

Bighorn-Desert View Water Agency



Board of Directors

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

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Marina D West, PG, General Manager
Lyni Tompkins, Board/Exec. Secretary

A Public Agency

www.bdvwa.org

BOARD OF DIRECTORS' REGULAR MEETING MINUTES

BOARD MEETING OFFICE
1720 N. Cherokee Trail, Landers, CA 92285
Tuesday, January 24, 2012 - 6:00 p.m.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Led by J. Dennis Staley.

ROLL CALL

Directors Present: J. Dennis Staley
David Larson
Michael McBride
Judy Corl-Lorono
Terry Burkhart

Staff Present: Marina West
Lyni Tompkins

APPROVAL OF AGENDA

Motion to approve the agenda.

MSC¹ (Larson/Corl-Lorono) unanimously approved.

CONSENT ITEMS

- a. Financial Statements December 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, December 2011
- c. Service Order Report, December 2011
- d. Production Report, December 2011
- e. Special Board Meeting Minutes, December 8, 2011

- f. **Resolution No. 12R-01**, A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency Rescinding Past Resolutions and Appointing the Agency's Attorney by Motion
- g. **Resolution No. 12R-02**, A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency Rescinding Past Resolutions and Appointing the Agency's Auditor by Motion
- h. **Resolution No. 12R-03**, A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency Rescinding Past Resolutions and Appointing the Agency's Board Secretary by Motion
- i. **Resolution No. 12R-04**, A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency Rescinding Past Resolutions and Appointing the Agency's Chief Engineer by Motion
- j. **Resolution No. 12R-05**, A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency Rescinding Past Resolutions and Appointing the Agency's General Manager by Motion
- k. **Resolution No. 12R-06**, A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency Rescinding Past Resolutions and Appointing the Agency's Treasurer by Motion
- l. **Resolution No. 12R-07**, A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency Appointing the Agency's Vice President by Motion
- m. **Resolution No. 12R-08**, A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency Authorizing Investment of Monies into the Local Agency Investment Fund
- n. **Resolution No. 12R-09**, A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency Approving a Form for Making Claims Against the Agency
- o. **Resolution No. 12R-10**, A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency Establishing its Banking Policy with Union Bank
- p. **Resolution No. 12R-11**, A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency Rescinding Resolution 00R-03, Consolidating The Offices of the Secretary and the Treasurer
- q. **Resolution No. 12R-12**, A Resolution of the Board of Directors of the Bighorn-Desert View Water Agency Rescinding the Positions of the Agency's Assistant Board Secretary And Assistant Treasurer

No public comment:

After brief Board discussion, Director Larson made a motion to approve consent items a - q. The motion was seconded by Director McBride.

MSC¹ (Larson/McBride) unanimously approved.

MATTERS REMOVED FROM CONSENT ITEMS

None

BOARD TO CHOOSE A PRESIDENT

General Manager West gave the staff report.

No public comment.

A motion was made by Director Larson choosing Terry Burkhart to continue her position as President of the Board. The motion failed due to lack of second, then Director Larson rescinded his motion.

MOTION NO. 12-008

After Board discussion, Director Corl-Lorono made a motion to choose Michael McBride as President of the Board to Bighorn-Desert View Water Agency for a two (2) year appointment. Director Larson seconded the motion.

MSC¹ (Corl-Lorono/Larson) motion carried. Director McBride abstained from voting due to a possible conflict of interest.

Past President Burkhart handed the gavel to President McBride so that he may preside as President of the Board over the rest of this meeting and from this time forward.

BOARD TO APPOINT A VICE PRESIDENT

General Manager West gave the staff report.

No public comment.

MOTION NO. 12-009

Director Burkhart made a motion to appoint Judy Corl-Lorono as Vice President of the Board to Bighorn-Desert View Water Agency for a one (1) year appointment. The motion was seconded by Director Larson.

MSC¹ (Burkhart/Larson) motion carried. Director Corl-Lorono abstained from voting due to a possible conflict of interest.

Vice President Corl-Lorono presided as Vice President of the Board over the rest of this meeting and from this time forward.

BOARD TO APPOINT A SECRETARY

General Manager West gave the staff report.

No public comment.

Director Larson made a motion to appoint Terry Burkhart as Secretary of the Board. The motion failed due to lack of second.

Director Burkhart made a motion to appoint J. Dennis Staley as Secretary of the Board. The motion was seconded by Vice President Corl-Lorono. The motion failed due to Director Staley stating he does not want the position until he gets up to speed as a Director.

MOTION NO. 12-010

After brief Board discussion, Director Burkhart made a motion to appoint David Larson as Secretary of the Board to Bighorn-Desert View Water Agency for a one (1) year appointment. Vice President Corl-Lorono seconded the motion.

MSC¹ (Burkhart/Corl-Lorono) motion carried. Director Larson abstained from voting due to a possible conflict of interest.

Director Larson presided as Secretary of the Board over the rest of this meeting and from this time forward.

BOARD TO CONSIDER CONTINUATION OF AUDIT SERVICES WITH MAYER HOFFMAN MCCANN P.C. FOR AN ADDITIONAL 3-YEAR TERM AT A COST OF \$29,918 PER YEAR, AND APPOINT THEM AS THE AGENCY'S AUDITOR

General Manager West gave the staff report.

Public comments:

Jim Hanley, of Johnson Valley, commented about the City of Bell's auditor and the cost of the auditor.

Lary Callandar commented about the superb job of the last Audit and would like the Agency to continue to retain this auditor.

MOTION NO. 12-011

After Board discussion, Director Burkhart made a motion to authorize staff to execute the January 2, 2012 Engagement Letter with Mayer Hoffman McCann P.C. outlining the nature, terms and objectives of an engagement to audit the financial statements for the years ended June 30, 2012, 2013 and 2014 at an annual cost of \$29,918; and appoint Mayer Hoffman McCann P.C. as the Agency's Auditor. The motion was seconded by Director Larson.

MSC¹ (Burkhart/Larson) unanimously approved.

ASSOCIATION OF CALIFORNIA WATER AGENCIES HEALTH BENEFITS AUTHORITY (ACWA HBA) REQUEST FOR BOARD REVIEW AND DECISION REGARDING FEDERAL HEALTH CARE INSURANCE REFORM OPTION TO EXTEND ACWA DENTAL AND/OR VISION BENEFITS TO COVER DEPENDENT CHILDREN TO AGE 26

General Manager West gave the staff report.

Public comment:

Lary Callandar commented about his support of this benefit for staff.

MOTION NO. 12-012

After Board discussion, Director Larson made a motion to authorize staff to notify Association of California Water Agency's Health Benefits Authority to extend the Dental and Vision benefits to adult children to age 26. Director Burkhart seconded the motion.

MSC¹ (Larson/Burkhart) unanimously approved.

REVIEW OPTIONS FOR COMPLIANCE WITH SECTION 33305 OF THE BIGHORN-DESERT VIEW WATER AGENCY LAW (CALIFORNIA WATER CODE APPENDIX 112 & RELATED WATER CODES)

General Manager West gave the staff report.

Public comment:

Bob Karman, of Yucca Mesa, commented he favors option 4 (solicit assistance from State Legislature).

Lary Callandar commented he favors option 4 (solicit assistance from State Legislature).

MOTION NO. 12-013

After Board discussion, Director Larson made a motion to authorize staff to solicit assistance from the State Legislature to pursue a revision to the Bighorn-Desert View Water Agency Law (California Water Code Appendix 112 & Related Water Codes) retroactively repealing Section 33305. The motion was seconded by Vice President Corl-Lorono.

MSC¹ (Larson/Corl-Lorono) unanimously approved.

Adjourned for a Break at 7:07 p.m. - Reconvened from Break at 7:19 p.m.

COUNTYWIDE VISION PROJECT – WATER ELEMENT COLLABORATION MEETING

General Manager West gave the staff report.

No public comment.

MOTION NO. 12-014

After brief Board discussion, Director Burkhart made a motion to authorize one director to attend the Countywide Vision Project – Water Element discussion on January 31, 2012 at an approximate cost of \$230 per Board member. Vice President Corl-Lorono seconded the motion.

MSC¹ (Burkhart/Corl-Lorono) unanimously approved.

BOARD TO DISCUSS CALENDAR YEAR 2012 BOARD OF DIRECTOR AND COMMITTEE MEETINGS

General Manager West gave the staff report.

The Board discussed the meetings scheduled for the 2012 year calendar.

Director Burkhart requested the Board move the March 27, 2012 Board of Directors meetings. She may also have a conflict with the schedule for the September Board of Director meeting.

Director Larson discussed his schedule regarding committee meetings.

Vice President Corl-Lorono discussed attending the Agency's committee meetings as a guest.

General Manager West commented the Agency will add the Morongo Basin Pipeline Commission meetings and the Mojave Water Agency Technical Advisory Committee meetings to this calendar.

No public comment.

MOTION NO. 12-015

After Board discussion, Vice President Corl-Lorono made a motion to change the March 27, 2012 meeting to April 3, 2012. The motion was seconded by Director Burkhart.

MSC¹ (Corl-Lorono/Burkhart) unanimously approved.

DISBURSEMENTS DECEMBER 2011

Public comment:

Lary Callandar, congratulated the new Board appointments, and complimented the work of the past president of the Board. He also commented on the disbursements.

General Manager West commented that January 2012 moving forward, Director's fees will no longer show up on the check register because the Directors will be paid through payroll.

After brief Board discussion, Vice President Corl-Lorono made a motion to approve the Disbursements (Check Register - Payment of Bills) for December 2011. The motion was seconded by Director Larson.

MSC¹ (Corl-Lorono/Larson) unanimously approved.

PUBLIC COMMENT PERIOD

Bob Karman, of Yucca Mesa, complimented the Board on many items, and commented where public speech becomes conduct.

Anonymous, commented on this meeting being interesting.

VERBAL REPORTS

General Manager West reported on attending the Local Agency Formation Commission (LAFCO) Sphere of Influence Public Hearing last week.

Vice President Corl-Lorono reported on attending the Local Agency Formation Commission (LAFCO) Sphere of Influence Public Hearing last week.

Director Burkhart reported on attending the Local Agency Formation Commission (LAFCO) Sphere of Influence Public Hearing last week.


President McBride commented on the Agency's responsibility and the responsibility of the residents of Johnson Valley to get pressurized water for their area.

ITEMS FOR NEXT AGENDA

Policy on AB 1825 Sexual Harassment/Harassment; Review Director Per Diem Ordinance; Show a video of the Johnson Valley Well drilling, if available; Possibly moving September 2012 Board meeting

ADJOURNMENT - President McBride adjourned the meeting at 8:03 p.m.

Approved by:



David Larson, Secretary of the Board

MSC¹ – Motion made, seconded, and carried.