

Minutes

BEATTY WATER AND SANITATION DISTRICT
1300 Avenue North, Beatty, NV 89003

Thursday, November 21th, 2013 at 6:30 PM, Beatty Community Center
Vice-Chairman Amina Anderson called the meeting to order 6:27 pm, November 21th, 2013. Other Board members present: James Burns, Rick Johnson. Michael Harmon and Joe Wilkinson have both put in resignations. Present also was Fred Willis- District Manager. In the audience guests were Fred's wife Sarah Willis, Kaline Willis, Ronetta Fowler, liaison Victor Hill with wife Donna Hill, Fred Summers, Harry Friend, Gary Reid, Julie & Mike Watkins, Harold & Alice Davis, Vaughn & Betsy Reed (former BWSD employee), Boyd Madsen, Karl Olson, Richard Friese, Suzie Henderson, Roni Oden, James Robertson, William G. Davis, Les Parsons, Shane Hastings- USDA RD, Cheryl Couch- USDA RD, Kathy Swann, Joni Eastley- Nye County Assistant Manager, Brent Farr owner of Farr West Engineering, others may have been present that did not sign in.

Fred informs the Board that he is rescinding his letter of resignation so there is no need to keep the agenda item to advertise his position (given to the board November 7th dated for no later than August 22, 2014). He hands Amina a letter typed today.

A. Action-Approval of the Agenda. Auditor Dan McArthur could not be here for tonight's meeting and would like to make some modification before his presentation, so he will plan on giving his audit report next month on the 19th of December. James moves to adopt the modified agenda to removing items D and G, and to move forward on the agenda all out-of-town speakers with items on the agenda to be taken first (items Q, R, and S). Rick seconds the motion, all in favor 3-0.

B. Action-Approval of 10/24/13 minutes. Lorraine has not completed the minutes as of this afternoon. James motions to table the minutes for this meeting, Rick seconds, all in favor 3-0.

C. Action-Approval of Business Reports for October. James motions to approve the Business Reports for October, Rick seconds, all in favor 3-0.

2. GENERAL PUBLIC COMMENT – Joni Eastley reminds the board that they all three must be in agreement to make a quorum to pass any items tonight. Vaughn Reed begins to comment, and James asks him if he would please stand, and speak up so the board may hear him. (5:38) Vaughn Reed comments "If you are dead set on hiring an office manager, go down to the town office and look at Carrie. You need someone whom shows up promptly on a daily basis and spends 40 hours a week in the office, not be running all over

town out reading meters, giving company information to residences." Amina states the minutes will reflect his comments.

3. Correspondence- Resignations have been received from Chairman-Joe Wilkinson (11/11/13), member-Michael Harmon (11/13/13) & General Manager-Fred Willis (received 11/7/13 for no later than 08/22/14). Letters of interest for the Board positions from Boyd Madsen and Harry Friend are the only ones received so far.

4. Managers' Report- Fred informs the board that there is no word from NDEP yet on the hearing regarding the sewer spill of April 2013.

5. Board Member comments- Action will not be taken on the matters considered during this period until specifically included on the agenda as an action item. None.

6. New Business, all items are for discussion, deliberation, possible decision and/or action. (The Board moves to Brent Farr's agenda item R)

D. Action- Annual Audit Report-Dan McArthur, CPA Removed and rescheduled.

Amina suggests moving on to item Q. Brent Farr asked to move on to item R first.

Action R: Discussion and Possible Decision- Revisit CDBG application and submission of application to Nye County. - Fred Willis

Brent Farr begins with speaking on water rights that the District needs to prove 'beneficial use' on to keep. Audience people ask questions on whether Las Vegas Valley Water District is interested in our water rights or not. Brent answers he does not know. The normal allotted time to prove "beneficial use" of water rights is ten years.

Amina turns the direction back to the issue of the CDBG grant. James asks if the grant wording has been submitted to the board. This was in the last couple of months packets for the Board and has not been changed in wording just the matching funds from the District was removed. James asks how much the preparation of this grant has cost the District. Brent answers that it has not cost the District anything yet, and since this is a grant there is no real cost to the District. James asks if there are only specific things that the grant can pay for. Brent said yes it is only for a 'water resource plan' for the District. Brent does admit that it does not have to be awarded to Farr West. Rick asked if the District is obligated to take a loan to follow the plan. Brent answers "No." Les Parsons said he understands that there are plans to sell the use of some of this water to mining companies. This is correct Brent confirms. Another guest asks if the study will be used for the pup fish or toads. "No, this will not be used to study other environmental problems" Brent states.

James suggested allowing this item to be tabled till there is a full board. He is not pleased with the way this item has been handled and he is still not convinced that this would be in the best interest of BWSD. Brent gives an example of the water treatment plant that gained the ARRA funding to cover in full the expense. Without plans how do you move forward? Someone asked James why he is not in favor. James states he is suspicious of it since it was only brought to the board over the last few months and not mentioned to the Board

prior to that. The Board has voted this down over several past meetings and he feels the board has been sidestepped to push this through.

A male guest suggests that openings on board have to be advertised for a full month before vacancies can be filled. Joni Eastley stated that "it varies by the type of board in question and County Clerk's office needs to be notified of the vacancies." Amina states that the 30 day period is the period the NRS 318 gives GID's to fill the vacancies within. Joni again states that "the clock starts ticking once the Clerk's office is notified and in return notifies the Secretary of State's office."

James Robertson speaks up saying he is a school teacher and the school takes grants all the time there is no daggers or grenades, they are free. He believes that the board would be mistaken not to take this free money. Fred Willis tries to explain that "the first grant application had matching funds that the District would have had to come up with and the board did not like that, so (he) requested that the matching funds be taken out of the agreement and that was the second version of the grant. Then there was no financial obligation at all, it was a new grant. There was no matching funds included, I had what the board objected to removed (the matching funds)". James Robertson said "I see that as a win/win situation here, I agree with that." Others agree as well. Joni Eastley said "I want to clarify that this CDBG grant money is a pass through. It is federal moneys that are given to the states; then to the counties, it does not go to Clark or Washoe County because Las Vegas and Reno have to high of an income. CDBG is for lower income communities to help with infrastructure needs. Water is one of the most important needs. CDBG loves infrastructure projects. This plan is a road map to help you get through to where you will want to be. Is it free money? There is no such thing as a free lunch. This money did come out of your pockets. The Federal Government does not generate their own money; they receive the money from tax payers. Are there strings tied to this, yes there is. In March you should go to Carson City to do your very best to collect this money to get this plan done, whether you use this engineer or another engineer that is totally up to you. Is it free money? There is no free money. They took it from you so make them give some back to this community. Beatty was selected as the number one priority for this grant and has been approved. The only other thing that can be done now is to at a subsequent meeting refuse the grant.

Rick motions to ratify the actions of Fred Willis Manager and Farr West Engineering by continuing to pursue this Grant from CDBG having submitted the application already and approving to receive the funding. James hesitantly seconds the motion, all in favor 3-0.

Action Q: Discussion and Possible Decision- 1. Presentation and discussion (no action will be taken): Presentation by Brent Farr, Farr West Engineering regarding history of relationship with BWSD, resolve Board's concerns, discuss the future.

(38:00) Brent Farr begins by giving a little history of the District using Farr West for the past twelve years. Farr West has helped the District through a lot of ups and downs.

Brent states that they have looked over the BWSD audits and financial status. Their Master Plan is in line with receiving government funding. He has a power point presentation with maps of the system. Farr West was the engineers on the projects building the new lined sewer ponds and the water treatment plant for the EW-4 well water. The EW-4 exceeds the standards for arsenic and fluoride. In 2006 the Arsenic standard was lowered from 5 parts per million to 10 parts per billion. Therefore treatment was needed to remove Arsenic. Farr West was the engineers on the Arsenic Treatment Plant when it was put on line. Blending of the small wells (Indian Springs and Summit) was already in use blending with EW-4 to keep BWSD in compliance for Fluoride standards. The older wells in town are high in fluoride and arsenic as well as some aesthetic things like the hydrogen sulfide. Farr West was used in the process of getting EW-4 well back into production. Brent believes that the majority of the town's fire hydrants are not putting out the required amount of GPM (one thousand gallons per minute). Brent lightly mentions other parts of the system- 2 Million gallon tank, distribution system, AC pipe which has lots of leaks. (58:00) Vic Hill disagrees with the cost estimate that Farr West is putting on a new office building. Joni mentions that Davis Bacon wages must be paid under these Government grants. Brent Farr enlightens everyone that this would be a stick built building totally ADA compliant. Harry mentions that with Beatty's population of approximately 1,000 people the \$11 Million dollar loan would mean each person in Beatty would owe around \$10,000 each. Vaughn Reed suggests that he would like to see a new office on highway 95 that would make people want to live in Beatty. Harry Friend questions if this would drive the rates for water so high it would be more affordable to move to LA. Vaughn Reed does not like California people any way and tells him to leave to California.(1:03) Brent states that BWSD has never put away the depreciation money that is needed and eventually someone has to pay the cost down the road.

Action S: Discussion and Possible Decision- Revisit USAD Update on Preliminary Engineering Report and USDA funding. Decision on moving forward with USDA Loan. Fred Willis. The board tables any decision on this matter of USDA funding for now, 3-0.

E. Action- Offer of modular building from US Ecology or metal building next to bank for use as an office building.-Michael Harmon
James motions to investigate the options deeper since Michael is not here to inform the Board of his knowledge on this subject. Rick seconds, all in favor 3-0.

F. Action- Letters of Interest for vacant board positions; to fill positions till first Monday of 2015. -NRS 318.090

Letter of interest received so far are Boyd Madsen and Harry Friend. Joni Eastley informs the Board that if the Nye County Clerk's office is not aware of the vacancies then they should not be filled by an appointment tonight. This item James motions to table for tonight. Rick seconds, all in favor 3-0.

G. Action– Resignation of General Manager-Fred Willis, posting for position for General Manager with acceptance under conditions, or to advertise for certified operator.-NRS 318.180, NRS 318.185

This item was removed at the beginning of the meeting per Fred Willis' rescinding letter.

H. Action– Employee Holiday Gift Cards. –Employees

This item is pulled. Joni Eastley states that it is illegal for the company to give the employees gifts with tax payer money.

I. Action– Review and adoption of recommended employee policies, sections four and five, six, seven and eight, nine, ten, and eleven. - Amina Anderson

Shani Dues with Pool Pact suggested adding the Social Networking policies. Amina reads off the social networking policy. This relates to things put on a web site or internet. Shani probably suggested this section since James wants the District to have a website. Amina quickly reads through the majority of the sections 4-11. The Board scratches some wording that give a longer chain of command than the workforce BWSD has. First the policy paydays need changed to repeat the wording of the old policies. The benefits section is also being brought more from the old policy wording to stay consistent. Eliminating wording that is specific to law enforcement and schools, and filling in blanks with proper reporting designee. James motions to adopt with the deletion of sections that relate to law enforcement and schools, with the blanks filled in as discussed tonight. Rick seconds, all in favor 3-0.

J. Action– Creation and Maintenance of a website for BWSD with the primary mission of providing all of the information in regards to Beatty Water & Sanitation District to the public.-James Burns. James would like to table this item for now pending more in depth information and the idea of possibly forming a committee. Rick seconds the tabling of this item, all in favor 3-0.

K. Action–Emergency items- There were none.

7. Old Business

Action L: Discussion and Possible Decision- Appointment of Lorraine Eastman to the Board appointed, at-will, position of Office Manager. -Amina Anderson.

James motions to approve the descriptions as written up, Rick seconds, all in favor 3-0.

Action M: Discussion and Possible Decision- Add to description of 'office manager' to assume the duties of the General Manager in the event that the General Manager is

unavailable, for the necessary and good operation of The Beatty Water & Sanitation District.-James Burns Tabled for next meeting, 3-0.

Action N: Discussion and Possible Decision- Discussion and Decision : Review and adopt updated employee job descriptions 1) Accounting/ Payroll Clerk 2) Water/Wastewater Maintenance worker 3) General Manager- Amina Anderson
Amina said that these job descriptions have been updated from the old versions. These are living documents and these should be reviewed and updated annually. The Accounting Payroll Clerk is the first one. The main change is incorporating the office manager being a supervisor over this position. The water/waste water maintenance position incorporates a little more in depth description. Main change on the General Manager is to incorporate the idea of mostly being over the field personnel. James asks about the on call portion. Amina states that this is so that if the manager is gone out of town then one of the field guys will be on call in the event there are any emergencies that come up. Rick motions to approve the descriptions as written up, James seconds, all in favor 3-0.

Action O: Discussion and Possible Decision- Discussion and Decision: Updating of signature cards for all banking accounts B of A accounts and LGIP accounts to add Office Manager as well as two other board members besides Secretary Treasurer- Rick Johnson. - Amina Anderson

This item is tabled.

Action P: Discussion and Possible Decision- Improvement and extension of prioritization for studies approved by BWSD board Oct.24th, 2013 under item J.- Liaison, Victor Hill

Pursuant to UOI signed August 29th, 2013: Prioritization of Preliminary list of studies desired by BWSD board members for combination of with what is available from UNLV. A special meeting can be made to talk with Dr. Batista. James motions to continue to put together a list, Rick seconds, all in favor 3-0.

Action Q: Discussion and Possible Decision- 1. Presentation and discussion (no action will be taken): Presentation by Brent Farr, Farr West Engineering regarding history of relationship with BWSD, resolve Board's concerns, discuss the future.

Action R: Discussion and Possible Decision- Revisit CDBG application and submission of application to Nye County. - Fred Willis

Rick motions to ratify the actions of Fred Willis Manager and Farr West Engineering by continuing to pursue this Grant from CDBG by approving to receive the funding. James hesitantly seconds the motion, all in favor 3-0.

the first, a government for the people, the second, a government of the people, the third, a government by the people. The first is the best, the second is the next best, and the third is the worst.

For a detailed description of the methods used to estimate the number of individuals in each group, see the Methods section of the main manuscript.

Action S: Discussion and Possible Decision- Revisit USAD Update on Preliminary Engineering Report and USDA funding. Decision on moving forward with USDA Loan. Fred Willis

The board tables any decision on this matter for now.

8. General Public Comment- There was none.

9. Schedule next meeting date. The next meeting will be held on Friday December the 16th at 6:30pm at the Community Center for Dr. Batista a presentation and the next regular meeting will be on Dec. 19th at the Community Center in the small room.

A possible tour ahead of the presentation is discussed. A posting for the presentation would be advisable since there would be the possibility of a quorum.

A meeting to appoint Board members to the vacancies will be needed to be called ASAP.

10. Adjournment

Amina Anderson adjourns the meeting at 9:43 pm.