

Lincoln County Water District
181 Main Street, Suite 115, P. O. Box 206,
Pioche, NV 89043, (775) 962-5164

MINUTES

**WEDNESDAY, APRIL 17, 2013, 10:00 A.M.,
COMMISSION CHAMBERS, LINCOLN COUNTY COURTHOUSE,
PIOCHE, NV**

Action may be taken on items denoted with an asterisk*.

1. *Call to order, open meeting compliance, roll call, prayer and pledge of allegiance.

Meeting called to order at 10:10 a.m. Present: Paul Donohue, Kevin J. Phillips, Adam Katschke, E. Edwin Higbee, Jr., Wade Poulsen-General Manager, Dylan Frehner-Legal Counsel, and Shannon Simpson-Administrative Assistant. Absent: Paul H. Mathews. Prayer: Paul Donohue. Pledge: Kevin Phillips.

2. Public Comment and Discussion. *No public comment.*

3. *Discussion/Possible Action: Approve/Modify minutes from the Lincoln County Water District (LCWD) January 16, 2013, and February 25, 2013, meetings.

Motion by Adam Katschke to approve the January 16, and February 25, 2013, meeting minutes, 2nd by Ed Higbee, motion passes unanimously.

4. *Discussion/Possible Action: Approval of vouchers paid on check dates February 4 & 19, March 4 & 18, April 1 & 15, 2013.

Motion by Ed Higbee to approve the payment of vouchers for check dates February 4 & 19, March 4 & 18, April 1 & 15, 2013, 2nd by Adam Katschke, motion passes unanimously.

5. Discussion: Board and Staff member reports:

Wade:

- National Park Service (NPS) Letter – Overview of the letter sent to the NPS, dated March 1, 2013, regarding the stipulation between LCWD, Vidler Water Co., and the NPS related to the development of a numeric groundwater model to assess impacts to NPS resources and properties, and the NPS's response to the letter.
- Bill Draft Requests (BDR) Tracking for the 2013 Legislative Session. No proposals that are really an eye-catcher.
 - There is a proposed BDR that states if a District were to raise their rates more than 27%, if an individual within that District could show hardship they would have the option of drilling their own well and provide their own water. This could prove detrimental to small entities, e.g., Pioche Public Utilities, Alamo Water & Sewer, Panaca Farmstead, if

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people started drilling their own wells. Discussed but not getting much traction. The State Engineer is against it.

- SB468 addresses revision of the State Engineer's fees.
- S-634/AB131 – Revises the Virgin Valley Water District's (VVWD) governing Board. The VVWD's current Board is made up of three elected officials from abroad; one in the Bunkerville area and two in the Mesquite area, then they have two appointed members; one appointed by the Bunkerville Town Board and the other appointed by the Mesquite City Council. They want to change their charter so that all Board members will be elected from abroad.
- SB232 - more transparency from SNWA. More reporting on their actions. Also talk of whether the SNWA should be under the Public Utility Commission's control.
- The VVWD is in the process of hiring a General Manager. Because of this Wade has not be able to meet with then regarding the potential agreement. They are also involved in a lot of litigation lately.
- Next LCWD Board meeting Thursday, May 16, 2013. Date required by NRS to approve the final budget for the year ending 2014.
- Dylan and Wade attending Jewish National Water Conference at the end of this month.
- Dylan and Wade continuing to speak with people throughout Lincoln County regarding the LCWD purchasing water rights.

Dylan:

- Panaca Farmstead meeting:
 - Met with their attorney, Brett Whipple, about Memorandum of Understanding (MOU) for expanding their boundaries on how we would cooperate on developing water in the Panaca Basin.
 - Ongoing discussions regarding a well that they want to get rid of. Trying to find water rights to put into that well that may be used for an irrigation well vs. a municipal well.
- Looking at/going after various ways to generate revenue:
 - Attended Commissioner's meeting to hear presentation of UNR.
 - Met with the Young's.
 - Scheduled to meet with Amelia from Coyote Springs.
- Moving forward with EWP Renewable Corporation.

6. Vidler Update.

Ryan Hoerth:

- Toquop – Vidler in process of finishing the draft environmental assessment (EA) for the collection pipeline. Anticipate that the draft EA will be submitted to the Bureau of Land Management (BLM) later this week.
- Tule Desert - Conducted hydrographic basin inventory and submitted it to the State Engineer's office. This is to satisfy NRS 533.364. With this submitted water can be moved from Tule to the Toquop Energy site once the EA's are completed.
- Kane Springs – Submitted application to change the point of diversion. Changing three permits. Chose locations based on geophysics done back in December. The locations are spaced about 1-mile apart. All locations fall within the LCRDA corridor.

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- Dry Lake – Put a new motor on the well. Currently being irrigated by the Mathews.
- Clover, Garden, Pahroc, and Coal Valleys are continuing to be monitored.

7. *Discussion/Possible Action: Performance evaluation of Wade Poulsen - General Manager.

- Discussion among the Board regarding Wade's performance.
- Positive comments from the Board.
- Wade hasn't received a pay increase since his 6-month review and to-date it will be the end of 5 years that he has worked for the LCWD.
- Wade gave an overview of how the funds for the LWCD and Lincoln County are two separate pots of money and each entity has their own separate budgets.
- The LCWD budget has sufficient funds to give Wade a cost-of-living increase.

Motion by Adam Katschke to retain Mr. Poulsen with a 3% pay increase, 2nd by Ed Higbee, Ed Higbee and Adam Katschke in favor, Kevin Phillips and Paul Donohue opposed. Motion denied.

Motion by Paul Donohue to retain Mr. Poulsen with a 1.5% pay increase, 2nd by Ed Higbee, Paul Donohue, Ed Higbee and Kevin Phillips in favor, Adam Katschke opposed (because of 1.5%). Motion passes.

8. *Discussion/Possible Action: Administrative Assistant position review.

Motion by Paul Donohue to advertise for Administrative Assistant, part-time position, 19.5 hours/week, \$13.73/hour, 2nd by Ed Higbee, motion passes unanimously.

9. *Discussion: 2013-2014 Tentative Budget.

- Wade went over the various funds that make up the LCWD.
- General Fund basically the same as last year. Services and supplies, salaries and wages the same as last year.
- Dan McArthur recommends that a transfer and/or at least to budget for a transfer of \$100,000.00, be made from the Water Resources Fund to the General Fund.
- The tentative budget has been filed with the State.

10. *Discussion/Possible Action: Approval of Board compensation for attendance of the NV Water Resources Association held January 2013.

Motion by Ed Higbee to compensate the Board Members who attended the 2013 NWRA Conference (\$80.00/day), 2nd by Adam Katschke. Kevin abstained from voting due to his attendance of the conference. Paul Donohue opposed, Ed Higbee and Adam Katschke in favor. Motion passes.

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11. *Discussion/Possible Action: Amendment of the Assignment and Assumption Agreement dated March 1, 2004, between the LCWD and Lincoln County.

Motion by Ed Higbee to accept the Amendment to the Assignment and Assumption Agreement dated March 1, 2004, between the LCWD and Lincoln County, 2nd by Paul Donohue, motion passes unanimously.

12. Discussion/Possible Action: Land disposal recommendations to the Bureau of Land Management for the LCWD.

- Discussion amongst Board and staff as to what land(s) may be beneficial to the LCWD.
- Cory Lytle will be submitting to the County Commission the parcels that the towns/cities, LCWD, etc., are interested in on May 20, 2013. Wants to submit to the BLM the first week of June.
- Want to get the parcels that Lincoln County as a whole is interested in into an amended Resource Management Plan (RMP) with the BLM.
- Paul Donohue would like a map that shows our water rights and/or wants our recommendations to help him make a decision.

13. Public Comment and Discussion. *No public comment.*

14. *Adjourn. *Meeting adjourned at 11:33 a.m.*

Minutes submitted for approval on May 16, 2013, by Shannon Simpson, LCWD Administrative Assistant.

Shannon Simpson

Approved by: *Paul Mathews*
Signature _____
Print Name *Paul Mathews* Title *Chairman*