

MARANA DOMESTIC WATER IMPROVEMENT DISTRICT
Official Board of Directors Meeting Minutes
August 10, 2009

The Board of Directors of the Marana Domestic Water Improvement District met in session at the Marana Domestic Water Improvement District Office 16560 West El Tiro Road Marana, Arizona at 7:00 p.m. on Monday, **August 10, 2009**.

1. Call to Order and Pledge of Allegiance

Chairperson Teresa Ball-Cummings called the meeting to order at 7:00 p.m.

Ms. Ball-Cummings asked Mr. Sostarich to lead the Pledge of Allegiance.

2. Roll Call

Upon roll call, those present were as follows:

Board Members Present were:

Teresa Ball-Cummings, Chairperson
Anthony Sostarich, Vice Chairman
Donald Peetoom
Michael Young
Gary Kendrick

Staff Members present were:

System Manager, Sig Danielson
Clerk, Lisa Sieglaff

Three members of the general public are present.

3. Consent Items:

- A. Approval of meeting minutes from the July 13 and 27, 2009 meetings.

Mr. Sostarich said my meeting minutes, for the regular meeting on July 13th is missing the last three pages, but other than that. The best of my memory, if my memory serves me correct, this is accurate.

Ms. Ball-Cummings replied ok, thank you.

Mr. Sostarich said I move that we accept these as they are.

Ms. Ball-Cummings replied all right, thank you Mr. Sostarich. Mr. Peetoom seconded. So moved.

Mr. Young said I would also like to make a correction on page 20.

Ms. Ball-Cummings said ok.

Mr. Young said where I was quoted as saying: Well believe me we thought hard on this. This was a simple thing. Is not a simple thing.

Ms. Ball-Cummings said yeah.

Mr. Kendrick asked what line.

Mr. Young said 38.

Ms. Ball-Cummings said ok, thank you very much, Mr. Young.

Ms. Sieglaff asked where is it Mr. Young.

Mr. Young said line 38.

Ms. Sieglaff said oh page 2, line 38.

Mr. Young replied yep.

Ms. Ball-Cummings said any more additions or corrections.

Mr. Kendrick said not except for the last three pages missing.

Ms. Ball-Cummings said ok.

Ms. Sieglaff said all of them had the last three pages missing.

Mr. Kendrick said my does, stop at 65 not 68.

Mr. Peetoom said I think they came apart.

Mr. Danielson said I have everything.

Ms. Ball-Cummings said I have everything.

Mr. Peetoom said I have everything.

Mr. Young said I'm missing three pages.

Mr. Peetoom said the staple didn't go all the way through.

Ms. Sieglaff said 67 and 68. I could run those off for you, for everybody.

Ms. Ball-Cummings said ok, all right.

Mr. Sostarich said that won't be necessary in my case. That's not stuff that needs to be published.

Ms. Ball-Cummings said motions have been made, so moved. All in favor.

It was moved by Mr. Sostarich, seconded by Mr. Peetoom and carried unanimously that; **The minutes of the July 10, 2009 meeting of the Marana Domestic Water Improvement District shall be approved as corrected.**

5 ayes

0 opposed

0 abstentions

Ms. Ball-Cummings said thank you. Mr. Danielson.

Mr. Sostarich said excuse me pardon me.

Ms. Ball-Cummings said oh I'm sorry.

Mr. Sostarich said madam chair we haven't.

Ms. Ball-Cummings said your right.

Mr. Sostarich said the other.

Ms. Ball-Cummings said the other minutes.

Mr. Sostarich said other meeting minutes.

Ms. Ball-Cummings replied thank you very much mine are all stapled together.

Mr. Sostarich said memory serves me correctly this is pretty close to accurate. I move that we accept that meeting minutes.

Ms. Ball-Cummings said all right I'll second that.

Mr. Sostarich said for July the special meeting. Which was July 27, 2009.

Ms. Ball-Cummings replied correct.

Mr. Sostarich said and I made a mistake earlier that first one was for July 13, 2009.

Ms. Ball-Cummings said ok, any other additions or corrections.

Mr. Peetoom said I don't have none.

Ms. Ball-Cummings said all right, motions have been made, so moved. All in favor.

It was moved by Mr. Sostarich, seconded by Ms. Ball-Cummings and carried unanimously that; **The minutes of the July 27, 2009 meeting of the Marana Domestic Water Improvement District shall be approved as presented.**

5 ayes

0 opposed

0 abstentions

4. System Manager's Report.

Mr. Danielson reported:

1. We don't have a formal manager's report because I really have nothing to report. The system has run exceptionally well since the last board meeting and the special board meeting.
2. July billing we sent out 122 late notices which is probably down fifteen percent from normal and we did 4 shutoffs which is about half of what we normally do for the month.

Accounts Payable	\$ 51,912.81
Accounts Receivable	\$ 46,457.49
Difference	-\$ 5455.32
County Balance	\$ 11532.27
WIFA Reserve	\$ 23,398.88
RD General Account	\$ 202.35
RD Reserve Account	\$ 14082.80
RD O&M Account	\$ 9,062.41
RD Replacement Account	\$ 7,659.41
RD Bond Account	\$ 16,489.15

Carryover Balance \$ 1,890.44

Mr. Danielson said that's bills pending that people have not paid. July was bad, normally July is a horrendous month on profit and loss just because it's the very first month of the new year and prior to this year we were always paying the entire liability insurance in one shot in July. We did not have to do that. We've only paid the initial down payment on the insurance and we did pay the August payment so toward the end of the year. We will not have to make a liability insurance payment for May, June. Or April, May, and June of next year. Our employee, our Fringe Benefits were extremely high, one was partly to my resituation, where Federal withholdings and social security amounted to 3,866.99, Arizona State Retirement was 4,477.88 and then employee health insurance you end up paying both July and August in July so that was 2099.20 and on top of that last week our annual maintenance contract with Frey, who is the manufacturer of our billing software was 898.00.

Ms. Ball-Cummings said ok excellent. Any questions for Mr. Danielson?

5. Discussion and possible action concerning water quality issues

Ms. Ball-Cummings asked do we have any?

Mr. Danielson said neither us nor the state have done any additional sampling for the amoeba.

Ms. Ball-Cummings replied ok.

Mr. Danielson said however the state is telling us to continue chlorinating at a rate of, as residual in this tank of 0.8 milligrams per liter.

Ms. Ball-Cummings said ok, all right thank you very much.

6. Discussion and possible action concerning Financial Assessment Committee recommendation to eliminate one staff position

Ms. Ball-Cummings said I believe our committee.

Mr. Peetoom said it's mine. It's mine.

Ms. Ball-Cummings said ok Mr. Peetoom go ahead or Mr. Young. I'm sorry Mr. Young.

Mr. Young said there was discussion about eliminating the Board Clerk and it was to help get the budget under control. I proposed about eliminating the Board Clerk position. It's up to the committee, its just a proposal from the Financial Committee and I just want to bring it to the Board to vote.

Ms. Ball-Cummings said ok.

Mr. Kendrick said we got this letter from Mr. Danielson saying we do need a Clerk from the Lawyer, correct. We have to have a Clerk. We have to have a Clerk.

Mr. Danielson replied correct, however during periods of time in the past where we have not had a Clerk. When Vana Wesala resigned, when Kathryn Dudgoen resigned, and when Roxayne Vargas resigned and Theresa Hicks moved into her job. We have always filled it with the office specialist doing double duty and I end up picking up part of the front.

Mr. Kendrick said now I mean really how many hours a month does the Clerk, should the Clerk actually work. Three days to make up the monthly meeting, the minutes right.

Ms. Ball-Cummings said about that.

Mr. Kendrick said I mean its, by law were suppose to have them in three business days.

Ms. Ball-Cummings said yeah about that, three. It shouldn't be no more.

Mr. Kendrick said we've been having one meeting a month except for last month and that was a special meeting.

Ms. Ball-Cummings replied yeah, yeah.

Ms. Sieglaff said madam Chair can I please make a commit.

Ms. Ball-Cummings replied just a second, Mr. Kendrick are you finished. Let Mr. Kendrick finish ok.

Mr. Kendrick said lost my train of thought.

Ms. Ball-Cummings said that's all right, go ahead think.

Mr. Kendrick said so we're not looking to getting rid of the position.
Whose going to be taking over, is it going to be Theresa Hicks.

Mr. Danielson replied yes.

Mr. Kendrick said I know she already gets you know. She's already at full time.

Ms. Ball-Cummings said yeah.

Mr. Kendrick said so what hours should you, coming over here to do this job. Would that be overtime hours or would that be a totally separate pay issue.

Mr. Danielson said administratively I have not looked at it. The last time we did it, we just charged her full time status and we did the same thing with Ms. Vargas and the two previous times. We charged the full time status to the office and the overtime to the Board of Directors and it amounted to about. I'm trying to remember off the top of my head. It was about four or six hours of overtime during the month because what we might do is if thing were slow in the office and my work of flow was low I'd send her, you know to do it and one other thing is here a couple of months ago Tony Griggers was sitting in there having lunch and it was about two months ago. It was on the 14th of the month. 13th, 14th of the month when we were real busy at the pay window and he told Ms. Hicks, he says teach me how to do this job. Well he has been filling in off and on doing that job. I'm not going to leave him alone doing it.

Ms. Ball-Cummings said yeah.

Mr. Danielson said but he can answer that phone and he can take the payments and that type of deal. So you know. It's up to you guys what you want to do. But operationally I believe we can cover it.

Ms. Ball-Cummings said yeah any other questions?

Mr. Sostarich said I believe Ms. Sieglaff should speak.

Ms. Ball-Cummings said is that it Mr. Kendrick.

Mr. Kendrick replied yeah.

Ms. Ball-Cummings said go ahead Ms. Sieglaff.
Ms. Sieglaff said ok um, first of all madam Clerk if you carefully read Mr. Frazier's email it says in MDWIDs case there has to be. This is paragraph 1, 2, 3, 4, 5, 6.

Ms. Ball-Cummings said correct.

Ms. Sieglaff said it says there has to be a designated person to act as Clerk but the person can do other job and tasks. The other jobs and tasks would have to be secondary and the person's duties as Clerk would take precedence over any other tasks. So long as the person is designated and dedicated to be present and handle all Clerk jobs as their primary role. Ms. Hicks' would not be handling Clerk job as her primary role.

Ms. Ball-Cummings said ok.

Mr. Kendrick said unless we changed her over to primary Clerk and have her secondary over there.

Ms. Ball-Cummings said that can be.

Ms. Sieglaff said she's doing.

Ms. Ball-Cummings said that can be a you know up to the System Manager and um.

Ms. Sieglaff said it's not the matter that.

Ms. Ball-Cummings said part of the Board members.

Ms. Sieglaff said it's a matter of her primary job means the work that she spending most time doing.

Ms. Ball-Cummings said yeah, I understand that, that's not a problem.

Ms. Sieglaff said so that, let me read that again. It says that that Clerk the rest of her work would have to be secondary.

Ms. Ball-Cummings said that's not a problem.

Ms. Sieglaff said but, that's not secondary because that's gonna take up probably 30 hours of her time and this. Do you understand what I'm saying.

Ms. Ball-Cummings said yeah.

Ms. Sieglaff said she gonna be spending more time and devoting my time to the office tasks than she is to the Clerks job.

Ms. Ball-Cummings said no I don't think so.

Ms. Sieglaff said well.

Ms. Ball-Cummings said Ms. Hicks.

Ms. Sieglaff said you don't think she's gonna be spending.

Ms. Ball-Cummings said Ms. Hicks was very.

Ms. Sieglaff said she's gonna be spending more time doing Clerk work than in the office.

Ms. Ball-Cummings said Ms. Hicks was last time she did both jobs she was very efficient in getting the minutes done within three days.

Ms. Sieglaff said that's not the point, I'm making, I'm talking about what the Lawyer's saying here. The law says other jobs would have to be secondary.

Ms. Ball-Cummings said I understand what you are saying Ms. Sieglaff.

Ms. Sieglaff said you don't get. You don't get it. You don't get it.

Ms. Ball-Cummings said I understand what you are saying and that letter is very explanatory, Ms. Sieglaff.

Ms. Sieglaff said well it's not for you, cause you don't understand it.

Ms. Ball-Cummings said Ms. Sieglaff your addressing me, now let me address you ok. Please calm down. Ok, I do understand its very explanatory, you cannot but not read it and not only that but it from the Lawyer, that's why we requested it, ok.

Ms. Sieglaff said um hum, but you don't understand the definition of primary and secondary.

Ms. Ball-Cummings said yes, yes I do.

Ms. Sieglaff said no.

Ms. Ball-Cummings said I do understand.

Mr. Sostarich said we would discuss this in preparation for this meeting on Friday, this very item that you're bringing up.

Ms. Ball-Cumming said correct.

Mr. Sostarich said right here. I had those concerns too.

Ms. Ball-Cummings said yes.

Mr. Sostarich said the legalities and all of that and it's really an issue between that System Manager and whom ever he designates.

Ms. Ball-Cummings said correct.

Mr. Sostarich said the position, whomever's filling the function of the Clerk.

Ms. Sieglaff said your breaking the law, your problem not mine.

Mr. Sostarich said well as long as, as long as were talking about this do you recall what you said last 13th of July.

Ms. Sieglaff said what's that I said a lot of things in that meeting.

Mr. Sostarich said you said that when Mr. Peetoom brought up the subject of sharing do this to the legal question that you brought up.

Ms. Sieglaff said um hum.

Mr. Sostarich said you the actual words you used. You said this was a divine intervention because that would give you time to find a job, thirty days.

Ms. Sieglaff said um hum.

Mr. Sostarich said on that note and because of what the tight stretched budget that we reviewed last month I move that we eliminate the position.

Ms. Ball-Cummings said I'll second that. I feel very strongly that because of the financial situation but.

Mr. Sostarich said and she had, she was prepared for this.

Ms. Ball-Cummings said exactly.

Mr. Sostarich said it should come as less of a shock. Then what we saw last month.

Ms. Ball-Cummings said correct. Yes that's correct.

Ms. Sieglaff said ok, well its been great serving the Board and I wish you all the best of luck and.

Ms. Ball-Cummings said Ms. Sieglaff, Ms. Sieglaff.

Ms. Sieglaff said no I don't want this half hour of pay, you donate it to a case ok.

Ms. Ball-Cummings said Ms. Sieglaff, Ms. Sieglaff, Ms. Sieglaff calm down you need to.

Ms. Sieglaff said no I don't need to do any.

Ms. Ball-Cummings said turn in your keys.

Ms. Sieglaff said I have just been terminated.

Ms. Ball-Cummings said Ms. Sieglaff.

Ms. Sieglaff said I am going to.

Ms. Ball-Cummings said you need to turn in your keys. Calm down. Turn your keys in and do this appropriately.

Ms. Sieglaff said I will take care of that I will take care of that.

Ms. Ball-Cummings said Mr. Danielson's right here. You cannot go out the door.

Ms. Sieglaff said I know he is I'm not walking out the door this instance. I'm just not a Clerk anymore. So why would I sit here.

Mr. Sostarich said the issue has not been voted on yet.

Ms. Ball-Cummings said Ms. Sieglaff you need to sit down please.

Ms. Sieglaff replied yes mam.

Ms. Ball-Cummings said number six. Mr. Sostarich had made that motion, I seconded it, roll call please.

Ms. Sieglaff said Mr. Kendrick.
Mr. Kendrick replied aye.

Ms. Sieglaff said is this the.

Ms. Ball-Cummings said ok.

Ms. Sieglaff said what are we voting here my job.

Ms. Ball-Cummings said go ahead.

Ms. Sieglaff said what are we voting on, to terminate my position.

Ms. Ball-Cummings said Ms. Sieglaff, Ms. Sieglaff.

Mr. Sostarich said the position of Clerk.

Ms. Ball-Cummings said yes where were you at on the agenda.

Mr. Sostarich said are going to keep the position of Clerk or are we going to remove the position of Clerk.

Ms. Sieglaff replied well you can't remove the position of Clerk, you've got to have a Clerk.

Ms. Ball-Cummings said Ms. Sieglaff, Ms. Sieglaff we've already.

Mr. Sostarich said the paid position of Clerk is what we're talking about.

Ms. Sieglaff said well she's going to be paid for doing it.

Ms. Ball-Cummings said ok finish roll call please I've asked you. Now lets finish roll call.

Ms. Sieglaff said Mr. Kendrick.

Mr. Kendrick said aye.

Ms. Sieglaff replied aye, you want me fired.

Mr. Kendrick said it's for, for the company. I mean its.

Ms. Ball-Cummings said yes.

Mr. Kendrick said I personally don't want you fired no. no I don't want you to go but.

Ms. Ball-Cummings said Mr. Young, I'll go ahead and finish Mr. Danielson. With Ms. Sieglaff not doing her job properly.

Mr. Young said nobody likes to lay anybody off, I mean it's a hard decision. I mean its part of the economic times, we've had to look out for the benefits of the community. We cannot go \$40,000.00 in the hole each year.

Ms. Sieglaff said so you would rather pay Ms. Hicks over time right. Thank you very much.

Mr. Young said I'm sorry Ms. Sieglaff.

Ms. Ball-Cummings said go ahead we can, we got a open meeting tape so.

Mr. Peetoom said aye.
Mr. Sostarich said aye.

Ms. Ball-Cummings said aye. Ms. Sieglaff you cannot leave right this moment please.

Ms. Sieglaff said don't tell me what I can do, Ms. Ball-Cummings.

Ms. Ball-Cummings said sit down and calm down.

Ms. Sieglaff replied don't sit there and tell me what I can do. You are not my boss anymore.

Ms. Ball-Cummings said you need you need to be.

Ms. Sieglaff said you are not my boss anymore, thank God.

Ms. Ball-Cummings said you need to be conducting yourself in an appropriate manner. I've never been your boss, Ms. Sieglaff. You've never addressed me.

Mr. Young said lets continue with the meeting.

Ms. Ball-Cummings said Ms. Sieglaff drop it. Mr. Young.

Mr. Young said lets get back to the meeting.

Ms. Ball-Cummings said Mr. Young what was your vote.

Mr. Young said aye.

It was moved by Mr. Sostarich, seconded by Ms. Ball- Cummings, and carried unanimously that: **We eliminate the position of Board Clerk.**

5 ayes

0 opposed

0 abstention

Ms. Ball-Cummings said ok the votes unanimous. Thank you Ms. Sieglaff very much for all the work you've done and what time you have contributed to the company.

Ms. Sieglaff said it's gonna come back on you, you watch. I've never known anybody as low, you are as low as they come. This is all your doing.

Mr. Kendrick said you want to take a break.

Ms. Ball-Cummings said yeah, we'll take five at 7:32 please. We are back in at 7:35.

7. Discussion and possible action concerning Personnel Policy Manual

Mr. Sostarich said yeah as you guys remember we tabled this a couple of months ago cause I haven't read it. I've read the 05' version.

Ms. Ball-Cummings said ok.

Mr. Sostarich said the only changes that I saw fit to make was the dress code, which we all agree on that right. I lifted the whole page 2 out of the 09' manual and just stapled it in here and lined out the bottom which is employee assignments which in the 05' version starts on page 4 and inserted under paid holidays and holidays in general. Martin Luther King day was in the 09' manual as an approved unpaid holiday.

Ms. Ball-Cummings said correct.

Mr. Sostarich said in other words the office will be closed, so I hand wrote that in here.

Mr. Young said it's actually Civil Rights Day.

Mr. Sostarich said ok well that's nice.

Ms. Ball-Cummings said yes it is.

Mr. Sostarich said nice way of putting it I guess. I think that's an absolute term now isn't it. The subject had come up between me and Mr. Danielson about inserting something regarding the use of tools here. But I've decided against that because of on page 16 of this one of the reasons, one of the grounds for dismissal is unauthorized use of District property. Now if the District Manager authorizes one of the employees to take home, lets say a post driver and use it to put up his fence. I think that's between the District Manager and the employee, he would explain the risks. Page 3 of the 05' version says descriptions are necessarily brief but not intended to be all inclusive. The policies and benefits described in this manual may be improved, modified, or terminated at any time at the sole discretion of MDWID. That tells me that this whole thing is as flexible as a wet noodle. Mr. Danielson is the boss, if he sees fit to let somebody take home one of the tools and use it and he explains to them that they do it at their own risk then there is no need to add an amendment.

Ms. Ball-Cummings said that is correct.

It was moved by Mr. Sostarich, seconded by Mr. Kendrick, and carried unanimously: **That we permanently adopt the 05' version with the dress code installed and Martin Luther King or Civil Rights Day added as an unpaid Holiday.**

5 ayes

0 opposed

0 abstention

8. Discussion and possible action concerning annexation of I-10/ Avra Mining & Development L.L.C. property into the District

Mr. Peetoom and Ms. Ball-Cummings said that would be Mr. Danielson.

Mr. Danielson said I do owe Mr. Scott Lewis a call back after our Friday meeting. I got a call Thursday late afternoon from Mr. Lewis, who is one of the two developers, Mr. Tom Parsons being the other. They asked us to have the Attorney research if any provisions were made under and I'm trying to remember its 48.902 G that describes District information expansion, etc. within five miles of the Town of Marana and at the Friday meeting we opted to do it in house rather than spending a bazillion dollars an hour to have the Attorney do that. So based on that I had a meeting with Mr. Kline this afternoon, who was head of the steering committee and to his recollection when the District was formed we did not have type of legal advice or legal representation that came afterwards. Since two and a half weeks ago or so we or a few weeks ago we have now the ability to track down Mr. Mike Bushroe, the original Chairman. The fact is Mr. Bushroe was Chairman when I was hired on

here. I will track Mr. Bushroe down and find out whom that Attorney got into the act approximately when and then I will continue researching to see what I can come up with through Pima County Board of Supervisors meeting minutes and Town of Marana Counsel meetings. We are totally unaware that this statue was on the books when we annexed phase II of Avra Vista and did some other annexation here. I know it very well that when Metro Water annexed Section 3, now whether they have or have not been following this or not, I don't know.

Ms. Ball-Cummings said correct, correct, and ok.

Mr. Danielson said so I'm just going to leave it right there. Until I do further research.

Ms. Ball-Cummings said all right ok excellent. Any questions for Mr. Danielson from any of the Board members? Every bodies ok. All right thank you Mr. Danielson very much.

9. Administrative details

Ms. Ball-Cummings said any administrative detail. Ok go a head Mr. Danielson.

Mr. Danielson said you should appoint Ms. Hicks as Interim Clerk.

Ms. Ball-Cummings said oh sorry.

Mr. Sostarich said I second it.

Ms. Ball-Cummings said I second it all right. The Financial Committee did a recommendation to eliminate the staff of the Clerk and the Board members did take a vote on it. We would like to ask the Board members to have Ms. Hicks as Interim Clerk for the monthly meetings to do the minutes and any other preparations that need to be done as the Clerk job.

It was moved by Mr. Peetoom, seconded by Ms. Ball-Cummings and carried unanimously that: **We appoint Ms. Hicks as Interim Clerk.**

5 ayes

0 opposed

0 abstention

10. Call for public comment

Ms. Ball-Cummings said I do have one public comment form and that's from Mr. George Kline and he would like to speak to all the Board members. Go ahead. Thank you Mr. Kline.

Mr. Kline said thank you madam Chairman and Board members. My name is George W. Kline for the record, 15950 W. El Tiro, Marana, AZ 85653.

Mr. Sostarich said the microphone.

Ms. Ball-Cummings said thank you.

Mr. Kline said Can you hear me now. I only have three items. One of them actually occurred today. Cause I came up here in the morning to request a copy of the minutes for July. And I was informed that after discussion I was informed that yes I could get the minutes for the month of July. I would have to pay twenty-five cents a page and there were 58 pages.

Mr. Sostarich said 68.

Mr. Kline said 58.

Ms. Ball-Cummings said 68 yes.

Mr. Kline said oh 68, 68 pages, I think it figured out to be about \$16.00 or \$17.00.

Mr. Sostarich said bright mind.

Mr. Kline said speaking as a member of the community and then also I came across, I was shown this, this Board evidently in that past thought was appropriate. It's a Non-Commercial Public Records Copy Request in which I fill this out and then there's this phrase it would go like this " I, George W. Kline, declare that I have read the Information and Instructions on the back of this form. That's the back of the form.

Ms. Ball-Cummings said ok nothing.

Mr. Sostarich said we're on a budget.

Mr. Kline said I don't understand the concept there. I declare bla, bla, bla and I sign it and I swore to it and then there's a notary. Evidently I have to pay for the notary. So this is getting pretty expensive.

Ms. Ball-Cummings said yeah I hear you.

Mr. Kline said ok now I have a solution to that. I would go with the twenty-five cents a page in a minute if the Board would consider recording or a copy of the recording in such a manner that rather than

this, we have um hum typed in there you know. All this fills up pages. It means absolutely nothing.

Ms. Ball-Cummings said thank you Mr. Kline.

Mr. Kline said this is, if you did it in one way and I'm hesitant to say this because I'll be over there on the 25th. But a bunch of these people brought something up. I think there is some change to that one over there and when I went there that day the person that was in charge of these was not there. But I was informed that this was on Thursday and I was informed that on Monday they would be back. The Clerk would be back, they had a meeting somewhere and that they would mail it to me or I could come and get it. I said that's fine with me. So they called me Monday morning so I said oh I'll come over and pick it up. I went over and picked it up and their Board meeting was two hours and some odd minutes long. This is at and that's as legal as you. There's nothing legal about that. Cause I have that Statues here that shows you. That the only things that you have to put in this thing is. It potentially to be any legal action that you take.

Ms. Ball-Cummings said that's true.

Mr. Kline said there's a, I also went on the computer and got the Pima County Board of Supervisors minutes, maximum 28 pages. There are 24 Supervisors. Because if you look at it you go on the computer you look at it and see how they do it you know. There's the heading, the legal thing, and then it has to be complete dealing with a legal matter. But all the rest of the stuff could be sort of paraphrased. Ok, like what I am saying here right now. All you have to do is this, Mr. George Kline came up here and talked about what he thought would be a good idea in regards to possibly changing the format of the minutes. That would be it. You don't have to put all the stuff that I am saying now. On there and looking at it here you've got over four hundred pages that were produced for the minutes today. You could cut that down to 3 pages. 7 x 3 is 21. You're down to six now. You got rid of the Clerk. I mean that saves a lot of time especially for the person that is recording it, better than 58 pages. You'll have three maybe four. And anyone coming in here to complain then about twenty-five cents a page. Well tell them just to show up and listen to what's going on. Of course you are going to have it recorded. That will be and if they want the recording, then they can pay for the recording and you save a lot of money from this. This is just a suggestion. And not only that but I would have bought those 4 pages today. You would have a dollar out of me today. Ok another thing was from the documents. Reading through some of the past meeting and so fourth. I came across this number. Evidently somebody was in here throwing files away. The Statues say that the State Library is the one that tells you if and when

you can throw things away. It's a class 2 misdemeanor if you do it. So the person that did it you know could be in a lot of trouble. So I'm just suggesting that you know, there needs to be some policy or something to inform people about the trouble they could get into if they are a Board member or anybody else that tries to do away with the files and the files could be a calendar, Mr. Danielson's calendar that he uses for scheduling stuff like that. That's part of a file and that can only be destroyed through proper procedures, so I just thought I would inform the Board of that because I want to see this outfit work. I really want to see the outfit work. The last thing is I guess was on the policies, I still believe the Board needs a Board policy so you could stay out of certain problems like one of the problems was that I read was that not with the Lawyer anyway. A Board member went and called the Lawyer and thought that would be perfectly ok. You know that the prior Chairman said not to do that but the present Chairman didn't inform evidently the Director exactly how they felt about it and so that Board member evidently felt that they could go ahead and call the Lawyer. Were as there is a policy that cares no matter who is the Chairman. That's in everything that the Board would do. Those are very important things because like I say in my past experience that best that I could on the Boards that's really helpful cause all you're doing is a Board member comes in here's the policies on the Board for you.

Mr. Sostarich said excuse me Mr. Kline, have you heard of the Water Board Bible.

Mr. Kline said no I have not heard of that.

Mr. Sostarich said cause that's something that we all have a copy of now. As far as to answer your concerns about policies, I was discussing with the Chair and the System Operations Manager just last Friday about making it a policy that all new Board members read, understand, and abide by this Water Board Bible because it covers issues just like what you're describing at this very moment.

Mr. Kline said do you have that information.

Mr. Sostarich said it's in that Water Board Bible that and other issues.

Mr. Kline said well and you just give that to every Director now and they have a copy.

Mr. Sostarich said yeah but every Board member receives it, presently has a copy of that right.

All Board members said yes.

Mr. Sostarich said it's just not written in our Policy at the time to read, understand, and abide by that. We're still working out this through administrative details how this should be worded.

Mr. Kline said ok because it will take Board action to make that in effect until the Board takes action, so this is what we are going to abide by.

Ms. Ball-Cummings said yeah, there is a lot of things that need to be taken care of.

Mr. Kline said but you know that's what I'm saying its in the.

Mr. Sostarich said at the present its an unwritten rule that we abide by that, and the minute, what's that you call it the minute meeting, the a Ms. Ball-Cummings said Open meeting minute law, open meeting laws and the laws in general.

Mr. Sostarich said Bylaws that sort of thing.

Mr. Kline said yeah I ran a whole complete.

Ms. Ball-Cummings said Statues and.

Mr. Kline said this a whole complete open meeting laws. I have those and you have these too.

Ms. Ball-Cummings said yeah exactly, yes correct. We have books.

Mr. Peetoom said yeah they broken the meeting laws about four times.

Mr. Kline said and the one on yours, you know let me get back to it. The minutes because I'd like to come in once in awhile and pick-up the disk before a meeting. Like today the minutes that you pasted on, it would have been nice if I had a copy of those or anybody else that wants to come.

Mr. Sostarich said I think that the procedure at this point and time is for us to past last months meeting before we make them available to the public.

Mr. Kline said but you don't have to do that. So according to the Open Meeting Laws, basically it says date, time of the meeting, the members reported as present or absent, a general description of matters considered. Just like I said, you don't have to put all of those um hum's and ah's in there. And an accurate description of legal actions proposed

that's required. Discuss steps taken and the names of members and so forth. The minutes shall also include the names of persons as given making statements and presenting things. In other words, my name, what I said here. You could probably put paragraph including everything else I said. That will really make that stack a lot smaller. It will cost you a lot less for copies. It would cost me a lot less too.

Ms. Ball-Cummings said yeah I agree, save paper.

Mr. Kline said I have plenty of examples, you can look at the ones that Pima County Board of Supervisors puts up, different Fire Districts and so forth. Its compressed you know. That's it I don't think I have anything else. I mean you past the Budget. I would have liked to have seen the Budget before but that's ok. I seen it and no problem as far as that is concerned and when it comes to that new rate increase you need a new rate increase. I'm not going to gripe about that because again but the thing is if the rate increase is what your doing right now, you have to tighten the screws on everything. Otherwise you know if six months from now you're still in a world of trouble.

Ms. Ball-Cummings said yeah that's true.

Mr. Sostarich said we're hoping to avoid that.

Mr. Kline said anyway that's it and thank you for letting me talk.
Mr. Kendrick said thank you Mr. Kline.

Ms. Ball-Cummings said thank you, Mr. Kline very much we appreciate it.

Mr. Kline said anyway please do away with this thing or something.

Ms. Ball-Cummings said we'll work on it, do you mind leaving it right with me. I would appreciate it and let me look it over and see what we've got here. Thank you very much, alright thank you very much.

Mr. Sostarich said so his summary in a nutshell was, this is how we can streamline our operations with guarding minute meetings and such.

Mr. Kendrick said it would take a lot less to do that though.

Ms. Ball-Cummings said oh definitely, yeah.

Mr. Kendrick said he said over 400 pages just for us 500 sheets of paper.

Mr. Young said plus her time.

Mr. Sostarich said ink cartridges.

Ms. Ball-Cummings said yeah, definitely.

11. Announcement of the next scheduled meeting.

The next scheduled meeting of the Marana Domestic Water Improvement District Board of Directors shall be on Monday, September 14, 2009 at 7:00 PM, at The District Offices.

Mr. Kendrick said I have something to say mam. Mr. Kline was saying something about getting to know where all the legal documents stuff to be thrown away at what time and when can we throw them away. We sent Ms. Sieglaff to a seminar just for that.

Ms. Ball-Cummings said yeah I recall that.

Mr. Kendrick said just a few months ago. We sent her for that.

Mr. Danielson said Ms. Hicks has also attended that seminar.

Ms. Ball-Cummings said yeah and that definitely was something that she was suppose to go do accordingly and I couldn't tell you, I was Chairman or Vice-Chairman at the time. I don't know if she went by them or not. I don't know. So go ahead Mr. Danielson.

Mr. Danielson said I think we started about the middle of October 2007 just before Ms. Vargas left. We've been in existence since 2001. so we went back and said all right what records do we have to keep permanently which ones do we have to keep for 5 years. Which ones do we have to for what ever the Statues require and Ms. Vargas and Ms. Hicks went through and shredded bag after bag after bag after bag of records. That no longer had to be kept. We need to get that program put back into place and will do it accordingly.

Ms. Ball-Cummings said do it accordingly. That's why we have new Board members and new Chairman and we are doing our very best to get things back on track. Thank you Mr. Danielson and Mr. Kendrick.

12. Adjournment

It was moved by Mr. Young, seconded by Mr. Peetoom and unanimously carried that; **This meeting of the Board of Directors of the Marana Domestic Water Improvement District shall be adjourned.**

The meeting was adjourned at 8:05 PM.

Minutes prepared by
Theresa Hicks
Clerk of the Board