

ICR Sanitary District
PO Box 2344
Prescott, AZ 86302

NOTICE OF MEETING
March 9, 2021

The Governing Board of the ICR Sanitary District will meet in Public Session on Tuesday, March 9, 2021 in the WingSpace Conference Room located at 371 Garden Street, Prescott, AZ. The meeting will begin at 1:00 p.m. Board members may participate via teleconference. Members of the public may only participate via telephone conference. The Board may vote to go into executive session on any agenda item, pursuant to A.R.S. § 38-431.03(A)(3) for legal advice with the District's attorney.

In addition, the purpose of the special meeting is to consider possible ratification of discussion and prior action of two members of the Finance Subcommittee's action on February 3, 2021. The two subcommittee members had a telephone conversation with a member of WIFA (Water Infrastructure Financing Authority) without posting a meeting notice on the District website.

DUE TO CURRENT COVID VIRUS CONCERNS, PARTICIPATION BY THE PUBLIC WILL BE LIMITED TO ATTENDANCE VIA TELECONFERENCE. THE PUBLIC TELECONFERENCE WILL BEGIN AT 1:00 PM. THE BOARD ANTICIPATES A VOTE TO GO INTO EXECUTIVE SESSION FOLLOWING THE CALL TO ORDER AND INTRODUCTIONS. THE PUBLIC TELECONFERENCE WILL BE ENDED WHEN THE BOARD CONVENES INTO EXECUTIVE SESSION. THEREAFTER, THE BOARD WILL RECONVENE INTO THE PUBLIC SESSION AT 2:45 PM. MEMBERS OF THE PUBLIC MAY CALL IN AT 2:45 PM TO JOIN THE PUBLIC SESSION AT THAT TIME.

MEMBERS OF THE PUBLIC MAY JOIN THE TELECONFERENCE BY FOLLOWING THE INSTRUCTIONS BELOW.

Instructions for joining the meeting via teleconference:

- 1. Dial 1 (978) 990-5000**
- 2. When prompted for the conference ID, enter 390455#**

AGENDA

1. CALL TO ORDER; Introductions

2. POSSIBLE VOTE TO GO INTO EXECUTIVE SESSION: For discussion or consultation for legal advice with the attorneys of the ICR Sanitary District pursuant to A.R.S. § 38-431.03(A)(3) and discussion or consultation with the attorneys of the ICR Sanitary District in order to consider its position and instruct its attorneys regarding the District's position regarding contracts that are the subject of negotiations, or in conjunction with pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation pursuant to A.R.S. Section 38-431.03(A)(4) re:

- A. Talking Rock Land, LLC vs ICRSD, Case No. P1300CV201800380 and Case No. P1300CV201900298 including, but not limited to: the remand to the lower court; possible mediation negotiations with Developer; Possible direction to the attorneys of the Inscription Canyon Ranch Sanitary District relating to the mediation and mediation-related issues
- B. Discussion and consultation concerning the dismissal by the federal court, the action filed by Allied World Specialty Insurance Co., relating to insurance coverage in the Talking Rock litigation, and the District's filing a claim for attorney fees.

- C. Legal advice regarding possible ratification of the Finance Committee’s February 3, 2021 discussion and actions in regard to its telephone conference with a member of WIFA (Water Infrastructure Financing Authority),
- D. Legal advice concerning the possible dissolution of the subcommittees of the Planning Committee.
- E. Legal advice concerning an ICRSD response to an ICRSD User’s objection to the User Fee implemented
- F. Legal advice concerning possible cooperation with Water Company to include shared inspection services on infrastructure installations, possible appointment of a board member as the contact to work out details and present the arrangement to the board.
- G. Legal advice concerning possible actions and/or claims for past latent infrastructure defects,

During the Executive Session, the public will be asked to leave the Board meeting until the general session is re-convened

RECONVENE INTO PUBLIC SESSION: 2:45 PM

3. INTRODUCTIONS & CALL TO THE PUBLIC

4. REPORTS

Report from the Chairman

Report from District Manager

- Plant Output, Status of APP Application

5. CONSENT AGENDA (Routine items that may be approved by one motion)

Minutes of Meetings

- Minutes of Executive Session – February 10, 2021
- Minutes of Public Meeting- February 10, 2021
- Minutes of Public Meeting – February 17, 2021
- Minutes of Public Meeting – March 2, 2021
- Minutes of Executive Session – March 2, 2021

Reimbursement to District Manager (\$140.00)

- Wingspace- Conference Room and Speaker Phone rental (Feb 17th, March 2nd., March 9th) (\$125.00)
- Wingspace – Conference Room rental-Development Subcommittee- March 8th (\$15.00)

6. OLD BUSINESS

- A. Discussion and possible action re: Talking Rock Land, LLC vs ICRSD, Case No. P1300CV201800380 and Case No. P1300CV201900298 including, but not limited to: the remand to the lower court; possible mediation negotiations with Developer; Possible direction to the attorneys of the Inscription Canyon Ranch Sanitary District relating to the mediation and mediation -related issues.
- B. Discussion and possible action concerning the dismissal by the federal court, the action filed by Allied World Specialty Insurance Co., relating to insurance coverage in the Talking Rock litigation, and the District’s filing a claim for attorney fees.
- C. Discussion and possible action concerning a proposal for engineering services from Civiltec Engineering for the repurposing of the holding pond at the wastewater treatment plant. The repurposing is a compliance item associated recent amendment to the Aquafer Protection Permit (APP). The proposal consists of an inspection of the basin along with sampling and testing and a subsequent amendment to the APP.
- D. Consideration of motion tabled on February 10th for possible action concerning access and security of District records in electronic form.

7. NEW BUSINESS

- A. Discussion and possible action re: Approval of financial reports for January, 2021.

- B. Discussion and possible action re: dissolution of the subcommittees of the Planning Committee.
- C. Discussion and possible action concerning an ICRSD response to an ICRSD User's objection to the User Fee implemented in 2020.
- D. Possible approval of Ratification Resolution 2021-2 ratifying the Finance Subcommittee's discussion and action on February 3, 2021 in a telephone call to a member of WIFA (Water Infrastructure Financing Authority) without posting of a notice.
- E. Discussion and possible action concerning cooperation with Water Company to include shared inspection services on infrastructure installations, possible appointment of a board member as the contact to work out details and present the arrangement to the board.
- F. Discussion and possible action or claims concerning past latent infrastructure defects,
- G. Discussion and possible action concerning establishing a future Planning Committee Meeting.

8. ADJOURNMENT

Persons with a disability may request a reasonable accommodation by contacting District Manager Bob Busch at r.busch@icrsd.net calling 713-0548. Requests should be made as early as possible to arrange the accommodation.

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the attached notice was duly posted on the District's website: www.icrsd.net on March 7, 2021 at 5:00 PM in accordance with the statement filed by the ICR Sanitary District.

Dated this 7th day of March, 2021.

By: Robert Busch

Robert M. Busch

Signature