

Minutes
Indian Hills General Improvement District
District Office
3394 James Lee Park Rd. #A
Carson City, NV 89705
August 19, 2009
6:00 P.M.

Trustees Present: Chairperson Dianne Humble, Vice Chairperson Denise Pierini, Secretary/Treasurer Brian Patrick, Trustee Laura Lau, Trustee Ronny Lynch

Trustees Absent: none

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

Others Present: Attorney Charles Zumpft, Engineer Brian Randall, Kathryn Clark-Ross, Art Baer, Ron Kruse, Dale Morlan, Bill Moriarty, Kurt Hildebrand, Jeanne Shizuru, Dave Nelson, Robert Belluomini, Dave Fornier, Gerry Saich

1. **Call to Order:** Chairperson Humble called the meeting to order at 6:00 P.M.

2. **Pledge of Allegiance:** Led by Vice Chairperson Pierini

3. **Approval of Agenda:**

Secretary/Treasurer Patrick motioned to approve the agenda as it stands. Vice Chairperson Pierini seconded. Motion carried unanimously.

4. **Public Interest Comment:** Kathryn Clark-Ross reminded those present that a free Concert will take place at James Lee Park this Saturday night, September 5, 2009 from 6-8 P.M.

5. **Discussion and possible action on approval of Draft Minutes for the July 15, 2009 Board Meeting:**

Secretary/Treasurer Patrick motioned to accept the Draft Minutes for the July 15, 2009 Board Meeting as presented. Chairperson Humble seconded. Motion carried unanimously.

6. **Reports to the Board:**

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

General Manager Jim Taylor reviewed two of his reports with the Board. Jim reported that the bid opening for crack repairs in Sunridge is Monday August 24, 2009.

Jim suggested that the General Manager should be the only one that can pull an item off of an Agenda. Jim stated he needs this authority if he does not have enough facts about the item to make a recommendation. He would then pull the item and contact the agenda item requestor for more information. The requested agenda item would be

brought back to the Board at the following months Board meeting. Jim stated this process can not go beyond 30 days.

The Board decided to have an item on the next meeting agenda regarding an agenda item deadline. Attorney Zumpft stated that staff can put out a guideline to recommend to the Board. The date and time of deadline should be reasonable. Chairperson Humble commented we could set a guideline tonight that we will have all agenda items in before the Wednesday before the next meeting. All Board members agreed. Staff will work on an Agenda Item Policy to bring to the Board at its next meeting.

General Manager Jim Taylor announced he will be requesting Board Action on a pollution insurance policy at the next Board meeting. Jim stated the policy has an option for both water and sewer. Chairperson Humble asked Jim to research a prior sewer spill to bring to the Board for this agenda item.

Vice Chairperson Pierini asked General Manager Jim Taylor for an update on a meeting he and Field Operations Supervisor John Lufrano had with Douglas County regarding a conservation study. Jim replied that Douglas County is trying to bring entities under one umbrella for conservation. Jim has nothing to report yet. IHGID will be asking for conservation land around the IHGID water plant and the sewer plant, hopefully at no cost.

Trustee Lynch asked General Manager Jim Taylor if there is money set aside for the purchase of a sludge dewatering system as reported in Wastewater Supervisor Andy Joyner's report. Jim Taylor replied no. Jim stated IHGID has been approved in the state revolving fund for approximately \$1,400,000.00. Jim noted that we don't need that much for a sludge dewatering press, which puts the sludge in a form that can be transported off site in a truck. Jim estimated the need for \$400,000.00 to \$500,000.00 which would be a loan from the state.

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

Chairperson Humble commented to General Manager Taylor that she had placed information on his desk information regarding trees from Nevada Forestry and a grant for Parks and Trails to be given to Sandi Eisele.

c. District Accountant Report: (Exhibit C)

General Manager Taylor reviewed budget figures with Trustee Lynch.

d. Engineer Report: (Exhibit D)

Engineer Brian Randall reviewed his report to the Board regarding the North Valley Water Pipeline Connection, Valley Vista Neighborhood Park, Hobo Lift Station Replacement & Generator Installation, Inactive Water Well Abandonment, Discharge Permit Renewal and South Sunridge & Haystack Roadway Crack Repair. Brian Randall commented that all entities involved with the North Valley Water Pipeline connection have given the go ahead. Agreements are needed from all entities.

Chairperson Dianne Humble asked Brian Randall how many feet the IHGID Water Plant is from Highway 395. Brian Randall replied 150-200 feet. Dianne asked if Brian knew, or if he could speak with Manhard regarding the Phase 1 proposal for IHGID to

lay 7,000 feet of pipeline to Heyborne Road when we could go 250 feet to the line under Highway 395 in Phase 2. General Manager Jim Taylor replied that he has called Manhard. Jim found out that the pipeline will not come through to IHGID on Highway 395. There is no intention to bring the pipeline up to Highway 395. Jim explained the 30" pipeline in Phase 2 will come up Highway 395 and turn on Johnson Lane to meet the right of way we have on the V&T roadway. Research showed it was not feasible to bring the pipeline further up Highway 395 due to existing structures, etc. near the highway. It was more feasible for the overall plan and for the Carson City and Dayton area if the tie in for all entities was at Johnson Lane.

Public Comment: Kathryn Clark-Ross questioned Engineer Brian Randall regarding the Valley Vista Park proposals that will be presented at the next meeting. Brian Randall responded they are bids and if all things go as planned, 3 contractors will bid with proposals for improvement work to be done. Kathryn asked if we are allowed to move dirt before the proposals are approved. Brian Randall replied that contractors will be bidding on the basis of the park area as it is now and he recommended not disturbing the site.

e. **Attorney Report:** Attorney Charles Zumpft stated he had no report.

7. Discussion and possible action regarding formation of a negotiation team for issues related to connection to a future water supply pipeline coming from Douglas County. (Dianne Humble, follow up from 7/15/09 Board Meeting):

General Manager Jim Taylor stated he sees a negotiation committee as important because of the size of the project. Jim would like to have two Board members, an engineer, attorney and the General Manager on a committee to look at documents presented to be sure they are in IHGID best interests. Jim commented there would be nothing to sign for approximately three or four months. Engineer Brian Randall commented that there may be preliminary discussions of agreements next month. Brian Randall stated he thought it wise to have a committee in place for forming an interlocal agreement. Attorney Charles Zumpft commented that Attorney Scott Brook saw no reason to delay this decision tonight and that Scott would be the participant in the committee as the IHGID attorney.

Secretary/Treasurer Patrick motioned for General Manager Jim Taylor to form a committee and come back to the Board with information. Chairperson Humble seconded. Motion passed unanimously.

Public Comment: Kurt Hildebrand, Editor of the Record Courier Newspaper stated that a formal committee would be subject to sub-committee rulings under the Nevada Open Meeting Law. It is dependent upon if the Board takes action to create a Committee. Attorney Charles Zumpft stated that a sub-committee is subject to the open meeting law.

Secretary/Treasurer Patrick motioned to remove the vote. Chairperson Humble seconded with acknowledgment that the item will be brought back to the next Board meeting. Motion passed unanimously.

8. Discussion and possible action regarding formation of a resolution to adopt Board norms and procedures for Trustee public meetings and related functions using Douglas County Commission Resolution No. 2009R-033 as a model:

Trustee Lynch asked to table this item and put it on next month's agenda, or have a workshop next month to adopt a resolution.

Public Comment: Bill Moriarty suggested reformatting the resolution, changing wording where necessary and bring it back to the next meeting and move ahead with it.

Chairperson Humble motioned to accept the Douglas County resolution in its entirety. Secretary/Treasurer Patrick seconded.

Vice Chairperson Pierini motioned to amend page 8 section 7 regarding going through the County Manager or District Chief and change wording to go specifically to the General Manager.

Trustee Lau suggested the Board ask the General Manager to edit the Douglas County resolution to relate to IHGID and bring it to the Board.

Chairperson Humble rescinded her motion. Secretary/Treasurer Patrick rescinded his second. The Board asked General Manager Taylor to bring an amended resolution back to the Board next month.

- 9. Discussion and possible action regarding a request from a committee of homeowners in The Springs subdivision asking IHGID to test for water leaks in the main line going into The Springs subdivision:(Exhibit E)** Jeanne Shizuru and David Nelson, residents of Long Drive reported reasons why homeowners believe a main water line may be leaking in their residential area. There has been water under houses and excessively high water pressure. Homeowners would like IHGID to: a) Test the main line for leaks at 4 locations b) Test the water at the beginning of Chip Court to see if we can determine that it is IHGID water c)Test the water pressure of the main line d) If the water pressure is too high, lower the water pressure of the main line to a normal level. David Nelson stated that they have a pressure regulator for water coming in to the house, but the sprinkler systems have no pressure regulators, causing sprinkler heads to pop off. David stated that Syncon Homes installed the sprinkler systems. Secretary/Treasurer Patrick asked if Syncon Homes had installed pressure regulators in the Sprinkler systems would there still be a water problem. Jeanne Shizuru replied that the homeowners believe that there is water seeping up from underneath the road all along Long Drive and would like to identify if there is a problem. David Nelson noted that he had talked to Syncon and they attribute the excessive water to over sprinkling. The homeowners would like to eliminate the things Syncon has suggested as possible problems and then have Syncon prove it is not a Syncon problem.

The Board directed Attorney Charles Zumpft to draw up an agreement to present to Syncon before IHGID begins testing. The agreement should state that if IHGID is found not to be at fault and the problem has nothing to do with IHGID water, Syncon will agree to pay all of the expenses for all of the testing including attorney fees. All Board members were in agreement with this direction.

Public Comment: (none)

Recess 7:45 PM

Reconvened 7:47 PM

Trustee Lau left the meeting.

10. **Discussion and possible action to direct the General Manager to continue to look at alternative arsenic solutions and to give the Board the review of any contract prior to signing:** Chairperson Dianne Humble stated she put this item on the agenda due to a newspaper article regarding Commissioners seeking more options to large increases in water rates for two tiny Carson Valley water systems. Dianne commented that IHGID has not signed a contract yet for the pipeline although she sees no other way to go but with the pipeline. Dianne stated IHGID needs figures for their costs in the pipeline project. Dianne stated for the record she wants General Manager Taylor to continue to revisit other options available to be able to tell residents this has been done if their water rates should increase. Dianne wants Manhard to rework putting IHGID into Phase 2 of the pipeline plan.

Trustee Lynch commented that the new pipeline will help IHGID with their 2,000 plus customers. The cost will be a lot less than if we were doing the project on our own.

General Manager Taylor commented that staff has viewed the project the best they could and there would be no addition to the \$1.95 per thousand gallons of use that customers pay now. The District is dropping half of the water budget. Browns Well and ozone will be dropped as the District won't be paying these expenses. The \$1.95 will still be in affect. The Rate committee is looking at the actual cost of the pipeline and the indebtedness we have. The estimate is \$21.00 - \$22.00.

Engineer Brian Randall explained that there is no intention of a pipeline being constructed by Highway 395. The County has already built a water line from The Town of Minden to the Airport Industrial Park. The water line is not large enough to carry all the water needed for the North Valley project. The reason there are two phases is that the first Phase will use a section of the low capacity line until the capacity requirements are more than that line will handle. The Second Phase is the loop that will run down Highway 395 and will bypass the smaller section of line and tie back in at Heyborne Road. Starting at that point there will be a much larger line to continue to Indian Hills, the North County Commercial area and Carson City. Under the Manhard proposal, there has never been intention to extend the waterline up Highway 395 north of the section of low capacity line coming from Town of Minden to Johnson Lane. The ability to tie in to the line at Highway 395 adjacent to the IHGID water plant has never been an alternative available to the District. If the District is going to tie into the pipeline system, they will have to go the 7,000 feet to tie in at Heybourne Road to make the connection. Brian commented that IHGID is no different than other entities as far as costs to tie into the pipeline to serve specifically IHGID. Brian commented he thinks the Board is looking for a tight definition of what IHGID costs are going to be once the pipeline is in and the District is taking service from Douglas County. There will be changes in the future primarily related to Phase 2. Brian commented that with General Manager Taylor's work with the rate committee, the Board will have a good close estimate of what our costs will be per thousand gallons when this system is in and operational.

Chairperson Humble stated she would like to see something from Douglas County. The Board voted unanimously to tie in to the pipeline, but has no figures or preliminary contract.

Public Comment: Bill Moriarty commented the Board has made decision to go with the pipeline from Douglas County. IHGID has studied the arsenic issue and costs of operating our own system. Bill suggested that the Board ask General Manager Taylor to come up with a rough estimate of future water rates. Art Baer commented that what is missing is the cost to residents when IHGID goes out to

bond with a payoff over a 20 year period. We must pay principal and interest on a bond to put infrastructure in place, plus the cost of water. Art stated the Board needs an idea of costs.

Chairperson Humble stated for the record Trustee Lau has left the meeting, two trustees opposed, Ron Lynch, Brian Patrick; and two trustees who would like some figures from the County and some alternate ways to go. Chairperson Humble stated we are committed to the County and there will be no further investigation done for the residents.

- 11. Discussion only regarding what the plan is for our water coming from Brown's well. Discuss any direction concerning our water rights and how this will affect our decision to connect with the Douglas County pipeline:** Vice Chairperson Denise Pierini stated her concern with the future of our water and water rights. Denise suggested exploring the possibility of a backup water supply being available for a local or national disaster and other neighborhood uses. Denise asked is there are any plans for Browns Well, or are we walking away from it. She suggested using caution in committing to a direction and don't make permanent decisions on what may be a temporary problem.

General Manager Jim Taylor reported that we are not doing away with Browns Well. Jim has a verbal agreement with NDEP that they know and are onboard with IHGID connecting to the pipeline. Once IHGID is hooked into the pipeline we have twelve months to keep Browns Well active. It will be kept active as it is needed to pump water into the ski pond and to supply excess water in the summer time to the golf course. Browns well will be in our system but not used as much as it currently is. It can be used for emergencies and fire protection. Residents would be noticed regarding arsenic if Browns well is being pumped for domestic use.

- 12. Discussion and possible action regarding approval and naming of a gift donation program for IHGID:** General Manager Taylor stated that people have come into the office asking to donate money or items. Staff has formulated a donation catalog for a donor to specify what or where his donation will go. Jim asked the Board to decide on one of three possible program names. The donation form was discussed and changes suggested included a notation on form if IHGID is a "C" Corporation and a donation is deductible. Field Operations Supervisor John Lufrano commented that Douglas County has used a form of this type for 20 years. John explained if we don't have a specific place to put money donations, we can't take it.

Public Comment: Kathryn Clark-Ross asked if people who have monetary donations need to fill out The new donation form and specify where the donation will go. John Lufrano replied yes, they'll need to specify what area or facility it is to be used for.

Secretary/Treasurer Patrick motioned to adopt the Gift Donation Program as policy of this District and as a "C" Corporation. Chairperson Humble seconded with an addendum that a pool be listed as a donation. Motion carried 4-0. Trustee Lau absent.

- 13. Discussion and possible action to approve the purchase of a backup pump for Lift Station #4 from Pac Machine Co., Inc in the amount of \$4,995.00:** General Manager Jim Taylor stated that this is an item only built in New Zealand and needs to be ordered ahead of time. It will take 2-3 months to get here. It will be a backup pump for lift station #4 by the golf course. There is no backup currently and it is 10 years old.

This item was not discussed as it is under General Manager Taylor's \$5,000.00 spending limit.

No Action Taken.

- 14. Discussion and possible action regarding drafting an ordinance addressing vegetation growing over District sidewalks and roadways:** General Manager Jim Taylor reported he received four complaints from people in wheelchairs having to leave the sidewalk due to overgrown vegetation. They had to use the road to get by. This made motorists upset. Jim would like to send a letter to residents asking them to please clean up, it is your responsibility and if you don't we will.

Chairperson Humble stated she spoke with Jim Barker, General Counsel for Las Vegas Paving. Las Vegas Paving gave CC&Rs to IHGID to maintain the District. The CC&Rs state if anything overhangs any area, sidewalk or personal property, IHGID has the right to notify the owner by a 30 day certified letter and follow up with 45 day letter. At that time IHGID hires labor for the job to be done. This has been adopted and recorded with the original CC&Rs at Douglas County. Then IHGID puts a lien on the property. Chairperson Humble commented she thought the CC&Rs were only for Sunridge. She has checked with the County Clerk and CC&Rs also include private property. A precedent has been set that this area is ours to maintain. Chairperson Humble requested that General Manager Taylor do research and get this document for the Board.

Secretary/Treasurer Patrick stated that the recorded document needs to be in the IHGID policy book regarding putting a lien on property.

Public Comment: Art Baer commented that these areas go back 50 years and we won't find paperwork. Regarding the areas, NRS gives IHGID the responsibility of maintaining. NRS 318 gives leeway. Chairperson Humble explained that this includes general maintenance, safety, lawns that have died, reposessed homes and everything in the CC&Rs.

Attorney Zumpft commented the premise is that CC&Rs transfer authority to the GID for maintenance tasks. In his experience, recording of CC&Rs cannot impose on another jurisdiction any obligation. Chairperson Humble stated this is not an obligation. This has been found in NRS 316 and by contact with an ombudsman in Las Vegas. Attorney Zumpft asked if the District accepted the CC&Rs. He suggested pulling the documents to see if we did. Attorney Zumpft stated he saw no reason to follow the Las Vegas Paving attorney recommendations. He suggested the Board have their General Manager and Attorney Scott Brooke tell the Board what is needed.

Secretary/Treasurer Patrick stated his concern is the issue of a person renting a home and whether a letter would go to a homeowner who may be in another state.

Chairperson Humble asked that General Manager Taylor contact Jim Barker, General Counsel for Las Vegas Paving, and bring this back to the next Board meeting.

- 15. Discussion and possible action regarding purchase of a new microphone system for the IHGID Board meeting room:** General Manager Taylor explained proposed wireless and wired microphone systems. Jim reported that a feedback destroyer that was proposed has already been purchased.

This item was tabled to come back to the Board next month after seeing how a new feedback reducer worked during this meeting.

16. **Discussion and possible action regarding the update of the IHGID Will Serve Policy, Commercial/Industrial Sewer Service Policy and Commercial Water Service Policy to be compliant with Resolution 2007-04 amended October 17, 2007, effective December 1, 2007:** General Manager Taylor explained that these policies have been in place for 3 years but the physical policies were never changed.

Chairperson Humble motioned to accept the IHGID Will Serve Policy, Commercial/Industrial Sewer Service Policy and Commercial Water Service Policy to be compliant with Resolution 2007-04 amended October 17, 2007, effective December 1, 2007. Secretary/Treasurer Patrick seconded. Motion Carried 4-0. Trustee Lau absent.

17. **Discussion and possible action regarding review of the IHGID Gazebo Reservation Policy and how information is made available to the public:** Vice Chairperson Pierini stated that she is seeking Board input on how to rectify two mix ups with scheduling the use of the Gazebo. The Parks and Recreation Reservation forms were discussed as well as procedures used in the District for taking and posting reservations. Field Operations Supervisor John Lufrano stated that what happened was a miscommunication. John commented that the procedure we have will be followed. The last sign installed was vandalized. John suggested that the person reserving the gazebo should have their application with them. John noted that a sign is posted Friday night at the gazebo. Secretary/Treasurer Patrick suggested a sign that states something to the effect of "For Use of this Facility, You must check with IHGID Office prior to use." Chairperson Humble suggested a shorter version of "Reservations for this Facility may be made at the Office". Field Operations Supervisor John Lufrano commented that "First Come, First Serve" is still in the policy.

Public Comment: Art Baer commented that the American Legion didn't get a receipt showing they rented the gazebo.

Secretary/Treasurer Patrick motioned to put up a sign on the gazebo requesting that people use it and make reservations ahead of schedule. Chairperson Humble seconded and included that wording be brief to let people know they need to check with the IHGID Office. Motion carried 4-0. Trustee Lau absent.

18. **Discussion and possible action regarding ideas for improvement of the existing trail head behind Haystack Road and application for a trail grant with a 20/80 match:** Chairperson Dianne Humble stated she has given application information to Sandi Eisele for a Trail Grant. The application needs to be completed by December 1, 2009. Dianne commented the trail should accommodate those that run dogs.

Item tabled until next month's Board meeting.

19. **Chairman and Trustees Reports, Correspondence:** Chairperson Dianne Humble reported that County Commissioner Nancy McDermid asked her to tell the IHGID Board how grateful they are that IHGID voted for the waterline and that it was the best decision for the County.

Vice Chairperson Denise Pierini addressed correspondence she had with staff for oiling the swing set. Since she wrote up her request, she found that dry lubricant can be used. Denise

asked what happened to the swing set that used to be in the park that 6 or 8 older people could use. General Manager Jim Taylor replied that the District needs to order another swing set. Jim commented that distance is needed between swing sets. Art Baer commented that children had ruined the previous big swing set.

20. Adjournment:

Secretary/Treasurer Patrick motioned to adjourn the meeting. Chairperson Humble seconded. Motion carried 4-0-1. 4 ayes by Chairperson Humble, Vice Chairperson Pierini, Secretary/Treasurer Patrick, Trustee Lynch; Trustee Lau absent. Meeting adjourned at 9:40 P.M.

FINAL APPROVED MINUTES AS PRESENTED

**Secretary/Treasurer
Brian Patrick**