

SUNBURST FARMS IRRIGATION DISTRICT
Special Board of Directors Meeting
16040 N. 43rd Avenue
Glendale, AZ 85306

February 13, 2018

MEMBERS PRESENT: Kay Lorenzen, President
Renee Breeden, Member

EMPLOYEES PRESENT: Brenda Brown
Richard Mitten

OTHERS PRESENT: (See attached sign-in list)

1. CALL TO ORDER: The special meeting of the Sunburst Farms Irrigation District Board of Directors was held on February 13, 2018. The meeting was called to order by Kay Lorenzen, President at 7:00 P.M.

2. SUMMARY OF CURRENT EVENTS:

President Kay Lorenzen stated that the District has been advised by the County Board of Supervisors that during the course of verifying petition signatures County Attorney Colleen Conner said the agriculture acreage located in the farms did not fit the definition of “agricultural” per two court cases. After checking all parcels in the Sunburst Farms District, the County felt that no parcels qualified as “agricultural” and that there were no qualified electors, nor was the Board qualified to be elected. The County is at an impasse. Kay also stated that the County has been given a list of ARS’s that have different definitions of agriculture and a copy of the original District formation documents. Fran McCarroll plans to meet with County Attorney Colleen Conner to discuss the possibility of different definitions. Kay stated that she plans to pursue a different avenue to get something done.

Member Renee Breeden stated that we need to proceed as usual, that we’re governed by the ARS’s and we should conduct business as such.

3. The meeting was opened to public comment and input and is paraphrased as follows:

1. Homeowner Victor Armendariz identified himself as the resident getting water under New Business F. He corrected misinformation that he had not lived in the Farms while a board member and stated he has lived in the farms since 1998. He stated that he did not profit from the building of the office. He provided information regarding Open Meeting Law concerning current events. He expressed that the District finances are sufficient.
2. Homeowner Jeremy Mitchell stated that while there will be unforeseen expenditures, that we need to be mindful of what we are doing. He has become more involved and looks for common consensus on problems.

3. Homeowner Lynette Gray reiterated that the County has not decided, documented or changed anything.

4. Homeowner Kelly Cushman stated she believes that equitable water is not being delivered and is concerned about being charged for runoff time. She believes that runoff water is now being delivered for free to neighbor on Banff.

4. APPOINTMENT OF THIRD BOARD MEMBER:

Renee suggested drawing cards or a flip of a coin the County Board of Supervisors will not deal with this issue at this time. Kay stated that she had several other suggestions to replace Brett Harrison.

MOTION Made to *nominate Larry Hudson to the Board* seconded and carried unanimously.

5. SWEARING IN ONE NEW BOARD MEMBER 2018-2019:

Oath of Office: I, Larry Hudson, do solemnly swear that I will support the Constitution of the United States and the Constitution and laws of the State of Arizona; that I will through faith and allegiance bear to the same, and defend them against all enemies whatsoever, and that I will faithfully and impartially discharge the duties of the office of Director, *Sunburst Farms Irrigation District* according to the best of my ability, so help me God (or so I do affirm).

6. ELECTION OF OFFICERS FOR CALENDAR YEAR 2018:

Renee nominated herself for President. Kay nominated herself for President. Larry stated that he's in favor of Kay remaining President and there are several reasons why, the sexual harassment issue and the line replacements and she's the most qualified person at this moment to take this on.

MOTION Made to *nominate Kay Lorenzen as President to the Board*, seconded, one votes nay. Motion carried.

MOTION Made to *nominate Renee Breeden as Secretary of the Board* seconded and carried unanimously.

MOTION Made to *nominate Larry Hudson as Treasurer of the Board* seconded and carried unanimously.

7. APPROVAL OF MINUTES:

MOTION Made to *table the Special Board of Directors Meeting Minutes January 11, 2018*, seconded and carried unanimously.

8. REPORTS:

A. Financial Report:

Accountant Cathy Hacker absent.

1. Approval of financial report:

MOTION

Made to *table the December 31, 2017 financial report* seconded and carried unanimously.

B. Managers' Report:

Irrigation Manager Richard Mitten thanked homeowner Bill Turner for bringing bagels and rolls for the District. We're still having problems with our tractor. It's in the shop being worked on. The crew got three (3) repairs done this month. One of them was the stand pipe at line 2 at 43rd Ave. The mortar was old and it leaked all over the base and sides. We mortared and repainted the whole stand pipe with good pool paint "See attachment".

Richard Mitten, Irrigation Manager

C. Custodian of Records Report:

No report given.

D. Ad Hoc Committee:

- Billing and Collection Policy Committee Chairperson Kay Lorenzen reported that a Committee Meeting will be scheduled soon.
- Employee Evaluation Committee Chairperson Renee Breeden stated that she has not scheduled a meeting as of yet.
- Vehicle Longevity Committee Chairperson Larry Hudson stated that he has not scheduled a meeting either.

9. OLD BUSINESS:

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

President Kay Lorenzen stated that she contacted both Rick Gould and Brett Harrison regarding the computer programs and both homeowners stated that each system is working fine and the password issue should remain the same. Kay also stated that the passwords should not be changed by the employees because if they are gone, those functions cannot be performed by the board or other employees.

Secretary Renee Breeden stated that Richard has his password to access his computer and has a different password for the scheduling program. Renee also stated that Brett resigned from the Board and the District should hold the scheduling program password here at the office. Renee also said that she has a problem holding passwords for other people and passwords are in place to protect the employees.

President Kay Lorenzen stated that all passwords need to be known by somebody so we don't run into the situation of not being able to generate a schedule or generate an email to the neighborhood. Kay also stated that Brett Harrison is our Systems Administrator for the scheduling system and is willing to work with the Board.

Secretary Renee Breeden stated her concerns that Brett is willing to work with Kay and Larry and not the entire Board of Directors. We, the entire Board should be the ones making the decisions.

Treasurer Larry Hudson stated his concerns with regards to Brett having access to the scheduling program.

MOTION

Made to *attempt to get service agreements with Rick and Brett and also to get quotes to see what it would cost to replace it*, seconded and carried unanimously.

10. NEW BUISNESS:

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

MOTION

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

B. Discuss and possible action to contact attorney regarding County action:

President Kay Lorenzen stated that if the County determines that we're not under Title 48 then we'll have to contact the attorney. Kay stated that she would like to pass this motion that if the County tells us no, then we'll have to talk with our attorney.

Secretary Renee Breeden stated that she has an issue with any Board Member including herself, being able to contact the attorney. Renee stated that this will have an impact on the District and it should be handled in Executive Session with the entire Board.

MOTION

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

C. Discuss and possible action on damages and repair cost/authorization on the backhoe:

MOTION

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

D. Discuss and possible action regarding damage to District equipment:

President Kay Lorenzen stated that the Irrigation Manager goes back to the service provider and gets an estimate. If it's something that we need desperately then we get it fixed unless it's totaled. Kay also said that the track hoe is under a lease and it was fixed at no cost to the district.

Secretary Renee Breeden stated that we need preventative maintenance and we need to take care of the equipment better.

Irrigation Manager Richard Mitten stated that we do preventative maintenance.

No action taken.

E. Discuss and possible action to ratify repair cost not to exceed \$4,000 for tractor repair:

Secretary Renee Breeden stated her concerns regarding the payment and asked if it had been taken care of properly. Richard indicated this was a known weakness of the tractor when it was purchased.

MOTION

Made to *ratify the tractor repair cost in the amount of \$3,438.49*, seconded and carried unanimously.

F. Discuss and possible action on irrigating resident after irrigation cycle is done:

Secretary Renee Breeden expressed concern regarding irrigating residents after the irrigation cycle, stating that if it was decided to do it, it should be charged accordingly. She said this was not the first time this had happened and there was another resident who requested to be irrigated outside of the cycle and was given an exorbitant amount. We cannot treat residents differently.

Irrigation Manager Richard Mitten stated that Victor requested water from Brett who suggested doing a test to see if it was possible. The test was performed. Delivery of water was with a full pump and customer was billed for both sides of the pump.

Secretary Renee Breeden requested copies of all tests performed.

Treasurer Larry Hudson stated that we must treat all homeowners the same.

No action taken.

G. Discuss and possible action on developing desk manuals for Managers:

President Kay Lorenzen requested that both Managers develop desk manuals according to each job description. Kay suggested the manuals be organized as follows:

- a. Index listing all tasks alphabetically.
- b. Page ~~tasks~~ listing daily, weekly, monthly, yearly tasks
- c. Tabs for each responsibility.
- d. Exhibits for tabs.
- e. Volunteers have offered to help with desk manuals.

No Action Taken

H. Discuss and possible action to approve employee receiving advance on vacation pay:

Discussion ensued regarding the following:

- a. Staying in compliance with state and federal laws.
- b. District has paid for vacation in the past.
- c. Unpaid days off if absent.

MOTION

Made *without precedence or prejudice to approve pay four (4) vacation days*, seconded. One vote abstained. Motion carried.

I. Discuss and possible action to replace Line 12:

Richard Mitten explained that replacement is needed south of Greenway to Country Gables, that replacements can be completed in sections.

There was discussion regarding funding and timelines.

MOTION

Made to *replace Line 12 from Greenway to Country Gables not to exceed \$50,000* seconded and carried unanimously.

J. Discuss and possible action on future agenda items:

1. Complaint from Lot #17 regarding equitable water.
2. Pending insurance claim on 39th Ave pump failure.

11. ADJOURNMENT:

Without objection, meeting adjourned at 9:20 PM

Dated this ____ day of _____, 2018

Submitted by: _____
Office Manager

Minutes accepted on: _____, 2018 by Secretary_____.

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