

**TRI-CITY REGIONAL SANITARY DISTRICT
REGULAR MEETING MINUTES
February 11, 2019**

President Buzan called the meeting to order at 5:18 p.m.

PRESENT: M.Buzan, J.Chism, M.A.Moreno, Stephen Palmer, Legal Counsel, W. Clemmens, Legal Assistant/Clerk, R. Hadley, M.Krebs, P.E., PACE, Dustin Cammack of Gust Rosenfeld

Public – D.Abbott, AZ Silverbelt, Supervisor T.Humphrey, J.Menlove, J.Zache, F.Barcon, H.Farester, D.Farester, P.Jepson, R.Harris, D.Hayes, G.Miller, J.Bejarano, V.Bejarano, B.Marshall, J.Twohey, J.Stanneart, R.Harvey, S.Allison, W.Allison, W.Newman, K.Boeldt, Chad Cooper, M.Navarette, J.C.Vezetti, R.Bradford, B.Dooly, T.Werner

- Item # 1 **Minutes of December 19, 2018** were approved as sent by motion of J.Chism, seconded by M.A.Moreno
Minutes of January 29, 2019 were approved as sent by motion of S.Palmer, seconded by J.Chism
- Item # 2 **Treasurer's report – Balance** in the District Account as of January 31, 2019. \$241,156.93. J.Chism moved to accept the report, seconded by S.Palmer and carried.
- Item # 3 **Status re Request from persons owning property within the area of Vertical Heights** requesting that TRSD exempt their properties from taxation – Attorney Clemmens reported that he is moving forward. The process is very detailed and new petitions will be required as well as a boundary survey. The Board will then address the issue of de-annexation from the District.
- Item # 4 **The Hearing on the Sufficiency of the Protest** was closed by action of the TRSD Board on January 15, 2019. Following that action, a motion was introduced to take action, finding that the Protests received by TRSD were insufficient. The motion was tabled due to a tie vote. The Board will consider a motion to remove from the table the motion to determine the adequacy of the Protests which was tabled at that meeting. M.A.Moreno moved the tabled motion be removed, seconded by J.Chism and carried by a vote of 3 ayes to 1 Nay.
S.Palmer requested the opportunity to address the attendees and remarked that he had done quite a lot of due diligence over the past two weeks as he had run for office in opposition to the project. But he also noted that he would not be dragging his heels just to be negative. He also noted that it was very evident that there were not enough protests filed to stop the project but promised, as things proceed, to always act in the best interests of the property owners of the District,
J.Chism indicated that the entire board had been operating on that premise for the past several years.

PACE Engineer Krebs presented a summary of the results of the Protests received by TRSD through December 18, 2018 which amounted to less than 10% of the linear feet of pipeline in all of the Phases. He also noted that, in order to be as conservative as possible, if the property owner's estimated feet of frontage was higher than the engineers, the property owner's footage was used in the calculation. In addition, there were 65 envelopes returned as undeliverable. Following consultation with the Board, the properties represented by these returns were also included as protests to the project.

M.A.Moreno moved the TRSD Board adopt a finding that the Protests received by TRSD were insufficient, seconded by J.Chism and carried by a vote of 3 ayes, 1 nay.

M.Krebs then asked for permission to provide Question/Answer material on the TRSDWastewater.org Website. Approved by consensus.
- Item # 5 **Update on Status of Negotiations with TRSD, Town of Miami and City of Globe** concerning the DMAs for the region – M.Krebs reported that the 3 entities had met and were negotiating boundaries and Intergovernmental agreements with the assistance of CAG – Both Councils have taken official action to support the TRSD project.
- Item # 6 **Possible decision and direction to staff concerning the handling of Public Information Requests- Possible action on the legal requirements for a TRSD Office** – J.Chism moved that staff look into official office space for the District, within District boundaries, seconded by S.Palmer and carried.
- Item # 7. **Work required to improve public relations** – e.g. Facebook, modification(s) to the Website, use of a freelance reporter – M.A.Moreno reported that answers to the questions/comments in Call to the Public were added to the minutes and placed on the TRSD.org website. She also noted that T.Thayer is able

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and willing to create a Facebook page for the District but would like input from the TRSD Board re the content the Board would like to see on its Facebook page. S.Palmer volunteered to assist T.Thayer.

Item # 8

Payment of Bills:

T.Thayer submitted a bill in the amount of \$ 75.00 for Website services through January 31, 2019 Approved for payment by motion of M.A.Moreno, seconded by J.Chism.
pSamuel Accounting Service submitted a bill in the amount of \$ 114.20 for services through January 11, 2019. Approved for payment by motion of M.A.Moreno, seconded by J.Chism. It should be noted that Samuel Accounting has notified the District that her hourly rate has increased to \$90.00/hour.
M.A.Moreno submitted a request for reimbursement in the amount of \$58.00 for postage. Approved for payment by motion of J.Chism, seconded by S.Palmer.
Attorney Clemmens submitted a bill for services rendered during the month of January in the amount of \$12,550.00. Approved for payment by motion of M.A.Moreno, seconded by S.Palmer.
PACE submitted a bill in the amount of \$41,500.00 for services and expenses incurred in conjunction with additional engineering and coordination services not included in the USDA contract. Approved for payment by motion of M.A.Moreno, seconded by S.Palmer

Item # 9

Call to the Public – Requests submitted

Dana Hays – Would like someone to tell her what her taxes are going to be.

A. The TRSD Board understands that the fee/tax information is very important of everyone. The Board is preparing a smaller presentation to discuss this topic in detail and it is the intent to include This in the March 4th TRSD Board meeting, Information concerning this was provided in the Community Outreach presentations and is now posted on www.TRSDWastewater.org. Similarly, The information is included on the “TRSD Q&A Summary” document. Please see <http://trsdwastewater.org/documentation>

S.Palmer- has received questions regarding sewer fees / taxes and asked if the engineer could provide information at one of the future meetings.

A. Please see the response above. TRSD is planning a detailed discussion on this topic at the meeting on March 4th.

Bill Marshall – re Vertical Heights – had been addressed in Item #3 of the Agenda

Fred Barcon –Cited Statutory language re Records shall be open during office hours. Check register available for review.

Engineer records must be made available.

A. Prior to this stage of the project, the TRSD Board decided not to spend funds on maintaining a physical office. We understand that this is now a necessity and are taking steps to open a permanent physical office where records will be available.

H. Farester – same question. Had paid for the information, was not provided with the check register.

A. See the response above.

Gene Miller – doesn't understand everything. We realize if we don't carry forward on the project, when does the money go back – if this doesn't go forward?.

A. If the project does not move forward, the funding approved will be de-obligated and sent to the pool of funds in the USDA-RD National office. Jeff Hays (USDA-RD) stated”...the funds cannot be transferred to another entity and as alleged, the funding amounts would not change either...RD funding must go through the entity who will own the improvements.” Further discussion from USDA-RD on this and other matters can be found in the USDA-RD Executive Project Summary” (<http://trsdwastewater.org/documentation/>). There is a great demand for the funding, especially the grant funding, throughout the U.S. As a result, the funds would be sent back to the National Office and redistributed to other projects; the period for this to happen is 6 months to a year. The project time-Line will be on the March 4th agenda.

Jon Vezetti – Website is difficult to navigate, advertisements on it. Address is B.Zache's home address. Surveys ineed to go to someone separate, a neutral party..

A. TRSD does not place ads on its website. We have asked others to access the website from other areas and they have not seen ads - We believe that the ads are present because of the Internet provider.

Regarding the survey, TRSD has followed Arizona State Statutes on the Assessment District Process.

Tim Humphrey - Wanted to let everyone know that he has no jurisdiction over TRSD, the Town of

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Miami or the City of Globe as they are separate independent districts, but all fall into his Supervisory District. He realizes the area needs the infrastructure the town of Miami is undertaking and the efforts of the TRSD toward that end but he felt the County could provide a service to all three by commissioning a wastewater survey of the entire area. A couple of entities offered to assist in funding such a project, but Mr. James Menlove, County Manager, felt the County should fund the entire project in order to remove any possible appearance of bias. A contract with Kimley Horne's Wastewater Division will be executed in the next several days and the study should be completed by June 30th.
TRSD Response – The District welcomes the Gila County regional study and looks forward to seeing the results.

Mr. Newman – mail that is sent to his house address will never be delivered. He has a P.O.box.
TRSD Response – the TRSD mailing list was provided by the Gila County Assessor's Office. The District encourages everyone to review and make sure the address on file with them is accurate so that all TRSD and/or other tax information is being directed to the correct address.

Bessie Dooly – stated that she had not received the e-mail notices and provided her correct e-mail address.

A. TRSD will review the e-mail list to make sure the information is correct. District Property Owners are also asked to verify that the District e-mails are not blocked by an e-mail spam filter.

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.

Item # 10 M.A.Moreno moved the Statement set forth in Agenda Item # 9 regarding the Call to the Public be included in all future agendas, seconded by S.Palmer and carried.

Item # 11 Update list of addresses for e-mail notices of meetings and agendas – please make sure Roxie has your e-mail address

Item # 12 **Date, Time and Location of the next meeting – President Buzan suggested that the TRSD Regular meetings be held on the First or Third Monday of each month to avoid conflicting with City or Town Council meetings.
The next Regular Meeting will take place on March 4, 2019 at 5:15 p.m. at the IBEW Hall**

R.Hadley reported that M.Casillas, IBEW Manager, had informed her that the Hall would begin charging the District \$50/meeting for the use of the room.

Item # 13 Consideration and Motion to adjourn the regular meeting to a Work Study Session was made by M.A.Moreno, seconded by J.Chism at 6:15 p.m.

Work/Study Session Notes

M.Krebs reviewed the contract for the Design Engineering for Phase I of the project, should the Board order the project to go forward at the next meeting. He noted that USDA-RD has a timeline that requires all design documents and plans completed at the end of 24 months.

He also presented the PACE Proposal for the preparation of the PER for Phase II which the Board had already asked be undertaken as soon as possible