



## **BUCKSKIN SANITARY DISTRICT**

P O Box 5398  
Parker, AZ 85344

Board of Directors:

Shelly Rohde Gary Hansen Gary Svider William Risen Robert Troxler

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### **MINUTES**

#### **OF THE BUCKSKIN SANITARY DISTRICT BOARD OF DIRECTORS**

##### **Worksession**

**Tuesday, February 9, 2010 – 5:30 p.m.**

**Boating and Safety Building, 8484 Riverside Dr., Parker, AZ**

Elected Board Members and District personnel present: Chairperson Gary Svider, Vice-Chairman Gary Hansen, Secretary/Clerk Rob Troxler, Director Shelly Rohde, Other attendees: Administrative Assistant Pam Stark, Legal Council Paul Harter, JR Pooler and John Bishop from Pooled Resources, David Fabiano from Stanley Consultants, Steve Jackson, John Drum, Terry Jones, Dan & Kathy Miller, Mike Dyer, and Pat Jones & Dennise Jones,

##### **Call to Order**

Chairman Svider called the Worksession to order at 5:40 p.m.

1. Project report and discussion by Stanley Consultants on the status of the Holiday Harbor Project, coordination with ADOT and a briefing of the funding/coordination with ADOT.

Mr. Pooler asked to give a little background before turning it over to Mr. Fabiano from Stanley Consultants. He explained that a work plan had been prepared by Stanley Consultants and he gave the Board members a map from that plan as well as other pages from the plan that shows the area covered by this project.

Mr. Fabiano explained that the design is completed and ADOT has it. This began with John Malone as part of the Master Plan. State Route 95 basically goes right through the District and you needed some right of ways to do this line and at that time ADOT told us they were going to do a project in the Holiday harbor area and asked if we wanted to go in with them. The Board was approached and ADOT was favorable to the District to use their right of way. You are putting in lines ahead of time and then using them when you are ready. Also they are allowing us to put in a Lift Station in the ADOT right of way. The cost is estimated at \$1.3M which includes and administrative fee which is typical practice. The Board had made the decision to pay the fee to ADOT. JR had asked if there was a portion that we could take out of it. ADOT wants payment up front; if the cost is above the estimation then you pay the difference at the end. If it is less then you pay less.

Mr. Pooler added a comment about the EPA Grant that the District was awarded and explained how the match comes about and how it works for a total of \$881, 818. ADOT wants this money up front plus the difference between it and the \$1.3M before they start the project around April 30, 2010 other wise they would proceed without the sewer project. You also retained Principle engineering out of Yuma for around \$48,000 to work with ADOT and there have been additional discussions to raise additional funds. ADOT has a desire to move this up to March 30, 2010. The Yuma office has received some stimulus funds and if this project doesn't have the priority the stimulus money could go elsewhere. The EPA Grant can be used as you see fit, but the priority was to be used for this project. This line will cover more than just the Holiday Harbor area.

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Director Rohde stated she was a little miffed because it looks like we only have to come up with \$318,000 and we had the money in the budget for capital improvements.

Director Hansen said no we also have to come up with the match of \$400,000 also.

Director Rohde stated that the match was budgeted.

Director Hansen said he thought we didn't have the match.

Mr. Fabiano explained the terrain and how this pipe is going to be needed either now or later. Director Hansen asked about the slope. Mr. Fabiano explained that it designed as a pump situation either way because of the terrain of the land. He also explained that the gravity pipe would go under the highway and the pressure pipe would be in the shoulder as it needed more frequent access. He also explained as a side note that the prices could be better due to the competitive nature of the business at this time.

Chairman Svider asked about past comments relating to future technologies. He also asked if this means we would need the line anyway.

Mr. Fabiano explained that the technologies out there are the vacuum system that won't work in this situation and the ejector system doesn't make good sense because of the terrain and he didn't see any new technologies doing any good at this time.

Chairman asked Mr. Pooler about his discussion of priorities and said it sounded like we might have a bargaining chip here if we pull out they could lose their whole priority.

Mr. Pooler said ADOT would still do the project with the funding they had in place, but they could lose the stimulus money.

Chairman Svider said he was concerned about the funds, and where they were going to come up with the money and he needed to know how much money the District has first.

Mr. Fabiano stated that the District may want to talk with ADOT and if you do have the match money, negotiate with ADOT to accept the grant and match up front and have them carry the rest to be repaid at a later date. He gave an example of cooperation from ADOT in Miami and Mr. Pooler provided another example in Camp Verde.

Director Hansen stated that he needs to know that the District has the money before any talks take place.

Legal Counsel Mr. Harter stated that Director Rohde claims that the match funds were earmarked in the budget and I would suggest doing a budget reconciliation and making sure the funds were there. Then you could go "hat in Hand" so to speak and talk to ADOT, but you have to know that the funds are still there and then you can ask. You already know there are at least two instances where agreements have been made.

2. Discussion regarding the lateral lids in the dirt areas that need relocated to 12" below the road elevation.

Mr. Pooler explained what the issues were with the lids and how they are currently constructed. They were installed without concrete encasements and most of these are being damaged due to traffic from vehicles driving over them. He stated that these should be repaired before you release the contractor and he has a suspicion that there is debris falling into the sewer lines. When you release the contractor you need to know that the lines are clean and that this is not going to be a recurring problem for you. The best option is to dig them up and then repair them and bury them underground under a foot of dirt. We can't have someone else do them because we haven't accepted the lines yet and we don't want to accept them in the state that they are in. Our recommendation is that they be fixed by the contractor and that they are liable for them.

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3. Discussion on a Scope of Services from JR Pooler from Pooled Resources

Mr. Pooler discussed that he was originally hired effective November 1, 2009 and that his base contract is within a few hundred dollars of being finished and that his original scope was to deal with assessments and Rural Development. He actually had been given more work than his scope and has depleted the amount that was approved to bill.

Director Hansen asked if he had submitted a bill and if it was itemized.

Mr. Pooler stated that he had and it was itemized and in the hands of the office staff.

Director Rohde asked about procurement contracts and whether his contract should go out to bid and maybe someone should research that.

Mr. Pooler stated that under a Professional Services Agreement under \$5000 you don't have to go out to bid and beyond that you can hire a consultant without a contract under \$500,000 and asked Mr. Harter to confirm that dollar amount in which he agreed. He also stated that under the Statute that Sanitary Districts also are allowed some things that municipalities are not.

4. Presentation and report on the status of District funding for projects.

Mr. Pooler explained that a motion was made by the Board to table several items until they knew if they had the funds to proceed. According to your auditor you have approximately \$937,000 as of June 30, 2009 in your checking account. Due to some health issues I have fallen behind and will come back in March with a cost analysis for some of the assessment issues and pumps and the other issues in the District after the audit is presented in March.

Director Hansen asked if he said March

Mr. Pooler said it was his understanding that it would be presented to you in the March meeting by your auditor.

Chairman Svider explained that it could be sooner and the information should be available in days.

Mr. Pooler stated that once you see that it's a matter of prioritizing what money you have and what projects you can or need to do.

5. Report on the purpose and status of the contract for the ponds project.

Mr. Pooler explained that the Board had awarded a contract with a contractor for \$109,000 and some change to do some required work and upgrades at the ponds and have been waiting for the contractor to provide documents that were suppose to have been received today.

We don't have signed contracts nor do we have the insurance as of today.

Mr. Fabiano explained that the contractor has said that he sent them today but that Mr. Fabiano had not received them before he left his office and that they were then to come to Pam at the District office but had not been received when we left at 5:00 p.m. today. The performance bond and the insurance bond have been received as well as a schedule.

Both Mr. Pooler and Mr. Fabiano talked about the project and what why it needed to go forward in order to meet the requirements for the APP permit and that the County holds the re-use permit and that the District has no discharge permit.

Director Hansen stated so we have awarded the contract and we don't need an action item, we are just waiting for the appropriate documents.

Mr. Fabiano stated that the contractor may have assumed that we were in no hurry since this has been dragged out so long by the District and we will need some oversight on this project although it isn't a major project.

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Director Troxler asked if we could pull back and only do a portion of the work that needs to be done as required by ADEQ.

Mr. Pooler stated that the contractor in possession of the contract and Pam at the office has the Notice to Proceed to be signed by the Chairman of the Board. You would have to go out to re-bid and it could cost you more money. At this point we are just reporting the facts.

6. Discussion regarding the EPA Grant

Mr. Pooler explained that we have already covered most of this topic however he did feel there was some confusion and explained in more detail the 55/45 split component of the grant.

7. Discussion on the District manager position

Chairman Svider stated that this discussion is because there is some disagreement on where to go from here as he assumed that everyone knew that the previous candidate had declined the offer for District Manager. Director Troxler said the question is where we go from here. He agreed there is no question that a District Manager is needed, but what options do we use, do we go to #2 or do we re-advertise and I think we should go out to a bigger area.

Director Hansen also agreed and stated that we went through a process. We had a short list of candidates and we should go down the list and see how it works, we need someone now. Going through the re-selection process could take a couple of months.

Director Rohde agreed with Director Hansen. She stated that there are deadlines and ADEQ has some funding coming up. My 1<sup>st</sup> choice and our 2<sup>nd</sup> choice were well qualified and the District Manager is at the will of the Board so if they don't work out....

Chairman Svider called for Open Comment from the Public

Mr. Daniel Miller commended Mr. Pooler on the excellent job that he has done and stated that he has been very open and honest with us personally. He realized that there were budget issues but felt that wasn't his fault. He asked that before the next meeting he wanted to make sure that their assessments were fair and maybe even more so and stated that they had saved the District a lot of money with their easement.

Mr. Terry Jones asked if there is something that Mr. Pooler could do to help the District in identifying a District Manager. He understands what we need to help find one.

Director Rohde explained that he has reviewed all of the candidates.

Chairman Svider explained that is one of his proposals in the Scope of Services on the Regular Agenda.

Chairman Svider adjourned the WorkSession at 6:45 p.m.

Minute's approved \_\_\_\_\_ Dated \_\_\_\_\_  
Chairman Gary Svider