pat Champion, Board Chairperson, called meeting to order at 5:01 p.m.

ROLL CALL OF BOARD MEMBERS:

Joe Mish, Kevin Jones, Pat Champion and Gordon Nelson were present. Vacant seat due to resignation of Rita MacDonald.

APPROVAL OF MINUTES:

Joe made motion to accept minutes of September 12, 2013 and the special meeting of September 18. Gordon seconded the motion.

Board voted all in favor.

FINACIAL REPORT:

Pat would like Tara to keep working with Michael at this time due to at this time no Office Manager. Michael is doing a great job but can't do all reports in QuickBooks. So at this time put off getting new accountant until new Office Manager can be hired.

Pat would like to hold special meeting with Accountant to go over financials with the full Board .

Pat: interviewed Kevin West as an alternative accountant, can't do both accounting and audit as this is conflict of interest. Some pricing; Audit 8 to 10k, or review \$4800.

Pat: Tara is more than happy to go over financials with the Board. Tara is willing to work with new Office Manager to help them learn the reports needed.

Gordon would like to know how long Michael will be available to fill in as Office Manager.

Pat: Michael has done a great job but is in over his head. Need more mature person who is more detail orientated to run the office.

Kevin spoke with Michael and he is willing to hang in there until new Office Manager comes on board. Gordon asked if Michael will help train the new Office Manager when they are hired.

Pat: two meetings ago had motion for a new accountant, but at this time would like to maintain the status quo. Since this subject is not on the current agenda it will be tabled and put on the agenda for the next meeting.

Joe made motion to approve financials. Kevin seconded the motion.

Board voted all in favor.

MANAGERS REPORT:

Casey stated we had two main leaks this month. 97 meters changed out. All pump houses ready for winter. Leak at Poland tank –gaskets.

ADEQ inspection: District operation is "pristine".

Going with Badger meters, register is easier to read. Good for a million gallons then can rebuild float chamber. Good for approximately 35 years depending on usage.

Joe made motion to approve Managers report. Kevin seconded the motion.

Board voted all in favor.

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VACANCY OF BOARD SEAT:

The opening was posted in Post Office and only two letters of intent were received from Kathy King and Julie Voss. Joe made motion to approve Julie Voss' appointment as new Board member. Kevin seconded the motion. Gordon abstained, Board voted in favor. Joe asked that Judge Rummer swear in Julie.

LETTER FROM ATTORNEY GENERAL:

Shiela Schmidt reviewed the September 23, 2013 letter from the Attorney General and his findings due to complaints of violations of the Open Meeting Law. Shiela noted that the AG had found that the Board had indeed committed several violations of the open meeting law. Many of the complaints with respect to the October 18, 2012 meeting were in connection with record keeping, content of the meeting minutes and approval of the minutes. The agenda needs to be followed and in the meeting of Nov. 8, the Board voted to change the meeting time instead of the meeting date which is what was actually on the agenda. The meeting of January 17, 2013 had some discussion of meet and greet. The problem with this is if a quorum is present this could give the appearance of impropriety and some may think that the Board is actually conducting business and making decisions. Shiela suggested Open Meeting Law training would be worthwhile and the Attorney General's office agreed with this as part of the remedy for the infractions. Pat has spoken to several other public agencies to see if we can get enough interest for a class in the Mayer area. The Ombudsman has said the class must be 20 or 30 people to make it worthwhile holding the class in the area. Also a class is scheduled in North Phoenix on November 6, 2013, but this could be difficult for some of the Board members to attend. Shiela will respond to Attorney General's Office that she has attended the meeting tonight and gone over the letter with the Board and that we are working on getting an Open Meeting Law class set up possibly after the Holidays.

Gordon made motion to approve. Joe seconded.

Board voted all in favor.

ENGINEER REPORT CAP TANK PROJECT:

Emery Layton to come up with a plan to score the bidders on the storage tank project and how are we going to do this. This is the last item needed for the bid packets before going forward. Some use low bid as the factor for selecting a bid; some use a scoring process. Pat; we have to pass two resolutions, 1) a resolution of intention to construct, and 2) a resolution ordering the work to be constructed. A notice inviting the bids is required to

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be published but before then all of the contract documents need to be in final form. Given the complexity of the process would like meeting with Emery and Shiela to go over the bid packet either as a full board, or have a few of the board go over this with them, or hold a special meeting/work session to go over the packet. Sheila; there is much to go over as to the criteria that are needed. Pat asked if Emery had a punch list that he has previously followed and Emery stated that he did. This contract document is approximately 100 pages long with all of the attachments. Emery doesn't see us getting a ton of bids on the construction of the tank. Gordon asked that any meeting held be led by Emery to go over bidding process.

Joe asks for a time limit of getting this completed. Pat asked that the contract packet be emailed to Michael so the contract can be printed for each board member to go over. After each Board member has a chance to go over the contract, a special meeting will be called so everyone can discuss and agree on how to proceed with the bidding.

POSSIBLE ACTION ON ACCT #353:

Pat: should the Water Company continue to pay for the electricity for the booster pump to the King residence. Pat: per the February 7, 2008 minutes Mayer Water should not pay for these pumps for individuals. Pat sent a letter to the King's asking for any documentation as to why Mayer Water should continue to pay for the electric. The Kings sent a letter in response putting it back on the Water Company. Kathy King stated she believes the Feb 2008 resolution is referring to new accounts. Joe said no, he disagrees with this. Joe stated that he has paid for the repair and electricity for his booster pump. Pat asked if Mike King had any comments. Mr. King stated that there are two booster pumps, one at the top of the hill and one at the bottom. Mr. King read from a document stating the booster pump at the bottom of the hill was part of the sale of the property to the Water Company. Mr. King contends that pump at bottom of the hill is part of the easement and therefore belongs to Mayer Water. The King's pay for the electricity for the pump at the top of the hill to provide useable water pressure. Mr. King also feels that this is a vindictive situation. Mr. King believes that this whole situation is ridiculous but he will retain a lawyer if necessary. Pat stated that vindictiveness is not the situation at all, but has to do with where the water meter is located in relation to the booster pump and if the water meter is located on the resident's side of the pump, it is the resident's obligation to pay for the power to run the pump and for the water. Pat: Casey is there anyone else we are supplying power? Casey: no. Kathy King asked about the booster pump at Oak Hills subdivision. Casey stated there is only one booster pump at the well itself. Mr. King stated that all properties can't be gravity fed

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Joe made motion to have the District's attorney look at the situation. Gordon seconded.
Board voted all in favor. Subject will be added to next month's agenda.

CALL TO PUBLIC:

JoAnn Coe; congratulations/condolence to Julie Voss on being appointed to the Board. Has issue with meeting minutes from February 7, 2008 regarding booster pumps will check notes and get back to Board. The Fire Department may have an Open Meeting Law class already scheduled.

Paul Coe; just hearing you have a pump house at one subdivision to get water to Oak Hills it's on a bigger scale but it's the same issue, in that case it's a system and we all helped pay for it.

Kathy King; sorry she didn't get on the Board. Request meeting be moved back to 6 p.m. as 5 p.m. is a hardship. We have gone 9 months with financials not being posted on the website. No draft of meeting minutes for September on the website. [Pat, do you put draft minutes out for public comment????] Ms. King is frustrated that an employee of the water district, whose salary is being paid by the district users, is calling the public "retards". What is even more disturbing is that not one elected official on the board made a public comment that that type of behavior is unacceptable.

ADJOURNMENT;

Gordon made a motion to adjourn. Joe seconded. The Board voted all in favor. Meeting adjourned at 6:02 p.m.



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By H2O District at 8:20:07 AM, 10/23/2013