

**MINUTES OF THE
MOAPA VALLEY WATER DISTRICT
BOARD OF DIRECTORS MEETING
HELD
THURSDAY, MAY 25, 2022**

PRESENT: Randy Tobler
Jon Blackwell (Phone)
Ryan Wheeler
Kelby Robison
Lindsey Dalley

Joe Davis, General Manager
Lon Dalley, Assistant General Manager

Jeannie Poynor
Susan Rose

Byron Mills, Attorney
Vernon Robison
Kiley Bradshaw

ORDER OF BUSINESS: At 4:12 p.m., Chairman Randy Tobler 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) Public Comment (Maybe be limited to five minutes)

None

2) Approve the Minutes of the April 14, 2022 Board Meeting (For Possible Action)

On motion of Ryan Wheeler and seconded by Kelby Robison, the Board voted 3-0 in favor to approve the Minutes of the April 14, 2022, Board Meeting.

3) Approval of the Final Budget (For Possible Action)

Staff has completed the preparation of the final budget for fiscal year 2023. We sent the tentative budget to the State. There was a couple of numbers that had to be changed. The budget is at 99.9%. The budget shows a change in net position of \$400,389 and a net decrease of \$(2,173,672). This includes \$1,500,000 ARPA Grant. (Districts net decrease is \$673,672).

The Department of Taxation has examined the Moapa Valley Water District's Fiscal year 2022-2023 tentative budget and found it to be in compliance with applicable statutes and regulations. The District needs to adopt and file the final budget with both the County Clerk and the Department of Taxation prior to June 1, 2022.

Staff has incorporated the comments from last month's Board of Directors meeting concerning approval of the purchasing of capital improvement items that are budgeted & formally approved in the District Fiscal 2023 budget.

The General Manager has the authority and approval to solicit bids & purchase all Capital Improvement items identified in the Moapa Valley Water District FY2023 Budget as long as the following criteria are met.

- Purchases are within the approved budgeted amount
- The Board of Directors are notified of the budgeted purchases at the next Board of Directors meeting
- All purchases above the approved budgeted amount must be approved by the Board of Directors prior to the purchase being made.

On motion of Ryan Wheeler and seconded by Kelby Robison, the board voted 3/0 to moved to approve the Moapa Valley Water District Final FY23 Budget as presented and to establish the

approval of the General Manager to purchase the capital improvement budgeted items as listed above.

The next three items are items for supplies for water works supplies, and for repair parts.

4) Move to ratify the purchase of water works supplies from Dana Kepner in the amount of \$32,767,00 (For Possible Action)

These are the purchases we talked about last month.

Joe explained that at the April 14th meeting, Staff informed the Directors of a series of purchases water work repair parts that are requiring considerable lead time to receive.

We did go out for bid on all of these supplies/parts.

This purchase was for water work supplies for the mitigation repairs inter-connection ties from the 24" to 14/12" transmission lines.

This is for tapping clamps for the inter-connection between the 14" and the 12". The majority of the stuff has already been delivered.

On motion of Ryan Wheeler and seconded by Kelby Robison the board voted 4/0 to move to ratify the purchase of 24" repair parts from Dana Kepner in the amount of \$32,767.00

5) Move to ratify the purchase of 24" repair parts from Mountainland Supply in the amount of \$32,097.21 (For Possible Action)

This was for 24" Ductile Iron repair parts

On motion of Ryan Wheeler and seconded by Kelby Robison the board voted 4/0 to move to ratify the purchase of 24" repair parts from Dana Kepner in the amount of \$32,097.21

6) Move to ratify the purchase of water work supplies from Mountainland Supply in the amount of \$29,000 (For Possible Action)

This was for the 18" HDPE mitigation pipe for Meadow Valley Wash 24" transmission line.

On motion of Kelby Robison and seconded by Ryan Wheeler the board voted 4/0 to move to ratify the purchase of 18" repair parts from Mountainland in the amount of \$29,000

7) Move to approve and authorize the General Manager to sign Construction Agreement No: 007-006 Amendment #6 (For Possible Action)

Joe explained that this is for Overton Breaks. They had an extension of time so they can get their project completed.

The man who purchased it passed away and his successors have everything lined up.

He told them that they might not have pipe in the ground, but they need to pay for those meters. In the construction agreement they will pay a monthly base fee for every meter if and when they start the construction. They have 48 months in order to get the project completed and up and running.

In the past our construction agreement has included the total cost of the project. Joe eliminated that and it only deals with the water works portion. Basically, at the end of each year, they would make a payment for the 91 meters. However, if they paid 10% of the development cost for the water distribution system then they would forgo that payment because they would be putting the water infrastructure in.

Joe has been talking to the owners.

- 1) They have signed the current construction agreement. 2) Property Owner signs current water service applications 3) Property owner pays an annual fee of \$524.16 per service connection 4) The annual fee is waived if 10% of the remaining development costs of the distribution system have been invested in the planned improvements 5) and they have 48 months to complete the project.

Byron helped Joe with the construction agreement.

On motion of Kelby Robison and seconded by Ryan Wheeler the board voted 4/0 to approve and authorize the General Manager to sign the Construction Agreement No: 007-006 Amendment #6

8) 2022 November Election (For Possible Action)

The top 2 Overton candidates that garner the highest votes in the November general election will be sworn into office during the January 2023 Board of Directors meeting.

This election is for a 2 year unexpired term that was vacated by Derrick Campbell (currently held by Kelby Robison) and the 4 year term (currently held by Randy Tobler)

Historically, there has been 3 ways to address who serves the 2 year term versus the 4 year term

- Highest vote earner gets the 4 year term
- Draw straws for the 4 year term
- Flip a coin for the 4 year term

On motion of Ryan Wheeler and 2nded by Kelby Robison the Board voted 3/0 that when 2 candidates are up for elections the highest vote earner gets the 4 year term.

Jon came in at 4:30 PM on the phone

**9) Managers' Reports
Office Manager**

Jeannie had the financial dashboard, the overall budget, and the revenues in their packets.

February revenues were up a little. Probably because it was a 5 week billing period. Revenues are up about 2%.

We're at 77% of our revenue. Things are starting to warm up.

Assistant General Manager

Spring /Ground Water Production

- 1) In April we pumped 47,381,000, gallons out of A/C #1 and 30,521,000 gallons out of Baldwin for a total of 77,902,000
- 2) The A/C Well level is normal.
- 3) Layne is pulling the Arrow Canyon Well out right now. They couldn't find out why it was vibrating. They'll have to break it down to find out what's going on.

The bores are done. We've been waiting for this for a long time.

General Manager

The majority of the stuff that Joe has is on the ongoing litigation. He has been reviewing documents and sending them on to Don who has request that we call him in closed door. Joe also has other things dealing with litigation.

Joe said that the big thing we have right now is the litigation. The NV State Engineer did appeal the court's ruling to the NV Supreme Court on May 13th. There are a bunch of fillings by people trying to get a stay on Order 1309.

Byron explained how it works.

Byron and Joe have been working on the signing of parcel maps. With Byron's schedule and Joe's, they have put it on the back burner.

9) Directors' Preference

- Review Monthly Expenditures
- Randy Tobler disclosed that he has an interest in a small business that is on the monthly expenditure list
- Litigation
- Other Related Water Rights Issues

On motion of Ryan Wheeler and seconded by Kelby Robison called a closed – door session at 4:40 PM

On motion of Ryan Wheeler and seconded by Kelby Robison called an open – door session at 5:18 PM

10) Public Comment (Maybe be limited to five minutes)

None

11) Approval of the June 9, 2022 Board Meeting

The June Board meeting will be held on June 9, 2022 at 4 PM

12) Adjournment

The meeting adjourned at 5:30 PM.