

**Minutes**  
**Indian Hills General Improvement District**  
**District Office**  
**3394 James Lee Park Rd. #A**  
**Carson City, NV 89705**  
**February 17, 2010**  
**6:00 P.M.**

**Trustees Present:** Chairman Brian Patrick, Vice Chairman Denise Pierini, Secretary/Treasurer Ronny Lynch, Trustee Dianne Humble

**Trustees Absent:** Trustee Lau (arrived at 6:05 P.M.)

**Staff Present:** General Manager Jim Taylor, Field Operations Supervisor John Lufano, Administrative Assistant Karen Ziemer

**Others Present:** Attorney Scott Brooke, Engineer Brian Randall, David Fournier, Ron Kruse, Art Baer, Dale Morlan

1. **Call to Order:** Chairman Patrick called the meeting to order at 6:03 P.M.
2. **Pledge of Allegiance:** Led by Chairman Patrick
3. **Approval of Agenda:**

*Secretary/Treasurer Lynch motioned to approve the agenda as it stands. Trustee Humble seconded. Motion carried 4-0-1, 4 ayes by Chairman Patrick, Vice Chairman Pierini, Secretary/Treasurer Lynch, Trustee Humble; 1 absent Trustee Lau*

4. **Public Interest Comment:** (none)

5. **Discussion and possible action to adopt a 2010 Resolution of Intent to Issue Water Bonds, Resolution No. 2010R-02, proposing the issuance of, and authorizing the publication of notices relating to general obligation (limited tax) water bonds (additionally secured by pledged revenues) for the purpose of financing projects for the District:**

Chairman Patrick commented to General Manager Jim Taylor that the way he understood this item is that last month the Board approved the submission of the application to adopt the resolution to go forward with the bonds. Jim replied yes, the Board had to approve the application before going to the DMC (Debt Management Commission). Chairman Patrick commented that the resolution before the Board tonight is to put the resolution out for public notification. General Manager Taylor replied yes, the sample notices are on pages 4 and 7.

*Trustee Lau arrived 6:05 P.M.*

**Public Comment:** (none)

*Secretary/Treasurer Lynch motioned to adopt Resolution No. 2010R-02, proposing the issuance of, and authorizing the publication of notices relating to general obligation (limited tax) water bonds (additionally secured by pledged revenues) for the purpose of financing projects for the District. Vice Chairman Pierini seconded. Motion carried unanimously.*

**6. Reports to the Board:**

**a. General Manager Report (Exhibit A)**

General Manager Jim Taylor reviewed his reports to the Board. Jim noted that USDA requires the Board to have two sets of training to receive their funding and Grant money. Jim stated that USDA will send someone to the District for required training at no charge. Additionally, the Board can take other offered courses from POOL/PACT, Nevada Rural Water Association, and Carson Water Sub Conservancy District. Vice Chairman Pierini asked about Water Supervisor Dave Wright's report regarding Ozone Generator #2 inverter short circuit, and if it is being fixed. General Manager Taylor will talk to Dave Wright about these questions and give an update to Vice Chairman Pierini.

**b. District Analyst-Community & H.R. Report (Exhibit B)**

General Manager Taylor commented that 24.5 hours of overtime out of 37 were spent on Browns Well. He anticipates overtime to be greatly reduced when the water pipeline is operational.

**c. District Accountant Report (Exhibit C)**

General Manager Jim Taylor reviewed the Cash Balance report with the Board. Jim explained that Payroll is a cash balance account and will be shown on reports as such. Starting next month on the 15<sup>th</sup> of each month, excess monies over a \$350,000 cap in the Operating account will be transferred into the Money Market account. On March 15, 2010 approximately \$250,000 will be transferred to the Money Market account. Next week a new checking account will be opened for pipeline expenses only, with a deposit of \$100,000. This creates a method to track expenses. Jim is currently working on a separate budget for the pipeline. There will be two sets of books, one for IHGID and one for the pipeline.

**Public Comment:** (none)

**d. Engineer Report:**

Upon his retirement, the Board thanked Engineer Brian Randall of RCI for the professional work he has done for IHGID over many years and his dedication to the District. Brian Randall reminisced about his 18 years of working with IHGID with his first Board Meeting being in 1992 when the District had only 3 employees. Brian commented that his successor, Engineer Tim Russell will do a good job for the District. Brian will still be working for RCI on a significantly reduced schedule, mostly related to water rights. Brian is trying to finish setting up IHGID water rights with the State in such a way that there will be extra water rights available for new development. Brian has promised Engineer Tim Russell, RCI and IHGID that he will be available any time due to his history and knowledge of the District. Brian will be working with Tim Russell on IHGID water rights. Brian thanked the Board for the use of RCI's services.

Brian Randall reported the pipeline and water rights issues are the projects being worked on now. He commented that the District is fortunate to get grant funding from USDA, although their requirements are immense in terms of manpower and time. Brian stated he believes the timing of the pipeline was fortunate for IHGID water quality issues.

**Public Comment:** Art Baer

**e. Attorney Report:**

Attorney Scott Brooke reported he has been working on the pipeline intertie details.

**7. Discussion and possible action to change the IHGID operating property tax rate to be levied in Fiscal Year 2010-11:**

General Manager Jim Taylor stated the District needs to give an answer to the Department of Taxation by Monday February 22, 2010 if there is going to be a change in the property tax rate. Jim explained the Douglas Preliminary Property Tax Rate Calculation document (**Exhibit D**) which shows a Tax Rate Calculation of 0.8445 for IHGID in FY2011. The current tax rate is 0.8041. Jim distributed his notes to the Board (**Exhibit E**) showing approximate income for FY2010-11 using four different rate scenarios. Jim suggested possibly lowering the tax rate no lower than 0.7950. Chairman Patrick commented he was concerned that IHGID may not receive construction tax in the next budget year. General Manager Jim Taylor stated there are only three working days available to come up with an answer by Monday for the Department of Taxation. Jim stated he could call Board members by Monday to finalize a rate. Secretary/Treasurer Ron Lynch commented that the Tentative Budget is coming up, but the Final Budget approval is in May. Ron commented that what the state allows and what we actually get are two different figures. Ron suggested that General Manager Taylor check on the formula that makes the amount received go down. General Manager Taylor stated he has talked to Penny Hampton at the Department of Taxation regarding this.

**Public Comment:** Ron Kruse commented there was no mention of what sales tax is driven by now. Ron thought it is combined with the Ad Valorem amounts shown in one column of the report. Ron suggested clarifying what IHGID is getting from sales tax.

General Manager Taylor clarified that if he doesn't contact the Department of Taxation on Monday, last year's rate of .8041 will be used.

Frank Johnson, District Manager of Minden Gardnerville Sanitation asked if General Manager Taylor had figured abatement tax amounts in his estimated totals. Frank stated the Sanitation District's rate is .1224 and his Board authorized him to look into possibly changing rates. Frank clarified what Secretary/Treasurer Lynch noted earlier, that the abatement amounts that will come from Penny Hampton are not given out until the last minute and they may give IHGID less income.

Trustee Humble clarified that the tax is not just Ad Valorem. Ad Valorem is a real estate tax that is based on the value of your property for the last two years. That is why property tax for some of the residents went down this year. Trustee Humble commented that the State Legislature will decide if the state tax is increased this year and if so, IHGID would get more of an allotment.

*Trustee Humble motioned to allow the General Manager to change the operating property tax rate to be levied in Fiscal Year 2010-11, and reduce it by no more than 5 cents. Vice Chairman Pierini seconded.*

*Trustee Humble amended her motion to allow the General Manager to change the IHGID operating property tax rate to be levied in 2010-11 down to .7950. Vice Chairman Pierini seconded this amendment. Motion carried unanimously.*

**8. Discussion and possible action to adopt the Douglas County Commissioner's Protocol for all meetings held in the District, allowing public comment on items so designated prior to a motion; accepting that the recently adopted IHGID Board Norms and Procedures and Robert's Rules of Order are superseded by the adopted protocol:**

Trustee Humble reported there was a discussion after the last Board meeting with a couple of Douglas County Commissioners and people who attended the meeting, that as the meeting was conducted, public comment was not allowed until after a motion was made. It was suggested to Trustee Humble that IHGID use the protocol that was adopted recently by the Commissioners, which is the backup for this item tonight. The Commissioners came together and decided instead of making a motion and then allowing public comment, it showed more respect for the public and their input to have a motion after public comment was given. Trustee Humble stated according to IHGID Bylaws the Board is to use Robert's Rules of Order where they apply at the discretion of the Chair, not carved in stone. Trustee Humble stated she was given the County Commissioner's protocol from the Commissioner that represents IHGID. She is presenting the protocol to the IHGID Trustees to see if they'd like to adopt it as our format which would supersede Robert's Rules of Order and would supersede IHGID's recently adopted format. It is a simple format with a motion, discussion after the motion, then the vote. This would honor residential input.

Chairman Patrick commented that according to Robert's Rules of Order, a motion is ordered and then a second given, which puts the subject in play and it is alive. If the subject is not in motion, we are just talking about something that is not a reality yet. Chairman Patrick stated he reads Robert's Rules of Order as we would make a motion, second it, have it in play, then have discussion on the subject. If there is public input before the Board discussion, then the Board gets to hear the public's thoughts on the motion.

Secretary/Treasurer Lynch commented he had trouble understanding the agenda item regarding Robert's Rules of Order and the Board Norms and Procedures being superseded by an adopted protocol. He questioned if this meant Robert's Rules of Order and Board Norms and Procedures that the Board adopted will no longer count for anything.

Trustee Humble clarified that her discussion with County Commissioner Mike Olson was regarding the IHGID Board Meeting and how the Chair did not allow public comment prior to a motion. It states in the IHGID Bylaws that we will use Robert's Rules of Order as a basis or guideline of how to conduct our meetings. The Board adopted an 11 page document saying not how we would conduct our meetings, but how we would treat each other at meetings and what we would do at meetings. The specific protocol from Mr. Olson and our County Manager was adopted prior to our last IHGID meeting. The protocol is how the Commissioners agreed amongst themselves to conduct the meetings out of respect for residents. It was suggested to Trustee Humble that because public comment was not allowed prior to a motion, maybe the protocol would work for the IHGID Board. It was in that frame of mind that this would be the protocol and procedure: staff would make presentation, and the public would be able to comment or ask questions, the Board would have discussion toward a motion but not actually make the motion. Then a call for a motion would be made.

Secretary/Treasurer Lynch stated that public comment has always been allowed by the County Commissioners and IHGID Board. He is concerned about public comment coming before the Board discusses an item, since the public would not know where the Board is going on the subject. He likes to hear where the Board is coming from, and then have public

comment after a motion and discussion of a motion. Secretary/Treasurer Lynch commented he thinks IHGID is following this and has allowed public comment.

Trustee Lau questioned why the County Manager and Commissioner's were not here if it was important for IHGID to pass this. She stated she has read Roberts Rules of Order and believes IHGID's Board is following the protocol in Robert's Rules of Order. She agrees with having a motion before public comment as it sets the stage of what the Board is discussing. Then the public can comment on what is being discussed. Using the Robert's Rules of Order has never prevented the public from speaking. If there is public comment after the motion is made, a Board member may change their voting direction. She believes in hearing public comment and that what the public has to say is valid.

Vice Chairman Pierini asked Attorney Scott Brooke if once a motion is made and we allow public comment, can the motion be amended. Scott Brooke replied yes it can.

**Public Comment:** (none)

*Vice Chairman Pierini motioned to adopt the Douglas County Commissioner's Protocol for all meetings held in the District, allowing public comment on items so designated prior to a motion; accepting that the recently adopted IHGID Board Norms and Procedures and Robert's Rules of Order are superseded by the adopted protocol. Trustee Humble seconded. Motion failed 2-3, 2 ayes by Vice Chairman Pierini, Trustee Humble; 3 nays by Chairman Patrick, Secretary/Treasurer Lynch, Trustee Lau*

**9. Discussion and possible action to approve an addition of hours to the General Manager's vacation hours balance. Current vacation accrual is 80 hours per year:**

General Manager Jim Taylor reported that due to the pipeline project, he has been working until 5:30 p.m. every night. Between 4:00 and 5:30 p.m. he gets work done with USDA, NDEP and RCI as it is a quiet time with no interruptions from daily activities. Jim asked the Board to be compensated for 80 hours of vacation time, which will not be taken all at one time. Jim explained his vacation will not accrue fast enough to be able to take mini vacations this summer. Attorney Scott Brooke commented that this should be an Amendment to the General Manager's contract. The Board asked General Manager Jim Taylor to bring this item back to the Board next month. Attorney Brooke stated he will work with Jim on his Contract Amendment.

*No Action Taken.*

**10. Discussion and possible action on approval of Draft Minutes for the January 20, 2010 Board Meeting:**

**Public Comment:** (none)

*Secretary/Treasurer Lynch motioned to accept the Draft Minutes for the January 20, 2010 Board Meeting. Vice Chairman Pierini seconded. Motion carried unanimously.*

**11. Chairman and Trustees Reports, Correspondence:**

Trustee Dianne Humble reported that a person (whose name she gave to General Manager Taylor) talked to the Ombudsman and Dianne herself spoke with Sunridge Corporation. Dianne stated that IHGID is supposed to be enforcing the HOA rules and he (Ombudsman)

wants IHGID to give a 45 day notice to a resident that she must clean up her mess and her yard.

Trustee Humble asked for an agenda item on the next Board Meeting Agenda regarding a 45 day notice to a resident to clean up their mess and yard.

Trustee Humble asked for an agenda item on the next months Board Meeting Agenda regarding a suggestion to residents that they dispose of prescription drugs some other way than being flushed down the toilet or sink which may affect our water system.

Vice Chairman Pierini inquired about a past request to post recognition for all retirees of IHGID. General Manager Taylor replied this has not been done yet.

**12. Adjournment:**

*Secretary/Treasurer Lynch motioned to adjourn the meeting. Trustee Lau seconded. Motion carried unanimously. Meeting adjourned at 7:31 PM.*

**FINAL APPROVED MINUTES AS PRESENTED**

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**Secretary/Treasurer  
Ronny Lynch**