

ICR WATER USERS ASSOCIATION

Board of Directors Meeting, ICRWUA Pump House
April 23, 2019 – Meeting Minutes

Board Members:

Bob Hilb, President
Robert Elsroad, Treasurer
Randy Joly, Secretary
Chris Peck, Board Member

Contract Staff:

Derek Scott, a-Quality Water
Cheryl Ibbotson, Wallace Utility Billing

Member/Guests:

Katherine Augustine, Tom Sullivan, Jimmy Stoner,
Ray Damesek, Tom Blair, Don & Barbara Draper,
Alan Cocherell, Dean Humphry, Bob Frisch,
Eileen McGowan, Bob & Jeanette Summers, Jerry
DeSantis, Karl Antila, Mark Armstrong, Jim Cooper, Ted
Durham, Jeff Hunter, Marv Kaiser, Terri Kiffer, Evelyn
Zimmerman

1. Call to Order – ICR Water Users Association

The meeting was called to order at 9:01 a.m.

2. Roll call of the Board –

Roll call of the Board was taken. All directors were present except Blake Hewitt.

3. Review/Approval of 04-23-19 Agenda –

Bob made a Motion to approve the 04/23/19 Agenda. Chris seconded the Motion. Motion passed unanimously.

4. Review/Approval of 01-16-19 Board Meeting Minutes –

There was discussion that this was a special meeting held due to the necessity of appointing board members to sign refund checks of funds held in the Architectural Review Committee accounts.

Bob made a Motion to approve the 01/16/19 board meeting minutes. Chris seconded the Motion. Motion passed unanimously.

5. Review and approval of the 01/22/19 Board Meeting Minutes. –

There was a brief discussion that several members of the public could not find the posted minutes on the website. Bob stated that since the meeting was covering fourth quarter 2018, they were posted under the 2018 tab. Several other members concurred that that is where they found them.

Bob made a Motion to approve the 01/22/19 board meeting minutes. Chris seconded the Motion. Motion passed unanimously.

6. Operations Committee Report –

Derek gave the operations report orally. There was discussion regarding the recent water in the lines, Derek said that he investigated it and it was a combination of the fire department doing testing that stirs up air in the lines and ARV's not functioning properly. Bob stated that the ARV's are somewhat old, there are 157 of them throughout the community and they have implemented an inspection schedule for repair and/or replacement if necessary.

7. Pumping Summary Report –

Bob stated that due to the new meters having different multipliers than the old meters, the pumping summaries for March and the first quarter were not available. Once those items were investigated and corrected those reports would be posted,

8. Quarterly Financial Summary –

Rob summarized his quarterly financial summary.

Dean Humphry questioned why there was such a larger variance between budget vs. actual for water testing for the quarter. The board stated that Cheryl would investigate it and they would discuss at the next meeting.

9. Delinquencies –

Rob stated that there were no delinquencies.

10. System redundancy/safety improvements -

Bob stated that this was on hold pending an upcoming meeting they were trying to schedule with the individual commissioners of the ACC. He stated that the attorneys have advised them to put any further cost studies on hold until they meet with the ACC commissioners to determine if the current Water Association could be dissolved and a new one could be formed to remove any potential liabilities of the ARC Committee. He added that Talking Rock decided not to spend any more money on engineering or other studies until the association got a clear directive from the ACC.

Bob added that they were going to take advantage of the time scheduled with the commissioners to get answers to questions regarding combining the systems.

The board assured the members that the only reason for trying to schedule this meeting with the ACC was to remove the legal liabilities of the ARC Committee falling under the Association. Eileen, Jerry DeSantis and Bob Summers suggested that this issue could be resolved in a different manner that would be less costly to all members of the association that involved only those members residing within lots 1 through 180 organizing a vote for reorganization. Bob suggested that, if in fact, they wanted to do that, they were welcome to commence that process, but until an actual resolution was in place the Board would need to stay on the current course to remove the potential liabilities that may arise. He added that the meeting with the ACC would be canceled if a resolution of lots 1 through 180 was in place.

The board members also added that once the support and guidance of the ACC was obtained, they would pass those findings to the Association attorneys for a clear directive as to how to proceed. At that time, everything would be presented to the Association in a public meeting. Bob concluded by stating that the board would not do anything that would not benefit all of its members.

11. Yavapai Water Providers Cost/Alternate source –

Chris stated that the 25th anniversary of the well lease agreement was upcoming September 1, 2019 and would need to be negotiated and renewed. He stated that we are soliciting proposals to prepare the two reports that are required by the Pierce Brothers prior to this negotiation. Those two items consisted of: a well adequacy study and a survey of Yavapai County private water companies that provided untreated water and what their costs were.

12. Lawsuit –

Bob stated that they were no updates other than an appeal was filed. Eileen McGowan added the opposing parties brief to the Appellate Court was due May 6, 2019 and the rebuttal to that brief was due forty-five days later.

13. Corporate Attorney –

Bob Summers asked for the name of the corporate attorney. Randy stated that they were using John Hay of Gust Rosenfeld Law Firm and Jeff Crockett of the Crockett Law Firm. He added that attorney Crockett would be representing them in front of the ACC.

14. New Business – Date of Annual Meeting –

Bob stated that they were going to combine the annual meeting with the next regular quarterly meeting scheduled for July 23, 2019. He added that this would be how they would schedule the annual meetings going forward. He stated that a notice would be provided pursuant to the guidelines in the by-laws.

15. Public Comments –

Barbara Draper stated that Bob had stated at the last meeting that a letter would be going out to the members that reminded everyone that even though an ARC Committee was currently disbanded all of the CCR's must be complied with. She stated that she had not seen this letter yet. Bob stated that the County was to inform those pulling permits of CC&Rs in certain communities. Barbara stated that there were numerous violations around the neighborhood and there was no way to enforce compliance. Jim Cooper stated that was untrue because someone filed a complaint against him and the County came out and investigated the complaint. Bob stated he would get that letter out.

Tom Sullivan asked if there was any record of salvage value of all the meters removed that were replaced. Randy stated that Pat Carpenter was working on that, he was trying to see if some of the other water companies he operates were interested in them, and they needed to follow up with him. Tom added that some of those meters were not very old. Charles Lehr stated that in Detroit, MI those same meters had an actual life of 50 years.

Dan Zandanowitz asked who was reviewing plans before construction for CCR violations and added that property values would be going down.

Dean Humphrey read a written list of observations and concerns he had for the board.

Charles Lehr asked pointedly if lots 1 through 180 separate the ARC Committee from the rest of the Association, would the Board still pursue reforming the current water company? Chris Peck stated if that happened that would eliminate that need.

Bob adjourned the meeting at approximately 10:10 am.