



Aug. 19, 2022

Subject: Minutes of 8-17-2022 Hearing

1. Call to Order, Roll Call, Quorum

John Ritter called the meeting to order 2:00 pm on 8-17-2022.

Board members present: John Ritter, Mike Bourne, and Ron Krug

Paul Schmidt was 5 minutes late calling in.

Sue Davis was absent.

John Ritter determined that four of five members present constituted a quorum to conduct business.

Community members present:

Kevin Kral, Dave Wang, Bob Raw, Jerri Mason, Darrel Smith, Shawn Nelson, Dave Janecke, Ann Whitmore, Ken Lewis

2. Accept Agenda

Ron made a motion to accept the agenda as is, Mike seconded All board members in attendance approved the motion.

3. Public Comments

There were no public comments.

4. Discuss Petitions to Remove Property from the District

4.1 Starlight Pines Lots 172 and 173

Mike Bourne presented the Petition to allow Starlight Pines Lot 172 and Starlight Pines Lot 173 owned by Kevin D. Kral and Diana L. Kral to leave the District, pointing out that the Petitioner had corrected the Situs Address for Lot 173 Exhibit A to "2636 Elkhorn Way" prior to District review and presentation at this meeting.

Mike read aloud Exhibits C and D of the petition.

Exhibit C.

We are requesting to opt out of the district because of many concerns we have with the current district. We did not complete the initial petition to be included into the district because, per the instructions received from the Blue Ridge Water Improvement District. "If you have submitted a petition but do not wish to be included into the Blue Ridge Water Improvement District, please notify BRWID Steering Committee by Sept 28th at info@brwid.org.

Those who did not send in a petition will not be included in the Blue Ridge Water Improvement District." After reading this, we decided to not send in a petition, because we did not want to be a part of the water district. We were unable to attend the Coconino County BOS meeting dated June 29 2020. Afterwards we learned that our property was wrongfully included into the district without a signed and notarized petition. I have concern that there has not been a professional appraisal of the water system to be purchased. If any large repair is needed, tax assessments may need to be imposed. I am not prepared to ake on this type of risk financially. We request that our property be removed from the district.

During the BOS, attorney Wene assured that there would be no reason to hold people in the district. We never submitted a petition to be included in the water district. We would appreciate to be excluded from the district. Thank you.

Exhibit D.

Public welfare will be promoted by the board keeping their word and having integrity. Also respect for those that did not submit a petition to be part of the district. Respect for those that don't "vote" like you think they should. Preserving the freedom to act according to the dictated=s of ones own conscience.

Integrity and being true to one's word is paramount to maintain trust and build relationships both with our family and our neighborhood community. Being removed was promised to be a simple process My property was wrongfully included into the district since I did not ever sign a petition. Per respresetative Wene at Coconino County Board of Supervisors Special Session and Public Hearing June 29th, 2020, there isn't a reason for the board to keep these or any other properties in the district if they petition to be out. I quote, "It's a simple opt out."

Also "If they don't want to be part of the district then they don't have to be part of the district. They can opt out at anytime, they just have to petition the board to do it.

Later, Mr. Wene responds to chairperson; inquiry, "If for some reason we missed somebody or if they decide later they want to be outside the district, they would essentially petition to the board, draft a letter that says, I want to be outside of the district, submit that to the board, ad have that voted upon by the district board. It's relatively simple, there's no reason to keep the included. I mean it's not like anyone is taxing or there is going to be any change to the district. If they want out, they can opt out. It's just a petition process. I see no reason why they would be held in if they didn't want to be"

During this meeting members of this board, including, but not limited to; Mr. Ritter was in attendance and did not refute the statements made by representative Wene.

Neighbors that wish to exit the district deserve to do this with dignity by the district board and members of the community.

The boards [sic] trust and integrity is on the line here. Do the right thing keep your word today for our community. Respect people's choice long before the BOS meeting, to not be part of the district.

Kevin Kral affirmed that he and Diana Kral had signed the Petition to create the District on 7-20-2019. Kevin's major concern was being taxed as a District member.

Mike provided current numbers for the District, 1603 connections in the service area, 750 actual connections currently and 990 properties within the district.

Ron commented that leaving the District eliminates your right to be a board member or to vote for the board and added that, if the District needs to raise money, it would be done by increasing user fees not adding taxes.

John made a motion to allow lots 172 and 173 of Starlight Pines to leave the District. Mike seconded the motion. All board members in attendance voted in favor of the motion. The resolutions were read into the minutes.

**BLUE RIDGE DOMESTIC WATER IMPROVEMENT DISTRICT
RESOLUTION 2022-8-17 SP LOT 172 Kral**

RESOLUTION AND ORDER FOR THE EXIT OF PROPERTY FROM THE DISTRICT

WHEREAS, Kevin D. Kral and Diana L. Kral Trustees, or their successor or successors in Trust under the Kevin D. Kral and Diana L. Kral Revocable Trust Agreement, dated February 24, 2006 and any Amendments ("the Requesters"), owner of Starlight Pines Lot 172, APN 403-79-027, Situs Address: 2616 Elkhorn Way, Happy Jack, AZ, 86024, ("the Property"), submitted a Notarized Petition Request on July 15, 2022, with the Clerk of the Blue Ridge Domestic Water Improvement District ("the District"), asking that their Property be excluded from the District, pursuant to Arizona Revised Statutes Title 48, Chapter 6; section 1014 C.,

WHEREAS, the Board of Directors of the District has performed a records search with the Offices of the Coconino County Recorder and the Coconino County Assessor and confirmed that the Requesters are the legal Owners of the Property and that all Property Owners have signed the Request, and

WHEREAS, the Board of Directors of the District finds that the legal requirements for exiting from the District have been met and the exclusion of the Property from the District will not be a detriment to the public convenience, necessity, and welfare,

NOW, THEREFORE, THE DISTRICT BOARD OF DIRECTORS RESOLVES that the Property described on the attached legal description is hereby declared to be excluded from the District.

The Board of Directors hereby directs that a copy of this Resolution shall be recorded in the Office of the Coconino County Recorder and that the Clerk of the District shall mail a copy of the recording of this order to the Arizona Department of Revenue, the Clerk of the Coconino County Board of Supervisors, and the Coconino County Assessor.

PASSED AND ADOPTED ON August 17, 2022

By: _____
John Ritter, Chair

ATTEST: _____
Sue Ann Davis, Clerk and Secretary

Coconino County Parcel Number:
APN: 403-79-027

Legal Description
Account R0004875

Situs Address 2636 ELKHORN WAY

City HAPPY JACK

Tax Area 0506 - SD#5 FD BLUE RIDGE/WID-BLUE RIDGE DOMESTIC

Parcel Number 403-79-028

Legal Summary Subdivision: STARLIGHT PINES UNIT TWO PHASE TWO Lot: 173

Sixteenth: SE Quarter: NW Section: 31 Township: 15N Range: 12E

Neighborhood 05.03 - STARLIGHT PINES-BLUE RIDGE-MOGOLLON RANCH-TAMARRON PINES-PINE CANYON - TIMBER RIDGE RANCH

Owner Name KRAL KEVIN D & DIANA L REVOCABLE TRUST DTD 02-24-06

Owner Address 18004 N EVERSON DR
GLENDALE, AZ 85308

4.2 Starlight Pines Ranchettes Lot 14

The petition to allow Lot 14 of Starlight Pines Ranchettes to leave the District was presented.

Mike read exhibit C aloud.

Darrel Smith owner of Lot 14 was worried about the condition of the water equipment and taxes, which could be levied to pay the cost of repairs.

Paul explained that all costs would be covered by the water rates and not by creating new taxes. He also explained that a cost analysis was done by internal people to ensure the value of the assets being purchased were in line with other water companies.

Mike made a motion to allow Lot 14 of Starlight Pines Ranchettes to leave the District. Ron seconded All board members in attendance voted in favor of the motion. The resolution was not available at the meeting.

The petition to allow Lot 34 of Starlight Pines Ranchettes to leave the District was presented.

Mike read Exhibits C and D aloud.

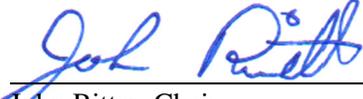
Randy and Susan Wood did not attend the hearing so could not be asked any questions.

Mike took exception to the wording within the petition questioning the integrity of the board and believes that the board has only had the best interest of the community in their decisions.

Mike made a motion to allow Lot 34 of Starlight Pines Ranchettes to leave the District. Ron seconded All board members in attendance voted in favor of the motion. The resolution was not available at the meeting.

Mike explained the process of changing the District boundaries including all the background communications and Government offices involved. He gave Sue Davis thanks for creating the process and making the needed contacts.

John made a motion to adjourn the meeting. Ron seconded.
All board members in attendance voted yes.
Meeting was adjourned at 2:55 p.m.



John Ritter, Chair
BRDWID Board of Directors

Approved November 19, 2022