

**TRI-CITY REGIONAL SANITARY DISTRICT
REGULAR MEETING MINUTES
September 21, 2020**

Secretary Moreno called the meeting to order at 5:15 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 – T.Humphrey, Gila Co.BOS, C. Tafoya, J.Kellner, R.Pastor

In person – T.Werner, H.Farester, F.Barcon, R.Jacques, B.Newman, D.Farester and A.Ybarra, Notary.

- Item # 1. Malissa Buzan submitted her resignation from the Board via e-mail, effective immediately. S.Palmer moved to accept her resignation with regret, seconded by E.Miranda and carried.
- Item # 2 M.A.Moreno moved to elect E.Miranda President of the TRSD Board, seconded by S.Palmer and carried.
Secretary Moreno passed the gavel to President Miranda
- Item # 3 Review recommendations of members of the TRSD Board for persons having the necessary qualifications to replace Malissa Buzan and John Chism for the balance of their term of office. President Miranda reviewed the qualifications and letter of interest by R.Jacques. M.A.Moreno moved to appoint Robert Jacques to the position created by the resignation of Malissa Buzan, seconded by S.Palmer and carried. President Miranda administered the Oath of Office to Mr. Jacques, duly notarized.
- Item # 4 Minutes of August 24, 2020 were approved by motion of S.Palmer seconded by E.Miranda.
- Item # 5 Financial Report -Samuel Accounting reported a balance of \$228,776.45 in the District account as of August 31, 2020
Samuel Accounting submitted the requested Spread Sheet and E.Miranda explained the reason for requesting it.
- Item # 6 **Update** on Bridge Loan Financing for the engineering and certain incidental expenses for the TRSD Phase 1 project, including update on progress regarding funding. No action
L.Valdez explained the transition that had taken place. The original contract with Hutchinson, Shockey et al has been cancelled as their successor corporation doesn't operate in the Western U.S. L. Valdez submitted a possible replacement contract with his new company (which is based in Dallas and Denver and operates in the Western U.S.)
RJacques moved the District schedule an Executive Work Session to review the necessary steps to accomplish a replacement for a Financial Consulting Firm and receive legal advice from District Counsel, seconded by M.A.Moreno and carried. October 5, 2020 was selected for this meeting
- Item # 7 **Status on** the site selection for the TRSD Wastewater Reclamation facility. Attorney Clemmens reported that BHP is 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 # 8 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. Bond Counsel had recommended the District address this issue as a matter of policy. M.A.Moreno move to table this issue to the Executive work session, seconded by /.RJacques and carried.
- Item # 9 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. F.Barcon reported that he hadn't seen the report and could therefore not comment.
M.A.Moreno moved to direct Staff to seek permission from J.Hays at USDA-RD to release his letter regarding the study to the public, seconded by R.Jacques and carried.

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- Item # 10 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 forward with Phase I of the project.
Resolution 2-002
Review an RFQ for engineering design services for Phase1 of the project drafted by General Counsel M.A.Moreno move to table these items to the Executive Session on October 5th, seconded by RJacques and carried.
- Item # 11 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 reported that he had received a quote from B12 and would be looking at further proposals and meeting with Ted Thayer and would report at the next regular meeting.
- Item # 12 Payment of Bills –
Ted Thayer submitted a bill for Website services for August, 2020 in the amount of \$50.00 Approved for payment by motion of M.A.Moreno, seconded by R.Jacques.
Attorney Clemmens submitted a bill for legal services in the amount of \$6,335.00 Approved for payment **by motion of M.A.Moreno, seconded by E.Miranda.**
IBEW – submitted a bill for \$150.00 for use of the meeting room on September 14 and 21, 2020. Approved for payment by M.A.Moreno, seconded by R.Jacques
PACE submitted a bill in the amount of \$9,451.00 for work on the Phase II Preliminary Engineering Report. E.Miranda moved to hold payment until further information is received from PACE, seconded by R.Jacques and carried.
- Item # 13 **Call to the Public:**
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 submitted request for information regarding an Audit as had been approved and – Attorney Clemmens noted that, so far, expenditures are under the limit required for a formal audit. He was asked to review ARS-Section 11 ARS/
Attorney Clemmens will follow up

Tom Werner – Had questions regarding the Engineering contract info, a change order signed by B. Zache.
Counsel will review and respond but it was noted that B.Zache had not signed anything unless it had Been authorized by Board action -
- Item # 14 Update list of addresses for e-mail notices of meetings and agendas – Robert Jacques
- Item # 15 **Next Regular Meeting – October 5, Executive Session Work Session 5:15 p.m. at IBEW**
October 19, 2020, Regular Meeting, 5:15 p.m. at IBEW and Zoom
- Item # 16 Meeting adjourned at 6:37 p.m. by motion of M,A.Moreno, seconded by R.Jacques and carried.