

ICR SANITARY DISTRICT
PO Box 1963 Prescott, AZ 86302

Tuesday August 10 2021

Approved September 14, 2021

Date: Tuesday August 10, 2021

Time: 1:00 p.m.

Place: Prescott Adult Center, 1280 E. Rosser St. in Prescott, AZ

- 1. CALL TO ORDER** *Mr. Summers called the meeting to order at 1:00 p.m.*
- 2. ROLL CALL** *Present were: Mr. Bob Summers, Board Chairman; Mr. Jerry DeSantis, Board Member; Mr. Jeff McLeod, Board Member; Mr. Bob Busch, District Manager; Mr. Bill Whittington; and Ms. Isabel Yribe, Clerk*
- 3. Mr. Summers made a motion to GO INTO EXECUTIVE SESSION: For discussion or consultation for legal advice with the attorneys of the Inscription Canyon Ranch Sanitary District pursuant to A.R.S. § 38-431.03(A)(3) and discussion or consultation with the attorneys of the Inscription Canyon Ranch 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 the latest settlement offer from Talking Rock Land, LLC., and the District's possible response and acceptance of the offer.**
 - B. Legal advice concerning applicability of Developer Lot Fees for lots at Club Cabins at Talking Rock Ranch.**
 - C. Legal advice concerning possible actions and/or claims for past latent infrastructure defects,**

Mr. DeSantis seconded the motion. The motion passed unanimously without discussion.

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

CONVENE INTO EXECUTIVE SESSION: 1:02 p.m.

RECONVENE INTO PUBLIC SESSION: 2:00 p.m.

1. CALL TO ORDER

Mr. Summers called the meeting to order at 2:00 p.m.

2. ROLL CALL

Present were Mr. Summers, Board Chairman; Mr. Jeff McLeod, Board Member; Mr. Jerry DeSantis, Board Member; Mr. Bob Busch, District Manager; Mr. Bill Whittington, Board Counsel; Mr. Derek Scott, Plant Operator; and Ms. Isabel Yribe, Clerk.

3. CALL to the PUBLIC

There were no members of the public present at this meeting.

4. REPORTS

● Reports from the Board

Mr. Summers read the following: The District, Talking Rock and the District's insurance company have reached a preliminary settlement of the ongoing lawsuit. Hopefully, as the settlement is finalized, the District will be able to release the settlement details. The planning committee continues to investigate the options to expand the treatment facility and will meet soon to start a thorough cost/benefit analysis of the viable options. Thank you for your time.

● Report from District Manager

Mr. Busch reported that the plant output for July 2021 was 2,098,969 gallons which translates into 67,709 gallons per day. He also reported that there were 11 days over 70K gpd, three of those days were over 80K gpd. Mr. Busch reported that the highest usage date was on July 4th at 93.6K gpd. He also stated that on July 8th usage was at 83.9K gpd, and on July 28th it was at 83.9K gpd. Mr. Busch reported that there are currently 753 active connections with 60 that are pending. Mr. Busch reported that there was a problem with the sludge removal. Mr. Scott elaborated by stating that the polymer that was recommended by Santec did not work and as of today, the sludge has not been picked up. He stated that he had to return to using the polymer he had been using before. He also stated that he had to clear up the polymer buildup from the machine. Mr. Busch stated that the pond clean up has been postponed due to the recent heavy rainfall. Mr. Busch stated that the Developer, Yavapai County, the District's Engineers, and the Plant Operator conducted a walk through of the Whispering Canyon Phase 5 a few days ago. Mr. Scott stated that the inspector was very knowledgeable. Mr. Busch stated that there was an odor complaint of the Silent Moon lift station. He stated that the building was designed poorly and not much could be done about it. Mr. Scott stated that initially, a building was supposed to have odor control, but was never constructed. He stated that the lift station cannot be sealed. There was a brief discussion regarding charcoal filters, and their cost/longevity. Mr. Busch also handed out a chart/timeline of the Plant Expansion Project. Mr. DeSantis stated that the Planning Committee would be meeting in approximately three and a half weeks and this timeline would be discussed.

5. CONSENT AGENDA *Mr. Summers made a motion to approve the consent agenda with the minor changes in the Executive Session minutes of July 27th.*

Minutes of Meetings

- Minutes of Public Meeting July 13, 2021
- Executive Session Minutes of July 13, 2021
- Minutes of Public Meeting- July 27, 2021
- Executive Session Minutes of July 27, 2021

Mr. McLeod seconded the motion. The motion passed unanimously without discussion.

6. OLD BUSINESS

- A. Talking Rock Land, LLC vs ICRSD, Case No. P1300CV201800380 and Case No. P1300CV201900298 including the latest settlement offer from Talking Rock Land, LLC., and the District's possible response and acceptance of the offer. ICR Sanitary District – Notice & Agenda- August 10, 2021.**

No action was taken on this agenda item at this time.

- B. Possible action concerning Developer Lot Fees for lots at Club Cabins at Talking Rock Ranch.**

No action was taken on this agenda item at this time.

7. NEW BUSINESS

- A. Discussion and possible action following report from Planning Committee concerning possible recommendations for expansion of the wastewater treatment plant. Mr. Summers read the following: The 6 options presented in the 2018 Civiltec report.**

1. *Expand the current Santec plant*
2. *Retrofit existing concrete basin using Sanitaire ICEAS Sequencing batch reactor (SBR)*
3. *Retrofit existing concrete basin to Membrane Bioreactor (MBR) Modules*
4. *Retrofit existing concrete basin to Parkson Corporation Biolac Process*
5. *Retrofit existing concrete basin to Four-Stage Bardenpho Process*
6. *Retrofit existing concrete basin to a conventional Extended Aeration Plant*

Mr. Summers reported that the planning committee has investigated three of the options and discussed the other three options. The original sub-committee members have met with Eric Ness, president of Santec; Siddarth Mazumdar, an engineer with Sunrise engineering who represents the Biolac process; and Dan Brauch, an engineer with James, Cook and Hobson, Inc., who represents the Sanitaire process. In discussion to this point, the Membrane option bears a higher cost, the Bardenpho process does not reach the full build out capacity; and the conventional extended aeration option requires the Santec System to operate in conjunction to reach the required B+ effluent level to be used to irrigate the golf course. The original sub-committee members have, because of these limitations, left these options to be discussed before the full planning committee to decide if they should be investigated further. There have also been discussions with the plant operator, Derek Scott, and the owner of the company operating both the water and sanitary plants for our area, Pat Carpenter. Both of these gentlemen have expressed they can operate whatever the District installs, but they both prefer the Biolac process. The full Planning committee should meet soon to further discuss sub-committee findings and develop a course of action to include a comprehensive cost/benefit analysis.

- B. Possible approval of financial reports for July, 2021. This agenda item was postponed for a future meeting.**

- C. Legal advice concerning possible actions and/or claims for past latent infrastructure defects. Mr. Summers made a motion directing Mr. Busch to work on a draft letter detailing the two separate issues at hand. Mr. DeSantis seconded the motion. The motion passed unanimously without further discussion. Mr. DeSantis made a motion to allow board members to make comments/changes to the draft letter by submitting them to Mr. Busch and authorizing Mr. Summers to make the final decision on the draft letter to be sent out by Mr. Busch. Mr. McLeod seconded the motion. The motion passed unanimously without further discussion.**

D. Discussion and possible action concerning the recent inspection of the treatment plant by ADEQ and the status of the Aquifer Protection Permit. *Mr. Busch stated that the recent notice that the District received regarding non compliance may be due to an oversight by the ADEQ. Mr. Busch, as well as Mr. Scott stated that Certificates of Completion and Closure Plans were submitted in March 2021 and June 2021. Mr. Busch stated that there is no action for the District to take at this time as ADEQ has apparently accepted the District's filings following the inspection.*

8. ADJOURNMENT

Therefore, the meeting was adjourned at approximately 2:45 p.m.

Board Clerk

Date