

**MINUTES OF THE
MOAPA VALLEY WATER DISTRICT
BOARD OF DIRECTORS MEETING HELD
Thursday, June 15, 2023**

PRESENT: Lindsey Dalley (arrived at 4:07pm) Jon Blackwell (Phone)
Scott Farnsworth (Phone) Ryan Wheeler
Kelby Robison (Phone) Byron Mills (Phone)

Joe Davis, General Manager Jeannie Fox
Kiley Bradshaw Jennifer Farnsworth
Rich Bowler Vernon Robison
Joe Bowler

ORDER OF BUSINESS: At 4:02pm, Board Member Ryan Wheeler Called to order the regular meeting of the Moapa Valley Water District. The agenda items were addressed in the following order:

- 1) Public Comment (may be limited to five minutes)**
Joe Davis introduced Rich & Joe Bowler from Overton 91, they are here for the Base Rate, along with Vernon Robison.
- 2) Approve the Minutes of the previous meeting held on May 18, 2023 Board Meeting (For Possible Action)**
On motion of Jon Blackwell and seconded by Kelby Robison the Board voted 5-0 to approve the minutes of the May 18, 2023 meeting.
- 3) Updates from the Legislature – Warren Hardy (For Possible Action)**
Warren Hardy apologized for missing the last couple of meetings, He reported that things were really disorganized into the legislative session. The conference committees were held in the middle of the lobby downstairs. It was difficult to hear what was being said. There were a couple of bills they were working on that did not get out. Warren Hardy classified this session as a wasted one. He asked if he could be added to the July Agenda. He would have a report done by then to outline what happened with each bill.
- 4) Overton 91 Base Rate Reduction (for possible action)**
Joe Davis asked the Board if we could move up Overton 91 to agenda item four and then move the 12-inch Main Street Project to agenda item five. Board Member Ryan Wheeler agreed to swap agenda items 4 & 5. Overton 91, formally known as Overton Breaks was acquired by the Bowler's. They signed an agreement to spend 10% of the water infrastructure charges in a year and if they don't then they pay the cost of the base rate. The mindset behind this was to try and help the project to fruition to when they were building homes there. This past year they have spent some money on the project, but it was not the full 10% of what we feel the infrastructure cost was going to be, Rich Bowler reached out to the Water District and asked if there was any flavor for the Board, that the invoices that they did pay. The Base rates are \$47,698.00, they have spent \$22,800 on the project. They are asking if they could pay the balance of that and use the \$22,800 as a credit for what they have spent on the project to help bring the project to fruition. The District had an opportunity with our Board Member committee of 1. We sat down and spoke about the possibilities that were then and came to conclusion to put this on the Agenda to give the whole Board an opportunity to listen to them and then make an informed decision instead of staff making an easy cut and dry decision.
Rich Bowler thanked the Board, Staff & Director Lindsey Dalley for their time and for the opportunity to speak to them. He stated that this project has been a nightmare. They ran into a couple of problems when his father passed away, then Covid hit and then his mother passed away. Now they are dealing with the problems that have crumbled down. Rich understands and agrees completely with the agreement but when they tried pushing the project along, they met with the County, and they said they were not going to

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allow the Hammerheads. Rich said that they had already approved the project but were not going to fight the change. Commissioner Kirkpatrick stated that she did not really want houses built down here and didn't think that was best, so she talked about doing a zone change for a RV Park / Short-term rental. One of the advantages this property has for that is the sewer. Rich told her that he was open to the idea. He said that the project is now moving forward. Most of their cost has been engineering and getting ready for the zone change application. If there was more to be done, they would gladly do it but, it doesn't make sense for them to pay the fees when they could do the work and get a benefit from it. They are in a stage now where they can't do any work until they get a plan approved and move forward. They want the Board to know that this is not a stagnant project, and they are moving forward. They plan on having a lot more invested in this project next year. On a Motion from Lindsey Dalley and seconded by Jon Blackwell, A Motion was made to wave the \$22,800 in lieu of the infrastructure development for Overton 91. This is a one-time waver and pay the balance remaining from the \$47,698. Joe Davis reported that they have already taken care of the \$24,898.56. The Board voted 5-0

5) Move to award the 12-inch Main Street Project (For Possible Action)

Joe Davis reported that we went out to bid and had a bid opening on Tuesday. There were two contractors that were within \$9000.00 of each other and then there was another that was roughly 800,000 to 900,000 thousand over. One thing that Joe has not had the opportunity to do is to get Byron to look over our decision. Byron Mills is currently taking some much-needed time off, we are recommending that we do not approve this tonight until we get an opportunity for Byron to review our decision. If we can get this done in a timely fashion, we could call for a special Board Meeting and have the Board here in person to look at the documents and go through things. If this does not work out, we can have it at the next Board Meeting. This is our recommendation. Ryan Wheeler said that it sounds like it is requested to table this item for further legal input. Lindsey Dalley Motioned that we table Agenda item 4 for future Board Meeting. It was seconded by Jon Blackwell. The Board voted 5-0

6) Managers' Reports

Jeannie Fox reported that the Budget is looking good. Management is monitoring it very closely, making sure we are on track. We are going to come in close on revenues & expenses. Things are going to turn out good this year. Jeannie included the Capital print out that Board member Scott Farnsworth asked for. Kiley Bradshaw covering for Lon Dalley reported that the Spring / Groundwater production were right on the mark. Arrow Canyon used 80,901,000 million gallons and Baldwin used 1,358,000 million gallons with a total of 82,259,000 used this month. Kiley reported that the guys in the field are working very hard. Joe Davis reported that the majority of our time has been getting ready for the bid opening, getting all the documents together and hounding NDOT with permitting and securing that other funding through NDOT. We have the commitment for the extra money for service improvements. We were hoping to be turning dirt by June 1st but that did not happen. We have made big strides that we just need to finish up. Joe went over a few water bills and then asked to go to closed door.

7) Directors' Preference

- Review Monthly Expenditures
- Litigation - It was motioned by Scott Farnsworth & seconded by Kelby Robison to go to Closed Door at 5:10 pm. The Board voted 5-0. It was motioned by Jon Blackwell & seconded by Lindsey Dalley to come out of Closed Door at 5:29 pm
- Other Related Water Rights

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- 8) Public Comment. (May be limited to five minutes)**
No Public Comment

- 9) Approval of the July 13, 2023 Board Meeting**
The Directors' agreed to hold the next Board Meeting on July 13, 2023 at 4:00pm.

- 10) Adjournment**
Lindsey Dalley motioned the meeting adjourn at 5:31pm it was seconded by Jon Blackwell.