

Minutes
Indian Hills General Improvement District
Board of Trustees Meeting
District Office
3394 James Lee Park Rd. #A
Carson City, NV 89705
July 17, 2013
6:00 P.M. Public Hearing & Regular Meeting

Trustees Present: Chairman Brian Patrick, Vice Chairman Chris Johnson, Secretary/Treasurer Bill Eisele, Trustee Denise Pierini and Trustee Ronny Lynch.

Staff Present: General Manager John Lufrano and Administrative Assistant Brooke Thompson.

Others Present: Engineer Tim Russell, Attorney Scott Brooke, Ryan Russell, Jennifer Davidson and Residents Dale Morlan and Shahla Fadaie.

1. Call to Order

Chairman Patrick called the Public Hearing to order at 6:00 P.M. Chairman Patrick requested that all cell phones and pagers be turned off for recording purposes.

2. Pledge of Allegiance: Led by Vice Chairman Johnson.

3. Approval of Agenda – Chairman

Trustee Pierini motioned to approve the agenda. Vice Chairman Johnson Seconded. Motion passed unanimously.

4. PUBLIC HEARING

a. Discussion only on the Intent of the Board of Trustees of the Indian Hills

General Improvement District, Nevada, to consider amending the Water Service Policy to implement service charges and a fine for tampering with a water meter, register or pit that would take effect when, a) a homeowner calls requesting the District to come out during business hours and it is determined to be due to the homeowners negligence or it is proved to be a nuisance a \$30.00 charge will be implemented, b) any afterhours call that proves to be the responsibility of the homeowner and not that of the Indian Hills General Improvement District a \$60.00 charge will be implemented or c) when it is evident that someone has tampered with a meter, register or meter pit which is the property of the District a \$250.00 fine will be implemented.

- Public Comment: none

b. Close Public Hearing at 6:02P.M.

5. Open Regular Meeting of the Board of Trustees at 6:02P.M.

6. Public Interest Comment: none

7. Discussion and possible action to adopt Resolution No. 2013-02 to amend the Water Service Policy to implement a service charge of \$30 or \$60 for certain services and to implement a \$250.00 fine for tampering with a water meter, register or pit.

General Manager John Lufrano explained that we have had discussions about this in past meetings. Staff has encountered these issues and Dave has been asking for some kind of service charge. Hopefully this will chip away at some of the overtime. I think this is long overdue. Trustee Lynch asked for an example of a nuisance. General Manager John Lufrano stated the bigger issue is when the same people call constantly, every month for a reread and the read comes back good. Vice Chairman Johnson wanted to confirm that we pursued all avenues to get the word out to the residents. General Manager John Lufrano stated yes we did the public notice in the paper and it's on our website. Trustee Pierini asked if there is any gray area if someone thinks they are having problems with their water. General Manager John Lufrano stated yes there is going to have to be some discretion on our part; the bigger issue is the afterhour's calls.

District Attorney Scott Brooke suggested some minor changes to the resolution. The whereas should all be conditional in the event something occurs it should read: should be implemented and not will be and you should add residents and homeowners.

Secretary/Treasurer Eisele motioned to adopt Resolution No. 2013-02 to amend the Water Service Policy to implement a service charge of \$30 or \$60 for certain services and to implement a \$250.00 fine for tampering with a water meter, register or pit with Mr. Brooke's amendments. Trustee Pierini seconded. Motion passed unanimously.

Public Interest Comment: none

8. Discussion and possible action to amend the Water Service Policy to include a \$30 service charge, \$60 afterhours service call and to impose a \$250 fine for tampering with a water meter, register or pit as adopted in Resolution No. 2013-02.

Vice Chairman Johnson motioned to amend the Water Service Policy to include a \$30 service charge, \$60 afterhours service call and to impose a \$250 fine for tampering with a water meter, register or pit as adopted in Resolution No. 2013-02 with Mr. Brooke's amendments. Secretary/ Treasurer Eisele Seconded. Motioned passed unanimously.

Public Interest Comment: none

9. Discussion and possible action regarding in park vendor sales of Ice Cream from Shahlala Healthy Ice Cream Rush in James Lee Park.

Shahla explained that she bought the Ice cream truck from Ron. It is a great thing for the neighborhood and the kids. She saw the excitement in the kids when the ice cream truck would come around. She stated she is making her own ice cream and marketing it. This is a secondary job she still works full time. She is asking for the Board to allow her to come onto District property and sell her ice cream.

Trustee Pierini motioned to allow in park vendor sales of Ice Cream from Shahlala Healthy Ice Cream Rush in James Lee Park and on District property assuming she has the permit from the County to sell to the public. Secretary/Treasurer Eisele seconded. Motion passed unanimously.

Public Interest Comment: none

10. Discussion and possible action to approve amendments to the Interlocal agreement between the Town of Minden and Indian Hills GID regarding water rates.

General Manager John Lufrano took the opportunity to introduce Jennifer Davidson the Town of Minden Manager and Ryan Russell Minden's attorney. Jennifer offered to attend the meeting tonight to answer any questions; she worked tirelessly to get this done.

Trustee Pierini asked if Mr. Brooke helped draft these amendments. District Attorney Scott Brooke stated that he helped draft the original agreements but did not help draft these amendments. He reviewed it and went over it with Tim and John. These are a package and have gone to the Town and the County.

Trustee Lynch stated he is having a hard time with the fact that this was approved in January 2010 is this a new one or amendments. District Attorney Scott Brooke stated you have the original agreement that anticipated changes in the future and the proposed amendments which was expected in the original agreement. Trustee Lynch asked if it looks like Carson City will be online by April 2014. District Engineer Tim Russell stated that in his last discussion with the County yes it does. They installed the pump barrels and poured the building slab for the pump station, which is the remaining facility necessary to pump water to Carson City so I would anticipate they will be online well before April 2014.

Chairman Patrick asked on page 55 the third item states "this retroactive payment to Douglas County must occur by August 1, 2013." I knew this was going to happen but how much is the retro payment. District Engineer Tim Russell stated it is \$24,814.28.

Chairman Patrick stated this is a graduation that we agreed to pay. Trustee Lynch asked if we have the money. General Manager John Lufrano stated yes we had a surplus in our payment for the Minden water and that is where this is coming out of.

Trustee Pierini asked if Mr. Russell assisted in setting up the new rates. District Engineer Tim Russell stated yes he did and he is comfortable in the new rates. Every effort was made by the Town and their partners to make the transition as smooth as possible.

Vice Chairman Johnson motioned to approve amendments to the Interlocal agreement between the Town of Minden and Indian Hills GID regarding water rates. Secretary/Treasurer Eisele seconded. Motioned passed unanimously.

Public Interest Comment: Jennifer Davidson Manager for the Town of Minden stated she appreciates the Board hearing this item tonight. She very much appreciated the efforts the staff has taken to get this done. We did undergo a rate study. Those findings were published and the rates you see before you tonight are consistent with the recommendations of that rate study. The only difference is that we took into consideration everyone's financial constraints and adjusted how the numbers are based over the ten year period.

11. Discussion and possible action to approve amendments to the Interlocal agreement between Douglas County and Indian Hills GID regarding water rates.

General Manager John Lufrano stated that this is one more phase of what we need to do to get this finalized.

Trustee Lynch motioned to approve amendments to the Interlocal agreement between Douglas County and Indian Hills GID regarding water rates. Vice Chairman Johnson seconded. Motioned passed unanimously.

Public Interest Comment: none

12. Discussion and possible action to approve an Interlocal contract between Indian Hills GID and Carson Water Subconservancy District for development of a regional MS4 Stormwater Management Plan.

District Engineer Tim Russell stated that we have talked to the Board in the past about MS4 which stands for Municipal Separate Storm Sewer so basically your sewer system. The state through EPA mandates certain requirements for maintaining, cleaning and other activities of what goes into your storm drains. As described in the memo in 2010 they revised the requirements to their storm water management plan and that has not been done. The State would like everyone to join together to create a regional plan that everyone can work under. We talked with Carson Water Subconservancy District with the idea that if they had funding for this plan it would benefit all agencies to join together and create that document. Someone had to step up so Indian Hills filed an application with Carson water to obtain those funds on behalf of everyone. We applied for \$40,000 they offered \$20,000 to put towards the regional plan. I'm not one to stick up my nose at \$20,000 from someone else for something that the District is going to have to participate in anyways.

Chairman Patrick asked if \$20,000 will cover this. District Engineer Tim Russell stated he does not know because no one has ever created a MS4 plan, the goal is to get as far as we can and then reevaluate. General Manager John Lufrano stated that the \$20,000 was dedicated from last year's budget so we may be able to get some more from this budget.

Chairman Patrick stated this is covering the whole region. Trustee Lynch it is actually the watershed that goes into the river. He has some real problems with this. He doesn't understand how we are going to come up with this plan. I understand that they do not want contaminated water going into the river so they build catch basins. He does not understand what is going to be done and how the \$20,000 is going to be spent. District Engineer Tim Russell stated that this creates a plan for everyone. There are a lot of things that go into this plan. If the Board does not take this money Indian Hills is going to have to do their own regardless. Secretary/Treasurer Eisele asked what happens if we just don't do it. General Manager John Lufrano stated we have no choice we are a government entity, it is required. District Engineer Tim Russell stated that it is a similar compliance for arsenic the State Department of Environmental Protection will come in and mandate you do it and they will start fining you when you do not.

District Attorney Scott Brooke stated that this is a regional entity that is going to fund the initial regional study at no cost to the District. When you go to spend the money put in there to not spend anymore than the \$20,000. You get what you pay for and it will be acceptable to the government or not. General Manager John Lufrano stated that this will give us more clear guidelines of what we will need to do. This has to be done either way if we accept the money or not. Vice Chairman Johnson stated that this is something we have to do no matter what. If we do it individually as a District they would all have to tie in together anyways, doing it this way would save us money in the long run.

Trustee Pierini asked if there is some type of regulation on how the money is spent and is this going to cost the District additional man hours to comply with. District Engineer Tim Russell stated yes the state does have guidelines on how the money is spent and what you are suppose to put in that document. Until it is completed we won't know for sure how or if it will affect the man hours. The good thing is that staff is already doing it so it will be incremental as oppose to something completely new.

Trustee Lynch stated that he is concerned about this and he would like to be a part of this if the Board will let him. We need to do something.

Vice Chairman Johnson motioned to approve an Interlocal contract between Indian Hills GID and Carson Water Subconservancy District for development of a regional MS4 Stormwater Management Plan. Trustee Lynch seconded. Motion carried 3-1. 3 ayes by Chairman Patrick, Vice Chairman Johnson and Trustee Lynch, 1 nay by Secretary/Treasurer Eisele. Trustee Pierini abstained from voting.

Public Interest Comment: none

13. Discussion and possible action to approve going out to bid for the Vista Grande street project which includes replacing aging water line, installation of pedestrian/ADA ramps and replacing asphalt.

General Manager John Lufrano stated that this is something that we have been discussing for several months. The Board asked for Tim and I to bring back a scope of work. What you have before you is the three tier project which is the water line replacement, ADA ramps and the street project itself.

Secretary/Treasurer Eisele asked if this includes all the tie inns. District Engineer Tim Russell stated yes it does. Trustee Lynch asked for more specifics on the road portion of the project. District Engineer Tim Russell stated that we are going to grind up what is there and put in a complete new road. We will bid this as one full project it will be more economical. Secretary/Treasurer Eisele asked if there is any way to piggy back with the County on this project to try and cut the cost down. District Engineer Tim Russell stated actually it is a big enough project to do it alone. When all is said and done it will be about a \$425,000-\$475,000 project. Vice Chairman Johnson asked if we could include filling some cracks on Vista Grande or at least get a quote on what it would cost. District Engineer Tim Russell stated we could include an added alternate in the bid.

Trustee Lynch motioned to approve going out to bid for the Vista Grande street project which includes replacing aging water line, installation of pedestrian/ADA ramps and replacing asphalt. Secretary/Treasurer Eisele seconded. Motion passed unanimously.

Public Interest Comment: none

14. Discussion and possible action to approve a settlement of the lawsuit filed by Sandi Eisele against the Indian Hills General Improvement District.

General Manager John Lufrano stated we are just looking for an approval. Pool Pact has already settled the lawsuit and this is just a formal approval. Secretary/Treasurer Eisele stated that he will abstain from voting on this item.

Public Interest Comment: Resident Dale Morlan asked what this lawsuit is about. District Attorney Scott Brooke stated that Sandi alleged discrimination and a violation of her first amendment rights. This is a federal matter and is essentially based on the way she felt she was treated.

Chairman Patrick stated that the amount was settled with Pool Pact and our insurance carrier is settling the District is not liable for anything. Pool Pact is paying the settlement amount and she is dropping the federal case against us.

Trustee Lynch motioned to approve a settlement of the lawsuit filed by Sandi Eisele against the Indian Hills General Improvement District. Vice Chairman Johnson seconded. Motion carried with 4 ayes by Chairman Patrick, Vice Chairman Johnson, Trustee Lynch and Trustee Pierini. Secretary/Treasurer Eisele abstained from voting.

15. Reports to the Board:

a. General Manager Report

District General Manager John Lufrano reviewed his report with the Board.

Parks & Streets

District General Manager John Lufrano reviewed the Parks and Streets report with the Board.

Vice Chairman Johnson stated that the trails look good and thanked John for his work.

1. Water

District General Manager John Lufrano reviewed the Water report with the Board.

2. Wastewater

District General Manager John Lufrano reviewed the Wastewater report with the Board.

b. District Accountant Report

District General Manager John Lufrano reviewed the Accountant report with the Board.

c. Engineer Report

District Engineer Tim Russell stated everything he has been working on was on the agenda tonight.

d. Attorney Report

District Attorney Scott Brooke stated that he has an update on the Ski Pond matter. The last meeting they had resolved most of the issues. The one potential issue is the potential fire flow to that area, further information was needed from East Fork Fire Department and I do not believe they have heard back from them.

12. Discussion and possible action to approve Draft Minutes from the June 19, 2013 Board Meeting.

Vice Chairman Johnson motioned to approve Draft Minutes from the June 19, 2013 Board Meeting. Secretary/Treasurer Eisele Seconded. Motion carried unanimously.

13. Chairman and Trustees Reports, Correspondence.

Chairman Patrick stated that tomorrow morning he will be talking with the Pool Committee about the potential of them using District land for a pool.

Public Interest Comment: none

14. Adjournment

Vice Chairman Johnson motioned to adjourn the meeting. Secretary/Treasurer Eisele seconded. Motion passed unanimously.

Meeting adjourned at 7:02 P.M.

FINAL APPROVED MINUTES AS PRESENTED

**Secretary/Treasurer
Bill Eisele**