



BUCKSKIN SANITARY DISTRICT

P O Box 5398
Parker, AZ 85344

Board of Directors:

Shelly Rohde Gary Hansen Gary Svider William Risen Robert Troxler

MINUTES

OF THE BUCKSKIN SANITARY DISTRICT BOARD OF DIRECTORS

Regular Meeting

Tuesday, February 9, 2010 – 6:30 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, David Fabiano from Stanley Consultants, JR Pooler and John Bishop from Pooled Resources, Pat Jones & Dennise Jones, Terry Jones, Daniel Miller, Steve Jackson, Mike Dyer, and John Drum.

1. Call to Order

Chairman Svider called the Regular Meeting to order at 6:53 p.m.

2. Presentation by Steve Jackson on the 2010 Wastewater Conference

Steve thanked the Board for sending him to the conference. He gave information that he acquired at the conference focusing on “Going Green” with wastewater and realized that it meant replacing septic systems, using effluent water for irrigation purposes and in some cases using effluent processes for drinking water. He said they also talked about some new regulations regarding inspections of residential lift stations and making sure that they were maintained correctly by the homeowner and looking at those areas away from the rivers and streams that were on septic as they found that they were leeching into the washes and from as far as 200 miles flowing ultimately into the rivers. Director Troxler asked if they discussed any programs to help fund some of these “go green” projects or facilities. Steve said they talked mostly about solar power at the plants.

3. Project Report from Pooled Resources

Mr. Pooler told the Board that he had provided a Memo in their packets. He stated that the only important issue is that we have a date for the testing of Lift Stations 6 & 8 and we initialized a change order for the order of the standby generator for Lift Station 7 and we are told that it will be shipped the end of February. We have also asked Stanley to do a punch list of everything that is wrong and to inspect that the work is done. We have also asked Wagner to provide an update on their schedule. I have asked Mr. Fabiano to prepare the documents to ADEQ for a temporary discharge permit and that is a process and then a permanent permit will be issued and the sewer is then yours. Work has been a little slow but it is mainly electrical work right now. I have also asked the contractor to make sure that they get a release from the County before we sign off and release the contractor. There are some other issues that we need to address with the County regarding striping, traffic officers, squad cars and pumping trucks some of what you have paid for and I believe they have a financial responsibility.

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Legal Counsel Harter reminded Mr. Fabiano and Mr. Pooler that we need to make sure that we have the insurance in place on the Cienega Springs Rd. right of way and that he would follow up with the office to make sure that it was done.

4. Call to the Public

Mike Dyer stated that Mr. Pooler said that ADEQ would give a temporary permit to discharge. Does that mean we can hook up to the sewer?

Mr. Pooler asked if he could clarify and Mr. Harter said that was the problem with Call to the Public and advised the Chairman to let Mr. Pooler respond if he wished. Mr. Pooler explained the process to Mr. Dyer

Mr. Terry Jones asked if a blanket letter could be sent to the County to make sure that we don't lose any of our rights.

Mr. Harter told the Chairman that if he didn't object that he would discuss that process privately and give Mr. Jones an explanation.

CONSENT AGENDA

5. a). Approval of Minutes dated 1/19/10 Regular Meeting, 1/19/10 Worksession, 2/2/10 Worksession and 2/2/10 Special Meeting
b). Accounts Payable dated 1/6/10-2/8/10

Director Rohde made a motion to approve minutes dated 1/19/10 Regular Meeting and 1/19/10 Worksession, and 2/2/10 Special Meeting and 2/2/10 Worksession and the Accounts Payable dated 1/6/10-2/8/10.

Director Hansen seconded

Discussion: Director Hansen asked about the payment to Elite Customs and whether we had received compensation from the Insurance Company. Pam Stark advised that we had received the check from the Insurance and then had the work done.

Call to Vote- 4 ayes unanimous of those in attendance

COMMITTEE REPORT

- a). ADEQ-Report and clarifications on ADEQ discussions

Chairman Svinder asked if she had anything to report since the last meeting.

Director Rohde stated that on a personal note she had received an email from a Community Liaison from Rio Linda HOA and spoke with Linda Taunt.

- b). Heinfeld & Meech – Report on the Forensic Audit and training

Director Rohde explained that she sent an email to Scott Kies and expressed that she felt that they had not satisfied their contractual agreement and he agreed and would send KJ out for free for one

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day to balance the treasurer accounts and fix any issues with the 941's and W-2's, and 1099's and would provide any additional training.

- c). Negotiations on Office Space at 8840 Riverside Dr., Parker, AZ 85344 and other locations.

Director Rohde discussed how she worked diligently with Alycia on two different locations. One being next to David Plunkett Realty and they had a roof collapse during the rain and wanted the District to do all the repairs as well as increases of the rent over the time of the lease. They wouldn't give in and the attorneys advised not to go forward. The second location was the old pizza place owned by David Plunkett and my only concern was the parking but David said that even though there was no parking posted there is actually 4 parking spaces available. He also was very workable and gave us a 6 month out of our lease in the event that we purchased something or built something.

Director Hansen asked how much she thought it would take to move in.

Director Rohde asked if he meant everything like rent, utilities, furniture, movers.

Pam Stark stated that she had visited the location and parking wouldn't be an issue as we don't have a lot of customers all at one time. Also there were some tiles that needed replaced but it was an easy fix. Director Troxler asked if we had to fix the tiles and we stated yes. He also asked Pam what her feeling was and she stated that it was spacious and laid out so that we could have a small conference room, Manager's office, file room and there was lobby also.

REGULAR AGENDA

6. (Action Item) Approve/Disapprove continuing to use Heinfeld & Meech to complete issues in the office, not to exceed \$700 for two full days.

Director Rohde moved to approve continuing to use Heinfeld & Meech to complete issues in the office at one (1) day at their cost and the second day not to exceed \$700.

Director Hansen seconded

Director questioned the two full days at \$700 and asked about the first day being free.

Director Rohde explained that she modified the motion to clarify.

Call to Vote – 4 ayes motion passed unanimous with those present

7. (Action Item) Approve/Disapprove purchasing the following software programs needed to have the office staff begin maintaining the web site, upgrade to QuickBooks Pro 2010, and Adobe Acrobat 9 to create PDF files. All programs not to exceed \$500.

Director Hansen made a motion to approve the purchase of QuickBooks Pro 2010, Adobe Acrobat 9 and the software to maintain the website not to exceed \$500.

Director Rohde seconded the motion

Call to Vote – 4 ayes – motion passed unanimous with those present

8. (Discussion/Possible Action) Discussions with ADOT regarding the possibility of re-negotiation of the IGA for the ADOT/Holiday Harbor Project or withdrawing from the ADOT/IGA agreement and submittal of a withdrawal letter to ADOT.

Director Hansen asked the Chairman to accept a motion to table this item based on an earlier discussion until they have an exact accounting of the funds we have available to use.

Director Rohde seconded

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Call to Vote – 4 ayes – motion passed unanimous with those present

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9. (Discussion/Possible Action) Approve/Disapprove to prepare and send letter of transmittal to terminate the contract with Triguna Israel of Principle Engineering regarding the ADOT/Holiday Harbor contract.
Director Hansen asked the Chairman to accept a motion to table this item as he stated in Item#8 until we have an exact amount for our funds. I think he has an in with ADOT and can be helpful to us.
Director Rohde seconded the motion
Call to Vote – 4 ayes – motion passed unanimous with those present
10. (Action Item) Authorize a change order with Wagner Construction in the amount of d\$10,850.00 to relocate 310 lateral lids in the dirt areas to 12” below the road elevation at a rate not to exceed \$35.00 per lid.
Director Hansen made a motion to approve a change order for a cost not to exceed \$10,850 but I have a question
Director Troxler seconded
Discussion: Director Hansen said based on the discussion it looks like we are in a tight spot relating to doing this work.
Director Rohde asked if this work was done as the drawings specified.
Mr. Pooler stated that no they were not done to the drawings. The original contract called for plastic lids and the pipe encased in concrete; however I have a copy of a written agreement between your District manager and Wagner construction via a construction meeting to substitute the plastic lids with metal ones and not do the concrete. Mr. Pooler went on to explain how it needs to be fixed. Director Hansen asked, “It isn’t just an open hole?” and Mr. Pooler stated yes it is. David Fabiano explained it functions as a cleanout. Director Hansen stated that it wasn’t a change order then but is probably binding and Mr. Harter said yes it probably is binding.

Call to Vote- 4 ayes – motion passed unanimous with those present

11. (Action Item) Discussion and possible action for rescinding the award of a contract for the ponds project and direction to re-bid the ADEQ components of this work.
Director Hansen asked the Chairman to accept a motion to table this item until we get completion of the documents from the contractor for the work.
Director Rohde seconded
No discussion
Call to Vote – 4 ayes - motion passed unanimous with all that are present
12. (Discussion/possible Action) Approve/Disapprove to extend a contract with Pooled Resources for additional services.
Director Rohde made a motion to approve extending the contract with Pooled Resources not to exceed \$21,000.
Director Hansen seconded
Discussion: Chairman Svider asked Mr. Pooler about the \$21,000 quoted on one page and several pages later a quote not to exceed \$25,000.
Mr. Pooler explained that he was stating what the previous contract included and the \$25,000 was the correct amount, but would work under the \$21,000 figure if that was the Boards decision.
Director Rohde modified the motion to extend the contract with Pooled Resources not to exceed \$25,000.
Director Hansen seconded
Call to Vote – 4 ayes – motion passed unanimous with all that are present

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13. (Action Item) Discussion and modification in the Personnel Manual on medical insurance benefit start date for full time employees. The Personnel Manual does not have any stipulation. Consider 30 days from start of employment or after the initial probationary period.
Chairman Svider stated that he believes a motion was made in the last meeting and there is some confusion with the correct handbook.
Director Hansen made a motion to amend the handbook on page 5 Section 11
Chairman Svider said he was just concerned with parity; the usual is 30 days after employment
Director Hansen said he believed that there didn't need to be an action item for this. Chairman Svider asked for advice from legal counsel Paul Harter about revising Section 5 on Page 11. Mr. Harter said that was the motion, but the Board could amend and change the timing at anytime.
Mr. Harter advised that the staff should revise the page in the Personnel Manual and put a revision date at the bottom of the page.
14. (Action Item) Modification of the Holiday Schedule as stated in the Personnel Manual
Chairman Svider explained that Section 13 of the manual dated March 3, 2009 has Washington's Birthday stated and not President's Day. It seems we are following County guidelines with this. Director Rohde also explained that the County has the day after Thanksgiving in lieu of Columbus Day also. Director Hansen suggested that we get a list to look at. Mr. Harter said that Chairman Svider and Pam should develop a list and come back to the Board and then revise the page of the Manual.
Director Rohde made a motion to approve giving the staff Presidents Day off
Director Hansen seconded
Call to Vote – 4 ayes – motion passed unanimous with all that are present
15. (Action Item) Discussion and possible action on entering into a lease with David Plunkett Realty for office space located at 8832 Riverside Dr. #4.
Director Hansen made a motion to approve entering into a lease with David Plunkett Realty for office space located at 8832 Riverside Dr. #4 as presented.
Director Troxler seconded.
Discussion: Director Troxler asked when we move. Chairman Svider wanted to know if we had to give a 30 day notice to the current landlord. Director Troxler asked if the deal on the desks were thrown into the deal. Director Rohde said she didn't know and that he was giving us a conference table if we wanted it. Pam Stark stated that the desks were additional cost, but they may not want to sell them now. Chairman Svider asked if we needed to submit a commitment date with David Plunkett. Director Rohde explained that Mr. Plunkett has been very easy to work with. Pam Stark asked if he was asking for a first of the month date. Director Rohde stated that she didn't know and we could probably work that out with him. Mr. Harter stated that the lease had been reviewed by his office and has been approved.
Call to Vote – 4 ayes – motion passed unanimously with all that are present
16. Chairman Svider adjourned from the Regular Meeting to convene into Executive Session at 7:50 p.m.

Chairman Svider re-convened into the Regular Meeting from Executive Session at 8:25 p.m. stating no action had been taken and some direction was given by legal counsel

17. (Action Item) Approve/Disapprove making an offer to the second choice candidate for District Manager
Director Rohde made a motion to make an offer to James Gorman, the second runner up to that position that we offered to Mr. Pat Jones
Director Hansen seconded
No discussion
 Call to Vote – 2 ayes – (Rohde, Hansen)
 2 nays – (Svider, Troxler)
 Chairman Svider asked for a show of hands.
 Motion failed with a 2-2 vote

OPEN COMMENT

No comments from the public.

Chairman Svider asked to make a comment that he would like to, at our earliest convenience have a workshop session scheduled to go over the financial audit and have Gail Kolesar present that to us.

The next Regular Board meeting will be on Tuesday, March 16, 2010 at 5:30 p.m.

Chairman Svider closed the Special Meeting at 8:28 p.m.

Minute's approved _____ Dated _____
 Chairman Gary Svider