

**MINUTES OF THE
MOAPA VALLEY WATER DISTRICT
BOARD OF DIRECTORS MEETING HELD
Thursday, June 13, 2023**

PRESENT: Lindsey Dalley (Arrived at 4:08pm) Jon Blackwell (Phone)
Scott Farnsworth Ryan Wheeler (Phone)
Kelby Robison Byron Mills

Joe Davis, General Manager Jennifer Farnsworth
Lon Dalley Don Whipple
Kiley Bradshaw Vernon Robison
Janice Ridondo

ORDER OF BUSINESS: At 4:04pm, Chairman Kelby Robison 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)**
No Public Comment
- 2) **Approve the Minutes of the previous meeting held on June 15, 2023 Board Meeting (For Possible Action)**
On motion of Jon Blackwell and seconded by Scott Farnsworth the Board voted 5-0 to approve the minutes of the June 15, 2023 meeting.
- 3) **Updates from the Legislature – Warren Hardy**
Warren Hardy was not on the phone. Joe Davis Reported that at the last Board Meeting he indicated that he would have a written report and calling in to discuss it. We have not seen the written report yet so Joe assumes he is still trying to compile that report and hopes that he will be at the next Board Meeting to give us an update.
- 4) **Move to award the 12-inch Main Street Project (For Possible Action)**
Joe Davis Stated that this project has been in the works for well over two years to get to this junction. The County was able to come in and secure us almost 2.5 million dollars to get the water line replaced, coupled with that it would take and follow up with some additional crosswalks and bump outs that would include some landscape. This is to promote the walkability of downtown. During negotiations with NDOT that have been going on for quite a while, there was a lot of input from them on things that might be needed for the project. They were asking us to include some overhead flashers that increased the cost of the project. So NDOT indicated and made the commitment to the commissioner that they will be following through with money. The amount that was generated to us was \$900,000 to go towards the project. It's good that happened because with those incorporated ideas into the plan, it increased the cost of the plan by roughly that amount. The district solicited bids. There was a Prebid meeting that was well attended by contractors. We received three bids with Eagle View Contractors being the lowest bid at \$3,461,988.00, JNJ Engineering Construction next at \$3,471,744.00 and then CG&B Enterprises at \$4,370,805.00. The district took time to let the Engineer vet all the documents. We had our Attorney go through and give his opinion that we followed all the requirements. Today hopefully, at this juncture. We want to award this project, the only caveat is in this year's budget we had indicated that the district was going to have \$350,000 into the project in order to get the water line installed. Between the extra engineering cost and skyrocketing prices that are out there, we feel we are going to have to add an additional \$200,000 into the project to bring it to fruition. During the budgeting process we had slated \$600,000 in this current year's budget to take and do the 24" pipeline up in Glendale. The district still has not received the application to receive the money, so we will not be meeting any timelines in order to take and spend any of that money, so that money will go unspent. That is where were anticipating taking the extra funds from. We're hoping that with some designs we have looked at that we might be able to save a little extra money on some engineering here

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and there so we're trying to give the Board a worst-case scenario with the extra \$200,000. Today we have a motion on the table to accept the Bid from Eagle View Contractors in the amount of \$3,461,988 to get the project started on Main Street. The initial portion of that is to get the notice of award sent over to the engineers for them to reach out to Eagle View. Eagle View will then get the Bonding secure and get the paperwork in place to get started. We're hoping, maybe in three weeks you'll start seeing signs going up to get something accomplished. There was some discussion on budgeting and Engineering. Board Member Ryan Wheeler wanted to thank the staff for working on this project for over a year. It was a water line project down main street were at almost 3.5 million. Most of this project is funded outside of Moapa Valley Water District. It is going to beautify the downtown area. It is going to put asphalt from curb to curb through the entire downtown and Landscaping. Overall, it is a win to install a water line project for the betterment for our entire community. Board Member Lindsey Dalley wanted to go on the record to where the money is going. On our end we have done great due diligence. He agrees with Board Member Ryan Wheeler and is one hundred percent behind the project, but he gets frustrated when the rate payors do not get as much value for their money as they could have but, unfortunately that does not have anything to do with the Water District. Lindsey Dalley wants this on the record so that if it comes back, people know that we were aware of it and here's why it potentially may or may not go over budget. On a motion from Board Member Ryan Wheeler to move to accept the bid from Eagle View Contractors INC in the amount not to exceed \$3,461,988.00 for the installation of the Overton Main Street Project Improvements, It was seconded by Board Member Scott Farnsworth. The Board voted 4-1 with one abstaining.

5) Managers' Report

Lon Dalley filled in for the Office Manager Jeannie Fox. He reported that we are right at the end of the year, but the report still has one month left. We're a couple of months behind on the sales that we recoup. This is the year's expenditure at 91 percent, and we still have one more month left. We are expected to come close to our estimate. There was much discussion on different capital projects and the layout of the Budget.

Assistant General Manager Lon Dalley reported that June was a cooler month. Production was down noticeably. There was a total of 81,705,000 gallons pumped and the majority of that came from Arrow Canyon #1. Baldwin used 3,301,000 gallons. We ran it for a few days just to flush it out so we could pull Arsenic samples. That brings our total to 85,006,000 Gallons. It was reported that we were officially awarded the third round of the Meter Replacement Grant through the Bureau of Reclamation. The past two were \$75,000 and this one is worth \$100,000.

General Manager Joe Davis reported that on August 8th the Supreme Court the oral arguments will start for the lower white river flow system. The remand and the appeal of the 1309 ruling that came out of judge Yeger's office in Las Vegas. Hopefully things will stay on track and start to happen on the 8th, things will ramp up and arguments can come in and then the Supreme Court can rule, then that part of the limbo will go away, and we'll know what the ground rules are for the next step. This is good news because it's been unknown for a long time. Board Member Lindsey Dalley asked If when the Supreme Court rules, will our legal cost start increasing at that point? After the rule we will probably see those costs go higher. If the Board recalls, we've put about \$487,000 dollars into it, between hydrology work and legal fees in the last four years. Whether the ruling is good or bad there will be legal costs.

We updated our integrated water resource plan back in 2014, it was adopted by the Board in 2015 and sent to the State for approval. It carries a lot of weight for Districts trying to accomplish things. If you are a municipality and you have one, you get graded points by having that to help accomplish certain things with our water rights. Our Water resource plan from 2014 if you read the NRS directly will be required to have that updated by next year. It's every ten years. Joe updated to the 2002 version; it took quite a bit of time to get done. The new stuff should go fairly quickly. There was conversation at the last Board Meeting when

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we voted to adopt growth rate. We have known growth rate from what we projected was going to be there and there are three levels of growth rate in there. There will be a big discussion between the Board and staff on where we want to hover on what that projection is going to look like. Joe is going to get it updated and get that process started so we can get it done and meet the timeline. Right after that our conservation plan will have to be updated and approved. The Conservation plan has to be updated every five years.

Joe Davis asked that at the next Board meeting if they could talk about his employment contract.

6) Directors' Preference

- Review Monthly Expenditures, there were questions about building Maintenance, office-cleaning supplies, fuel budgets and our billing software.
- Litigation
- Other Related Water Rights

7) Public Comment. (May be limited to five minutes)

Janice Ridondo had a few questions about last month's Board Meeting concerning the Overton 91 Project. Board Member Scott Farnsworth wanted to add to Next months agenda to have a discussion about a cost-of-living raise for the staff.

8) Approval of the August 10, 2023 Board Meeting

The Directors' agreed to hold the next Board Meeting on August 10, 2023 at 4:00pm.

9) Adjournment

Lindsey Dalley motioned the meeting adjourn at 5:05pm it was seconded by Scott Farnsworth.