

# Bighorn-Desert View Water Agency



## Board of Directors

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

Marina D West, PG, General Manager

## Agency Office

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A Public Agency

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## BOARD OF DIRECTORS REGULAR MEETING MINUTES

BOARD MEETING OFFICE  
1720 N. Cherokee Trail, Landers, CA 92285  
Tuesday, March 26, 2013 - 6:00 p.m.

### CALL TO ORDER

Meeting convened by Board President Michael McBride at 6:03 p.m.

### PLEDGE OF ALLEGIANCE

Led by Mark Johannes.

### ROLL CALL

Directors Present:

David Larson  
Judy Corl-Lorono  
Michael McBride  
Terry Burkhart  
J. Dennis Staley- Absent, but joined the meeting at 6:24 p.m.

Staff Present:

Marina West  
Michelle Corbin

### APPROVAL OF AGENDA

*Motion to approve the agenda.*

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

### AMES/RECHE GROUNDWATER STORAGE AND RECOVERY PROGRAM MEMORANDUM OF UNDERSTANDING BETWEEN BIGHORN-DESERT VIEW WATER AGENCY (BIGHORN- DESERT VIEW) AND MOJAVE WATER AGENCY (MOJAVE)

General Manager West gave the staff report beginning with a brief description of the Memorandum of Understanding between Bighorn-Desert View Water Agency (BDVWA) and the Mojave Water Agency (MWA). The Agreement is between BDVWA and Mojave Water Agency. West stated that while Bighorn-Desert View Water Agency was the lead agency in obtaining the various permits, federal (Bureau of Land Management) right-of-way, and executing the various processes, the Mojave Water Agency will operate and maintain the facility. The Agreement has been through general legal counsel of both entities and it has their approval.

Director Larson expressed his concern with a portion of the agreement with regards to Item 5 on page 3 of 4, of the Agreement. He requested clarification of the agencies liability should there be a third Party claim.

No public comment.

The Board requested staff clarify Director Larson's concerns with legal counsel and bring the item back to the next Regular Board of Directors Meeting.

Item failed due to lack of motion.

**RESOLUTION 13R-05 ESTABLISHING A POLICY FOR THE APPROVAL OF THE EXPENSE OF BAD DEBT**

General Manager West gave the staff report. West stated that during the recent Board Workshop it was suggested that prior active resolutions and policies be reviewed by the Board of Directors throughout the year. In 2009 Policy No 09P-03, Establishing a Policy for the Approval of the Expense for Bad Debt was adopted but should have been a policy passed by resolution. West reviewed the policy noting only a few minor changes from the 2009 version and requested that the Board approve Resolution 13R-05 Establishing a Policy for the Approval of the Expense of Bad Debt.

No public comment.

**MOTION NO. 13-020**

*(After brief Board discussion), Vice President Corl-Lorono made a motion to adopt Resolution No. 13R-05 Establishing a Policy for the Approval of the Expense of Bad Debt. The motion was seconded by Director Larson.*

MSC<sup>1</sup> (Corl-Lorono/Larson) motion carried.

At 6:24 PM Director Staley joined the meeting in progress.

**PREPARATION FOR A COST-OF-LIVING ADJUSTMENT (COLA) TO THE BOARD OF DIRECTORS COMPENSATION VIA FUTURE ORDINANCE**

General Manager West gave the staff report. The adjustment for the cost-of-living increase may only be done once per year at a rate of five percent (5%) per year.

Anonymous asked if the \$100 per Diem is taxed.

**MOTION NO. 13-021**

*(After brief Board discussion), Vice President Corl-Lorono made a motion to direct staff to initiate the process for increasing the Board of Directors per diem compensation by five percent (5%) for fiscal year 2013-14. Director Burkhart seconded the motion.*

MSC<sup>1</sup> (Corl-Lorono/Burkhart) 4/1 motion carried. Larson nay.

**CONSIDER APPROVING SOCIAL SECURITY ADMINISTRATION 1.7% COST OF LIVING ADJUSTMENT FOR ALL AGENCY EMPLOYEES EFFECTIVE WITH THE FIRST PAYROLL OF FISCAL YEAR 2013/14**

General Manager West gave the staff report stating that this item will come before the Board of Directors every year. The Board is not required to grant a percentage Cost-of-Living Adjustment nor are they required to provide the entire adjustment authorized by Social Security and therefore, may adopt a percentage between 0 and 1.7.

No public comment.

**MOTION NO. 13-022**

*(After brief Board discussion), Vice President Corl-Lorono made a motion to authorize inclusion of a Cost-Of-Living Adjustment of 1.7% based on the Social Security Administration Cost-Of-Living Adjustment publication for all employees in the Fiscal Year 2013-14 Budget. Director Burkhart seconded the motion.*

MSC<sup>1</sup> (Corl-Lorono/Burkhart) 4/1 motion carried. Larson nay.

#### **CONSIDER PURCHASE OF TRAILER EQUIPPED WITH HYDRAULIC VALVE EXERCISER AND VACUUM-WATER JET SYSTEM**

General Manager West gave the staff report beginning with a brief video demonstration of the proposed valve exerciser. West reviewed the many features of the valve exerciser and stressed the importance of the valve exercising program the agency is required to maintain.

Anonymous asked if the exerciser could damage a valve and if so, what happens when a valve is damaged.

West responded the worst case scenario is the valve would need to be replaced but in some cases they can also be repaired.

#### **MOTION NO. 13-023**

*(After brief Board discussion), Director Larson made a motion to authorize General Manager to purchase E.H. Wachs Hydraulic Valve Exerciser and Vacuum-Water Jet System at a price not to exceed \$56,355 including tax. The motion was seconded by Vice President Corl-Lorono.*

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

Adjourned for a Break at 6:56 p.m. - Reconvened from Break at 7:04 p.m.

#### **UPDATE ON SENATE BILL 246 (FULLER)**

General Manager West gave the staff report. West reported that since the last update she has had numerous conversations with state legislative counsel that is drafting the bill amendment concerning the entire modernization. The Senator agreed to amend the original spot bill and there will be no other items attached to this spot bill. The legislative council has reviewed our draft in great detail and we have agreed on certain "word-smithing".

The draft bill with the revised language should be available soon and may be available for the next Planning/Legislative/Engineering/Gant/Security Committee meeting so that we may begin discussing the changes.

The hearing in the Governance and Finance Committee in the State Capital is set for April 17, 2013. She said she is still unsure if we will need to testify or if the bill will be placed on the consent calendar.

No public comment.

Information item only – No motion made.

#### **ASSOCIATION OF CALIFORNIA WATER AGENCIES/JOINT POWERS INSURANCE AUTHORITY (ACWA/JPIA) BOARD OF DIRECTORS MEETING AND SPRING CONFERENCE**

General Manager West gave the staff report. The Board appointed Director Corl-Lorono to the Board of Directors of the ACWA/JPIA last year. West stated that because she was appointed, it is important she attend their events. Also, while being sensitive to the fact that our Board members are asked to stay within their individual budgets to attend events, the Board may want to review a budget for the board member appointed to attend these ACWA/JPIA Board Meetings. It is an opportunity to promote SB 246 as well. GM West disclosed that this event will cause the individual director to exceed her fiscal year budget.

Director Corl-Lorono commented that the Board may want to create a budget line item for costs associated with appointments such as this.

No public comment.

**MOTION NO. 13-024**

*(After brief Board discussion), Director Larson made a motion authorizing attendance for appointed ACWA/JPIA Board member Corl-Lorono to the ACWA/JPIA 2013 Spring Conference May 6-7, 2013 at a maximum estimated cost of \$950.00. Director Burkhart seconded the motion.*

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

**DISBURSEMENTS FEBRUARY 2013.**

**MOTION NO. 13-025**

*Director Burkhart made a motion to approve the Disbursements (Check Register - Payment of Bills) for February 2013. Vice President Corl-Lorono seconded the motion.*

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

**CONSENT ITEMS**

- a. Financial Statements February 2013
  - 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 2013
- c. Service Order Report, February 2013
- d. Production Report, February 2013
- e. Regular Board Meeting Minutes, February 26, 2013

No Public comment.

**MOTION NO. 13-026**

*Director Burkhart made a motion to approve consent items a - e. The motion was seconded by Director Larson.*

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

**MATTERS REMOVED FROM CONSENT ITEMS - None**

**PUBLIC COMMENT PERIOD**

No public comment.

**VERBAL REPORTS**

Director Staley complemented the General Manager on her selection of the Ansel Adams prints displayed in the office front lobby.

Director Larson reported on the Homestead Valley Community Council meeting he had recently attended. He reported that Donna Munoz representing 3<sup>rd</sup> District Supervisor James Ramos attended their meeting. Also discussed at the HVCC meeting was the building permit process for properties dependent on hauled water.

Vice President Corl-Lorono reported she had recently attended an ethics training seminar during which she learned that there are several rules the agency should be aware of with regards to directors' photos, etc within Agency mass mailings. She also reported that she spoke to Donna

Munoz a few days ago about the Morongo Basin Transit Authority bus stop at the Landers Post Office.

**FUTURE AGENDA ITEMS**

The Ames/Reche Groundwater Storage and Recovery Program Memorandum of Understanding between Bighorn-Desert View Water Agency and Mojave Water Agency

**ADJOURNMENT** - President McBride adjourned the meeting at 7:31 p.m.

Approved by:



*David Larson, Secretary of the Board*

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