

**OFFICIAL MINUTES FOR THE  
BLACK CANYON CITY WATER IMPROVEMENT DISTRICT  
December 31, 2016 SPECIAL BOARD MEETING**

Chair, Barrie Dickerson called the meeting to order at 9:00 AM. Roll call showed a quorum.

Chair: Barrie Dickerson  
Secretary: Lavon Van Dusen

Treasurer: David Moore  
Member-at-Large: Susan Marley(telephonically)

Not in attendance: Vice Chair: Eva Berst

Also in attendance: Management–Sarah Hrabina  
Owners/Users: none

The purpose of this Special Board meeting was to discuss the need for and authorize the hiring of Hal E. Marron, P. E., an expert in water systems and erosion control, to assist the Black Canyon City Water District in addressing the lawsuit of Ansel vs BCCWID Yavapai County Superior Court #P1300CV2016-00448. Dave Moore, who has been in contact with Mr. Marron, detailed Hal's qualifications and his importance to the District in regards to the lawsuit. Mr. Marron's experience includes the modeling, design, and construction of water systems for cities and water companies including the cities of Phoenix, Scottsdale, Mesa, Buckeye, the company Epcor, and other private water companies, as well as working in various consulting roles with other water agencies.

The Board reviewed a letter from Mr. Marron, detailing his Project Understanding, Proposed Scope of Services, and fee estimates for the outlined work. The retainer required to begin Mr. Marron's services would be \$7,500, with the estimated amount for all services totaling \$15,500.00. Dave did state that both the District's law firm, and the law firm for the District's insurance company felt the District would be justified in filing a claim to the insurance company and there was a possibility at least a portion of the claim could be paid by the insurance company.

The District needs Hal to perform his scope as outlined in his letter, in order to prepare for the January 18, 2017 depositions of plaintiff Cary Ansel, and of Kevin Boesh, the hydrologist and expert witness for Mr. Ansel. The District will also need Mr. Marron's findings for the evidentiary hearing in February 2017 to justify the District's work on the easement and to support its position and disprove the position of the plaintiff's expert. Mr. Marron may also be needed to provide his experience and testimony at trial, if necessary. His expertise will be necessary in the District's defense, and the counter claims, as well as to provide support that will be needed to protect the prescribed easement the District has, once it has been recorded.

After some discussion, the Board agreed it would be in the best interests of the District to utilize Hal's expertise. Sue Marley made a motion to have the District retain the services of Mr. Marron. The motion was seconded by Lavon Van Dusen and, upon vote, the measure passed unanimously.

***With no other business to come before the Board, the Chair adjourned the meeting at 9:15 A.M.***

**CERTIFICATION:**

I, Sarah J. Hrabina, certify that the Notice for the December 31, 2016 Special Board Meeting was publicly posted at the Black Canyon City Post Office Bulletin Board, on Dec. 30, 2016

*Sarah J. Hrabina*

Sarah J. Hrabina

**ATTESTED:**

I, Lavon Van Dusen, Secretary for the Black Canyon City Water Improvement District certify that the minutes, as transcribed by myself, are true and correct to the best of my knowledge and belief.

Respectfully submitted,

*Lavon Van Dusen*

Lavon Van Dusen

Transcription of minutes completed on 01/07/2017. A full recording is available—11:09 minutes.