

**Upper San Pedro Water District Organizing Board
September 21, 2009
Cochise County Foothills Complex**

I. CALL TO ORDER:

Meeting was called to order at 6:30 P.M. by Chairman Rutherford.

II. CALL OF ROLL:

PRESENT:

Mike Rutherford
Steve Pauken
Mary Ann Black
James Herrewig
Carl Robie
Rick Coffman
John Ladd
Mike Boardman
Susan Shuford

ABSENT:

Holly Richter

OTHERS PRESENT:

Tom Whitmer
Britt Hanson

III. REQUEST FOR APPROVAL OF MINUTES:

July 27, 2009, Meeting

Jim Herrewig moved to accept the Minutes of the Meeting of July 27, 2009. Seconded by Rick Coffman.

VOTE: Unanimous in favor. Minutes of July 27, 2009, were accepted. No objections heard.

August 3, 2009, Work Session

Jim Herrewig moved to accept the Minutes of the Work Session of August 3, 2009. Seconded by Carl Robie.

NOTE: Susan Shuford (Administrative Assistant) added the last name of Kelly (as Mott-Lacroix) to the Minutes in advance of the Meeting. Notice via email of this addition was provided to Board Members. Minutes were accepted with this addition of the last name.

VOTE: Unanimous in favor. No objections heard. Minutes of August 3, 2009, were accepted.

September 14, 2009, Work Session

Jim Herrewig moved to accept the Minutes of the Work Session of September 14, 2009. Seconded by Rick Coffman.

VOTE: Unanimous in favor. Minutes of September 14, 2009, were accepted. No objections heard.

IV. CONTINUED DISCUSSION OF ADWR SCOPE OF WORK WITH FOCUS ON DEVELOPMENT AND COMPREHENSIVE PLAN WITH MEASUREABLE OBJECTIVES:

Whitmer stated that the draft Organizational Plan and draft Financial Plan as provided on August 3, 2009, needs approval from the Board to post and send to libraries. Shuford clarified with Whitmer that the draft Comprehensive Plan has not been sent to the libraries. He stated that the draft Comprehensive Plan, draft Organizational Plan and draft Financial Plan will all be sent to the libraries at one time upon approval by the Board.

Mary Ann Black made a motion that the Board approve the August 3, 2009, draft Organizational Plan and draft Financial Plan subject to public input. Robie seconded the Motion.

VOTE: Unanimous in favor.

V. PUBLIC OUTREACH:

Carl Robie addressed the list of the firms that had made submissions for the position advertised. The list was provided to the Board via email prior to the Meeting for consideration and review. The Procurement Division was putting together packets for the list. Individuals must complete the questionnaire supplied by Procurement. Robie said that the Board can review the packets or that the Committee (Robie, Herrewig and Richter) can review the packets and pick a potential candidate or candidates depending on what the Board would request. Rutherford asked if anyone else would like to be on the Committee. Mike Boardman asked how many candidates will be brought before the Board. He felt that the Board should look at no less than two or three nominees. Robie stated that he will obtain the County's Procedure Sheet (from Procurement) to determine what the process is to be based on the County's requirements which was not available to him prior to this Meeting. Attorney Britt Hanson asked if there is the potential that the candidates be interviewed twice – once by the Committee and then, by the full Board or is there the contemplation to narrow down the choices to the potential three that might be brought before the Board. Rick Coffman said he would like to see more than just a final person. He liked that the Committee review the candidates and then, narrow the group to possibly three. Ladd agreed that the Board be able to view three candidates. Black also agreed. Boardman felt that this would be appropriate. He wants the Board to be comfortable with the person as this person will be key to the success of the Board's goal. Rutherford clarified that if the Procedure Sheet, once reviewed by the Robie allows then, the Committee will review the submissions and choose

three (3) nominees to bring to the Board with the Board hearing from the candidates. Rutherford clarified that the Board would like to hear from all three (not necessarily interview), but have the Committee's input as they will have fully reviewed the submissions. Rutherford asked if this was acceptable to the Board. Boardman stated that he wanted to give each candidate approximately five (5) minutes in order to address their approach to the issues and hear their background and then, be allowed to ask each person different questions. Robie said that if the Board intends to have the candidates interviewed by the Committee and then, come for a five minute inquiry, then, he felt that the Board should review all of the submissions instead of having the Committee narrow the submissions. Boardman requested that the Board authorize a payment for transportation. Pauken stated that an employee is not being hired, but a firm and a firm would be accustomed to bearing this expense. Pauken further stated that the candidates should be allowed more than five minutes in order to make a presentation. He suggested having two or three questions that are common to each candidate and then, other questions could be developed by the interviews after hearing from the candidate. Pauken suggested 30 to 40 minutes per candidate. Black agreed. The Board was in agreement that based on Robie's clarification of the Procedure Sheet, this would be the process.

VI. ELECTIONS PROCESS:

Carl Robie is to talk with Tom Schelling about the minority designees and the possibility of using the designees from previous years.

VII. BOR IGA:

Boardman stated that this is BOR's initiative to do a feasible option assuming that there is matching money that comes in to bring alternative water sources into the Upper San Pedro region. He said that it is important to hear from BOR and the City on any proposals. Robie stated that BOR has addressed the Board on at least two occasions. Robie stated that as a group the Board is fairly aware of BOR's position and intention. Boardman stated that the Board needs to hear from all of the stakeholders involved. Robie stated that it is not up to the Organizing Board nor does the Board have authority to enter any agreement with BOR. Boardman stated that the major stakeholder is the federal government. He said that the Organizing Board needs to consult with and have knowledge. Robie said that the Board has an agreement with BOR done in writing that they attend the Board's meetings and keep the Board advised of their process. Boardman said that he understands that the City has made an offer to BOR to cost share in return for which the City will have a significant stake in the results of the study and any projects recommended. Robie pointed out that the Partnership is discussing the same. Boardman said that he doesn't want the Board to miss any opportunity with BOR. Boardman asked about the City's position because he felt that the Board would possibly be irrelevant.

Mayor Bob Strain of the City of Sierra Vista stated there is nothing firm. He said they have a proposal that has not been seen or approved. He stated that several staff members have seen it. He said that the idea for the Feasibility Study to look for and engineer a sustainable source of water is not there yet. He said that the issue of concern is that no one wants to be left out. Strain said that it will not be a voting issue. He said there has to be a 55% match from the community. He said further that there is general recognition that the Feasibility Study recommends a project for a good source of water in the SV Watershed, then, the District will more than likely own and operate that project. Strain said

that the timing has to work. Whitmer stated that such a study would not be completed for approximately three (3) years away.

Boardman stated that the Board needs to hear from BOR, City of Sierra Vista and USPP and have continuity with those stakeholders and any other stakeholders. He stated that BOR has the jurisdiction. Whitmer said they may or may not have jurisdiction. Boardman said that the Corp of Engineers and BOR are involved. He said that BOR is going to be involved in water issues and dealing with them on funding major projects. Rutherford stated that if the Board succeeds what it has been tasked to do, then, a new permanent Board should be in place prior to the completion of the study. He said that the Board needs to have knowledge of the situation and be parallel with the efforts of other stakeholders. Boardman stated then how can the Board get up and discuss the draft Plan with the recommendations when the Board is out of touch with the major stakeholders and the federal effort. Strain said the Board would not be out of touch. Boardman said to Strain that he mentioned that a City Manager had drafted a proposal and it may not have been approved by the Council, but it still represents movement by the City to BOR on what the City's relationship will be. Rutherford stated that the Board needs to be aware and that the Board needs to work with the information that we have currently. Boardman said that the USPP is very actively involved in this. Rutherford stated and Robie clarified that we have representation on the Board from the City and that the Board contains two people who participate in the Partnership. Tricia Gerrodette said that she has the City's proposal to BOR and that it is not a secret. Whitmer clarified that Eve Halper from BOR has presented to the Board twice about the Feasibility Study and the alternatives.

VIII. BUDGET:

Steve Pauken provided a report regarding Performance Evaluation and Wage Recommendation for Susan Shuford (Administrative Assistant). The report was emailed to the Board prior to the Meeting. Steve Pauken, Rick Coffman and Holly Richter met regarding Shuford's performance and wage. He stated that it was agreed that Shuford's performance has been above average to excellent for her tenure with the Board. He stated that Shuford has met or exceeded all of the criteria in the position description which was provided by the County. With regard to time spent monthly, after reviewing all time sheets submitted, Shuford's average hours worked per month has been 18.6 hours. The original estimate was for 20 hours per month. Currently, the rate of pay is \$17.00 per hour. Shuford was hired with the understanding that performance would be evaluated after a period of time (which is later than was anticipated). The Committee recommends that an increase to \$20.00 per hour be accepted by the Board to begin effective with the first payroll period in October or as soon as it is can get into the County's system. The job description has a range of hourly rate of \$20.13 per hour approximately. He stated that Committee feels that based on the level of performance, the limited number of hours required at the present time and the amount of time for the commute back and forth is certainly reasonable. Coffman stated that the budgeted amount monthly for the position is \$400.00 and this increase would not exceed this projection. He said that this adds about \$60.00 to the costs per month or \$720.00 per year.

Pauken made a motion that the Committee's recommendation that Shuford's hourly wage rate be adjusted from \$17.00 per hour to \$20.00 per hour effective with the first pay period in October or as soon as the County's payroll system can be allowed. This motion was seconded by Black. Boardman asked if this position is part time with no benefits. Boardman asked if this is a one-time increase or will it be an annual increase. He felt that the increase needed to be looked at based on the perspective. Pauken stated that it was considered on the merits currently. He stated that it is not only a part time

position, but it is also temporary. Pauken said that if it goes beyond November 2010, then, the Board may be looking for someone more permanent. He said this may be the will of the voters. Coffman stated that he felt it was the Committee's agreement that it was a one-time adjustment based on the terms of hire and not based on a yearly adjustment. He said as Steve noted the maximum hourly rate is approximately \$20.00 per hour and that is based on someone with full benefits, so the rate would be closer to \$30.00 per hour based on benefits. He stated there are no benefits with this position. Boardman said he did not want the Board to have to explain to other County employees asking why this employee received a fifteen percent (15%) increase and they did not. Hanson pointed out that coming from the County's stand point, the monies are not coming out of the County's budget. Rutherford clarified that the adjustment is for Shuford's time. He wanted it clarified that Shuford would also receive reimbursements for cell phone, internet costs and/or other such expenses. Pauken said that those are reimbursable and not considered benefits.

VOTE: Unanimous in favor.

IX. WEBSITE:

It was agreed by the Board that this Item would be better included under the Public Outreach item in the future. Pauken proposed that discussion of a website should be a part of Public Outreach. Black agreed. Boardman said that a website would give multiple facets for the public and the Board and that it could be used as an internal function for the Board (with password access for certain things). Hanson stated that having a separate section for the Board would violate the open meeting laws. Coffman said that the website is going to be used to educate the public on the Board and the District. Robie reminded that this is part of the public input process and may be better left to the Outreach Coordinator.

X. CALL TO THE PUBLIC:

There were no requests by the public in attendance at the Meeting to address the Board.

XI. FUTURE MEETING DATES AND LOCATIONS:

Chairman Rutherford confirmed the next meetings would be as follows:

Meeting: October 19, 2009, at 6:30 P.M. at the Cochise County Foothills
Complex, Sierra Vista

Rutherford inquired about the need for a Work Session. Pauken pointed out that it may depend on how far the process gets with the review of the candidates for the Outreach Consultant. The Board agreed that at this time there is not a need for a Work Session.

XII. ADJOURNMENT:

There being no further business Chairman Rutherford adjourned the Meeting at 7:30 P.M.