

**MINUTES OF THE SPECIAL WORK-STUDY MEETING  
OF THE COMMON COUNCIL OF THE TOWN OF STAR VALLEY**

**Tuesday, July 19, 2011 @ 5:30 P.M.**

**Star Valley Town Hall  
3675 E. Highway 260, Star Valley, Arizona**

- **CALL TO ORDER**
- **PLEDGE OF ALLEGIANCE**
- **ROLL CALL**

**Present: Mayor Rappaport; Vice-Mayor Newland; Council Member Hartwell; Council Member Binney; Council Member Coon; Council Member Leis; Council Member Henderson. Town Manager Tim Grier and Lois V. Johnson, Town Clerk were also present.**

- **DISCUSSION ITEMS:**

1. **Discussion regarding water issues in the Town of Star Valley including: an aquifer study; monitoring of wells for quality of water; monitoring of wells for quantity of water and providing data for the aquifer study; the purchase of new well monitoring devices; purchase of groundwater wells; the pursuit of CC Cragin (Blue Ridge) surface water; and a water master plan study.**

Town Manager Grier stated he understood water issues cover a broad spectrum and could not be thoroughly discussed in just one or two work-studies. On the agenda for this work-study and the following regular meeting he had included all of the water issues he could think of. Mr. Grier stated he did not feel the Council had determined what its final goal is concerning water. He set forth various options that he felt applied:

1. Does the Town want to become a water provider – purchase Brooks Utilities.
2. Does the Town want to pursue Blue Ridge surface water.
3. Does the Town want to pursue the acquisition of groundwater wells.
4. Does the Town want to perform as a backup to Brooks Utilities.
5. Does the Town do nothing at all.

Mr. Grier pointed out the restrictions of Brooks Utilities' CC&Ns, but that the citizens of the Town may expect the Town to be taking some action. The Town does have the right to take the position that Brooks is the water provider and the Town does not have to do anything.

Mr. Grier stated the Council needs to "look at the big picture" and realize all of the options come with a price tag, and spending money on water issues may take money from other Town projects. He encouraged them to consider the budget in making any decision. Mr. Grier stated it is his belief if they want to know where they want to end up they likely will not spend money "going down the wrong road".

Council Member Binney stated the Town failed in its attempt to shut down the Tower Well; it rushed into condemning Brooks Utilities; the Town has been monitoring wells for quite some time; and that Brooks Utilities has "full responsibility" to provide water to the Town, but the Town has no liability if Brooks fails in this regard. Mr. Binney stated he believes the Town should continue with some form of well monitoring and to preserve the data. Mr. Binney stated he feels the Town should continue pursuing Blue Ridge water, and that further discussion should be pursued with Brooks

Utilities to ascertain its plan for the future. Mr. Binney stated he is not against purchasing wells so there is water available for fire fighting. He is concerned that any wells purchased may be exposed to any potential well contamination issue that may now exist or arise in the future. Mr. Binney stated he believes the Town "needs a second source of water, not the same hole in the ground."

Council Member Leis stated he believes the Town needs to look at the future. He agreed that Blue Ridge water is an expensive option, but that there are alternatives that have not yet been explored in this regard. Mr. Leis also stated that in considering purchase of wells the Town should look at wells that "are up above" in order to avoid any problem with contamination. The water should still continue to be monitored, and stated the U of A grant was not awarded to the Town so the Town will need to bear the cost of this. Mr. Leis stressed that quality of the water does need to be monitored so avoid any problems with the EPA which could result in the requirement of installation of a sewer system. Mr. Leis stated the current well monitors should be more "spread out" to provide a more accurate picture. Mr. Leis encouraged serious consideration of purchasing wells for fire fighting and for future growth of the Town, but they should not consider buying wells "at the bottom of the hill". Mr. Leis stated that Mr. Hardcastle's business is currently in such a state that the Town may want to consider a potential purchase of his business, bearing in mind that he had not maintained his equipment. The Town of Payson possibly may agree to be a backup provider for Star Valley.

Council Member Henderson stated the Town cannot afford to buy wells, well monitoring, and a sewer system. Ms. Henderson stated her concern is with the expectations of the citizens of the Town; and even if the Town legally does not have any responsibility she believes it has a moral obligation to the citizens.

Vice-Mayor Newland pointed out that all of the wells are privately owned, so the Town has no control over them. Mr. Newland further stated he prefers continuing with the same well monitoring method which determines the flow of the water.

Council Member Hartwell stated she does think the Town should get involved in monitoring the quality of the water as it is a personal concern, but that the Town should watch the quantity of the water. With reference to purchase of Blue Ridge water, Ms. Hartwell stated it was her understanding the Town did not qualify for any water as it is not a purveyor. However, if the Town could purchase units for future needs from Payson or SRP, she would be in support of that. Ms. Hartwell stated she thought the best option for the Town would be purchase of wells. Concerning Blue Ridge water, Ms. Hartwell stated the Council needs information regarding costs. Ms. Hartwell stated it is her opinion that "one day Brooks Utilities will be shut down", and this problem "will be dumped in our laps". Ms. Hartwell stated she believes a new system would cost less than making necessary repairs. Ms. Hartwell stated the Council's ultimate goal is to protect the Town. She would not like to see the Town have to take over Brooks Utilities if the Town can prevent that happening.

Council Member Coon stated the Council does not know the bottom line for cost of Blue Ridge water, but it knows enough to know it is too expensive. The formula is \$2,000 per acre foot to SRP per the agreement between Payson and SRP. Mr. Coon suggested the alternative is groundwater. Mr. Coon stated the Council needs to have a game plan, but be careful of the amount of money it spends. Mr. Coon expressed concern that the Council does not seem to have a really focus of direction on water issues. It is his suggestion that once a goal has been established then the logical steps can be laid out to achieve the goal. Mr. Coon stated he believes Blue Ridge water is too expensive, so groundwater would be the logical choice. Mr. Coon pointed out the big hurdle is Brooks Utilities. If the Town is successful in buying Brooks, then it can eliminate the CC&Ns and concentrate on "where to get the groundwater" by drilling new wells or from existing wells. The

need to develop infrastructure consistent with the growth of the Town would follow. Mr. Coon emphasized that the Council should work towards its goal by knowing what the necessary steps are, getting them organized, and solving them one at a time. Otherwise the Council may jump ahead of itself and spend time and money on an issue before it becomes relevant. Council Member Coon also stated he does not think the Town is currently in a position where it needs Blue Ridge water. Mr. Coon expressed concern with partnering with Brooks Utilities, but agreed that unless Brooks is bought out the Town is restricted by the CC&Ns. If the Town is successful in purchasing Brooks, then it will have to decide where to get the water. Mr. Coon raised the issue of the Town buying wells in the Preacher Canyon area. Mr. Coon stated that the Town needs to deal with the potable water issue first, and then it can better deal with the waste water issue.

Mayor Rappaport stated his position is the first thing that needs to be done is to have a meeting with Mr. Hardcastle to ascertain his position, and then proceed with a plan.

Vice-Mayor Newland pointed out that the Town does not own any water, so how can it be making plans or decisions regarding water issues. Mayor Rappaport agreed that the majority of the citizens of the Town own their own wells; and if the Town were to decide to purchase Brooks they would have to convince all the well owners to support this plan. Council Member Binney pointed out that if the Town purchased the water company then the user fees go to the water company and not to the general taxpayer, unless the Town wanted to implement a bond for that purpose.

Council Member Binney stated that most of the citizens of Star Valley "want to be left alone", and they like "things the way they are". Mr. Binney raised the issue of the sewer system and the cost thereof. Council Member Leis stated the projected cost is \$42,000,000 (without infrastructure) for the sewer system and this includes the master plan for the Town. Mr. Binney stated he had a discussion with ADEQ and they have a person who assists towns and cities obtaining grants for sewers. Mr. Binney suggested the Town pursue this as it cannot possibly afford \$42,000,000 on its own.

Council Member Binney stated, after his discussions with the Health Department, it is his understanding that no one knows the exact distance between a well and septic system that constitutes "safe", and that the wells and septic systems in Star Valley are "pretty safe". Council Member Leis stated the small size of Star Valley is prohibitive in obtaining an infrastructure grant, but if the Town owned Brooks Utilities it would open the door to other grants. Mr. Binney asked if they were doing the fire hydrant study wouldn't this provide infrastructure for water at the same time? Mr. Leis responded that normally potable water and sewage have to be run through separate pipelines. However, if using potable water for fire then the same conduit can be utilized for both purposes. The fire hydrants then could be part of the water distribution system.

Council Member Binney pointed out that there is one fire hydrant in the Town, and inquired why the Town couldn't pursue a grant to enlarge the fire main study. Mr. Leis stated "it is an integral part of what we are asking money for tonight."

Council Member Binney stated he had talked with Lanny Floyd concerning his well, which is a high production well and is close to a water main; and that he understands Mr. Haught has a well, which supplies water to the fire hydrant, that he had offered to sell to the Town for \$125,000; and Steve Coury also has a well for sale. It is his recommendation that the Town consider buying one of these wells if they decide purchase of wells is the option to exercise, and to protect the Town's wells would be a lot cheaper than the sewer system.

Council Member Coon pointed out that the Town has a well that was donated to it by Chris Benjamin. This is a potentially high producing well which could potentially take care of the Town's needs. Mr. Coon stated he believes the Town needs to get into the "well drilling or ownership

business because we don't have any water." However, he pointed out, the CC&Ns are still in place and are restrictive, and Hardcastle needs to be dealt with.

Council Member Hartwell stated she does not think Brooks Utilities "is the way to go at all". She stated she believes the main goal should be to reserve water for emergency cases; figure out which wells the Town is going to purchase, at what cost; and how the water will be delivered in case of an emergency. Ms. Hartwell expressed her opinion that the Town should also have a storage tank to store the water in.

Council Member Coon pointed out that the CC&Ns prohibit transporting and delivery of water by the Town. Mayor Rappaport pointed out that Brooks has to be considered in all discussions.

- COMMENTS FROM THE PUBLIC

Chris Benjamin, 95 N. Sky Run Lane, Star Valley, stated what he has heard at this meeting is the Town considering a way to provide a backup water supply for Brooks, and that in the 30 years he has lived in Star Valley no one in Star Valley has ever run out of water. Mr. Benjamin stated lack of water is not an issue; and buying Brooks' outdated and broken equipment is not wise. For the Town to purchase additional wells before it purchases Brooks would not be beneficial. If the Town owned Brooks it could strategically place wells in right-of-way that are within feet of the wells being considered for purchase. He stated he did not understand why the Town is considering purchasing wells.

Wayne Van Horn, resident of Star Valley, pointed out that the Council had not really discussed the issue of water well monitoring equipment. Mr. Van Horn stated the Town's current well monitoring equipment is obsolete, it is no longer being manufactured, and that it was designed to be calibrated every year, but has never been calibrated since the equipment was first placed in the wells. Mr. Van Horn stated a problem arose several months ago when the batteries went low, due to lack of maintenance schedule, and the whole system had to be rebooted. Much of the data supposedly collected for the last year is invalid and some data was lost. Until he collects data the next month he will not know if the data is now collecting and recording properly. He would urge the Council to consider purchasing new equipment. Council Member Hartwell asked why the collected data is now adequate. Mr. Van Horn stated since the batteries were low the equipment did not record the data for approximately a year. Mr. Van Horn elaborated that there were also some procedural problems; he would collect the data and bring the computer back to Town Hall with the understanding the data would be downloaded to a disc. He has since determined that due to personnel changes at Town Hall this has not been done. Therefore each time he went out and collected data it overwrote what was already on the computer. Council Member Coon stated it appeared from this information that it was not equipment related. Mr. Van Horn stated that when he collects the data next month he will have a better idea of what the equipment is now doing. Mr. Van Horn stated that the information regarding outdated equipment was supplied to him by Geokon, the company that sold the original equipment to the Town.

Council Member Binney stated that he had spoken with personnel at Geokon and was informed that some of their equipment has been in operation for over 10 years. Mr. Binney stated the Town's equipment is approximately 5 years old. The batteries went bad and were not timely changed. Mr. Binney stated there is nothing wrong with the equipment, and if there were anything wrong with a data logger it will be just that certain data logger not all of the data loggers in place. Mr. Binney stated it is just necessary to timely change the batteries to keep the equipment running properly. Mr. Binney said the only drawback to the current equipment is that it has a nonvolatile memory, but if

the data is downloaded on an annual basis this is not a serious problem. Mr. Binney stated Geokon also has a new program that will download the data and put it in a graph format and also export it to an Excel program so it can be manipulated as per your needs.

- **ADJOURNMENT**

**A motion to adjourn the Work-Study was made by Council Member Hartwell, and was seconded by Council Member Coon. The motion was voted on and passed 7-0.**

**APPROVED:**

\_\_\_\_\_ **Date:** \_\_\_\_\_  
**William S. Rappaport, Mayor**

**ATTEST:**

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**Lois V. Johnson, Town Clerk**

**CERTIFICATION:**

**I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Work-Study Meeting of the Town Council of the Town of Star Valley held on this day, the 19<sup>th</sup> day of July, 2011. I further certify that the meeting was duly called and held, and that a quorum was present.**

**Dated this 27<sup>th</sup> day of July, 2011.**

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**Lois V. Johnson, Town Clerk**