

MINUTES OF MEETING BOARD OF DIRECTORS FOUNTAIN HILLS SANITARY DISTRICT

The Board of Directors of the Fountain Hills Sanitary District met in a **Special Meeting** on **Saturday, March 29, 2008** at **10:00 a.m.** in the District's Board Room located at 16941 E. Pepperwood Circle, Fountain Hills, Arizona 85268.

Agenda Item No. 1 **Call to order and roll call**

Upon roll call, the following Directors were present in person:

Chairman Bob Thomson, Vice Chairman Tom Reski, Director Glen Panaro, Director Michael Howard, and Director Bruce Hansen.

The following Executive Staff members were present in person:

Ron Huber, District Manager, Bill Sullivan, Legal Counsel, and Tori Sawyer, Controller.

Agenda Item No. 2 **Call to Public**

No public was present

Agenda Item No. 3 **Executive Session**

Director Panaro moved and Director Reski seconded to go into executive session pursuant to A.R.S. § 38-431.03(A)(3) & (4), for the purpose of discussion or consultation with the District's legal counsel for legal advise regarding the annexation process and/or to consider the District's position and instruct its counsel regarding a pre-annexation (or similar) agreement involving the former state trust land. Motion carried unanimously and the regular session adjourned at 10:01 a.m.

Motion by Director Reski and seconded by Director Howard to reconvene into regular session. Motion carried unanimously and the regular session resumed at 11:59 a.m.

Agenda Item No.4 **Discussion and possible direction to staff regarding amendment to CDM's engineering contract.**

The District Manager informed the Board that, after consultation with Director Panaro, he had decided to afford CDM an opportunity to revise its price prior to initiating discussions with another engineer on the project. The District Manager expressed his concern that the cost a different engineer would charge to reach CDM's familiarity with the Project would offset any other reductions. Mr. Huber further explained his understanding that once he engaged in negotiations with

another engineer, negotiations with CDM would be deemed terminated and that CDM would no longer be available for the Project through the direct select process. Director Reski indicated that without reviewing the minutes from the prior meeting he was not prepared to take any action. The District Manager indicated that he would have a full report at the next regular meeting, including the results of his further discussions with CDM. Without objection, the matter was tabled until the next regular meeting.

Agenda Item No. 5
Adjournment

Motion by Director Hansen, seconded by Director Howard to adjourn the meeting. Motion carried unanimously and the meeting was adjourned at 12:05 p.m.

Dated this 29th day of March, 2008.

Fountain Hills Sanitary District

Minutes Prepared By: Ronald D. Huber
Ronald D. Huber, District Manager