

TRI-CITY REGIONAL SANITARY DISTRICT
REGULAR MEETING MINUTES
August 24, 2020

Secretary Moreno called the meeting to order at 5:18 p.m. at the IBEW Hall and via ZOOM

PRESENT: M.A.Moreno, E.Miranda, Stephen Palmer, Legal Counsel, W. Clemmens, Legal Assistant,R.Hadley, , L.Valdez, Financial Advisor via Zoom.

Absent:

Public: via Zoom – C.Tafoya; T.Werner, H.Farester in person

- Item # 1. Minutes of July 20, 2020 were approved by motion of S.Palmer, seconded by E.Miranda.
- Item # 2 Financial Report -the Gila Co. Treasurer's Office reported a balance of \$238,986.84 in the District account as of July 31, 2020
Samuel Accounting submitted a Financial Report for the month of July, 2020. E.Miranda moved the reports be accepted and filed for audit, seconded by S.Palmer and carried.
- Item # 3 Report from members of the TRSD Board of Directors of recommended person(s) having the necessary qualifications to fill the vacancy on the Board of Directors created by the resignation of John Chism. No applicants to date.
- Item # 4 **Update** on Bridge Loan Financing for the engineering and certain incidental expenses for the TRSD Phase 1 project, including update on progress regarding funding – Report to the TRSD Board on the move for L. Valdez to a new financial consulting firm -L.Valdez reported that he is now representing the western United States for Municipal Capital Corp. and is continuing to pursue a Bridge Loan for the District. The process will be easier once the contract issues with PACE have been addressed and progress toward design is taking place.
- Item # 5 **Status on** the site selection for the TRSD Wastewater Reclamation facility. M.A.Moreno reported that BHP has been advised that the Board made a decision on one of the sites that had been offered and they will be responsible for the next step. Due to the existing Confidentiality Agreement the site will not be disclosed until BHP releases the District from the Agreement.
- Item # 6 Status on request by owners of properties within Miami Gardens concerning withdrawal from the boundaries of TRSD. Review of Impact Statement drafted by Attorney Clemmens concerning the withdrawal of Miami Gardens and additional parcels. Possible decision by TRSD Board and direction to staff. Discussion of the TRSD position concerning wastewater treatment for parcels having adequate wastewater treatment systems in place at the time the TRSD collection and treatment is available to the parcels. Opportunity will be given for H.Farester, member of the public, to address the Board on this issue – It was noted that 6 or 7 residences are adjacent to Miami Gardens on septic systems and should be advised of the potential ramifications of being included with the Miami Gardens group. H.Farester asked if anyone else with a functioning septic system could opt out of the District?
E.Miranda moved to suspend action on this item until some of these residents could be contacted, preferably prior to the next regular meeting, seconded by S.Palmer and carried.
Mr. Farester was informed that a resident with a functioning septic system could refuse to connect to the system but they would still be taxed for the system. M.A.Moreno reminded him that the USDA grant funding was specifically geared to hooking up individual homes and decommissioning septic tanks/cess pools. If a homeowner declines to hook up and years later, for whatever reason, needs to hook into the system, that homeowner will be totally responsible for the entire expense of attaching to the system..
- Item # 7 Update on review of the independent study prepared by Kimley-Horn under contract with Gila County concerning wastewater treatment in Gila County in the areas of Miami, Globe and TRSD and discussion of response prepared by Jeff Hays of USDA-RD. Opportunity will be given for F.Barcon, member of the public, to address the TRSD Board concerning issues which were contained in the K-H report. Mr. Barcon was unable to attend. S.Palmer moved to table this item until the next regular meeting, seconded by E.Miranda and carried. Attorney Clemmens will share a letter addressing the study from Jeff Hays, USDA Director with Mr. Barcon.
- Item # 8 Update and discussion by General Counsel on the status of replacement of proposed Pace Amendment No. 6 and new proposed PACE Amendment No. 4 to the existing contract and steps required to move

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forward with Phase I of the project.

Report on meeting of 8/19 regarding the legal steps required to move forward to reach a solution to the issues concerning the contract for engineering services with PACE. Mr. Clemmens reported that he will draft an agreement that addresses all of the elements in question with regard to the contract and the amounts that have been agreed to by virtue of actions taken at regular meetings of the Board when issues have come up. Attorney Clemmens noted that this contract must follow the Contract language required by USDA-RD and he would have it available for review by September 14th.

Resolution No. 20-002 was not available. The draft language has been sent to Bond Counsel for review and edits.

S.Palmer moved to direct Attorney Clemmens to prepared a contract for review by the TRSD Board at a Work session on September 14th and to include rescinding Amendment #4 at the next regular meeting of the Board, seconded by E.Miranda and carried.

- Item # 9 Information, discussion regarding suggestions/approaches to make the TRSD website more user friendly, accessible and visually more interesting to the public, and determine what documents should be available on the website – E.Miranda noted that he had had some experience with websites and volunteered to work with T.Thayer on the suggested/requested upgrades.
- Item # 10 Public members, T. Werner and H.Farester will address the Board concerning questions they have compiled as a result of their review of TRSD Public Records which require further discussion. Items were reviewed in some detail and both appeared satisfied that most of their concerns would be addressed in the proposed contract.
- Item # 11 **Payment of Bills:**
Ted Thayer submitted a bill for Website Services for July, 2020 in the amount of \$62.50. Approved for payment by motion of E.Miranda, seconded by S.Palmer.
Attorney Clemmens submitted a bill in the amount of \$5,665.00 for services in the month of July.. Approved for payment by motion of E.Miranda, seconded by S.Palmer.
IBEW – submitted a bill for \$75.00 for use of the meeting room on August 24, 2020. Approved for payment by S.Palmer, seconded by M.A.Moreno
Samuel Accounting submitted a bill in the amount of \$152.10 for services rendered through June, 2020. Paid with check # 1378. Payment ratified by motion of S.Palmer, seconded by E.Miranda.
- Item # 12 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 # 13 Update list of addresses for e-mail notices of meetings and agendas – L.Valdez new e-mail.
- Item # 15 **Next Meeting – Work Study Session on September 14, 2020 at IBEW and Zoom, if necessary**
Next Regular Meeting Monday, September 21, 2020 at IBEW and Zoom, if necessary.

Meeting adjourned at 6:48 p.m. by motion of S.Palmer, seconded by E.Miranda and carried.