

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

Marina D West, PG, General Manager

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A Public Agency

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**BOARD OF DIRECTORS'  
SPECIAL MEETING MINUTES**

BOARD MEETING OFFICE  
1720 N. Cherokee Trail, Landers, CA 92285  
Tuesday, April 3, 2012 - 6:00 p.m.

**CALL TO ORDER**

Meeting convened by Board President Michael McBride at 6:00 p.m.

**PLEDGE OF ALLEGIANCE**

Led by Jim Hanley.

**ROLL CALL**

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

Staff Present: Marina West & Michelle Corbin

**APPROVAL OF AGENDA**

*Motion to approve the agenda.*

MSC<sup>1</sup> (Larson/Corl-Lorono) unanimously approved.

**CLOSED SESSION**

**LIABILITY CLAIM (Gov. Code Section 54956.95)**

Claimant: Martha Oswald

Claim Against: Bighorn-Desert View Water Agency

An anonymous person asked how long the closed session would be.

Adjourned to closed session at 6:02 p.m. - Reconvened from closed session at 6:13 p.m.

**CLOSED SESSION REPORT**

President McBride reported the Board has declined the claim from Martha Oswald.

**AD HOC COMMITTEE REPORT AND RESOLUTION NO. 12R-15 SUPPORTING THE  
EXPANSION OF THE AGENCY SPHERE OF INFLUENCE**

General Manager West gave the staff report.

GM West spoke about the recent letter the Agency had sent out to all W-1 property owners and had received many phone calls in favor of the expansion.

Vice President Corl-Lorono stated that she hopes to get a lot of feedback via the cards sent out with the Agency letter. People within W-1 have called her at home with concern about the tax/bond costs. She reminded the Board of the purpose of LAFCO and why the expansion should happen.

Director Staley stated said that it's good that the image of the Agency is improving. He also commented on the LAFCO meeting held for the community recently. He does not understand why the County Special Districts was allowed to campaign at that meeting.

No public comment.

Director Larson agreed that the Agency letter looked good and was very informative.

President McBride spoke about the definition of the sphere of influence.

**MOTION NO. 12-026**

*(After brief Board discussion), Vice President Corl-Lorono made a motion that we approve Resolution 12R-15. The motion was seconded Director Larson.*

MSC<sup>1</sup> (Corl-Lorono/Larson) unanimously approved.

**SPECIAL DISTRICTS SELECTION ELECTION FOR THE REGULAR LOCAL AREA FORMATION COMMISSION (LAFCO) MEMBER**

General Manager West gave the staff report.

No Public Comment

**MOTION NO. 12-027**

*(After brief Board discussion), Director Larson made a motion to select Terry Burkhart for the vote of the Regular Local Area Formation Commission (LAFCO) member. Director Staley seconded the motion.*

Roll Call Vote:

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

MSC<sup>1</sup> (Larson/Staley) motion carried. Director Burkhart abstained do to perceived conflict of interest.

**CONSIDER APPROVING 3.6% COST OF LIVING ADJUSTMENT FOR ALL AGENCY EMPLOYEES AND AUTHORIZING INCLUSION IN THE FISCAL YEAR 2012/13 BUDGET**

General Manager West gave the staff report.

GM West spoke about the various formulas' used to decide on the amount of a cost-of-living adjustment. She said that the FPREP Committee has recommended that the Agency use the Social Security Index to determine the COLA.

Anonymous person asked how this would affect his bill.

Director Larson stated that the FPREP Committee leaned towards the SS Index because it is nationally recognized and that the Committee realized that there had not been a COLA since 2008.

Director McBride stated that the Agency is under no obligation to do this every year.

Director Staley asked if anything was in place to reward employees that work above and beyond.

**MOTION NO. 12-028**

*(After brief Board discussion), Director Larson made a motion for items 1-4 to authorize inclusion of a cost-of-living adjustment of 3.6%; to direct staff to revise the Employee Handbook to define the methodology for determining the cost-of-living to be the Social Security Administration Cost-Of-Living Adjustment publication in the future; to direct staff to revise the Employee Handbook to define the implementation period for any future cost-of-living adjustment to be the first payroll following July 1 and lastly to bring the revised Employee Handbook Resolution to the Board or formal adoption to a future regularly scheduled BOD meeting. Director Burkhart seconded the motion.*

MSC<sup>1</sup> (Larson/Burkhart) unanimously approved.

**REVIEW OPTIONS FOR DESIGNATING FUND SUB-ACCOUNTS FOR MONIES RETAINED IN THE LOCAL AGENCY INVESTMENT FUND**

General Manager West gave the staff report.

Director Larson stated that they thought it would be more transparent to have these sub-accounts. He would like to see \$50K populated right away in the emergency fund.

Director McBride agreed about the transparency.

The Board directed staff to speak to the auditor, create sub-accounts and draft a policy.

Public comments:

An anonymous person stated that due to his past work experience; he see's this as a good idea for making financial decisions.

Lary Callandar of Yucca Valley stated this is a good idea but the execution is the wrong time unless a CPA words it so that we still show profit in the audit.

**MOTION NO. 12-029**

*(After brief Board discussion), Director Larson made a motion that the Agency designate the fund sub accounts and draft a policy as to how it will work. The motion was seconded by Director Burkhart.*

MSC<sup>1</sup> (Larson/Burkhart) unanimously approved.

Adjourned for a Break at 7:00 p.m. - Reconvened from Break at 7:12 p.m.

**CONSIDER ATTENDANCE TO THE CALIFORNIA SPECIAL DISTRICTS ASSOCIATION LEGISLATIVE DAYS, MAY 16-17, 2012 AT AN ESTIMATED COST OF \$1,533 PER DIRECTOR**

General Manager West gave the staff report.

No public comment.

**MOTION NO. 12-030**

*(After brief Board discussion), Director Larson made a motion to approve the Board's attendance at The California Special Districts Association Legislative Days to be held on May 16-17, 2012, costing a maximum of \$1,533 per Director. Director Burkhart seconded the motion.*

MSC<sup>1</sup> (Larson/Bukhart) unanimously approved.

## **DISBURSEMENTS FEBRUARY 2012**

No Public Comment

### **MOTION NO. 12-031**

*Director Burkhart made a motion to approve the Disbursements (Check Register - Payment of Bills) for February 2012. Vice President Corl-Lorono seconded the motion.*

MSC<sup>1</sup> (Bukhart/Corl-Lorono) unanimously approved.

## **CONSENT ITEMS**

- a. Financial Statements February 2012
  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, February 2012
- c. Service Order Report, February 2012
- d. Production Report, February 2012
- e. Special Board Meeting Workshop Minutes, February 10, 2012
- f. Agency's Appropriation Limit for Fiscal Year 2011/2012 (First reading February 28, 2012) 12R-16.
- g. Request from Morongo Basin Conservation Association for Partnership and Financial Support (\$900) for the 2012 Desert-Wise Living Program Landscape Tour April 22, 2012 (Recommended by FPREP Committee).
- h. Approve Completion of the Ames Valley Water Basin Monitoring Report.
- i. Consider purchase of a 2012 Dodge Ram (four wheel drive) Vehicle and Accessories for the Operations and Maintenance Staff at a Total Estimated Cost of \$28,150. (Recommended by FPREP Committee).
- j. Board to consider a Policy to Mandate Sexual Harassment Training for Directors as is Prescribed by AB 1825 (Recommended by FPREP Committee).
- k. LAIF Signatories for Authorizing Investment of Monies into the Local Agency Investment Fund (Administrative Process) 12R-17.

No Public comment.

### **MOTION NO. 12-032**

*Director Larson made a motion to approve consent items a - k with the exception of i. The motion was seconded by director Burkhart.*

MSC<sup>1</sup> (Larson/Burkhart) unanimously approved.

## **MATTERS REMOVED FROM CONSENT ITEMS**

**Item i**, Consider purchase of a 2012 Dodge Ram (four wheel drive) Vehicle and Accessories for the Operations and Maintenance Staff at a Total Estimated Cost of \$28,150. (Recommended by FPREP Committee)

GM West gave the staff report.

No Public Comment

**MOTION NO. 12-033**

*Vice President Corl-Lorono made a motion to approve item i. The motion was seconded by Director Larson.*

MSC<sup>1</sup> (Corl-Lorono/Larson) unanimously approved.

**PUBLIC COMMENT PERIOD**

No Public Comment

**VERBAL REPORTS**

**GENERAL MANAGER'S REPORT**

GM West stated that she wanted the Board to know that the Morongo Basin Conservation Association will be pleased that we have approved their request and that two Board members and two staff members are participating as volunteer docents for the event.

**DIRECTORS' REPORT**

Director Staley stated that he is concerned with the Board's image and when the opportunity comes, we should participate in outreach. He mentioned the new Landers sign at the post office and thought it would be a good idea to plant some cactus near that sign.

Director Larson stated that he had chaired the FPREP Committee and that it was an honor and privilege to be part of it.

Vice President Corl-Lorono reported that she had recently attended a webinar on upcoming legislated issues. One issue being a state tax for Agencies that purchase from out of the area (SB 1125) and AB 1543 which will prohibited internet purchases outside the country for parts. She also reported that she had attended a webinar from the Water Education Foundation. In that webinar they discussed infrastructure and the importance of maintaining it. Lastly she mentioned that the directors all have assignments and the importance of attending meetings that they commit to.

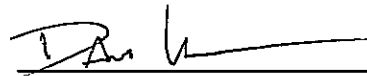
PRESIDENT'S REPORT- None

**FUTURE AGENDA ITEMS**

No future agenda items.

**ADJOURNMENT** - President McBride adjourned the meeting at 7:42 p.m.

Approved by:



David Larson, Secretary of the Board

MSC<sup>1</sup> – Motion made, seconded, and carried.