Lincoln County Water District

181 Main Street, Suite 115, P. O. Box 206,
Pioche, NV 89043, (775) 962-8068

MINUTES

MONDAY, JUNE 2, 2014, 2:00 P.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 2:38 p.m. Present: Adam Katschke, Kevin J. Phillips, Edwin Higbee, Jr., Paul Donohue, Wade Poulsen-General Manager, Dylan Frehner-Legal Counsel, and Shannon Simpson-Administrative Assistant. Absent: Paul H. Mathews. Prayer and Pledge said in earlier meeting of the Lincoln County Commissioners.***

2. Public Comment and Discussion. ***Paul Donohue has requested that Cory Lytle – Lincoln County Building Department set up a meeting with the City of Mesquite June 17, 18, or 19.***

3. *Discussion/Possible Action: Approve/Modify minutes from the Lincoln County Water District (LCWD) May 15, 2014, meeting. ***Motion by Adam Katschke to approve the May 15, 2014, meeting minutes, 2nd by Paul Donohue, motion passes unanimously.***

4. *Discussion/Possible Action: Approval of vouchers paid on check dates June 2, 2014. ***Motion by Ed Higbee, to approve the payment of vouchers for check dates June 2, 2014, 2nd by Adam Katschke, motion passes unanimously.***

5. Discussion: Board and Staff member reports:

   Wade:
   - Dennis Ryder water. Wade spoke with Dorothy at Vidler. Not going to be able to purchase the water back from him. It is a good price for the water but without having a clear-cut contract on the energy site they decided not to move forward at this point.
   - Central NV Resource Water Association – Wade will be giving updates on the LCWD on June 13, 2014, in Ely, NV.
   - Meeting with Virgin Valley Water District this Thursday, June 5, 2014, to further discuss the agreement for providing water to the Toquop Water.
   - Ryan Hoerth-Vidler
     - The access road on the Toquop site was starting to be culturally cleared. About half-way done and then they were asked by the BLM to stop until the Bundy situation was over. However, the BLM has still asked them not to go out there.
     - Since they don't have anyone lined up for the Toquop site they have decided to discontinued the air-monitoring there. Will be removing the monitoring equipment in this area.

- In Kane Springs removed one of the change applications; the application to the south of the current well. Did field investigation, and felt that since this application was closest to Coyote Springs that by withdrawing it, it will ease the State Engineer's concern about impact to that area and the other two change applications will get approved.
- Continue to monitor.
- Speaking with 3 people regarding power, but nothing real definite.

• Met with Sunrise Engineering on the Water Resource Plan. Should have final product around August.

Dylan:

• Attended Sunrise Engineering meeting with Wade.
• Attended the Caliente City Council meeting. Advised them as to the U.S. Waters information. The City has on its agenda for Thursday proposals for legal council. Dylan has submitted a proposal.

6. *Discussion/Possible Action: To amend/revise Resolution No. 2011-02 to change the time and/or day and/or location of future LCWD meetings.
• The meeting will be the 1st or 3rd Monday; same as the County Commission meetings.
• Sometime during the day or sometime afterwards; no specific time except as specified on the agenda.
• The place and location is left open. As long as the meeting is held within the County and it is specified on the agenda as to where it will be held.
• Can have special meetings as agendized.
Motion by Paul Donohue to approve Resolution No. 2014-01 to change the time and/or day and/or location of future meetings, 2nd by Ed Higbee, motion passes unanimously.

7. *Discussion/Possible Action: Update Professional Services Agreement for Legal Services with Dylan V. Frehner Attorney at Law, APC. The last agreement was made on December 1, 2008.
• Dylan's rate would go from $100. to $125. /hour.
• Hiring an associate in August 2014. His rate would be $100. /hour.
• Travel expenses will be covered within the hourly rate.
Motion by Ed Higbee to accept the updated Professional Services Agreement for Legal Services with Dylan V. Frehner Attorney at Law, APC, 2nd by Adam Katschke, motion passes unanimously.

8. *Discussion/Possible Action: POOL/PACT proposal for coverage period July 1, 2014, to July 1, 2015. ***Motion by Ed Higbee approve the POOL/PACT proposal for coverage period July 1, 2014, to July 1, 2015, 2nd by Adam Katschke, motion passes unanimously.***

9. *Discussion/Possible Action: Performance evaluation of Wade Poulsen - General Manager. Possible action may include, but is not limited to, termination, suspension, demotion, reduction in pay, reprimand, promotion, endorsement, engagement, retention, salary increase, or 'no action'. (The Board may consider character, alleged misconduct, and professional competence, physical or mental health pursuant to NRS 241.031.)
   - Discussion among the Board regarding Wade's daily activities.
   - Positive comments from the Board.
   - Dylan explained why Wade's evaluation is held in an open session.
   - Paul Donohue would like the potential increase agendized for the next meeting.

10. Public Comment and Discussion. ***Mark Teepen – BLT Land Acquisition Group is requesting the Board approve the drafting of a Resolution of Intent to proceed with an Inter Local Agreement between the LCWD and the City of Mesquite in accordance with the approved Development Agreement for the property owned by BLT Acquisition Group known as Parcel "C" within the Toquop Planning area. The Board requested that the Resolution of Intent be placed on the agenda for the next meeting.***

    Dylan – May we use the same letter that was approved at today's Lincoln County Commissioner's meeting regarding the "Definition of Waters of the U. S. Under the Clean Water Act"? If so we will agendize for a special meeting to get this item approved by the required due date.

    Dylan – The Coyote Springs GID will be looking at possible proposals for legal counsel. As a comment, it may be a good time for that Board to look at the way it is structured. Think that it is a good time to look at the sewer and water being under the LCWD and have the County manage the remainder of the items.

11. *Adjourn. **Meeting adjourned at 3:15 p.m.**

Minutes submitted for approval on June 30, 2014, by Shannon Simpson, LCWD Administrative Assistant.

Shannon Simpson

Approved by: Kevin Phillips
Signature

Kevin J. Phillips
Print Name Title