

ICR Sanitary District
PO Box 1963
Prescott, AZ 86302

NOTICE OF MEETING
September 14, 2021

The Governing Board of the ICR Sanitary District will meet in Public Session on Tuesday, September 14, 2021 at the Prescott Adult Center, 1280 E. Rosser St. in Prescott, AZ. The meeting will begin at 2:00 p.m. Board members may participate via teleconference. Members of the public may attend in person. Social Distancing Guidelines are recommended. 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.

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. Legal advice concerning a Settlement Agreement and Release ("Settlement Agreement") resolving all claims in Talking Rock Land LLC v. ICR Sanitary District, Yavapai County Superior Court Case No. P1300CV201800380; Talking Rock Land LLC v. ICR Sanitary District, Yavapai County Superior Court Case No. P1300-CV201900298; and Allied World Specialty Insurance Company v. ICR Sanitary District, Yavapai County Superior Court Case No. P1300CV201800380.
- 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,
- D. Legal advice concerning application for infrastructure grant from Yavapai County
- E. Legal advice Concerning Capacity assurance forms for Sterling Ranch at Talking Rock.

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: 3:00 PM

3. INTRODUCTIONS & CALL TO THE PUBLIC

4. REPORTS

Reports from the Board
 Report from District Manager

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

Minutes of Meetings

- Minutes of Public Meeting August 10, 2021
- Executive Session Minutes of August 10, 2021
- Minutes of Public Meeting September 7, 2021
- Executive Session Minutes of September 7, 2021

Reimbursements to District Manager (\$246.36)

- USPS – Certified mailings re Cooper Morgan & Freda Circle (\$35.41)
- Wix.com – annual website renewal (\$216.95)

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

7. NEW BUSINESS

- A. Discussion and possible action re: approval of the Settlement Agreement and Release ("Settlement Agreement") resolving all claims in Talking Rock Land LLC v. ICR Sanitary District, Yavapai County Superior Court Case No. P1300CV201800380; Talking Rock Land LLC v. ICR Sanitary District, Yavapai County Superior Court Case No. P1300-CV201900298; and Allied World Specialty Insurance Company v. ICR Sanitary District, Yavapai County Superior Court Case No. P1300CV201800380; authorizing and directing the District Chair to execute the same; and authorizing and directing the District Chair to take all such actions and execute all such documents as necessary to complete the District's obligations under the Settlement Agreement
- B. Discussion and possible action following report from Planning Committee concerning possible recommendations for expansion of the wastewater treatment plant and application to Yavapai County for fund grant.
- C. Possible approval of financial reports for July, 2021.
- D. Possible transfer of funds from General Fund to Unrestricted Capital Fund. .
- E. Discussion and possible action concerning the recent inspection of the treatment plant by ADEQ and the status of the Aquifer Protection Permit.
- F. Discussion and possible approval of proposal from Empire Cat for services to District back-up generators for 2021-2022 in the amount of \$2,807.
- G. Discussion and possible approval of Conditions of Use for Prescott Valley Bible Church as meeting place for future District Board Meetings.
- H. Discussion and possible approval of Capacity Assurance forms for Sterling Ranch at Talking Rock.

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 September 10 2021 at 3:00 PM in accordance with the statement filed by the ICR Sanitary District.

Dated this 10th day of September 2021.

By: Robert Busch

Robert M. Busch

Signature