

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

August 21, 2006

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

**MINUTES**

Board Members Present:            Dan M. Offret, Chair  
  Judy Scrivener, Vice Chair  
  Suzanne Downing, Member  
  Jim Doyle, Member  
  James Tripp, Member

District Staff:                        Mark Stratton, General Manager  
  Keri Silvyn, Legal Counsel  
  Warren Tenney, Clerk of the Board  
  Alice Stults, Recorder

**Study Session**

**I.     Call to Order and Roll Call**

Dan M. Offret, Chair of the Board of Directors of the Metropolitan Domestic Water Improvement District (District), called the Board Meeting to order at 4:00 p.m. Dan M. Offret, Judy Scrivener, Suzanne Downing, Jim Doyle, and James Tripp were present.

**II.    General Comments from the Public**

Lauretta Ovsevitiz introduced herself to the Board. Ms. Ovsevitiz was the only person who filed petitions for one of the three seats for the District Board of Directors for the November 2006 election. Mr. Offret welcomed Ms. Ovsevitiz to the meeting, and thanked her for her interest in serving on the Board.

**III.   Discussion and Possible Cancellation of the November 2006 Election of Board Members**

Mr. Tripp made a motion to approve a letter be sent to the Pima County Board of Supervisors requesting that pursuant to the statutes that the Supervisors appoint candidate Lauretta Ovsevitiz to

the Metro Water District Board position and cancel the District Board member election in November 2006. Ms. Scrivener seconded the motion.

Ms. Downing confirmed that interested write-in candidates have until September 28, 2006 to file the necessary nomination forms. She asked if the election were to be canceled, would this negate the ability of interested people to be write-in candidates. Warren Tenney, Assistant General Manager, replied yes. He explained that the District has until September 1, 2006 to provide Pima County Elections written notice if it intends to cancel the election. If the election is cancelled, Ms. Ovsevizt would be appointed by the Board of Supervisors to fill one of the three seats for the Board. The Board of Directors can then appoint persons to fill the remaining two vacancies at its January 2007 meeting.

Ms. Downing questioned if there was any concern that write-in candidates would not be able to participate. Mr. Tenney provided background information as to the statute allowing for the election to be canceled. New legislation two years ago confirmed and clarified the ability of special districts to cancel an election and have the individuals who filed petitions be appointed if it is not greater than the number of seats for the election. Ms. Silvyn confirmed the legality of the statutes.

Ms. Silvyn said that after January 1, 2007, the remaining Board members and Ms. Ovsevizt, the only candidate to file petitions, can establish policy or qualifications that they want to require of anyone that is interested in filing one of the two remaining Board seats. Ms. Silvyn explained that the current Board can establish policy at this time for appointing Board members; however, it would not be able to act on it until after January 2007.

Ms. Scrivener asked if a mailing could be sent to customers, or perhaps an advertisement in the newspaper or District's newsletter, to solicit resumes and letters of interest from District customers. Ms. Silvyn said this could be done; however, not until after January 1, 2007. The appointment power of the Board actually occurs, and any solicitation would have to occur, once the vacancies are actually created. Ms. Silvyn said if a policy on appointing Board members is created, the Board will be tied to following that policy. She recommended not creating a policy at this time that might limit future Board member appointment options.

The motion to approve a letter be sent to the Pima County Board of Supervisors requesting that pursuant to the statutes that the Supervisors appoint candidate Laurreta Ovsevizt to the Metro Water District Board position and cancel the District Board member election in November 2006 passed unanimously.

#### **IV. General Manager's Report**

Mark noted that at the August 14, 2006 Board meeting it was mentioned to hold a special meeting in the Hub service area to review plans with area customers regarding the installation of new

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mainlines. The Board agreed to meet on September 25, 2006 at 7:00 p.m. at Fruchtlender Elementary School.

Mr. Offret mentioned that the tour recently attended by Board members and Bond Oversight Committee members was informative and enjoyed by those in attendance. Ms. Scrivener said that she was one of the attendees, and noted that the size of the new Northeast Reservoir was very impressive. She agreed that the tour was informative and thanked District staff that was present for the tour that provided information.

**VI. Adjournment**

The meeting adjourned at 4:26 p.m.

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Dan M. Offret, Chair of the Board

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Warren Tenney, Clerk of the Board