

**MINUTES
MOAPA VALLEY WATER DISTRICT
BOARD OF DIRECTORS MEETING
HELD
THURSDAY, JANUARY 13, 2011**

PRESENT:	Kenneth Staton Jonathan Blackwell Randy Tobler	Lindsey Dalley Scott Carson
	Brad Huza Joe Davis Ken Bessey	Susan Rose Bryan Mortensen
	Byron Mills	Vernon Robison, MV Progress
	Ryan Wheeler, Forsgren & Associates Brian Greig	Russ Talbot Kiley Bradshaw

ORDER OF BUSINESS: At 4:00 p.m., Chairman Ken Staton called to order the regular meeting of the Moapa Valley Water District Board of Directors. The agenda items were addressed in the following order:

1. Oath of Office

The Oath of Office was taken by Ken Staton, Jon Blackwell, Scott Carson, Lindsey Dalley, and Randy Tobler.

2. Approve the minutes of the previous meeting held on December 3, 2010 (Action Item)

On motion of Jon Blackwell and seconded by Lindsey Dalley, the Board voted 5-0 in favor to approve the minutes of the previous meeting.

3. Public Comment

Ryan Wheeler introduced himself to the new Directors. He explained that he is a civil engineer who works for Forsgren and Associates. In 2009 they started helping the District with infrastructure needs and they hope to be able to continue to work with the Directors and Staff.

Russ Talbot introduced himself. He explained that he has a master's degree in social work and psychology and is a master addictions counselor. He is often called into court as an expert witness. He is licensed in Utah and Nevada and does consulting work.

The meeting adjourned at 4:15 pm for Staff introduction to the new Directors. The meeting reconvened at 4:30 pm.

4. Approve the proposal from Integrity Engineering for the design and construction management of the Moapa Valley Blvd. widening project for a cost not to exceed \$33,600 (Action Item)

Mr. Huza explained that at the time the District obtained approval to construct the operational building, Clark County required the District to improve Moapa Valley Blvd. This condition was deferred until 2007. At that time Staff made a presentation to the County Commissioners to extend the deferral of the construction until the sanitary sewer installation was complete. The Commissioners agreed to continue the deferral. As the sewer project is winding down, Staff has started to move forward with this project. Staff solicited "Statement of Qualifications" from engineering firms. Upon review of the submittals, Staff has decided that Integrity Engineering is the firm of choice for the project.

Staff met with representatives from Integrity Engineering to work out an acceptable fee and scope. A copy of that proposal was available for the Director's review.

The FY 11 budget has allocated \$45,000 for the engineering project and the final negotiated price for both design and construction management is \$33,600.

Staff would recommend accepting the proposal from Integrity Engineering.

On motion of Lindsey Dalley and seconded by Jon Blackwell, the Board voted 5-0 in favor to accept the proposal from Integrity Engineering for the design and construction management of the Moapa Valley Blvd. widening project for a cost not to exceed \$33,600 and instructed Staff to execute the contract with Integrity Engineering.

5. Approve the proposal from Forsgren and Associates for the design of the 24" transmission main at the Arrow Canyon Well for a cost not to exceed \$102,000 (Action Item)

Mr. Huza explained that at the September meeting, the Board instructed Staff to proceed ahead with the transmission main upgrade from Arrow Canyon to the beginning of the 20" main that leads to the 3 MM gallon storage tank. This was a project replacement to the drilling program in Meadow Valley Wash. A copy of the agenda memo was available for the Director's review.

The overall project schedule is as follows:

- | | |
|--|-------------------|
| ➤ Notice to Proceed to the Consultant: | January 14, 2011 |
| ➤ 50% Plans, | March 1, 2011 |
| ➤ 100% Plans | April 5, 2011 |
| ➤ Regulatory Agency Approval | May 1, 2011 |
| ➤ Award Construction Contract | May 15, 2011 |
| ➤ Project Completion | December 15, 2011 |

Due to the tight time frame on the size of the project, schedule is of the upmost importance.

Staff solicited "Statement of Qualifications" from engineering firms and Forsgren and Associates (FA) was selected as the most qualified for the project based upon technical experience and ability to complete the project in the time frame specified.

Staff met with representatives from FA and worked out a scope and fee schedule which was available for the Director's review.

Staff would recommend the acceptance of the proposal from Forsgren and Associates.

After much discussion on the necessity and cost of the project, on motion of Ken Staton and seconded by Randy Tobler, the Board voted 5-0 in favor to accept the proposal of Forsgren and Associates for the design of the 24" transmission main from the Arrow Canyon Well complex south and east approximately 14,000 feet for a cost not to exceed \$102,000 and instructed Staff to execute the contract with Forsgren and Associates.

**8. Director's Preference
- Election of Officers**

On motion of Scott Carson and seconded by Randy Tobler, the Board voted 5-0 in favor to leave Ken Staton in as Chairman of the Board.

On motion of Ken Staton and seconded by Randy Tobler, the Board voted 5-0 in favor to place Jon Blackwell in the position of Vice Chairman/Secretary/Treasurer.

- Committee Assignments

The following committee assignments were made:

General Manager/Administration- Ken Staton
Personnel & Office/Computers – Ken Staton & Randy Tobler
Equipment & Physical Facilities – Jon Blackwell
Capital Improvements/Installations & Line Upgrades – Scott Carson
Water Rights/Resources – Lindsey Dalley & Randy Tobler

On motion of Ken Staton and seconded by Jon Blackwell, the Board voted 5-0 in favor to approve the committee assignments as read.

- Litigation Update (Closed Door Session)

Byron Mills informed the Directors that the first hearing on the lawsuit was held today. The hearing was held because HD Supply filed a motion to dismiss. They need more information because of deficiencies in Wiser's complaint. Wiser filed an amendment to fix the deficiencies. The judge denied the motion to dismiss and approved the motion to amend. The amendment doesn't really affect the District. The next hearing will be held on February 1st.

Bowen Collins also filed a motion to dismiss based on the experts report. Wiser used the same expert that the District used to look at the project and to figure out what the problem was. The report needs to have a statement saying that this is a legitimate lawsuit. The report will have to be amended by the expert to include that statement.

Chairman Ken Staton called a closed-door session at 5:30 pm. This was seconded by Jon Blackwell.

Chairman Ken Staton reconvened the open-door session at 7:10 pm. This was seconded by Jon Blackwell.

9. Personnel

6. Manager's Reports

Senior Accountant

Water Production Superintendent

Water Distribution Superintendent

General Manager

The general consensus was to forego the manager's reports this month due to the length of the closed- door session.

7. Ratify payment of November Expenditures

On motion of Ken Staton and seconded by Lindsey Dalley, the Board voted 5-0 in favor to ratify payment of the previous month's expenditures.

10. Approval of February 10, 2011 Board meeting

The general consensus was to hold the next board meeting on February 10, 2011 at 4 pm.

11. Adjournment

The meeting adjourned at 7:20 pm.