

**OFFICIAL MINUTES FOR THE
BLACK CANYON CITY WATER IMPROVEMENT DISTRICT
Dec 19, 2023 SPECIAL BOARD MEETING**

Chair, Dave Moore called the meeting to order at 2:02 PM.
Roll Call showed a quorum with all the Board Members present:
Dave Moore, Chair; Dorothy Moore, Treasurer; Randy Hrabina, Secretary
Jeremy Brueckner, Member-at-large (all in-person)
Jed Carter, Vice Chair (attended telephonically)
Also in attendance from Management– Sarah Hrabina, Office Management

The Chair welcomed the Public: Eva Berst, Elaine Clayton, Cindy Malandro, and Greg Watts

The Chair asked for the customary **moment of silence**.

Board Reports- The Chair reported the postings made to BCCWID website and the BCC Bulletin Board and Dorothy Moore stated the agenda for this meeting was posted at both the Post Office & at the Management office.

Agenda Item #4 Approval of 11/28/23 Regular Board Meeting Minutes

The Chair opened the discussion if Board members had read the minutes provided and if there were any questions or corrections. No corrections were noted and Jeremy Brueckner moved to accept the minutes of the Nov. 28, 2023 Regular Board meeting as submitted. The motion was seconded by Dorothy Moore and upon vote, the minutes were approved unanimously.

Agenda Item #5 Treasurer’s Financial Report for Approval as of 11/30/23

Dorothy Moore provided a recap of the Nov 30, 2023 Financial Report for approval

Account	Beginning	Ending	Change
General Fund	\$ 63,464.40	\$ 37,517.87	\$ 25,946.53 -
Security Deposits	\$ 77,750.40	\$ 50,540.00	\$ 27,210.40-
Impact/Capital Fund	\$337,099.18	\$ 411,809.58	\$ 74,710.40+
Arsenic Sinking Fund	\$102,961.48	\$ 105,461.48	\$ 2,500.00+
Recap/Bank of the West	\$ 36,122.69	\$ 40,204.56	\$ 4,081.87+
Account Totals	\$617,398.15	\$ 645,533.49	\$ 28,135.34+

NOTE (1): Previous transfer error increase of \$27,210.40 to Security Funds was in error; reversed on 11/8 however, transferred into Cap Reserve/Impact Fee account, not General Fund. NOTE (2): Transfer error increase of \$37,783.20 to Cap Reserve/Impact Fees should have been to Gen Fund. Correction made 12/9/23 w/Yav. Co.

Cash Management Report:			
Cash Management	Deposits/Cash Receipts Report	\$	57,564.71
GJ Adjustments:			
Less: BMO	Merchant Service Fees	\$	(288.58)
BMO	Monthly Scanner Fee	\$	(45.00)
BMO	Monthly analysis bank fees	\$	(114.04)
Cash Management	Check Disbursement Report	\$	(28,981.75)
	Net Gain/(Loss)	\$	28,135.34

Nov billing totaled \$51,101.93. Water consumption for the month was reported at 5,066,000 gals. compared to 4,859,000 gals. the previous month. The Nov 2022 comparison was 4,544,000 gals Total gallons billed for the fiscal yr. 2023/24 to date is 26,564,000 gallons (5 mo.) with comparison to previous fiscal year 2022/23 of 25,799,000 gallons. The financials include Quick Books invoices #3435 to #3463 and In-Hance Audits #21,308 through #21,396 with the accounts receivable in both In-Hance and Quick Books balancing at \$41,722.92. Credit & Debit Card Payments: Ninety-seven (97) transactions were processed; 63 debits & 43 credit card payments for a total \$9,011.28. Batches 383 thru 403 Review of all audit adjustments was done – delinquent & penalty fees posted; final reads/refund security deposits; re-read/corrections; turn-ons/turn-off
No impact fees was posted in Nov.

Monthly General Journal Entries were attached for approval

Respectfully submitted by Sarah J. Hrabina, Management and approved by Dorothy Moore, Treasurer

Agenda Item #5 Treasurer's Financial Report for Approval as of 09/30/23 (con't)

After the recap, Dave Moore asked about the BMO analysis fees and Sarah Hrabina/Management stated Bank of the West charged for scanner fee and NSF check fees but not monthly analysis fees. The analysis fees from BMO includes returned checks and transaction fees for deposits and will be a varying monthly expense. Jeremy Brueckner moved to accept the November 30, 2023 Financial Report as submitted with Dave Moore seconding the motion. Upon vote the Nov. 30, 2023 Financial Report passed by majority with R Hrabina abstaining.

Agenda Item #6 Discussion and Possible Action regarding: Possible Approval of Ratification Resolution #2023-12.02 Ratifying Certain Board or Budget Committee Actions Taken at a Meeting on April 6th and 13th, 2023 Without Posting a Notice and Agenda

The Chair opened the discussion by reading the resolution (see attachment). He indicated all Board members received both the notice and the ratification resolution as prepared by the attorney. He emphasized the wording indicated "may have been taken at the referenced board budget committee meetings may have violated open meeting laws. Jeremy Bruckner asked if less than 3 Board members it did not meet a quorum. The Chair indicated his statement was accurate; however, if the Board took certain action to appoint the budget committee then that appointment in itself meets quorum. Randy Hrabina indicated he felt this action (ratification) recommended by the attorney is future Board protection with the Chair disagreeing. Knowing what we know now, only from the standpoint if we continue, if we appoint the committee. Sarah Hrabina/Management pointed out the Board did not appoint the committee; it was discussed but there was no motion to appoint the budget committee members. The Chair indicated he could see both sides of it and Sarah Hrabina/Management concluded suggesting the Policy be changed to make sure it's clear with the Chair agreeing, just not at this meeting. Additional discussion followed recapping Management's role with the Treasurer's interaction with Management and committee members. We can address this at a future Board meeting stated Chair Dave Moore. Back to the ratification, to be crystal clear, does not move forward, addresses this year. After additional discussion including Dorothy Moore asking to confirm the budget committee was conducted according to current Policy with the Chair confirming it did but would need to be changed or deleted moving forward. The Chair called for a motion to adopt Ratification Resolution 2023-12.02 (see attached) and Jed Carter so moved seconded by Jeremy Brueckner. A by-member vote showed all board members voting, Yea with the exception of Randy Hrabina abstaining. Ratification Resolution 2023-12.02 passed by majority vote.

Agenda Item #7 Update on Progress of Security Improvements for District Office

The Chair called upon Randy Hrabina asking him to address where we are at with this but not what we are doing. Randy Hrabina indicated the work is about 90% complete at this time.

Information Only; No Board action required or taken

Agenda Item #8 Public Call

The Chair opened public call reminding everyone members of the general public can address the Board and make comments, suggestions or complaints on the above matters or any other issue or matter of concern during public call. Board action during Public Call is limited to individual members responding to criticism by the public, directing staff or a Board Member to study the matter, or placing the matter on a future Board meeting agenda.

Greg Watts was given the floor inquiring about Agenda Item #6. Were those budget meeting open to the public and where were they held. The Chair responded the meetings were open to the budget committee public volunteers and were held at the management office. Greg Watts also commented about the upcoming 12/21/23 community meeting to address concerns for 2 proposed developments within the Coldwater Canyon water service area. Will their draws on water impact our wells. The Chair indicated the Board could not respond; as it is not an agenda matter.

Agenda Item #8 Public Call (con't)

Cindy Malandro was given the floor and she asked if the ratification was done at the suggestion of the attorney with the Chair confirming it was. He felt there was enough doubt that it needed to be done.

Elaine Clayton was given the floor and she wanted to clarify the answer to Greg's question and were the budget meetings open to Owner/Users. Were they open or private/closed meetings. The Chair declined to respond but added the volunteers were Owner/Users; therefore could be considered an open meeting. Elaine Clayton added that recording the meeting was not allowed. The Chair suggested she read the Resolution when it's posted to the website. Elaine Clayton asked why Owner/Users can't know how much it costs for the security and why the secrecy for the type of security. The Chair responded on Agenda Item #7 total costs will be available but not the specific items. Lastly, Elaine Clayton inquired about how much the maximum can be for legal fees. Concerned not limit has been set and noted she has submitted a request for this to be on the agenda. She stated it is her understanding is if you are going to spend money on anything, it needs to be in the budget along with a maximum amount and if it goes over, it has to go back to the Board to be voted on. She indicated she would send another email request to be an agenda item.

Greg Watts was given the floor, again, and inquired about the security. He noted in July/2023 the office management contract ends if the contract goes to someone else and they don't rent the current office space what happens to the security equipment, does it remain with the Landlord. The Chair stated since this relates to Agenda Item #7 he would address. Most of it is portable; does not belong to the Landlord. Belongs to the District and can be removed.

With no other business to discuss the Chair called for a motion to adjourn the meeting and Randy Hrabina so moved. The motion was seconded by Jed Carter and upon vote passed unanimously. Meeting adjourned at 2:42 PM

Certification:

I, Sarah J. Hrabina certify that the Agenda for the **Dec. 19, 2023** Special Board Meeting was publicly posted at the Water District Office and Post Office on **Dec. 16, 2023**, on or before 1 PM

Next Regular Board Meeting: December 26, 2023 5PM

Sarah J. Hrabina
Sarah J. Hrabina

ATTESTED:

I, Randall Hrabina, Secretary for the Black Canyon City Water Improvement District certify that the minutes are true and correct to the best of my knowledge and belief.

Respectfully submitted,

Randall Hrabina
Board Secretary

Transcription of the minutes was completed by Sarah Hrabina on 1/7/2024
A recording is available for the meeting