

Minutes for Timberland Acres Special Road District #1

Special Meeting March 27, 2021 at TA Community Center on Juniper Ridge Road

Trustees in attendance: Charles "Charlie" Denham, Treasurer
Rick Bowers, Culvert/Driveway Consultant
Richard Wright, Clerk/Secretary

New Trustee/Board Members Appointed Today:
Mark Lunario, Chair
Darryl Sleighter, Vice-Chair
Gerald "Gerry" Irving, Culvert/Driveway Consultant

Call to Order, Confirmation of a Quorum:

Charlie called the meeting to order at 9:00 am, and confirmed the presence of a quorum. Rick was attending by telephone.

Meet Candidates for Open Board Positions. Discuss Duties:

Three people identified themselves as interested in serving on the Board and they gave some information about themselves, all are full-time residents of the District.

Motions to Appoint One or More New Board Members:

The Board discussed these Appointments. The Motions were done in several steps. First Mark and Darryl were given Open Meetings Handout and TASRD Policies and Procedures. Charlie Moved to Appoint Mark Lunario as Chair, and Darryl Sleighter as Vice-Chair, Second by Richard, Unanimous Aye vote (Charlie, Richard - and Rick by telephone). Then Mark and Darryl were sworn in verbally and in writing.

Rick confirmed that he wanted to resign as his email had indicated. The Board accepted the resignation of Rick Bowers.

Next, Gerry was given Open Meetings Handout and TASRD Policies and Procedures. Charlie Moved to Appoint Gerald Irving as Culvert/Driveway Consultant, Second by Richard, Unanimous Aye (Mark, Darryl, Charlie, and Richard). Gerry was sworn in verbally and in writing.

Administer Oaths of Office to Appointed Board Members – Verbal and Signature. Discuss Open Meetings Law and Give Information Sheet to New Board Members. Give Policies and Procedures to New Board Members:

This was accomplished as stated in the previous item. The originals of the written Oaths of Office and the Minutes will be mailed to Navajo County Elections by Richard. Richard told the new Board Members that he would get them copies of other relevant records like the Intergovernmental Agreement (IGA) with the County, the Contracts with Cameron, and the records of the last bidding process for chip seal.

Motion to Finalize Which Board Member Will Be Chair and Which Vice-Chair:

This was already accomplished in a previous item.

Discussion and Any Motions Regarding Damage to the Roads By Through Traffic to the South:

Charlie discussed the main points of this issue and presented a lot of information. There is a person who owns 40 acres to the south which is accessed through TA via Wildcat South and easements called Fielding Road. It appears that this owner has fenced off approximately 20 acres, and he owns another 20 acres on the other side of the road. He had to correct the locations of the fencing already

because he had blocked off the ATV track and the forest road itself, so some fencing was relocated. There was rumors of a possible subdivision. There were many heavy dump trucks hauling fill dirt over many days. This large amount of through traffic has caused wear and damage on Juniper Ridge, Wildcat South and other TASRD roads. There is a damaged culvert also. Charlie had met with Bill Bess of Navajo County and discussed this at length with the County. Today Charlie reported what they discussed. The owner of the 40 acres has not filed for a subdivision at this time, and that due to the steep roads and gullies Bess told Charlie that the lots will have to be a certain size, if or when there is a division. Bess indicated that the minimum size would be one acre but it seemed that due to the terrain, they would have to be larger. Bess said that we can not block off Fielding Road with a gate because these are Public Roads. Bess said that maintaining Fielding Road would be the responsibility of the owners of land to the South. Bess said that the County has no responsibility for maintenance of Fielding Road. The Board discussed this because it is the County who apparently owns the easements which created Fielding Road. More information may be in the exact language of the recorded easements.

Other information Charlie gathered was that any construction would need well water, and each drill attempt in this area doesn't hit water. They will also need septic. If they want electric lines extended by Navapache, that might not be possible because Navpache is said to be at capacity and would not extend the lines.

This was discussed by the Board with ideas for possible actions. There was a discussion about the easements that made Fielding Road, apparently two easements were granted by private owners (at the time) to Navajo County along the shared lot line of the two lots. The Board discussed the responsibilities for the maintenance of Fielding Road.

The Board discussed getting the County to help us with repair of damage or upgrades to TASRD roads because this is through traffic, not TA traffic. We have an IGA with Navajo County which allows them to work together with us on projects in TA. Richard Moved "that the Board maintain a record of the billing for any repairs and work which appears to be caused by this through traffic", Second by Darryl, Unanimous Aye Vote.

Call to the Public:

Jutta Lunario said that she was going to mention that we keep an accounting of the damages and go to the county with that, and was in support of that. She also said that she did some preliminary research and that the definition of a primitive public road is no more than 100 cars per day, that maybe can be applied. She said that Navajo County Recorder has the Fielding Road easements, and there was also recorded documents about a challenge to these easements, but they are not available online due to how old they are. She said she had the docket numbers.

Gerry Irving asked what would have happened if the TASRD would have lost the ability to make a quorum. This was discussed, the law would make Navajo County responsible for appointing new Board Members. The history of this was discussed and it seems pretty clear with the current laws that TASRD can not be disbanded or absorbed by the County.

Glenda Call said she saw an MLS sheet for a couple of other lots to the south for sale, and the listing instructed interested parties to go through TA to get to those lots.

Adjourn:

Mark moved to Adjourn the Meeting, Second by Richard, Unanimous Aye Votes.