

DRAFT

MINUTES OF THE BOARD OF DIRECTORS OF THE ESCUDILLA MOUNTAIN DOMESTIC WATER IMPROVEMENT DISTRICT OF APACHE, ARIZONA, AUG 30, 2025 AT 11:00 AM AT THE ALPINE FIRE STATION #2 IN NUTRIOSO, AZ

- 1. CALL TO ORDER** - David Knobbe called the meeting to order at 11:01 am. Melissa Chivers, Pat Cruse (arrived at 11:03) and David Knobbe were present. Mike Draper attended by phone. Mark LaCombe was absent. There were 8 district members in attendance.
- 2. APPROVAL OF AGENDA** - Melissa Chivers motioned to approve the agenda. Mike Draper seconded. David Knobbe approved.
- 3. APPROVAL OF THE MINUTES FROM THE JULY 5, 2025 HEARING AND BOARD MEETING.** The minutes were previously distributed. Melissa Chivers motioned to approve the Hearing and Board Meeting minutes and Mike Draper seconded. David Knobbe approved.
- 4. CHAIR, BOARD MEMBERS, AND CLERK REPORTS**
 - Financial report - Lorie Knobbe reported that the EMDWID has a total of \$46,101.97. This amount is held between the Apache County account and the BMO account. There is an additional \$40,000 in the Apache County account that the EMDWID received from GADA as a loan for Design and Engineering.
 - Assessment - The Apache County Board of Supervisors unanimously approved the 25-26 Tax Levy for all county jurisdictions at their August 18, 2025 Board Meeting. This includes the EMDWID flat assessment of \$250 per property.
 - SWCA update - David reported that no one commented on the FONSI article that was posted in the White Mountain Independent. Per Lindsay Mills at WIFA the environmental review process is complete for the well located by Nutrioso Creek.
 - Design and Engineering - David Knobbe reported that the meeting with Zach Barlow from Ironside Engineering & Development along with Elisabeth Muhn and Linda Taunt from ADEQ was held on August 20th. The design was reviewed and some changes were made. The next meeting is scheduled for the first week in September. This meeting will be for a 90% completion of the design.
 - WIFA - SHPO results - Erin Davis from the State Historic Preservation Office (SHPO) said she will have it reviewed by the end of next week.
 - ADEQ - David reported that ADEQ changed the scope of work to design just Lot 53. Zach Barlow will include a Rough Order of Magnitude for the creek well. ADEQ is paying for this design by a grant that was awarded to EMDWID.

- 5. DISCUSSION AND POSSIBLE ACTION TO SELECT AND HIRE AN ENGINEER TO START THE DESIGN FOR THE SYSTEM BUILDOUT.** The district has \$40,000 in GADA money that is earmarked for design and engineering. Lindsay Mills from WIFA said the EMDWID can select an engineer of our choosing as long as the firm completes the WIFA Professional Service Contract. Zach Barlow with Ironside Engineering & Development, Inc. said he is available and willing to work on the design of the buildout. He has been timely and accommodating on the Standpipe Project. Pat Cruse motioned to select Zach Barlow to design the buildout. Melissa Chivers seconded. All in favor. Motion passes.
- 6. DISCUSSION AND POSSIBLE ACTION TO CONSULT AND HIRE A LAWYER TO PURSUE LEGAL ACCESS TO THE CREEK WELL SITE.** David gave a brief overview for this action item. He explained that we may need to pursue legal action to obtain an easement to the lower well site. The new property owner is currently denying the EMDWID access. The access being denied is the only way to get to the well because it is landlocked by other private property and Nutrioso Creek. He explained that there are several different options available to the district. A Prescriptive Easement or an Easement of Necessity are the two most desirable options and if necessary the district will pursue Eminent Domain through the courts. This is why we would need a lawyer who specializes in this process. He also mentioned that NEC will need the same access to provide power to this well site. Pat Cruse motioned to hire a lawyer. Melissa Chivers second. All in favor. Motion passes.
- 7. CALL TO THE PUBLIC** - David opened the call to the public. Eric Sayer asked when the Standpipe will be operational. Alpine has just raised their fee to \$40.00 per 1000 gallons and they have restricted their operating hours effective Oct 1, 2025. David said the 90% meeting with Zach Barlow will be the first week in September with the 100% meeting slated for September 15, 2025. If we receive an exemption for this project from SHPO we will have a meeting on September 20th to approve the Resolution of Intention (ROI) and then the Hearing will be held October 11, 2025. The neighbors within 300 feet of Lot 53 will be invited per the Conditional Use Permit requirements. If the majority agree to move forward work will begin to set up the bid process. At the same time documents will be sent to Apache County to request the Conditional Use Permit and work with WIFA will continue to get our financial request put on their calendar for approval. Melissa thinks realistically next spring or early summer. This depends on if there are any delays in obtaining material. Jay DeWitt asked about the electrical

component of the bid as some of our neighbors would like to donate their time and talents. Melissa and Pat explained how that would work with the general contractor, their warranty, compliance certification, performance and payment bonds. Since we are receiving federal funding there will be strict guidelines.

8. **ANNOUNCEMENTS** - The next meeting will be held on Saturday, September 20, 2025 at 11:00 am at the Alpine Fire Station #2 in Nutrioso.
9. **EXECUTIVE SESSION** - none was required.
10. **ADJOURNMENT** - Pat Cruse motioned to adjourn the meeting. Melissa Chivers seconded. Unanimous. The meeting was adjourned at 11:43.