

Bighorn-Desert View Water Agency

Board of Directors

Terry Burkhart, President
J. Larry Coulombe, Vice President
Michael McBride, Director
David Larson, Director
Judy Corl-Lorono, Director



Agency Office
622 S. Jemez Trail
Yucca Valley, CA 92284-1440

760/364-2315 Phone
760/364-3412 Fax

Marina D West, PG, General Manager

A Public Agency

www.bdvwa.org

BOARD OF DIRECTORS' REGULAR MEETING MINUTES

BOARD MEETING OFFICE
1720 N. Cherokee Trail, Landers, CA 92285
Tuesday, April 26, 2011 - 6:00 p.m.

CALL TO ORDER

Meeting convened by Board President Terry Burkhart at 6:00 p.m.

PLEDGE OF ALLEGIANCE

Led by Michael McBride.

ROLL CALL

Directors Present:

| |
|------------------|
| Terry Burkhart |
| Michael McBride |
| Judy Corl-Lorono |
| David Larson |
| Larry Coulombe |

Staff Present:

| |
|---------------|
| Marina West |
| Lyni Tompkins |

APPROVAL OF AGENDA

President Burkhart requested items 17 and 18 be pulled from the agenda.
Motion to approve the agenda with the removal of items 17 & 18.
MSC¹ (Corl-Lorono/Larson) unanimously approved.

PUBLIC PARTICIPATION

No public comments.

AUDITORS RECOMMENDATION FOR CONSIDERATION: "LOCKBOX"

General Manager West gave the staff report.

Public comment:

Duane Lisiewski, of Flamingo Heights, questioned who suggested the "Lockbox".

The Board commented our auditors suggested the "Lockbox".

MOTION NO. 11-014

After Board discussion, Director McBride made a motion to decline the use of the "lockbox" for handling check payments received through the mail. Director Corl-Lorono seconded the motion.

MSC¹ (McBride/Corl-Lorono) unanimously approved.

RESOLUTION NO. 11R-03 - A RESOLUTION OF THE BOARD OF DIRECTORS OF BIGHORN-DESERT VIEW WATER AGENCY AMENDING THE EMPLOYEE HANDBOOK

General Manager West gave the staff report.

The Resolution includes 3 specific changes to the handbook.

- 1) Enclosure of a Fraud in the Workplace Policy for the employees, which was recommended by our auditors. It is a new section to the handbook.
- 2) Corrections (mostly typos) to an existing job description for the Executive Secretary/Personnel Administration position.
- 3) Addition of a new job description of Accounting Technician I, II, & III. The Agency required this item as a result of losing an employee which created a new vacancy for this position.

Public comment:

Duane Lisiewski, of Flamingo Heights, commented on the number of operational meters, and the modification of the Employee Handbook.

MOTION NO. 11-015

After Board discussion, Director McBride made a motion to approve Resolution No. 11R-03 amending the employee handbook for purposes of establishing the policy/procedure for Fraud in the Workplace, modifying/correcting/adding job descriptions and authorizing the modification of the employee handbook. Vice President Coulombe seconded the motion.

MSC¹ (McBride/Coulombe) unanimously approved.

RESOLUTION NO. 11R-04 OF THE BIGHORN-DESERT VIEW WATER AGENCY BOARD OF DIRECTORS NOMINATING TERRY BURKHART AS A CANDIDATE FOR ELECTION TO THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY BOARD OF DIRECTORS

President Burkhart requested the Board nominate her as a candidate for election to the Special District Risk Management Authority Board of Directors.

No public comment.

MOTION NO. 11-016

Director Corl-Lorono made a motion to adopt Resolution 11R-04 nominating Terry Burkhart as a candidate for election to the Special District Risk Management Authority Board of Directors. The motion was seconded by Director McBride.

Roll call vote:

Ayes: Larson, Corl-Lorono, McBride, Burkhart, Coulombe
Nays: None
Abstain: None
Absent: None

MSC¹ (Corl-Lorono/McBride) unanimously approved.

BOARD TO CONSIDER FORMATION OF AN AD HOC COMMITTEE TO ASSIST THE AGENCY IN THE ACQUISITION OF LEGAL COUNSEL

General Manager Marina West gave the staff report.

Public Comment:

Duane Lisiewski, of Flamingo Heights, questioned why we would change attorneys.

Board commented the current legal counsel is considered interim.

General Manager commented when the Board took the action to hire Aleshire & Wynder, LLP, it did so with the condition that they would enter an R. F. Q. process.

President Burkhart appointed Director Corl-Lorono as Chair, and Director Larson as member of the Acquisition of Legal Counsel Ad Hoc Committee.

MOTION NO. 11-017

Director Corl-Lorono made a motion to create an Ad Hoc Committee to assist the Agency in the Acquisition of Legal Counsel. Director Larson seconded the motion.

MSC¹ (Corl-Lorono/Larson) unanimously approved.

CHANGE ORDER NO. 7 TO CANDIDA NEAL, AICP FOR CEQA/NEPA SERVICES RELATED TO THE WATER INFRASTRUCTURE RESTORATION PROGRAM

General Manager Marina West gave the staff report.

Public Comment:

Duane Lisiewski, of Flamingo Heights, questioned about desert tortoises and the existing road to the Spreading Grounds site.

MOTION NO. 11-018

After Board discussion, Director Corl-Lorono made a motion to authorize Change Order No. 7 Candida Neal, AICP for CEQA/NEPA Services related to the Water Infrastructure Restoration Program, specifically the Ames/Reche Spreading Grounds, in the amount of \$29,400.00. Director Larson seconded the motion.

MSC¹ (Corl-Lorono/Larson) unanimously approved.

JOHNSON VALLEY HYDROGEOLOGIC INVESTIGATION: PROPERTY ACQUISITION OPTIONS FOR CONSTRUCTION OF A MONITORING WELL IN JOHNSON VALLEY

General Manager Marina West reported our EPA Grant has a balance that is available for a task identified in the Work Plan (since the beginning, 2006 when it was awarded) called the Johnson Valley Hydrogeologic Investigation. The project is defined as a monitoring well and some geophysical surveys.

Todd Engineers and the Agency agreed we are not in need of any geophysical data, and also agreed where the monitoring well needs to be located. The purposes of the monitoring well is very long term planning for recharge potential for surface spreading facilities into the Johnson Valley Aquifer, and to look at the production potential of a well. The conceptual model tells us there is a surplus of water in that basin that flows out of the basin into the dry lakes where the water is lost to beneficial use.

Locating an alternate water supply is important for several reasons including challenged water quality parameters very near exceedance in the Flamingo Heights area.

The next step is to locate a place for a well in the Johnson Valley area. Following this step, the General Manager would come back to the Board with a request to award the Request for Proposal for services to construct a well and provide the feasibility report.

General Manager West reported on the choices, outlined in the Agenda, to acquire a location for the well.

General Manager West also reported on an email from a Johnson Valley resident who would like Bighorn-Desert View Water Agency to supply water in that area, but does not believe the Agency is moving fast enough with the project.

No public Comment.

MOTION NO. 11-019

After Board discussion, Director Corl-Lorono made a motion to authorize the General Manager to begin process of acquiring real property for the Johnson Valley Hydrogeologic Investigation, authorize the General Manager to execute a MAI (Member of the Appraisal Institute) appraisal, and authorize the General Manager to make an offer, including negotiate price and terms, subject to Board approval. Director Larson seconded the motion.

MSC¹ (Corl-Lorono/Larson) unanimously approved.

CRISIS COMMUNICATIONS AND DISASTER PREPAREDNESS WORKSHOP HOSTED BY JOSHUA BASIN WATER DISTRICT

General Manager Marina West gave the staff report.

Public comment:

Duane Lisiewski, of Flamingo Heights, commented on available water from Well No. 4 in the 1992 earthquake.

MOTION NO. 11-020

After Board discussion, Director McBride made a motion to approve the Board's attendance at a Workshop for California's Public Officials, "Crisis Communications and Disaster Preparedness, hosted by Joshua Basin Water District on May 23, 2011. Director Corl-Lorono seconded the motion.

MSC¹ (McBride/Corl-Lorono) unanimously approved.

SPECIAL DISTRICT AND LOCAL GOVERNMENT INSTITUTE (SDI) GOVERNANCE CONFERENCE JUNE 9 - 11, 2011

General Manager Marina West gave the staff report.

Public comment:

Duane Lisiewski, of Flamingo Heights, commented on the directors' budget for education and travel.

MOTION NO. 11-021

After Board discussion, Director McBride made a motion to authorize the Board's attendance at the Special District and Local Government Institute Conference, which includes a Brown Act Workshop, scheduled for June 9 - 11, 2011 in San Diego CA. Director Corl-Lorono seconded the motion.

MSC¹ (McBride/Corl-Lorono) unanimously approved.

DISBURSEMENTS MARCH 2011

No public comment.

Director Corl-Lorono made a motion to approve the disbursements from March 2011. Director McBride seconded the motion.

MSC¹ (Corl-Lorono/McBride) unanimously approved.

CONSENT ITEMS

- a. Financial Statements March 2011
 - 1. Balance Sheet
 - 2. Statement of Revenue and Expense
 - 3. General Account (Union Bank)
 - 4. Disbursements
 - 5. Local Agency Investment Fund Balance Timeline
- ~~b. Consumption & Billing Comparison Report, March 2011~~
- c. Service Order Report, March 2011
- d. Production Report, March 2011
- e. Regular Board Meeting Minutes, February 22, 2011
- f. Special Board Meeting Minutes, March 1, 2011
- g. Regular Board Meeting Minutes, March 22, 2011
- h. Progress Report on the Ames/Reche Recharge Facility Project, Todd Engineers, March 2011

- i. Receive and File the 2010 Ames Valley Water Basin Monitoring Program Report.

No public comments.

General Manager West requested to pull consent item 15b for further discussion.

Director McBride made a motion to approve consent items a and c through i. The motion was seconded by Director Corl-Lorono.

MSC¹ (McBride/Corl-Lorono) unanimously approved.

MATTERS REMOVED FROM CONSENT ITEMS

Item 15b - Consumption & Billing Comparison Report, March 2011

General Manager commented about the Agency's 1900 service connections that come from this report.

No public comments.

Board did not make a motion to accept item (15b). This item to be put onto the next Agenda for approval.

VERBAL REPORTS

GENERAL MANAGER'S REPORT

General Manager West discussed the Johnson Valley Hydrogeologic Investigation possibilities of well production, discussed reform needed to the Brown Act, and due to scheduling conflicts; the Agency's Finance meeting scheduled for May 11, 2011 will be canceled. We may have a special board meeting at 9:00 a.m. on May 20, 2011.

DIRECTORS' REPORT

Director Corl-Lorono reported on her attendance at an AWAC meeting on April 25, 2011.

Adjourned for a break at 7:42:30 p.m. - Reconvened from break at 7:57:30 p.m.

ITEMS FOR NEXT AGENDA

Director McBride would like staff to update the Board on the Ames Reche project

ADJOURNMENT - President Burkhardt adjourned the meeting at 8:02 p.m.

Approved by:


Judy Corl-Lorono
Board Secretary

MSC¹ – Motion made, seconded, and carried.