

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 **Wednesday, March 3, 2021** at **4:30 p.m.** via an online webinar.

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

Upon roll call, the following Directors were present:

Chairman Michael Maroon, Director Gregg Dudash, Director Tammy Bell, and Director Jerry Butler. Vice Chairman Thomson arrived a few minutes late.

The following Executive Staff members were present:

Dana Trompke, District Manager, Bill Sullivan, Legal Counsel, Tori Myers, District CPA, and Penny Cook, Assistant Secretary.

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

There was no public comment.

Agenda Item No. 3 **Discussion regarding sodium pollution in wastewater.**

Chairman Maroon would like to discuss possible solutions to try and solve the sodium pollution in wastewater and decide which ones the District would like to put efforts into this year.

After discussions, it was suggested that education be continued, and a volunteer effort and partnership effort be encouraged with the Town. Chairman Maroon suggested that a coalition be formed with two individuals from the Board and two individuals from the Town Council to discuss options for addressing sodium. Director Bell suggested that an environmental person and a business, like a golf course, be included in the coalition. Director Bell and Director Butler are willing to represent the District in the coalition.

Chairman Maroon will contact Mayor Dickey and share with her that this is what the District would like to do and would like the Town Council's participation.

Director Dudash suggested the District website have sodium pollution education and link from the Town website making the residents of Fountain Hills aware of the situation.

Agenda Item No. 4 **Discussion regarding "Gift Clause" decision by Arizona Supreme Court and its relevance to the sodium remediation credit.**

Legal Counsel reported on the recent Arizona Supreme Court case, Schires v. Carlet, involving Article 9, Section 7 of the Arizona Constitution, referred to as the "Gift Clause". The decision clarifies that a public entity providing an economic benefit to a private party must receive, in return, direct benefits having a

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proportional fair market value. Legal Counsel suggested the decision may have implications for the District's Sodium Remediation Program. The District Manager indicated the Sodium Remediation program will be reviewed as part of the 2021-2022 fiscal year budget process.

Agenda Item No. 5

The Chairman, the individual members of the Board and the District Manager will each be permitted to provide a brief summary of current events. The Board will not propose, discuss, deliberate or take legal action at the meeting on any matter addressed in the summaries, unless the specific item is otherwise properly noticed.

District Manager informed the Board that meetings were held with staff explaining the District will be transitioning the retirement plan to the State Retirement System. Overall, there was positive feedback and the employees wanted to thank the Board for the change.

Agenda Item No. 6

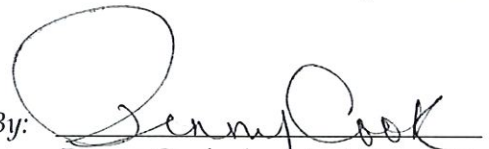
Adjournment

Vice Chairman Thomson made a motion to adjourn the meeting at 5:56 p.m. Director Dudash seconded the motion which passed unanimously.

Dated this 4th day of March 2021.

Fountain Hills Sanitary District

Minutes Prepared By:


Penny Cook, Assistant Secretary