

# DRAFT

SUNBURST FARMS IRRIGATION DISTRICT  
Regular Board of Directors Meeting  
16040 N. 43<sup>rd</sup> Avenue  
Glendale, AZ 85306

April 3, 2018

MEMBERS PRESENT: Kay Lorenzen, President  
Renee Breeden, Secretary  
Larry Hudson, Treasurer

EMPLOYEES PRESENT: Brenda Brown  
Richard Mitten

OTHERS PRESENT: (See attached sign-in list)

1. CALL TO ORDER: The regular meeting of the Sunburst Farms Irrigation District Board of Directors was held on April 3, 2018. The meeting was called to order by Kay Lorenzen, President at 6:03 P.M.

2. CONSIDERATION OF ACTION TO GO INTO EXECUTIVE SESSION OF THE BOARD PURSUANT TO A.R.S. SECTION 38- 431.03.A.1 LEGAL ISSUES WITH THE ATTORNEY:

**MOTION** *Made to go into Executive Session* seconded and carried unanimously.

RECONVENE IN OPEN SESSION at 7:05 P.M.

3. CALL TO ORDER: The meeting was called to order by Kay Lorenzen, President at 7:05 P.M.

President Kay Lorenzen stated while the attorney is present the Call to Public will be split into two (2) parts.

5. The meeting was opened to public comment and input regarding the Maricopa County letter.

1. Homeowners Yvonne Horner Walt Michels, Jesse Conner, Eldon Graber and Victor Armendariz made comments or asked questions.

Attorney William Sullivan stated his input regarding the Maricopa County letter and addressed homeowners’ questions. He stated the petition that was submitted to the County prompted the County to verify if properties in the Farms were designated as agricultural. All properties were designated as residential, resulting in no property owners in the Farms being considered qualified voters and no one is qualified to serve on the board. Two court cases were used by the County to make this determination. One

court case has a provision that allows the District to change the way it votes. Options the District may consider are (1) to reorganize as an IWDD (Irrigation Water Delivery District), (2) to define agriculture in a way that describes our neighborhood and includes as many homeowners as possible, (3) convert to acreage voting, or (4) contest the County's opinion. The District is presently using individual/personal voting, which means one parcel, one vote. Acreage voting would expand voting to all homeowners. With acreage voting, one fifth of an acre (rounded to the nearest 10<sup>th</sup> of an acre) equals one vote. This would mean 5 votes per acre, and 10 votes for two-acre parcels. Creating an agricultural definition and converting to acreage voting can be voted by the existing board. It is not certain that the County would then consider the District to be able to vote, but it would take a positive step towards getting their acceptance.

Mr. Sullivan stated that the simplest solution is to have the Board elect to go to an acreage voting system which could eliminate the issue as far as eligibility because of the agriculture aspect to the community as a whole and to individual voters. Legislative solution is to move forward with the acreage voting and the Definitional solution is less certain. Mr. Sullivan also stated that he recommended that President Kay Lorenzen attend a meeting with Board of Supervisor Clint Hickman and talk with the ones who are decision makers so they had a general idea of what was going on and they wouldn't be making a decision based upon information based solely from their staff.

5. Scott Olsen and Eldon Graber made comments for the Call to the Public

4. SUMMARY OF CURRENT EVENTS:

Secretary Renee Breeden read a letter of complaint from Kelly Cushman.

Renee stated that she has a problem and explained to Scott Olsen.

1. No one speaks on her behalf.
2. Not aware of a problem on Thursday, March 29, 2018.
3. Not coming after Kelly and Scott.

Renee also reported that in 2003 she was President of the Board and a policy was put in place with regards to 8" valves. The system was designed to operate with both valves wide open. Renee also stated that she went into the office to sign checks on Thursday, March 29, 2018 around 2:45 pm and at that time Richard did say something had transpired at your property and reminded me of the letter that she signed with regards to the 8" valves.

6. APPROVAL OF MINUTES:

**MOTION**

***Made to approve the Regular Board of Directors Meeting March 6, 2018, and the Special Board of Directors Meeting March 19, 2018*** seconded and carried unanimously.

7. REPORTS:

**A. Financial Report:**

Accountant Cathy Hacker presented a review of the financial reports elaborating on line items that were significantly over or under budget.

1. Approval of financial report:

**MOTION**

*Made to approve January 31, 2018 and February 28, 2018 Financial Reports for filing, seconded and carried unanimously.*

**B. Summary of Current Events:**

See above

**C. Managers' Report:**

Irrigation Manager March Report – 04/03/2018

The repair crew completed 8 repairs in March including one on the southeast corner of 43<sup>rd</sup> Avenue and Greenway Road. A driver hit the standpipe and broke it off of the main line. We got it repaired quickly causing only a single day delay of water delivery for Lines 1 through 4 and Lines 11 through 18. Our insurance company is currently working on recovering cost of the damages for the District.

Thanks to homeowner, Ricki Ciero, for driving me to Sands Chevrolet on Friday afternoon to pick up the Irrigation truck. The truck was in for scheduled maintenance and service.

The District met with the City of Phoenix to discuss the new storm drain they are installing north of Greenway road on 49<sup>th</sup> Avenue. The city agreed to pay for the drain crossing of our irrigation Line 7 and Line 8. The estimated cost is \$12,000- \$15,000 for each crossing. Thank you, City of Phoenix for covering this cost.

The District is now on the two-week irrigation schedule for the next few months.

**D. Custodian of Records Report:**

Custodian of Records Brenda Brown reported on completed/outstanding public information requests and fees collected. The District received nine (9) Public Information Requests. Fees collected totaled \$1.35.

**E. Ad Hoc Committee:**

- Billing and Collections Committee Chairperson Kay Lorenzen stated this will be discussed later on the agenda.
- Employee Evaluation Committee Chairperson Renee Breeden – Nothing to report.
- Vehicle Longevity Committee Chairperson Larry Hudson stated this will be discussed later on the agenda.

8. OLD BUSINESS:

**A. Discuss and possible action on getting quotes for a new irrigation scheduling program:**

President Kay Lorenzen stated that Karen Gould would like to be a part of the process for the irrigation scheduling program. Kay also stated that the Board would need to write an RFP for the scheduling program.

**MOTION**

*Made to table this agenda item until the next Regular Board Meeting* seconded and carried unanimously.

**B. Discuss and possible action on definition of “agricultural”:**

**MOTION**

*Made to table this agenda item* seconded and carried unanimously.

**MOTION amended**

*table this agenda item until the next Regular Board Meeting* seconded and carried unanimously.

**C. Discuss and possible action on pending insurance claim with 39<sup>th</sup> Ave pump failure:**

President Kay Lorenzen reported that she spoke to Michael Oliver and he’s working on the claim and that the insurance company has not answered on the wear and tear issue and felt it was a good sign.

**MOTION**

*Made to table this agenda item until the next Regular Board Meeting* seconded and carried unanimously.

**D. Discuss and possible action on complaint from Lot 17 with regards to equitable water:**

Discussion

**MOTION**

*Made to credit Lot 17 five (5) hours of full pump time* seconded and carried unanimously.

- E. Discuss and possible action to change the monthly statement mailing to use bulk rate mailing and to initiate emailing of statements through Quick Books to homeowners who request to receive their statements via email with the process to start with the April 2016 mailing:**

Discussion

**MOTION**

*Made to table this agenda item until the next Regular Board Meeting* seconded and carried, one abstained.

- F. Discuss and possible action to ratify vacation days for Office Manager:**

**MOTION**

*Made to ratify two (2) vacation days for Office Manager on January 30, 2018 and February 12, 2018, and to rescind February 22 and 23, 2018* seconded and carried unanimously.

9. NEW BUSINESS:

- A. Discuss and possible action on Maricopa County letter:**

**MOTION**

*Made to table this agenda item until the next Regular Board Meeting* seconded and carried, one abstained.

- B. Discuss and possible action on retention agreement new firm for Michelle Swann and possible retainer or deposit:**

Discussion

**MOTION**

*Made to sign retention agreement with Michelle Swann and pay the \$5,000 deposit,* seconded and carried unanimously.

- C. Discuss and possible action to ratify the payment to Schneider and Onofry in the amount of \$3,080.47:**

**MOTION**

*Made to ratify the payment to Schneider and Onofry in the amount of \$3,080.47* seconded and carried unanimously.

- D. Discuss and possible action on legal fees:**

Treasurer Larry Hudson stated he would like to see monthly statements from the attorneys.

President Kay Lorenzen stated she received a bill from Bill Sullivan in the amount of \$3,232.63 regarding the Employee Handbook and county issues.

Secretary Renee Breeden stated Bill Sullivan was supposed to be viewing the Employee Handbook with regards to the sick leave and to make sure the District was in compliance with the law. Renee also stated that Kay does not have free access to call the attorneys; there has got to be some control here.

President Kay Lorenzen stated Bill Sullivan hadn't looked at the Employee Handbook until right before he gave it back; he's been busy with litigation. There was never any decision to have only the sick leave bill reviewed by the attorney. He was to review the entire handbook since it had all been updated. Kay also stated the bill from Sullivan's office included correspondence with regard to the County.

**E. Discuss and possible action to accept payment proposal from Lot \$149 Line 07:**

Discussion.

No Action Taken

**F. Discuss and possible action to approve one (1) vacation day for Office Manager:**

**MOTION**

*Made to approve one (1) vacation day for Office Manager on April 9, 2018, seconded and carried unanimously.*

**G. Discuss and possible action to establish Employee Handbook Committee:**

**MOTION**

*Made to reestablish the Employee Handbook Committee with Peggy Schwend and Victor Armendariz seconded and carried unanimously.*

**H. Discuss and possible action to establish Budget Committee:**

**MOTION**

*Made to establish the Budget Committee with Victor Armendariz, Bob Bustoz, Walt Michels, Anthony Chase and Peggy Schwend as the Chair, seconded and carried unanimously.*

**I. Discuss and possible action on signature on HOA/SBFID agreement for container parked on SBFID property:**

President Kay Lorenzen asked Victor Armendariz to get Tim Johnson's signature on the HOA/SBFID agreement.

**J. Discuss and possible action to establish personnel files per guidelines presented:**

President Kay Lorenzen stated that the personnel files for at least the Managers are pretty much nonexistent.

**MOTION**

*Made to table this agenda item until the next Regular Board Meeting* seconded and carried unanimously.

**K. Discuss and possible action to change bank:**

Discussion

**MOTION**

*Made to table this agenda item until the next Regular Board Meeting* seconded and carried unanimously.

**L. Discuss and possible action on vehicle longevity:**

Chairperson Larry Hudson stated the Committee made several recommendations to the Board.

- a. Bridle path maintenance.
- b. Establish a regular grading program for the bridle paths.
- c. No vegetation growing in the bridle paths.
- d. Asphalt milling.
- e. Truck walk around.
- f. GPS.

**MOTION**

*Made to table this agenda item until the next Regular Board Meeting* seconded and carried unanimously.

**M. Discuss and possible action on future agenda items:**

None

10. ADJOURNMENT:

Without objection, meeting adjourned at 9:34 PM

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018

Submitted by: \_\_\_\_\_  
Office Manager

Minutes accepted on: \_\_\_\_\_, 2017 by Secretary\_\_\_\_\_.

**\*Note:** *All attachments including correspondence in their entirety are filed with the original minutes and may be viewed at the District Office*