

Minutes
Indian Hills General Improvement District
District Office
3394 James Lee Park Rd. #A
Carson City, NV 89705
February 1, 2006
7:00 P.M.

Trustees Present: Vice Chairman Riley Evans, Secretary/Treasurer Laura Lau, Trustee Art Baer, Trustee Brian Patrick

Trustees Absent: Chairman Charles Swanson

Others Present: Bill Moriarty, Scott Brooke, Paul Williams

Trustee Patrick inquired on the absence of the Chairman at the special meeting. He informed the Board that he re-elected the Chairman because the Chairman told Trustee Patrick that he would be present at meetings. Secretary/Treasurer Lau commented that special meetings are held for good reasons.

Call to Order: Vice Chairman Evans called the meeting to order at 7:03 P.M.

Pledge of Allegiance: Led by Trustee Baer.

Approval of Agenda: *Trustee Baer moved to approve the agenda as presented. Seconded by Trustee Patrick. Motion carried unanimously.*

Public Interest Comment: Vice Chairman Evans read a letter from District resident, Neil Powers. (Exhibit A) Resident Neil Powers is concerned with the condition of Vista Grande and the termination of the Douglas County/IHGID inter-local agreement. He would like the Board to reconsider the termination of the Vista Grande inter-local agreement due to possible roadway improvement delays on Vista Grande.

Vice Chairman Evans commented that the Board voted in favor of termination of the inter-local agreement by 4 to 1 at the January 18, 2006 Board of Trustees meeting. He stated that the cost to repair Vista Grande has increased significantly. He asked the Interim General Manager for any updates on the matter with the County. Interim General Manager Williams mentioned that rehabilitation of Vista Grande would have to compete with other priorities in Douglas County's 5-Year Transportation Plan. The agenda item at the February 2, 2006 County Commissioner's meeting includes discussion and possible action to terminate the inter-local agreement and to request payment from the District back to the County in the amount of \$140,000 with interest.

Vice Chairman Evans inquired on the District's expenditures related to the Vista Grande Road Rehabilitation project. The District's Attorney Scott Brooke assumed that the District would have discussions with the County on what reimbursement amount is appropriate in light of the expenditures for engineering and maintenance on Vista Grande.

Approval of Draft Minutes of Board Meeting of January 18, 2006: *Secretary/Treasurer Lau moved to approve the draft minutes of Board Meeting of January 18, 2006 as presented. Seconded by Trustee Baer. Motion carried unanimously.*

Discussion and possible action to approve the employment agreement for the General Manager position: Trustee Patrick stated that candidate #1 declined the District's employment offer. Vice Chairman Evans mentioned that candidate #1, Leo Havener, sent a letter thanking the Board for their offer but declined the District's offer due to acceptance of employment elsewhere, which was closer in proximity to his residence. Vice Chairman Evans questioned the Board's selection of candidate #2 and candidate #3. Vice Chairman Evans stated that candidate #2 should be disqualified because the individual does not meet the minimum education requirements for the position. He asked the Board if candidate #3 should be the next candidate selected. Trustee Patrick inquired if Vice Chairman Evans was making a motion. Some Board members questioned the Vice Chairman's candidate selection discussion as being part of the agenda item. Secretary/Treasurer Lau requested the opinion from Attorney Brooke's on the matter. Attorney Brooke stated there should be discussion on what to do under the circumstances. Attorney Brooke assumed that there was a determination by the Board that those interviewed were acceptable candidates or they would not have been interviewed for the position. He stated that it does not mean that the Board has to accept either candidate. He mentioned that the job description is under consideration tonight and has not yet been adopted by the Board. He stated that the Board could not take action on another person. He commented that staff is looking for direction from the Board to proceed with candidate #2 due to candidate #1 accepting employment elsewhere or, the Board could decide to go another direction.

Secretary/Treasurer Lau stated her concerns with candidate #2 lacking some administration skills. She mentioned that candidate #2 has several technical certificates but the District already has staff with technical experience and certificates. She stated that the District needs a manager that has good skills working with financial figures and has political/governmental communication skills when dealing with Douglas County and various State Departments.

Vice Chairman Evans inquired from the Board if they had issues with the employment agreement. Secretary/Treasurer Lau mentioned that she had some concerns with the employment agreement.

Trustee Baer inquired if there were other applicants for the General Manager position that came close. Interim General Manager Williams stated that there were two to three other applicants the Board could interview. Vice Chairman Evans inquired on the total points for the three applicants that were interviewed. Interim General Manager Williams informed the Board that the total points came out exactly how the Board acted on with candidate #1 as first choice, candidate #2 as second choice and candidate #3 as third choice. Secretary/Treasurer Lau asked if it was appropriate to interview others. Attorney Brooke stated that the Board has discretion with employment and the Board could take action that is appropriate to fill the position. He stated that the Board may re-advertise the position, conduct another interview and selection process or the Board may seek professional assistance.

Secretary/Treasurer Lau stated her opinion that the Board should not be forced into making a decision and should be comfortable with their decision.

Trustee Patrick asked Vice Chairman Evans and Secretary/Treasurer Lau what were their issues with the employment agreement before the Board went further on a job search. Trustee Patrick stated that the employment agreement might be pertinent to the job search.

Secretary/Treasurer Lau stated that the agreement has a two year employment term and that the employment term should be one year because the Board evaluates the General Manager on a yearly basis. She also recommended a probationary period in the agreement, at least six months especially if the Board has questions about a person's capacity to perform certain tasks as indicated in the General Manager's job description. Vice Chairman Evans agreed with Secretary/Treasurer Lau on a probationary period.

Attorney Brooke clarified that the intention of a two-year employment term in the employment agreement was to give the employee a sense of security and at the same time reserving the rights of the Board to terminate the contract at any time. Attorney Brooke informed the Board that the employment agreement was tailored to candidate #1 with relocation and severance clauses. Secretary/Treasurer Lau preferred a probationary period. Interim General Manager Williams suggested that the Board has the option of revising the employment term and severance clauses in the employment agreement.

The Board discussed the \$75,000 annual salary in the employment agreement. Interim General Manager Williams suggested that a salary could be negotiated between the Board and individual selected for the position.

Trustee Patrick inquired on the wage of the highest paid District employee. Interim General Manager Williams informed Trustee Patrick that a District Water Treatment Operator is paid approximately \$27 per hour with overtime. Trustee Patrick stated that the highest paid employee is making approximately \$56,000 annually, not including overtime. His perspective on the matter is that the District is offering an administrative position with experience at \$75,000 annual base salary when some District employees might already earn over \$65,000 to \$75,000 a year with overtime. Secretary/Treasurer Lau commented that wages for District employees are much higher than other wages in the area. She would prefer leaving the salary at \$75,000 in order for the District to obtain an individual that has education and experience.

Vice Chairman Evans inquired if the Board had other issues with the employment agreement. Interim General Manager Williams recommended deletion of the additional ten days of vacation leave for the first year in section 7, "Leave Benefits." He also suggested deletion of section 10, "Relocation Expenses." He stated that if the Board requested, section 13, "Termination and Severance Pay" could be revised or deleted.

Trustee Patrick commented on the job description requiring that the General Manager attend and represent the District at County, Federal, State and other regional meetings. He asked if there is some sort of training already established by the District that would assist the individual accepting the position that has no experience or background with attending meetings to represent the District. Trustee Patrick mentioned that candidate #2 has more than adequate experience with water and sewer. He wondered if the Board is worrying about candidate #2 when there is current District staff including the District's Attorney and Engineer that could represent the District at meetings.

Secretary/Treasurer Lau mentioned that the Board should be advised on financial matters involving the District. She stated that the District needs an individual that has the experience and education with an administration background and is capable of speaking with other entities to possibly obtain grants or other available funding resources.

Vice Chairman Evans stated his concern that the General Manager's job description requires a Bachelor's degree in public administration. He stated that candidate #2 has water and sewer experience but has only math and science education. Trustee Baer mentioned that the Board should not be too concerned with water and sewer because several District staff already have certifications and experience. Vice Chairman Evans stated that candidate #2 does not meet the Bachelor's degree educational requirements. He mentioned that there have been lawsuits where an individual has a job description for a position but does not possess the requirements as listed in their job description.

Vice Chairman commented that it appears that the Board's consensus is to amend the employment agreement and to negotiate an employment offer with another candidate.

The Board agreed to amend the employment agreement with the following amendments.

- Section 2. Term. Revise from a two-year employment term to a one-year employment term with no probationary period.
- Section 3. Salary. Delete wording, “which salary shall initially be \$75,000.” Revised wording, “Salary Negotiable.”
- Section 7. Leave Benefits. Delete wording, “Additionally, to offset leave being lost or used by Manager as a result of employment transition, on the Commencement Date the Manager will be credited with an additional 10 days of vacation leave in the first year.”
- Section 10. Relocation Expenses. Deletion of entire section.
- Section 13. Termination and Severance Pay. A. Termination. Delete wording, “cash payment equal to five months full salary.”

Attorney Brooke suggested that the Board does not need to make a motion and that the Board is giving direction to staff on the content of the agreement to use at the appropriate time in the future.

There was discussion amongst the Board on the possibilities of interviewing candidate #2 and/or candidate #3 again and interviewing other applicants for the position.

Trustee Patrick moved to disregard candidate #2 and to renew the search for a General Manager amongst those applications already received for the position. Vice Chairman Evans questioned if a motion was necessary. Attorney Brooke stated that the Board needs to give direction to staff on how to proceed to seek out candidates for the General Manager position. Secretary/Treasurer Lau stated her opinion that candidate #2 should not be entirely disregarded but the Board might consider inviting candidate #2 for a second interview session. Attorney Brooke commented that the Board could direct the Interim General Manager to go through the pool of applicants and recommend three other new candidates to interview.

With the Board’s consensus, Vice Chairman Evans directed that the Interim General Manager invite three candidates, including candidate #2, to an interview session to be conducted at a special meeting on Monday, February 13, 2006 at 7:00 P.M.

Public Interest Comment: Bill Moriarty commented that the District is seeking a General Manager and not a technician.

Discussion and possible action to appoint an Interim General Manager effective until the General Manager’s employment agreement commencement date: Trustee Baer requested that the Interim General Manager remain with the District, either on a part time or for full time basis. Secretary/Treasurer Lau stated that Interim General Manager Williams has done a great job to keep staff together and staff knows what to do. She believes that the District would be fine with having an Interim General Manager until a General Manager is hired. Trustee Baer recalled that the District was in terrible condition when an Interim General Manager was appointed in the past. Secretary/Treasurer Lau replied that District staff did not know what they were doing at that time because the District was mismanaged.

Interim General Manager Williams mentioned that he would be available for the month of February 2006 excluding the dates of February 3, 2006 and February 9, 2006 through February 13, 2006. He drafted a contract for the Board's consideration with a wage at \$25.00 per hour with a term ending February 28, 2006. He informed the Board that he will not be available in the month of March 2006. Vice Chairman Evans reminded the Board that when staff is appointed to an Interim or Acting Manager position, the District pays the employee an additional percentage above their current wage.

Trustee Baer moved to accept the Interim General Manager's contract for the term ending February 28, 2006. Seconded by Trustee Patrick. Motion carried unanimously.

Public Interest Comment: Bill Moriarty commented that Interim General Manager Williams is an excellent Manager. He stated that being without a Manager is disastrous. He stated that employees were doing their best during the time when the previous General Manager was leaving the District. He stated that an employee might not have time to take on an Interim Manager position because they are already performing a job or the employee might not have the ability.

Discussion and possible action to approve the amended job description(s) for the position of

- General Manager
- Manager – Administrative Operations
- Manager – Parks & Recreation, Safety, Human Resources *former job title* Recreation Program Director
- Executive Assistant
- Customer Service Representative
- Accounts & Purchasing Officer
- Water Treatment Operator (DIII-TIII) *former job title* Water Distribution Operator
- Water Distribution Operator (DII)
- Sewer Collection System Operator / Supervisor Streets Maint.
- Sewer Collection System Maint. Tech. II / Streets Maint. Tech.
- Parks & Recreation Maint. Tech. III
- Parks & Recreation Maint. Tech II
- Sewer Operator III
- Sewer Treatment Operator II / Sewer Collection Tech. I *former job title* Utilities Maint. & Underground Construction Tech.
- Facility/Equipment Maint. Mechanic III *former job title* Utilities Maint. Supervisor

Vice Chairman Evans stated his concerns with the Sewer Collection System employees having a time conflict with performing streets maintenance work. Interim General Manager Williams informed the Board that there is understaffing for the various streets functions. Vice Chairman Evans mentioned that there are five employees tending to various sewer operations and functions. He stated that three people are needed to perform streets functions. Interim General Manager Williams advised the Board on augmenting the budget to accommodate for seasonal streets employees.

Vice Chairman Evans stated that the District pays a different rate for those that operate the Vac Con truck and the District is paying for a half hour to an hour time for staff to retrieve the Vac Con truck. He stated that there seems to be a difference in opinion amongst staff on who is responsible for the Vac Con truck. Trustee Baer mentioned that the Field Operations Manager salary is still accounted for in the budget. Secretary/Treasurer Lau commented that the Board might consider refilling the Field Operations Manager position during the budget augmentation process.

Interim General Manager Williams informed the Board that employees signed the job descriptions confirming that they understand their responsibilities .

Trustee Baer and Secretary/Treasurer Lau informed Interim General Manager Williams of some typographical errors in some of the job descriptions.

- Manager-Administrative Operations,
#12 correct petting to petty
#15 is numbered twice
#16 correct administrative to administration
- General Manager
Certificates, Licenses, Registrations
Correct Sewer Treatment Plan Operator's to Sewer Treatment Plant Operator's

Secretary/Treasurer Lau stated her concerns that the Manager-Parks & Recreation job description has fewer requirements for experience and training versus the Manager-Administrative Operations or the Executive Assistant. She mentioned that the requirements are the same for the Customer Service Representative. She asked why the requirements are so low for a management position. She suggested that the requirements be similar to the Manager-Administrative Operations. She questioned if the Manager-Parks and Recreation does not have those requirements, why is that person in a Manager position.

Trustee Patrick understood that the job descriptions represent the make up of the individual that has the position. He stated that a job description could be amended once the individual left the District. Secretary/Treasurer Lau stated the point is making the job descriptions comparable to the positions that are currently at the District. Interim General Manager Williams stated that there should not be any reason why the requirements cannot be changed because neither the Manager-Administrative Operations nor the Manager-Parks and Recreation have an Associates degree. Trustee Patrick stated that changing the requirements would not eliminate the individual with that job position. Secretary/Treasurer Lau stated that is not her intent. She stated that education and experience requirements on the job description should be appropriate to a Manager position.

Trustee Patrick stated that if those requirements were upgraded, an individual that would fill an open position in the future might ask for more money. Secretary/Treasurer Lau stated that District employees are already making a significant amount of money and that there should be more common sense in developing job descriptions. Trustee Baer commented on the comparable salaries between the Manager-Administrative Operations, Executive Assistant and Manager-Parks and Recreation. Vice Chairman Evans stated his concerns with the number of salary employees at the District. Some Trustees mentioned that the employees' positions of exempt or non-exempt was previously approved by the Board and by the Union.

Secretary/Treasurer Lau suggested that job descriptions should be equitable to the position.

Trustee Patrick asked what the District offers in Parks and Recreation that you would have the Manager-Parks and Recreation be doing. Secretary/Treasurer Lau suggested a more proactive effort for recreational activities in District Parks. Vice Chairman Evans commented on Parks and Recreation efforts with getting ball fields prepared such as dug outs.

Secretary/Treasurer asked if changing the job description requirements would have a negative impact on the employee. Attorney Brooke stated that if the Board amended job descriptions, the Board would recognize that the existing employee does not meet the criteria but when that employee is replaced, there would be established criteria.

Secretary/Treasurer Lau suggested that the probationary periods on the Manager positions are revised.

Attorney Brooke suggested that the Board could defer the agenda item until Secretary/Treasurer Lau gives Interim General Manager specific comments to redraft and revise the job descriptions.

Secretary/Treasurer Lau stated her concerns with performance standards. She has never seen performance standards included on job descriptions and that many seem negative. Interim General Manager Williams stated that the Union contract provides for annual performance merit increases and that there should be some type of performance standard. Secretary/Treasurer Lau recommended different wording for the performance standards so that they do not have a negative connotation.

Vice Chairman Evans recalled that during Union negotiations, performance standards were requested to be included on the job descriptions. Secretary/Treasurer Lau commented that the performance standards do not give a clear direction on what is expected.

Trustee Baer disagreed with the Union's comment in a letter dated January 9, 2006 which stated that the Union disagrees with the proposed Performance Standards in their entirety, as Performance Standards are not part of a job description.

Secretary/Treasurer Lau requested to review, suggest changes and compile data for the job descriptions.

Agenda item postponed until the March 15, 2006 Board of Trustees meeting.

Public Interest Comment: (no members of the community were present)

Discussion and possible action to approve a revised District Organizational Chart in conformance with the approval of amended job descriptions: *Secretary/Treasurer Lau moved to approve the revised District's Organizational Chart as presented. Seconded by Trustee Baer. Motion carried unanimously.*

Public Interest Comment: (no members of the community were present)

Discussion and possible action to approve the Draft Safety and Health Program Manual: *Trustee Baer moved to approve the Draft Safety and Health Program Manual as presented. Seconded by Trustee Patrick. Motion carried unanimously.*

Public Interest Comment: (no members of the community were present)

Discussion and possible action to increase the reward amount from \$50 to \$500 for the Secret Witness Program: *There was discussion amongst the Board that the District would get more responses from the public if the reward amount was increased to \$500. Trustee Baer moved to increase the Secret Witness Program reward amount to \$500. Seconded by Trustee Patrick. Motion carried unanimously.*

Public Interest Comment: (no members of the community were present)

Minutes of the February 1, 2006 Board of Trustees Meeting (Special Meeting)

Discussion and possible action to adopt Resolution 2006-01, a resolution establishing special rental rates for non-profit groups and amending the District's meeting room rental agreement policy and meeting room rental fees: Trustee Baer questioned the minimum \$200 amount as indicated as an hourly rate on the "Meeting Room Rental Agreement" form. Interim General Manager Williams clarified that the \$200 amount on the "Meeting Room Rental Agreement" form is a deposit amount.

Secretary/Treasurer Lau inquired on the number of employees needed to prepare the meeting room when it is rented. Interim General Manager Williams informed Secretary/Treasurer Lau that items are removed from the room excluding the conference table and that the renter is responsible for setting up and tearing down. Secretary/Treasurer Lau questioned why an employee is not present to make sure the meeting room is locked. Interim General Manager Williams stated that it is typical that an employee is not present. Interim General Manager Williams clarified that section 1.04.112 in the Parks and Recreation Facilities Use and Regulation Policy covers additional charges over the basic rate. Section 1.04.112 states that additional charges will be levied over basic rate under the following conditions:

- a) When a facility is not normally open and staff are required to be on duty or to perform a service.
- b) When staff is needed for setup, breakdown, cleanup, field preparation or other maintenance duties when required during other than normal operating hours.
- c) When staff are required for facility control, including: security, operation of lights, traffic control, etc.
- d) When extraordinary use requires field renovation or facility repair as a result of the activity.
- e) When facility damage is incurred, including all material costs, supplies and labor.

The determination of requirements for additional personnel and associated charges shall be made by the General Manager.

Trustee Baer moved to approve Resolution 2006-01, a resolution establishing special rental rates for non-profit groups and amending the District's meeting room rental agreement policy and meeting room rental fees as amended with correcting the date of Resolution 2006-01 from September 22, 2005 to February 1, 2006 and correcting the \$200 minimum hourly rate amount to a \$200 deposit amount on the "Meeting Room Rental Agreement" form. Seconded by Secretary/Treasurer Lau. Motion carried unanimously.

Public Interest Comment: (no members of the community were present)

On approval to surplus and dispose of certain listed items of depreciated inventory, and including approval to donate surplus electronic items to Computer Corps: *Vice Chairman Evans entertained a motion to approve the surplus and disposal of depreciated inventory, and to approve donation of those surplus electronic items to Computer Corps. So moved by Trustee Baer. Seconded by Trustee Patrick. Motion carried unanimously.*

Public Interest Comment: (no members of the community were present)

Chairman and Trustees' Reports: Trustee Baer inquired if the Interim General Manager communicated with resident Neil Powers in regards to Vista Grande. Interim General Manager Williams informed the Board that he had a long conversation with Mr. Powers and made him aware that the County would be discussing the Vista Grande inter-local agreement on Thursday, February 2, 2006. Interim General Manager Williams clarified that a second letter from Neil Powers was forwarded to County Manager, Dan Holler.

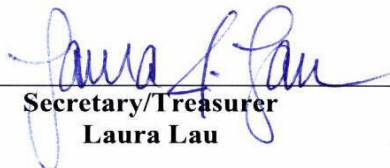
Trustee Baer stated that he received phone calls from two District residents that are pleased with clear water. There was discussion on the District's efforts with arsenic removal. Interim General Manager Williams informed the Board that the tanks have been emptied. Trustee Baer asked if any price estimates were received for the arsenic removal media. Interim General Manager Williams informed the Board that no cost estimates for the arsenic media were received.

Secretary/Treasurer Lau mentioned that a District employee needed to make a photo copy and could not get into the workroom. Interim General Manager Williams will inquire from staff as to reasons for the workroom being locked after hours.

Adjournment: *Trustee Patrick moved to adjourn the meeting at 8:30 P.M. Seconded by Trustee Baer. Motion carried unanimously.* A special Board of Trustees meeting will be on Monday, February 13, 2006 at 7:00 P.M. The next regular Board of Trustees meeting will be on Wednesday, February 15, 2006 at 7:00 P.M.

Exhibit A Letter from District resident Neil Powers (Vista Grande Road Condition & Termination of Inter-local Agreement)

FINAL APPROVED MINUTES AS PRESENTED


Secretary/Treasurer
Laura Lau