

Sallal Water Association Board of Trustees
Special Meeting Minutes
Tuesday, April 11, 2023

A special meeting of the Board of Trustees of Sallal Water Association convened at approximately 6:00 pm on April 11, 2023, via a virtual meeting utilizing Zoom for the purpose of setting dates for the water supply/mitigation contract informational meetings with members. Present for the entire meeting were Trustees Denise Smutny, Daylin Baker, Eric O'Brien, Joyce Hibma, Larry Costello, Rich Formisano and Shawn McKone. Kristina Parker, and Richard Jonson, counsel. Denny Scott was present for the initial part of the meeting. Guests in attendance included Jean Buckner, Don Wise, Ann Bailey and Michael Thomas.

1). Select Dates for Water Supply/Mitigation Contract Informational Meetings.

Mr. Costello made a motion to authorize guests to speak at the meeting. Mr. Formisano seconded the motion. Mr. O'Brien suggested that each guest be allowed to speak for up to three minutes. The motion passed 4 to 3 with Ms. Hibma, Ms. Baker and Ms. Smutny voting no.

Mr. Thomas stated his concerns and requested an extended timeline for the meetings.

Ms. Buckner stated that the Board should wait for the run-off election and for reports to be provided before setting the meeting dates. Ms. Smutny asked if Ms. Buckner had suggested dates. Ms. Buckner declined.

Ann Bailey inquired why there was a rush to review and approve the contract. Ms. Smutny responded. Mr. Costello stated the contract drafts have been revised and stated there was much review work needed. Mr. McKone stated that the contract is short and readable and the Board will receive input before final approval.

MOTION No. 2023-50: Mr. McKone moved to establish the following dates for holding the informational meetings on the water supply/mitigation contract: Ms. Hibma seconded the motion.

April 24, 2023

May 24, 2023

Mr. Costello objected to the dates and began stating his reasons.

MOTION No. 2023-51: Ms. Hibma called for the question and Ms. Baker seconded. The vote was approved 5 to 2 with Messrs. Costello and Formisano voting no.

Voting on the main motion then occurred. Motion passed 5 to 2 with Messrs. Costello and Formisano voting no.

Mr. Costello read the following statement:

For the record, I am voting against the proposed dates for two member meetings because (1) the board has not completed review, deliberation, and edit of the latest DRAFT contract, (2) because members will not have received the most current DRAFT with sufficient time to review it, (3) because the promised cost analysis has not been performed, (4) because essential engineering analysis has not been performed, reviewed, and translated into effective contract terms, (5) and because the runoff election has not occurred and I believe that the permanent board members should all be participants in both member meetings. Until these actions are completed, essential information needed for members to provide informed feedback regarding the contract will be missing, rendering the member meetings ineffective.

3). Adjournment – A motion to adjourn the meeting was made by Ms. Baker and seconded by Ms. Hibma. The motion passed 6 to 1 with Mr. Formisano voting no. The meeting adjourned at 6:21 pm.

Submitted by:

Richard Jonson, counsel