

# Red Rock Road Enhancement Maintenance District (RRREMD)

## Board Meeting

April 19, 2016 at 2:00 p.m.

Held at Village of Oak Creek Community Center

690 Bell Rock Boulevard, Sedona, Arizona

*District Board Meeting Guidelines: The meeting will be held in accordance with A.R.S. Title 38 Open Meeting Laws. Board and attendees participating shall be civil and courteous. Any disruptive behavior could result in removal from this meeting. Comments and questions from the public shall be called upon by Board Chairman, and begin with stating and spelling of the speakers name and address. All comments and questions will be directed to Board chairperson. Persons with disabilities may request a reasonable accommodation such as a sign language interpreter by contacting Jennifer Bartos, Improvement District Services Inc. at (928) 443-9484. Requests should be made as early as possible to allow time to arrange for the accommodation. Requests for copies of board meetings or other district documents and queries or complaints shall be submitted in writing to Improvement District Services, Inc., 1965 Commerce Center Circle, Suite A, Prescott, AZ 86301*

RRREMD Board members present are Chairman Dave Norton, Mark Mumaw, Joanne Johnson, Ruth Kane, and Paul Gazda.

Present from Improvement District Services, Inc. (IDS) are Diane King, District Administrator and Jennifer Bartos, District Clerk/Administrator. Recording secretary, Mike Mangham present. Dave Grondin from Green Earth present.

Also present at the meeting Cathy Gazda, Barb Gordon, Tom Graham, and others.

1. **Call to Order** by Chairman Dave Norton at 2:07 p.m. Attention is made that the meeting is being recorded by the Recording Secretary (to be discussed under item 5).
2. **Election of Chairman:** Nominated for the position of Chairman was Mark Mumaw, by Joanne Johnson. Second by Chairman Norton. Paul Gazda described the duties of the position including conducting Board and Board tasks, approval of large emergency purchases, review and approval of agenda, serve as main contact for the staff, signing official documents on behalf of the Board. He expressed his opinion that Chair have minimum powers necessary to facilitate the smooth running of the Board and documented in official Board policies, questioning access to legal counsel. Mark Mumaw stated that decisions are made with Board approval and that decisions are made during the meetings that fall upon the Chair. Ruth Kane suggested that the meeting be run identical to Waste Water Board. Mark Mumaw offered to gather further information from County Board of Supervisors. Further action may be taken.

The nomination was passed unanimously.

**Election of Vice Chairman:** Dave Norton was nominated by Chairman Mumaw, second by Joanne Johnson. Paul Gazda requested that the same questions regarding powers be addressed. Dave Norton agreed to gather further information.

The nomination was passed unanimously.

3. **Field Reports from Green Earth** by Dave Grondin. Vice-chair Norton asked about plants that have been destroyed on the outer edge of the roundabouts by large trucks. Use of more robust plants was discussed. Paul Gazda requested the quantities of chemicals being mixed are consistently listed in their diluted and non-diluted states and approximate number of gallons sprayed on reports. Paul Gazda also suggested improving safety and informing the public of spraying. Chairman Mumaw stated the issue is to be discussed as an agenda item at a future meeting. Compliments and thanks were given to Mr. Grondin and his crew.

Public discussion: question by Barb Gordon regarding curbs.

4. Item #4 on the agenda was in error and **omitted**. Chairman Mumaw stated that Green Earth's contract expires in 2017.
5. **Meeting Procedures and Recording Secretary.** Chairman Mumaw stated that Yavapai County Board of Supervisors, Planning and Zoning Commission and Board of Adjustments are good models of how to run meetings. Robert's Rules of Order are followed. Chair recognizes one person at a time, before they speak, and recognized by Chair by name, to facilitate recording accuracy. Chair Mumaw recommends reading of the preamble (page 21-22 of meeting packet) at the start of each meeting. Changes may be made in the future.

Motion made to accept meeting procedure and preamble by Joanne Johnson, second by Vice-chair Norton.

The recommendation is unanimously approved.

Public Participation Form: The Chair states that the form is needed for the record and to limit comments to specific agenda items. Second part of the form is for public comments near the end of meeting do not have to be on agenda. Paul Gazda suggests options to respect privacy, and that address, phone number and email be omitted from form. Chairman Mumaw suggests making these items "optional" next to each, name, address, phone number and email. Vice-chair Norton suggests a place to request a response from the Board.

Public question by Barb Gordon. Chairman Mumaw clarified two points: 1 form used for each agenda item. Fill out form before speaking. This is the way the Yavapai County Board of Supervisors handles public comment.

Motion made by Vice-chair Norton to implement revised Public Participation form, as discussed. Second by Joanne Johnson. Paul Gazda to submit suggestions on clarification to form and suggests 3 minutes for comments instead of 2 minutes.

Motion unanimously approved.

Minutes from Meeting: Chairman Mumaw discusses costs and options for producing Minutes from the meeting. Samples of level of details were discussed. Vice-chair Norton mentioned possible conflict of interest and will abstain from vote.

Public comment: Suggestions regarding minutes by Tom Graham.

Motion made by Joanne Johnson to hire Recording Secretary to record and to produce the written minutes of the meeting. Second by Ruth Kane. Costs to be \$100-\$150 depending on meeting length and content.

Motion passes with 4 yes votes and 1 abstention by Vice-chair Norton.

6. **RRREMD Website**, Audio Recording and Public Communication. Chairman Mumaw provided information from 2 local website providers, Studio Five and Resultz Digital. Marc Fuller, from Resultz Digital provided a sample website, secured RRRMDE.org web address. The approximate cost to set-up of site would be \$500 and \$70 per month to maintain and update. Requirements for the website include public meeting notice, agenda and agenda packets, posting of minutes approved by the Board, and audio recording from meetings, email to Board (entire and individual), provide budget information, etc. Vice-chair Norton offered that an option using gmail could be free of cost. Chairman Mumaw stated the need to have the website maintained by one person/source. Paul Gazda asked if the google platform will meet all criteria. Vice-chair Norton agreed to provide an outline using the google option. Chairman Mumaw and Paul Gazda agreed to meet and further outline requirements for the site and to request a response from several firms. Jennifer Bartos stated an RFP is not required. At this time, IDS will upload audio portion of this meeting to their website to fulfill legal requirement. No motion or action taken at this time.

Public comment by Marty Landa: Information be very accurate and easy to use.

7. **Amend contract with Improvement District Services (IDS)**. Additional fee applies to additional work beyond scope of contract, including historic research, and requested by Chair only. Jennifer Bartos expects little need for additional fees due to size of district. Invoices and warrants to be include in packet. No action needed.
8. **Resolution 2015-2**. Issues with the Resolution were placed on the January agenda, no action was considered. An attorney was asked to comment. According to Robert's Rule of Order, this motion becomes a dead motion. Jennifer spoke briefly in an informal conversation with the attorney, whose opinion was as follows: you cannot prevent a Board member from speaking to the public on issues, even if it through the media and an individual Board member cannot make a commitment for the Board on his own, but is allowed to speak, right or wrong, and he recommended against adopting the resolution. Paul Gazda asked questions regarding an invoice and suggests lack of transparency and that Board should be involved in the approving of the necessity and involved in all communications with the attorney. Chairman Mumaw suggested that the issue be placed on a future agenda.

9. **Meeting date and location change.** Chairman Mumaw stated that a new meeting time and location are needed. This due to IDS needs and reducing cost of travel time by IDS and lack of space at OCC/VOCA meeting room. Future meetings to be held the third Wednesday of the first month of the quarter at Fire District Station at 265 S.R. 179, Sedona 86336. This will provide a better facility, with A/V capability and more reliable scheduling. Motion to approve made by Joanne Johnson. Second by Ruth Kane.

Motion unanimously approved. Dave Norton left the meeting at 3:45 p.m. Quorum present.

10. **Call for Election.** Motion made to elect 3 Board members at November 8, 2016 meeting Motion made by Paul Gazda. Second by Ruth Kane.

Motion unanimously approved.

11. **Approve Tentative Budget and set Public Hearing Date.** Motion made to approve tentative budget by Paul Gazda. Budget for website \$1000, Paul suggested \$1500. Funds available in Capitol replacement. \$750 for recording services. Paul asks about postage and financial review. Diana King states funds used for postage of required election materials. Jennifer Bartos explains \$2300 for Financial Review if requested by Board. Publishing costs are due to publishing budget and possible election. Paul Gazda suggests reducing Contracted services for Steve Fiedler, from \$3000 to \$1500. Summarizing: Item 15 goes to \$60k, item 21 to \$1500, item 25 to \$1500, item 26 to \$750.

Motion by Joanne Johnson to accept tentative budget and set hearing date of June 15, 2016. Second by Paul Gazda.

Publication of hearing date is preferred to appear in the Red Rock News.

Unanimously approved.

12. **District Financials.** No action needed. Paul Gazda suggests publishing meeting dates in Village Calendar of Events.

13. **Minutes of Oct. 13, 2015.** Tabled from January. Modifications were made. Motion made by Joanne Johnson to accept minutes from meeting of October 13, 2015. Second by Ruth Kane. Paul Gazda states that the modifications are insufficient and a motion and a call into question were missed in item 3. Diana King stated it was not in the record or the minutes. No resolution offered. For public record: Paul Gazda stated "In the October 13, 2105 minutes, under agenda item 3, in the draft minutes as presented by IDS, there is one missing item which was a calling to question by a Director of the Board, whose name I do not know for sure, but it was a director of the Board, the question was called, there were 4 votes yes and Gazda voted no on calling the question."

Minutes from October 13, 2016 meeting approved with 3 yes votes, 1 no vote by Paul Gazda.

14. **Minutes from January 19, 2016.** Motion made to approve minutes from January 19, 2016, by Ruth Kane, second by Joanne Johnson. Paul Gazda stated that a motion was missed from agenda item 9. Paul Gazda states for the record: "Gazda that we accept these revisions with the exception of number 2, where we considered Barb Gordon's submission before deciding on item 2". It was seconded by Chairman Norton". Vice-chair Mumaw recommended tabling it. Second by Chair Norton, Paul Gazda opposed.

Added to record minutes on item 9 "Cathy Gazda said draft minutes from last meeting dismissed everything she said about toxicity of chemicals used on Hwy 179. She questioned why Board is biased against reducing herbicides along 179. Referring to Director Mumaw's October presentation saying we ingest more Roundup in our food than we are exposed to with Hwy 179 spraying, she pointed out that we have choices with our food by eating organic, but we have no choice about being exposed to chemicals along Hwy 179."

Motion approved 3 yes votes, opposed by Paul Gazda.

15. **Approve warrants** written January-March 2016. Motion made to approve by Ruth Kane. Second by Joanne Johnson.

Unanimously approved.

*Public Comment Period: The public will be given the opportunity to comment to the Board of Directors on non-agenda item issues pertaining to the District. This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(G), action taken as a result of comment will be limited to directing staff to study the matter, for further consideration and decision at a later time. Two minutes allowed for each speaker.*

**Public Comments:**

Marty Landa disagrees with 2 minute limit. Questions regarding transparency with Resolution 2015-2. Suggested agenda item.

Melissa had questions regarding signs placed around weed spraying.

**Motion to adjourn** made by Paul Gazda. Second by Ruth Kane.

Motion unanimously approved.

Meeting adjourned at 4:34 p.m.

**Red Rock Road Enhancement Maintenance District  
Fiscal Year 2016/2017 Tentative Budget**

Exhibit A

	<b><u>EXPENSE</u></b>	FY 15/16 <u>Budget</u>	Actual as of 4/13/2016	12-month Estimate	FY 16/17 Budget
1	Administrative Services	\$6,372	\$4,790	\$6,386.67	\$6,564
2	Additional Admin Svcs.	300	49	244	650
3	Attorney Services	5,000	670	1,004	5,000
4	Bank Charges	25	0	0	25
5	Elections	0	0	0	11,000
6	Fees & Registration	450	251	701	450
7	Insurance	6,000	2,450	6,000	6,000
8	Self insured	15,000	0	15,000	15,000
9	Office Supplies	250	0	0	250
10	Postage	0	0	0	3,500
11	Professional Services	2,300	0	450	2,300
12	Publishing	550	0	450	1,000
13	Director's Compensation	1,875	1,125	2,250	2,250
14	Landscape Maintenance:				
15	Monthly Maintenance	60,000	45,000	60,000	60,000
16	Backflow Testing	150	0	150	150
17	Landscape Supplies	5,000	0	0	5,000
18	Repairs & Replacement	5,000	1,225	1,837	5,000
19	Lighting Maintenance	2,500	0	0	2,500
20	Timers	300	225	338	300
21	Contracted Services	3,000	0	0	1,500
22	Blue Stake	500	300	450	500
23	Electricity	3,200	1,410	2,417	3,200
24	Water	3,000	1,322	2,266	1,500
25	Website	0	0	0	1,500
26	Recording Services	0	0	0	750
25	Emergency Maintenance	2,000	0	0	2,000
26	Capital Replacement	<u>54,837</u>	<u>0</u>	<u>0</u>	<u>54,975</u>
27	<i>subtotal</i>	\$177,609	\$58,816	\$99,944	\$192,864
28	Contingency	<u>17,762</u>	<u>33</u>	<u>4,113</u>	<u>17,762</u>
29	Total Expenses	\$195,371	\$58,849	\$104,057	\$210,626

	FY 15/16	Actual as of Budget	12-month 4/13/2016	FY 16/17 Estimate	FY 16/17 Budget
30	Ad Valorem Tax	90,000	65,385	90,000	90,000
31	Interest	<u>600</u>	<u>448</u>	<u>600</u>	<u>600</u>
32	Total Revenue	90,600	65,833	90,600	90,600

**FUND BALANCES**

-	Balance as of 04/13/16	-	\$141,219
	Estimated Expenses 15/16		<u>45,208</u>
	Subtotal		96,011
	Anticipated Revenue 15/16		<u>24,615</u>
	Estimated Ending Balance 15/16		120,626
	Est. Beginning Balance 16/17		120,626
	Estimated Revenue 16/17		90,000
	Estimated Expense 16/17		<u>210,626</u>
	Estimated Ending balance 16/17		\$0

DRAFT