

TRI-CITY REGIONAL SANITARY DISTRICT
REGULAR MEETING MINUTES
January 13, 2020

Secretary Moreno called the meeting to order at 5:15 p.m.

PRESENT: J.Chism, M.A.Moreno, Stephen Palmer, Legal Counsel, W. Clemmens, Legal Assistant, R.Hadley, M.Krebs, P.E. PACE

Absent: M.Buzan, B.Tower

Public: T.Humphrey, Gila Co. Board of Supervisors, E.Balch, B.Balch, B.Marshall, C.Guerra, J.Vezzetti, H.Farester, D.Farester, J.Medlin, T.Werner, J.Stanneart, C.Tafoya, AZ SilverBelt and 2 individuals whose signatures were illegible.

- Item # 1 **Minutes of November 18, 2019** were approved as sent by motion of S.Palmer, seconded by J.Chism.
- Item # 2 The report from the County indicates \$207,731.86 in the District account as of November 30, 2019 and \$218,817 as of December 31, 2019. It appears the check to Pioneer Title in the amount of \$3,500.00 remains outstanding. Attorney Clemmens reported the check had been returned to the District. J.Chism moved to accept the report, seconded by S.Palmer and carried.
- Item # 3 **Update** on Bridge Loan Financing for the engineering and certain incidental expenses for the TRSD Phase 1 project, including discussion of negotiations with RCAC and USDA regarding financing – Discussion and possible action concerning the setting of a Work Study Session to deal with the issue of a TRSD Policy Statement concerning actions by TRSD in the event that the Project does not move forward which was tabled at the November 18 meeting. M.Krebs reported that progress is being made although the amount is more than RCAC loans. He has met with USDA and they have suggested other avenues. S.Palmer moved that the District hold a Work Study Session in the conjunction with the next Regular Meeting regarding a Policy of the District should the project not go forward, seconded by J.Chism and carried.
- Item # 4 **Status on Vertical Heights withdrawal** from the boundaries of the TRSD – Set a possible date for the hearing re withdrawal – A petition has been submitted to the District containing over 90% of the property owners in Vertical Heights requesting de-annexation from the District. J.Chism moved to hold the Public Hearing on De-annexation of Vertical Heights at the date of the next Regular Meeting of the TRSD, seconded by S.Palmer and carried.
- Item # 5 **Status on request by owners of properties within Miami Gardens concerning de-annexation from the District boundaries** – Status on the preparation of a legal description of the boundaries based on the Parcels identified by the Gila County Assessor - M.Krebs indicated that he would get the boundary description underway. Board was reminded there are several houses nearby, but not served by the line to the Miami WasteWater System. S.Palmer moved that staff be directed to prepare the required Impact Statement for the de-annexation of Miami Gardens from the District, seconded by J.Chism and carried.
- Item # 6 Modification(s) to the TRSD website including revisions to the website to make the information more accessible to the public. Discussion of a statement on the TRSD website to reduce solicitations by various individuals / companies offering services.- T.Thayer has arranged to obtain a record of 'hits' to the website. M.A.Moreno will speak with T.Thayer regarding a 'No Solicitation' statement on the site. Update by M.Gonzalez concerning work on the Citizens' Advisory Committee – no report.
- Item # 7 **Office Hours and Staffing for the new TRSD office** – Update and steps to provide access to the public for the TRSD records – the process has begun and files are being digitized which is taking some time as some of the papers have been water damaged. Attorney Clemmens reminded those present that requests for records must be made in writing and note the specific records being requested. Fees may apply.
- Item # 8 **Report on meeting with BHP and TRSD Staff** concerning the site for the TRSD Wastewater facility. Based on the existing Confidentiality Agreement with BHP an Executive session may be required. M.Krebs reported that he has met with the new personnel at the local BHP office and the preliminary paperwork should be beginning to move up the chain of command in the next two weeks.

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- Item # 9 Discussion and possible action concerning the position of Bill Towers as a member of the TRSD Board of Directors including a review of the TRSD Policy concerning Failure of Board Member to Attend Meetings. S.Palmer moved that the Secretary send a certified letter to Mr. Towers asking him to attend the next Regular Meeting of the Board to indicate his desire to remain on the Board with the statement that his failure to attend will indicate he does not wish to continue as a Board Member, seconded by J. Chism and carried.
- Item # 10 **Payment of Bills:**
Ted Thayer submitted a bill for Website Services for November, 2019 in the amount of \$50.00. Paid on December 11, 2019 with Check # 1351. Ratified by motion of S.Palmer, seconded by J.Chism.
Samuel Accounting Service submitted a bill for Accounting Services in the amount of \$179.50 for services through Nov 18, 2019. Paid on December 11, 2019 with check # 1352. Ratified by motion of S. Palmer, seconded by J.Chism.
Ted Thayer submitted a bill in the amount of \$62.50 for website services through December, 2019. Approved for payment by motion of J.Chism, seconded by S.Palmer.
Attorney Clemmens submitted a bill in the amount of \$1,801.14 for services in the month of December. Approved for payment by motion of S.Palmer, seconded by J.Chism.
Samuel Accounting Service submitted a credit in the amount of \$15.30 which will be applied to the next billing.
PACE submitted a bill in the amount of \$9,934.65 for continuing work on the Phase II P.E.R., Approved for payment by motion of J.Chism, seconded by S.Palmer.
IBEW submitted a bill in the amount of \$ 125.00 for 1 meeting through December 31, 2019 and January 13, 2020. Approved for payment by motion of J.Chism, seconded by S.Palmer.
- Item # 11 Any member of the public desiring to speak on a matter that IS NOT scheduled on this agenda may do so at this time, to members of the TRSD Board. Comments will be limited to 3 minutes per person and addressed to the entire Board. A "Request to Address the Board" Form should be filled out and submitted prior to the beginning of the Board meeting.
H.Farester – Stated that he felt Mr. Clemmens had delivered a threat with the statement of 'Privileged Or Confidential' Information. Further he requested information on additional Statutes that had not been addressed before.
J.Vezzetti – "That this Board first elected Board since 1975-are illegally operating, under collusion, secret and illegally conspired to establish a sanitary District, note (sic) allowing the people in the Sanitary to VOTE on it." He stated that Attorney Clemmens was not an experienced Sanitary District attorney and also in collusion as was the County Supervisor. He further stated that he had led the vote many years ago to dissolve the District, which passed, and return the tax money to the citizens of Pinal Sanitary District. He also stated that the District would be giving water to BHP.
Bill Marshall – Vertical Heights
Supervisor Tim Humphrey = Supervisor Humphrey reported that Gila Co. had commissioned a firm, Kimley Horne, to look at the entire region regarding the wastewater issues for the area. They had some issues obtaining information and getting the DMAs established in order to finalized their report. They have submitted a preliminary draft report which county staff will review. Their suggestion, after County review, is to hold a meeting with all the stakeholders to review the document and its findings.
- Item # 12 Update list of addresses for e-mail notices of meetings and agendas –
- Item # 13 **Next Regular Meeting - Monday, February 10, 2020 at 5:15 at the IBEW Hall.**
- Item # 14 Meeting adjourned at 6:23 p.m. by motion of S.Palmer, seconded by J.Chism and carried.