

MEETING MINUTES OF OPEN PUBIC MEETING
BOARD OF DIRECTORS
DIAMOND VALLEY WATER DISTRICT OFFICE
(LEGAL SHIELD BUILDING)
1277 N. RHINESTONE, PRESCOTT, AZ
7:00 PM
Monday, October 05, 2015

CALL to ORDER

Vice Chair B. Hunt called the Special Session to order at 7:01 pm, D. Cracknell arrived 7:04 [1].

ROLL CALL of BOARD MEMBERS P = PRESENT NP = NOT PRESENT

DAVE CRACKNELL (P) BILL HUNT (P) JEAN HEBERER (P)
KURT WOMACK (P) JO ANN HOLT (P)

Also present: Don Bohlier for District Management. 3 DV Members of the Public.

ADMINISTRATIVE HOUSEKEEPING

J. Heberer reported on Cable One, did get hooked up, but not wifi. Jean got a router, so no rent for unit.

[\[M8.10.15 item 3\]](#)

Don Bohlier received [1] certified letter from Kenneth Knock on Oct. 28, which got a discussion started with Don Bohlier, which related with Agenda Item 4 [2]. D. Cracknell will drop letter off to District attorney Kozak.

CALL TO THE PUBLIC

No comments.

1. LEAK DETECTION PROJECT DV UNITS 7 & 9

D. Cracknell received from Dan Milliron quote of \$1,050, start late October, completed mid-December. J. Heberer isn't expecting better results, but the Board needs to complete the whole District, before the end of year.

D. Cracknell motioned to accept bid as quoted; B. Hunt seconded.

[APPROVED](#) 5-0.

2. MANAGER'S REPORT

A. Don Bohlier reported completion of Milliron contracted area. Revisited Lapis and Gemstone, a gate-valve had not been completely closed, opened up and found no leak. Victor, Ramada, Lisa water tank, Hacienda area last part, no leaks found. Jean asked that since the valve was opened up, will any leaks be found; Don didn't know, can check again later. Revisited Quartz and Sapphire, could not find the main, will plant two more correlaters to find possible leak. Don will create a log book to document found leaks and repairs. Unsuccessful to find three valves at Turquoise and Sylvia area, pipe 7 feet deep; K. Womack asked if the bridge construction re-routed main and valves; unknown, but was at Onyx Dr. low water crossing and Don has a drawing that was given to Kevin Greif.

B. Have 27 delinquent accounts, 9 in collections, 7 from 2014. Had to clear up accounts regarding renters and owners. One is \$853, J. Heberer asked how that could get so high; previous higher rate was contributing factor. Don explained procedure of red door hanger, letter, then lock-off; J. Heberer said it's in the AFO (Administration Financial Operations manual). J. Heberer read the list from Don, the highest is almost \$1,500, they need to be locked off; pay full amount the next day! 5 copies of D. Bohler list for the Board were needed. D. Cracknell asked to suspend the Rules [Suspend The Rules; consider something out of it's scheduled order: no objection] to go back to Knock letter: What is the amount of the 42,000 [gallons] used, during construction; Don will ask Barb to get required information for Knock's letter, already past the due date, before being opened by D. Cracknell.

C. Red tag graph: Don and K. Womack had discussed what detail the Board needed to know by following the trend with the recent rate change [M4.06.15]; J. Heberer asked about payment plans, asked about adding to the AFO manual, idea to not allow some to get so high for the 30 day and 60 day delinquent accounts.

3. VERIZON NONPAYMENT ISSUE

D. Cracknell reported that accountant S. Crandall confirmed the 9/28 cut Check from Verizon. J. Heberer called for confirmation about continuous payments; \$600 cashed per month with payment schedule. Crandall coerced Cracknell to call quits on continuing concern.

4. BY-LAWS REVIEW/REVISION

D. Cracknell reported that the previous Board had a Word version of a revision. For one addition, the Member At Large was added. Revised *date* were 10/15/15. Page 26 has the signature line with previous Board members. K. Womack wanted to add to Article 6, Section 6 cited an example using NY school board law. J. Heberer didn't wish names used; K.W.: who? Jean and Dave revised to read:

Not more than one member of a family, or a person, sharing the same household, shall be a Board member of the District during concurrent terms.

Bill Hunt motioned to accept, Dave Cracknell seconded.

APPROVED 5-0.

K. Womack said the previous attorney said the By-Laws are weak, but didn't wish to pay Mr. Whittington to find out. Dave *will have* the current attorney Kozak review *prior to impletmentation*.

D. Cracknell motioned to approve these By-Laws changes as discussed, J. Heberer seconded.

APPROVED 5-0.

D. Cracknell asked about a detail with resignations, K. Womack said attorney Kozak was present at the Rate Hearing [M4.06.15], and didn't say anything was wrong with the proceedings.

D. Cracknell asked about a change of order. [Informal Consideration - "Committee of the Whole"] Asked if we had all read the updated water basic service guidelines, regarding delinquent accounts. J. Heberer confirmed the AFO manual has the procedure. Discussed an example about: time elapsed, if a meter existed, base service fee, ownership of property time frame, what if someone made verbal agreements to use water and then not pay for it, when do we have to use our attorney if they use one to mail letters [2], for example.

5. AFO MANUAL REVIEW/REVISION

Page 1: Revise dates of revisions.

Page 2: Dates of each of our terms, who has steps in 4 year terms, found out we need to revise the website. for K. Womack's date of Oath on Halloween. [[Nov 24 14 Open Meeting Minutes](#)]

Page 4, 5: Changes read.

Page 6: Change from Hope Chapel to Legal Shield Building.

Page 7: Hook-up fee.

Page 9: J. Heberer asked about "contribution". K. Womack asked about the Opal Drive extension done before DVWD without a contract in existence. Don explained it goes to the maintenance of the system leading up to an extension.

Page 12: Read the **redlined** section regarding owner responsibilities. D. Cracknell asked for input from Don and Board, but we didn't have the redacted copy. Discussed the risk of renters leaving without paying the last bill as an example. Don explained the previous management co-mingled renter and owner accounts, but it always is the owner's responsibility. J. Heberer said attorney Kozak advice required for clarity for homeowner responsibility. Option for a lien on vacant homes for sale; too costly. K. Womack reads "property owner" in manual. Jean agreed the AFO is weak, Kurt agreed to have Kozak review a what-if sale scenario.

Page 16: Revise rates.

Page 18: "Collection fee" any change would need to be done in a Hearing as part of fees. "...may be added..." discretion of Manager. J. Heberer requested adding a \$35 (\$50 after hours) Collection Fee to any future Hearing agenda. K. Womack asked how often Don would add a collection fee; need to evaluate. D. Cracknell asked Don about the "payment arrangements", some customers do ask for a plan. J. Heberer suggested for 30 days past due, over \$100 to get 50% and then 2 months (60 days) to pay off delinquent bill (plus current bill). By consensus Don is instructed to include a payment schedule. "Termination and disconnection" changed to 30 days past due.

Stopped at financial procedures, D. Cracknell stopped by consensus.

6. RESOLUTION R2015-10-5 - CONSOLIDATION OF RESOLUTIONS R2014-4-28B & R2014-7-28B

Tabled by consensus.

7. NEXT AGENDA ITEMS

Finish AFO manual, Verizon resolution, R2015-10-19, Reconnection fee, Mr. Knock, PayClix 2 weeks [Oct. 19].

ADJOURNMENT

D. Crandall moved to adjourn by consensus.

NOTE: [[M00.00.2015](#)] Indicates reference to Minutes from previous meetings.

[[aa](#)] Robert's Rules Of Order. *Revisions in italics.*

Meeting adjourned at 8:58 PM

Meeting Minutes prepared by Kurt Womack, Clerk/Secretary and made available on 10-27-15.

DRAFT to be APPROVED of these Meeting Minutes sent via email to all current Board Members and Management for review. Board approval to be an agenda item at the next scheduled DVWD REGULAR Meeting. In addition, two copies maintained and available in a file box at Permanent location at 1277 N. Rhinestone Dr., #2, Prescott, AZ 86301 in Diamond Valley for interested public.

An email copy of future DVWD Meeting Minutes and Agendas can be sent by requesting to be put on the electronic PerDVEmailRequest group list and providing an email address to: <http://diamondvalleywaterdistrict.com>

APPROVED ON: 10-26-2015 by D. Cracknell, B. Hunt, J. Heberer, K. Womack, J.A. Holt.