

**BOARD OF DIRECTORS
METROPOLITAN DOMESTIC WATER IMPROVEMENT DISTRICT
PIMA COUNTY, ARIZONA**

February 27, 2013

**** Board Room ****

**Metropolitan Domestic Water Improvement District
6265 N. La Cañada Drive
Tucson, AZ 85704**

MINUTES

Board Members Present: Judy Scrivener, Chair
Richard Byrd, Member
Jim Doyle, Member

Board Members Not Present: Dan M. Offret, Vice-Chair
Bryan Foulk, Member

District Staff: Mark R. Stratton, General Manager
Abbe Goncharsky, Legal Counsel
Christopher W. Hill, Deputy General Manager
Tullie Noltin, Recorder
Warren Tenney, Clerk of the Board

Special Session

I. Call to Order and Roll Call

Judy Scrivener, Chair of the Board of Directors of the Metropolitan Domestic Water Improvement District (District), called the Board Meeting to order at 5:30 p.m. Judy Scrivener, Richard Byrd, and Jim Doyle were present. Bryan Foulk and Dan M. Offret were not present.

II. Consideration of Action to go into Executive Session for the following purpose:

a. Pursuant to A.R.S. §§38-431.03.A.3 and 38-431.03.A.4 to consult with the attorneys for the District and consider the District's position and instruct its attorneys regarding the decision made by the Arizona Department of Occupational Safety & Health Administration and the claim made to the Arizona Attorney General's Office.

Mr. Doyle made a motion to enter into Executive Session. Mr. Byrd seconded the motion. The Executive Session lasted from 5:31 p.m. to approximately 6:00 pm. Ms. Scrivener reconvened the meeting at 6:01 p.m.

III. Consideration of Action regarding Executive Session Item

Mr. Byrd made a motion that Legal Counsel and staff proceed according to the discussion that took place in Executive Session. Mr. Doyle seconded the motion. Motion passed unanimously.

IV. General Comments from the Public

David Tanner, residing at 3347 W. Sophia Street, Tucson, Arizona 85741, asked how much this is costing and whether the District will need to raise water rates again to cover the legal fees to pursue these cases. Mr. Stratton responded stating that the majority of costs are covered by insurance. The District has legal counsel to protect the interests of the District and their support is needed to deal with these regulatory agencies. Mr. Tanner asked if he was referring to the Arizona Division of Occupational Safety and Health (ADOSH) and the Arizona Attorney General's Office, and Mr. Stratton confirmed.

V. Adjournment

The meeting adjourned at 6:04 p.m.

Judy Scrivener, Chair of the Board

Warren Tenney, Clerk of the Board