

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

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A Public Agency

www.bdvwa.org

BOARD OF DIRECTORS REGULAR MEETING MINUTES

BOARD MEETING OFFICE
1720 N. Cherokee Trail, Landers, CA 92285
Tuesday, May 28, 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 Lois Johnson.

ROLL CALL

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

Staff Present: Marina West
Michelle Corbin

APPROVAL OF AGENDA

Motion to approve the agenda.

MSC¹ (Corl-Lorono/Burkhart) unanimously approved.

DISCUSS GENERAL MANAGER EMPLOYMENT CONTRACT INCLUDING COMPENSATION AND OTHER PROVISIONS –

General Manager West began the contract negotiations with an overview of the history of her contracts, salary and the recent performance evaluation.

Prior to hiring West, the Agency employed the General Manager at \$80K (32 hrs. per week), a Chief of Operations at \$77K and a Field Supervisor at \$56K bringing the total of these three positions to \$213K per year. West reminded the Board since her hire the Chief of Operations position was eliminated and the Field Supervisor resigned. These two positions have not been refilled. Due to West's knowledge, experience and capacity building she has accumulated through the years, she is able and capable of covering the duties of these positions which alone save the Agency \$133K. West stated she is seeking an increase of her salary from approximately \$114K to \$135K.

Public comments:

Lary Callander, of Yucca Valley, stated he feels \$135K is an excellent salary and the Bighorn-Desert View Water Agency is going to grow. Mr. Callander went on to say that \$19K is a drop in the bucket compared to what the Agency will receive in return.

Dr. Bob Karmen of Yucca Mesa stated he was impressed by how Marina West has worked to stabilize the Agency and had also received her Master's Degree. He feels that receiving this degree warrants consideration of this salary.

Elizabeth Karmen stated she feels Marina West is worth the increase of salary. Ms. Karmen noted that Marina West has done a wonderful job working on behalf of the Agency sighting the recent activity with the State Legislature. She also feels the contract should be for five years.

President McBride really likes the idea of extending the contract an additional two years.

Director Staley requested clarification of the COLA and merit raises. He questioned the benefits of extending the contract and had questions about life insurance.

Director Larson began by stating the Agency has a great General Manager who is just as good as any other in the area and he would like to keep her forever. Director Larson stated that he realized the salary may be a point of contention within the community and he would like to strike a balance between the two issues.

Director Burkhart noted the lack of performance from the previous managers. Director Burkhart acknowledges Marina West's level of education and West is capable of working anywhere she desires. She feels the salary is extremely reasonable and Marina West has raised the Agency up to being one of the best run water districts in Southern California.

Vice President Cori-Lorono stated that considering the more than forty hours a week Marina West works and her knowledge of water she is thrilled about this offer.

President McBride noted that between his visits to Sacramento on behalf of Senate Bill SB246 and the positive responses he witnessed at a recent Local Agency Formation Commission (LAFCO) meeting he was reminded of just how far the Agency has come under General Manager, Marina West.

President McBride acknowledged Director Larson's concerns regarding a salary increase and how it may be a point of contention with the public; however he continued, if you look at where the Agency was prior to the hiring of Marina West compared to where the Agency is today, we are saving money. He went on to say that if they decide to pay the General Manager \$135K, the Agency will still be saving money and he feels we should approve it.

Director Staley also stated Marina West has gone beyond the call of duty being involved with many things within the community. He went on to comment that she works to continue her education and demonstrates leadership in getting the people that work with her to also upgrade themselves. Director Staley said he has no problem with the \$135K figure that Marina West has brought before the Board and told them what she feels she is worth and he feels her proposal is fair.

President McBride also commended Marina West stating she not only trains the employees of Bighorn-Desert View Water Agency but also trains staff from other agencies for no fee during her off time.

MOTION NO. 13-035

(After brief Board discussion), Vice-President Corl-Lorono made a motion to increase the General Managers Salary to \$135,000 beginning July 1, 2013. Director Burkhart seconded the motion.

Roll Call Vote:

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

MSC¹ (Corl-Lorono/Burkhart) motion carried 4/1.

MOTION NO. 13-036

(After brief Board discussion), Director Burkhart made a motion to extend the General Manager contract an additional two years. The motion was seconded by Vice President Corl-Lorono.

Roll Call Vote:

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

MSC¹ (Burkhart/Corl-Lorono) unanimously approved..

Adjourned for a Break at 6:42 p.m. - Reconvened from Break at 6:49 p.m.

PUBLIC HEARING: Ordinance No. 13O-01 – AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE BIGHORN-DESERT VIEW WATER AGENCY PROVIDING FOR COMPENSATION OF THE BOARD OF DIRECTORS AND ESTABLISHING PROCEDURES RELATED THERETO –

General Manager West gave the staff report beginning with a review of the March 26, 2013 Board of Director Meeting where it was decided the Agency would begin the Cost-Of-Living (COLA) increase process seeking a five dollar \$5.00 increase in the per diem amount. The Public Notices were processed in the newspaper on May 15 and 22, 2013. If the Board approves the increase it will go into effect after 60 days.

Public comment:

Lary Callander reminded the Board last time they had the opportunity to increase their per diem they decided not to pursue the increase. He said the Board members always attend their meetings and they deserve the increase.

Elizabeth Karmen stated the Board should consider giving themselves the five dollar raise, noting they often attend events which require them to leave early in the morning.

MOTION NO. 13-037

(After brief Board discussion), Director Burkhart made a motion to adopt Ordinance 13O-01 Providing for Compensation of the Board of Directors and Establishing Procedures Related Thereto. Vice President Corl-Lorono seconded the motion.

Roll Call Vote:

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

MSC¹ (Burkhart/Corl-Lorono) motion carried 4/1.

POSTING OF AGENCY'S APPROPRIATION LIMIT FOR FISCAL YEAR 2013/14

General Manager West gave the staff report explaining how the Agency calculates the appropriation limit. The Agency is required to post the calculations 15 days prior to Board adoption. For the sake of transparency West feels it is only fair to make the public aware that the Agency will post the calculation which is why she is bringing this to the Board today.

Lary Callander of Yucca Valley asked if California Special Districts 70/W-1 had to post an Appropriation Limit for Fiscal Year 2013/2014 and he also asked what would happen if the tax is not collected.

MOTION NO. 13-038

(After brief Board discussion), Director Burkhart made a motion to direct staff to post the calculations made to determine the Agency's Appropriation Limit at least 15 days prior to the date the Board considers adoption of Resolution establishing the Agency's appropriation limit for fiscal year 2013/14. Vice President Corl-Lorono seconded the motion.

MSC¹ (Burkhart/Corl-Lorono) unanimously approved.

RESOLUTION NO. 13R-06 FIXING AND ADOPTING THE AGENCY BUDGET FOR FISCAL YEAR 2013/14

General Manager West went over some of the highlights of the budget noting various line items such as engineering, office upgrades and replacement of materials that would not fall under capital replacement. West also noted areas the Agency is saving money and working to improve customer relations such as the larger bill format. West is not making any recommendations to change the Bighorn Mountains Improvement District No. 1 Ad valorem tax or the Desert View surcharge.

Public comments;

Mr. Destry, of Landers, questioned if Proposition 13 has anything to do with increases in property tax value.

MOTION NO. 13-039

(After brief Board discussion), After Board discussion, Director Burkhart made a motion to adopt Resolution No. 13R-06, A Resolution Fixing and Adopting the Agency Budget or Fiscal Year 2013/2014 for the Bighorn-Desert View Water Agency. The motion was seconded by Director Larson.

MSC¹ (Burkhart/Larson) unanimously approved.

DISCUSS ALTERNATE DATE FOR THE JUNE 25, 2013 BOD REGULAR MEETING DUE TO SCHEDULING CONFLICT WITH DIRECTOR BURKHART'S SPECIAL DISTRICTS RISK MANAGEMENT AUTHORITY BOARD MEETING

General Manager West stated there are many items the Agency must address in June and she would prefer the Board reschedule the June 25, 2013 meeting to remain in the month of June as opposed to canceling it altogether.

No public comment.

MOTION NO. 13-040

(After brief Board discussion), Director Larson made a motion to move the June 25, 2013 Board of Director Meeting to June 18, 2013 at 6:00 PM. Vice President Corl-Lorono seconded the motion.

MSC¹ (Larson/Corl-Lorono) unanimously approved.

UPDATE ON SB 246 INTRODUCED BY SENATOR JEAN FULLER (DISTRICT 18) TO MODERNIZE THE BIGHORN-DESERT VIEW WATER AGENCY LAW - Information item only.

General Manager West updated the Board on the progress of Senate Bill SB246. West went over the letters of support from the Association of California Water Agencies, Hi-Desert Water District and past-president Ruth Rieman. Other letters of support will soon follow.

No public comment.

DISBURSEMENTS APRIL 2013

No public comment.

MOTION NO. 13-041

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

MSC¹ (Corl-Lorono/Burkhart) unanimously approved.

CONSENT ITEMS

- a. Financial Statements April 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, April 2013
- c. Service Order Report, April 2013
- d. Production Report, April 2013
- e. Regular Board Meeting Minutes, April 23, 2013

No public comment.

MOTION NO. 13-042

Vice President Corl-Lorono made a motion to approve consent items a - e. The motion was seconded by Director Burkhart.

MSC¹ (Corl-Lorono/Burkhart) unanimously approved.

MATTERS REMOVED FROM CONSENT ITEMS

No items removed from consent.

PUBLIC COMMENT PERIOD

No public comment.

VERBAL REPORTS

General Manager Marina West reported the pre-construction meeting for the Ames/Reche Recharge Project will be held the following day.

Director Burkhart reported on the Special Districts Risk Management Authority (SDRMA) Legislative Days she had recently attended.

President McBride reported on the Twentynine Palms Water District Board meeting. He accompanied GM West in seeking support of the Senate Bill SB 246.

FUTURE AGENDA ITEMS

None.

ADJOURNMENT - President McBride adjourned the meeting at 7:46 p.m.

Approved by:



David Larson, Secretary of the Board

MSC¹ – Motion made, seconded, and carried.