



1                                   **MINUTES OF SPECIAL MEETING**  
2                                   **Marana Domestic Water Improvement District**  
3                                   **of Pima County, Arizona**

4  
5                                   March 16, 2009  
6

7   The Board of Directors of the Marana Domestic Water Improvement  
8   District met in special session at the Marana Domestic Water  
9   Improvement District Board Room, 16560 West El Tiro Road, West  
10  Building, Marana, Arizona at 7:00 p.m. on Friday March 16, 2009.

11  
12  **1.     Call to order and Pledge of Allegiance**

13  
14  Mr. Castaneda:   Good evening everyone and welcome to a special  
15                                   meeting of the Board of Directors; today is Monday,  
16                                   March 16, 2009. It is 7:00 in the evening. Our call  
17                                   to order, please rise for the Pledge of Allegiance  
18

19  The Pledge is said.  
20

21  **2.     Roll call**

22  
23  Mr. Castaneda:   Madam Clerk can we have a roll call please?  
24

25  Ms. Sieglaff:     Mr. Castaneda?  
26

27  Mr. Castaneda:   Here.  
28

29  Ms. Sieglaff:     Mr. Peetoom?  
30

31  Mr. Peetoom:     Here.  
32

33  Ms. Sieglaff:     Mr. Kendrick?  
34

35  Mr. Kendrick:    Here.  
36

37  Ms. Sieglaff:     Ms. Ball-Cummings?  
38

39  Ms. Cummings:   Present.  
40

1 Ms. Sieglaff: Mr. Lou Preston is absent; we also have Mr. Vonn  
2 Jones, Mr. and Mrs. Sigfrid Danielson and former  
3 Board Member, Bob Flood.  
4

5 Mr. Castaneda: Let's move to item number 3.  
6

7 **3. Discussion and possible action concerning employee**  
8 **grievance**  
9

10 Mr. Castaneda: Mr. Kendrick would you...  
11

12 Mr. Kendrick: Well, since Mr. Preston isn't here I'd like to start out  
13 by saying thank you Mr. Preston and Mr. Castaneda  
14 for serving the District for as long as they have and  
15 congratulate our new Board Member on their win.  
16 As Chairman of the sub-committee I took all of the  
17 fact-finding that Mr. Castaneda and Lisa Sieglaff  
18 gave me into consideration and, even though there  
19 was sufficient evidence to terminate Mr. Danielson I  
20 would like to recommend to the Board that we  
21 reinstate him and suspend him without pay from  
22 January 12<sup>th</sup> to our next scheduled meeting having  
23 some conditions to his reinstatement. First,  
24 because of our Country being in a recession and  
25 with the Marana Domestic Water Improvement  
26 District already being in the red, we will not be able  
27 to offer Mr. Danielson a gas card and I would  
28 recommend that we reduce – have a reduced salary  
29 until the new budget comes out in July. I would like  
30 to see Mr. Danielson keeping with the changes that  
31 we have made while he has been gone, such as our  
32 cash accountability forms and continue to have the  
33 employees signing out for the credit cards and our  
34 Employee Manual that the lawyer should already  
35 have. And if my colleagues do not approve then we  
36 will hold off until the next scheduled meeting. I  
37 made the motion to reinstate Sig Danielson as  
38 Systems Manager with these conditions: No gas  
39 card, reduced salary, and keeping with the changes  
40 that we have made for cash accountability, forms

1 and our Policy Manual. Is there a second to the  
2 motion?  
3  
4 Ms. Cummings: I'd like to ask a question about some of the reasons  
5 that you stated. Now, the one I need you to repeat.  
6 Suspend him without pay – which ...?  
7  
8 Mr. Kendrick: From when the January 12<sup>th</sup> meeting when we  
9 terminated him until he does take the Manager's job  
10 or whatever that we don't pay him for that.  
11  
12 Ms. Cummings: From January 12<sup>th</sup> until he's rehired? Right?  
13  
14 Mr. Kendrick: Yeah.  
15  
16 Ms. Cummings: Okay. And then the next one was no gas card?  
17  
18 Mr. Kendrick: Yes.  
19  
20 Ms. Cummings: What is the reason for that? No gas card.  
21  
22 Mr. Kendrick: Because we just don't have the money for it. I  
23 mean we're already in the red this month.  
24  
25 Ms. Cummings: Well, what would make you think that he would go  
26 spending carelessly knowing that what you just  
27 said, that we're in the red – I mean that doesn't  
28 make no sense.  
29  
30 Mr. Kendrick: I didn't say he was spending carelessly.  
31  
32 Ms. Cummings: I mean, you know, if he knows we're in the red he's  
33 going to be very diligent at keeping the gas card  
34 and not, you know, being careless. That's common  
35 sense. Okay. And then the next one is...  
36  
37 Mr. Kendrick: Well, let me...  
38  
39 Ms. Cummings: Okay.  
40

1 Mr. Kendrick: The gas card; I don't think anybody should have a  
2 gas card right now because of the situation the  
3 economy is in. I mean our District is... the  
4 customers, I know if they knew or had a vote on it or  
5 whatever, they wouldn't give him a gas card. Not  
6 until things get better.  
7

8 Ms. Cummings: Okay. And then the next thing that you said,  
9 because you went real fast, tell me the next thing.  
10

11 Mr. Kendrick: Reduced salary.  
12

13 Ms. Cummings: Okay. And what are you talking about the figure as  
14 reduced salary?  
15

16 Mr. Kendrick: I believe his old figure was \$1,200.00 a week. If I'm  
17 not right... I don't know... I think it was...  
18

19 Mr. Castaneda: Board Member Kendrick, if I could just stop you for  
20 a minute. Now we're talking about his salary and  
21 things like that. Mr. Danielson, is that okay? I know  
22 we have it scheduled to go into executive session to  
23 speak further about this. Would you like to go into  
24 executive session to seek this further or would you  
25 like us to talk about it right here.  
26

27 Mr. Danielson: Go ahead and talk about it right here.  
28

29 Mr. Castaneda: Board Member Ball-Cummings, I'm sorry go ahead.  
30

31 Ms. Cummings: Okay. So, now how much are you talking about  
32 reducing?  
33

34 Mr. Kendrick: Well, reducing from \$1,200.00 a week down to  
35 \$900.00 a week only until the new budget comes  
36 out.  
37

38 Ms. Cummings: Now will he still be allotted his gas allowance to go  
39 to and from? I mean that's something you've got to  
40 consider too.  
41

1 Mr. Kendrick: I don't... why should he get a gas card and nobody  
2 else gets a gas card?  
3

4 Ms. Cummings: No, I didn't say gas card I said gas allowance.  
5 Yeah for him to go to and from, you know, because  
6 he does not live in the District...  
7

8 Mr. Kendrick: Correct. He lives in Catalina. That's a long way  
9 away.  
10

11 Ms. Cummings: He's, you know, he's on time, you know, I mean you  
12 know, he don't make no stops I mean go out of his  
13 way. Do you know what I'm saying? He goes to  
14 and from...  
15

16 Mr. Kendrick: That's irrelevant. The way the economy is right now  
17 I don't, me personally, I don't think we can afford to  
18 give our System Manager a gas card or any gas  
19 allowance.  
20

21 Ms. Cummings: Okay, and the next one was?  
22

23 Mr. Kendrick: That was it. Oh, keeping the cash accountability  
24 forms.  
25

26 Ms. Cummings: Okay. I think that will be up to the total Board. I  
27 mean, okay, that's just you know my opinion. I don't  
28 know what's going to happen with the new Board  
29 because I haven't spoke to any of them. I may have  
30 spoke to Tony a little bit but at this time we can't  
31 actually say that. I mean we can just kind of hope  
32 and see what the whole Board does.  
33

34 Mr. Kendrick: You mean the cash accountability forms? Well  
35 yeah if they're going to put it aside I guess that  
36 would be a Board issue.  
37

38 Ms. Cummings: Exactly. Yeah. So that has nothing to do with hiring  
39 him back.  
40

1 Mr. Kendrick: Okay, I'll modify my motion and strike the cash  
2 accountability forms from the motion.  
3  
4 Mr. Jones: Mr. Kendrick?  
5  
6 Mr. Kendrick: Hold on. There's some other stuff I wanted to say.  
7 Can you hold on just one second? There was some  
8 stuff that Ms. Sieglaff said in Friday's meeting that  
9 came to Mr. Danielson's defense. That should have  
10 been said on January 12<sup>th</sup> meeting when we did the  
11 termination that wasn't said.  
12  
13 Mr. Jones: I wasn't clear on what day you were intending to  
14 reinstate him. You weren't specific.  
15  
16 Mr. Kendrick: I think we have to give a two-week notice, don't we?  
17  
18 Mr. Jones: No, I can be elsewhere tomorrow.  
19  
20 Mr. Kendrick: Well it's up to the Board when we do the  
21 reinstatement.  
22  
23 Mr. Jones: I just whatever...  
24  
25 Mr. Kendrick: I think the motion to reinstate...  
26  
27 Mr. Jones: With no specific date?  
28  
29 Mr. Kendrick: Yeah.  
30  
31 Mr. Jones: I just want to be clear on that.  
32  
33 Mr. Castaneda: There is a motion on the table...  
34  
35 Mr. Peetoom: Mr. Chair, okay when he leaves the house he's on  
36 the clock and he stops by the Post Office to get the  
37 mail. I won't be picking up the mail. He'll be taking  
38 care of...  
39  
40 Mr. Castaneda: Hold on one second Mr. Peetoom. There's been a  
41 motion – before we go on with any further

1 discussion we've got a motion on the table and I'll  
2 go ahead and second the motion for the sake of  
3 discussing it because we're getting way over there.  
4 All right go ahead Mr. Peetoom.

5  
6 Mr. Peetoom: Okay. When he leaves the house in Catalina he is  
7 on the clock. When he leaves the house; that's  
8 when he needs a gas card for a gas allowance.  
9 Because he lives in Catalina and when he walks out  
10 the door he's on standby. Or if they call him in an  
11 emergency, he's right there. And he's got a cell  
12 phone and if they call and tell him there's a broken  
13 water line some place he has to get here as soon as  
14 he can. That's why I think he needs a gas  
15 allowance.

16  
17 Mr. Kendrick: Mr. Vice Chair?

18  
19 Mr. Castaneda: Go ahead Mr. Kendrick.

20  
21 Mr. Kendrick: I don't understand why he's on the clock as soon as  
22 he leaves his house. He shouldn't be on the clock  
23 until he arrives here even if it's an emergency or  
24 not. If he gets a call that there's an emergency then  
25 he's going to be on his way. I could see if he has to  
26 leave early because of an emergency or something,  
27 but he shouldn't be on the clock until he arrives at  
28 work. I mean, I mean that's the way it needs to be  
29 done.

30  
31 Mr. Castaneda: All right there's been a motion and second on the  
32 floor here to reinstate Mr. Danielson with no gas  
33 card, with a reduced salary, did we delete some of  
34 the changes? Was the Employee Manual in there  
35 as well? No?

36  
37 Mr. Kendrick: No.

38  
39 Mr. Castaneda: All right. Is there any other further discussion on the  
40 motion to reinstate to put on the floor? No? End of  
41 discussion. All right all those in favor to reinstate

1 Mr. Danielson with no gas card and with a reduced  
2 salary signify by saying aye.  
3  
4 Mr. Kendrick: Aye.  
5  
6 Mr. Castaneda: Aye.  
7  
8 Mr. Peetoom: No.  
9  
10 Ms. Cummings: No.  
11  
12 Mr. Castaneda: All right with that being said there is a tie and there  
13 is no fifth member to vote here so I'm going to  
14 entertain a motion that this situation be tabled until  
15 the next scheduled Board meeting of the Board of  
16 Directors which is April the 16<sup>th</sup> of 2009 at 7:00 p.m.  
17 Can I get a second to the motion to table it?  
18  
19 Ms. Cummings: I second it.  
20  
21 Mr. Castaneda: All in favor?  
22  
23 Mr. Kendrick: Aye.  
24  
25 Mr. Peetoom: Aye.  
26  
27 Ms. Sieglaff: Mr. Vice Chair may I say something?  
28  
29 Mr. Castaneda: Yes.  
30  
31 Ms. Sieglaff: Are we going to see if Mr. Danielson wants to  
32 accept the reinstatement with those terms and  
33 conditions?  
34  
35 Mr. Castaneda: Well it hasn't passed so there would be nothing to...  
36 the new Board will have to take action on it and  
37 renegotiate with him to see where they're going at  
38 the next scheduled meeting on April the 19<sup>th</sup> I'm  
39 afraid.  
40  
41 Mr. Kendrick: The 13<sup>th</sup>.



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Mr. Castaneda: Oh the 13<sup>th</sup>. I'm sorry. April 13<sup>th</sup>, Monday April the 13<sup>th</sup>. The Vice Chair will entertain a motion to adjourn.

Mr. Peetoom: So moved.

[no vote was taken]

Mr. Castaneda: So the meeting is adjourned at 7:15. Thank you all very much.

Minutes prepared by

\_\_\_\_\_  
Lisa M. Sieglaff  
Clerk of the Board of Directors