

**Round Hill General Improvement District
Board of Trustees Meeting
February 21, 2012**

Tuesday

6:00pm

1. Meeting Called to Order. (Side A/c#1)

Meeting was called to order by Chairman Glen Smith.

2. Pledge of Allegiance. (Side A/c#2)

Pledge of Allegiance was led by Chairman Glen Smith.

3. Roll Call. (Side A/c#6)

Chairman Glen Smith, Vice Chairman Steve Teshara, Trustees Wesley Rice, Chuck Fagen and Steve Seibel were present. The District Manager and District Counsel were present. Liz Harrison of the Nevada Division of State Lands (NDSL) was present.

4. Public Comment. (Side A/c#8)

None.

5. Approval of Agenda. (Side A/c#10)

Motion to approve the agenda as presented. Rice/Fagen 5-0 approved.

6. Presentation by Liz Harrison of the Nevada Division of State Lands (NDSL) on the intake license agreement with the Round Hill General Improvement District. (Side A/c#12)

At the January 2012 Board meeting, Agenda item #7 was a request to authorize the District Manager to sign the "Relinquishment of Easement Water Intake Line in Lake Tahoe" with State Lands (NDSL). As a result of that agenda item, the Board requested that District staff arrange for a representative of NDSL to attend a future Board meeting to explain the changes regarding easements and licensing of intakes.

Liz Harrison of NDSL explained that in 2008 the Deputy Attorney General Kevin Benson, determined that a license held more protection for the State's interest on sovereign land rather than an easement. A license is a revocable interest for the State. An easement is not. If the State were to revoke the license, the licensee would be responsible for returning the property to its natural state.

The fee for an easement has always been \$250.00. The new fee for a license is \$2,500.00. The fees were determined based on the fair market value associated with the use of State property.

Vice Chairman Steve Teshara felt that the State and GID should be on more equal terms because the District is a public service provider. He asked what the value of Round Hill GID providing service to the constituents of the District was from the state's perspective. He questioned whether the license was only used to generate revenue or whether the State recognized the value of the public service that Round Hill GID is providing which someone else would have to provide if the GID were not in place? The District is not just using the State's property, Round Hill GID is taking advantage of the opportunity to be in partnership with the State to provide a public service. Mr. Teshara felt that the State failed to properly value the service that the GID provides. The value of service should be factored into the calculation of the easement or license to provide this public service and the license fee should be reduced by the amount of value that the purveyor provides.

Vice Chairman Teshara also felt that perhaps someone could be persuaded to introduce a Bill to Legislation that would give proper credit to entities that provide a public service at a discounted rate for the use of State property.

District Counsel Pat Fagan stated that because the District is using State land that does not cover the District's entire intake extension, he would be willing to call and discuss the issue with the Attorney General.

Manager Reed stated that he had already paid for the license as he had previously spoken with other GID's regarding the issue. Others have attempted to have the rate reduced, to no avail. He felt the fee being charged by the State was well established and appropriate.

The Trustees requested that District Counsel follow up with the Attorney General's office to discuss the creation of the licensing agreement and the establishment of the fee structure.

No action was taken on this item.

7. Discussion and possible action to authorize the District Manager to sign the "Relinquishment of Easement Water Intake Line in Lake Tahoe" with the Nevada Division of State Lands. (Side A/c#443)

Motion directing District Counsel to communicate the concerns and perspectives of the Board of Trustees to the office of the Attorney General as well as the NDSL. Teshara/Rice 5-0 approved.

8. Discussion and possible action to authorize staff to file a Claim of Lien against the property located at 333 Ute Way. (Side A/c#464)

Motion authorizing staff to file a Claim of Lien against the property located at 333 Ute Way. Rice/Fagen 5-0 approved.

9. Discussion and possible action to approve the draft budget approach. (Side A/c#512)

After discussion, a motion was made to approve the draft budget approach. Teshara/Fagen 5-0 approved.

10. Consent Calendar. (Side B/c#163)

Motion to approve the minutes of January 17, 2012. Siebel/Fagen 5-0 approved.

Motion to approve the balance of the consent calendar as presented. Seibel/Teshara 5-0 approved.

11. Staff Reports. (Side B/c#273)

Manager Reed reported that he met with R.O. Engineering and Farr West Engineering to discuss possible 2012 / 2013 projects to include the sewer meter installation, pressure regulating valve and vault replacement, the pavement management plan, a restroom facility at the treatment plant, GIS/Asset management, sewer main rehabilitation and the concrete storage tank inspections.

Representatives from Lumos & Associates met with Manager Reed to discuss plans to correct dimensional discrepancies between the newly manufactured pumps and the District's installed pump discharge head. After an analysis of the discrepancies and discussions between all parties, American Turbine agreed to take the existing pumps back, remanufacture the upper bowl assembly to match our discharge header and return the pumps to us. American Turbine will remanufacture the new pumps at no cost to the District.

Manager Reed met with Eric Sandel to discuss the current configuration of the SCADA system. Eric, the Engineer that designed the SCADA upgrade, evaluated the current configuration and recommended

a strategy to correct system deficiencies. George T. Hall had two representatives at the District for the entire week of February 13 – 17 and one representative during the week of February 21 – 24 to correct those deficiencies. George T. Hall was made aware that if they did not correct all deficiencies at this time, the District would pursue a new contractor to complete the project. The District would have then pursued alternative avenues with George T. Hall.

District staff continues to work with Douglas County and other local governmental agencies within Douglas County to create a standardized set of construction project details. Once the standard details are complete, questions regarding permitting, fees, distribution of fees and ownership of facilities issues will still need to be negotiated.

The Tahoe Water Suppliers' Association (TWSA) continues to provide comment and opposition to the Lahontan Water Quality Board's basin plan amendment proposal. The California State Water Quality Board is the next agency to request comments on the proposed basin plan amendment. The U.S. E.P.A. has final approval. TWSA is prepared to oppose this issue to its conclusion.

Nick Exline of Midkiff & Associates approached the District on behalf of the Leadership Lake Tahoe, a program of the Tahoe Chamber, of which the District is a member. Nick asked and the District has agreed to participate in a program to collect children's books and distribute them to children in need. The District will serve as a repository for the books and they will be delivered by Leadership Lake Tahoe.

No attorney or association reports.


12. Discussion and possible action on a motion to move to a closed meeting pursuant to NRS 288.220 (1) and NRS 241.020 (1) to discuss International Union of Operating Engineers (I.U.O.E.) Local 39 labor negotiation issues. (Side B/c#525)

Motion to move to a closed meeting pursuant to NRS 288.220 (1) and NRS 241.020 (1) to discuss International Union of Operating Engineers (I.U.O.E.) Local 39 labor negotiation issues.
Teshara/Seibel 5-0 approved.

13. Adjournment.

Motion to adjourn. Rice/Fagen 5-0 approved.

Attest:



Glen Smith
Chairman



Steve Teshara
Vice Chairman