

# Bighorn-Desert View Water Agency



**Board of Directors**  
Michael McBride, President  
Judy Corl-Lorono, Vice President  
Terry Burkhart, Director  
J. Dennis Staley, Director  
Vacancy

Marina D West, PG, General Manager

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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, July 23, 2013 – 6:00 p.m.

### CALL TO ORDER

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

### PLEDGE OF ALLEGIANCE

Led by Ms. Conkle.

### 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.*

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

### **PUBLIC HEARING: RESOLUTION 13R-11 – A RESOLUTION CONFIRMING REPORTS OF DELINQUENT ACCOUNTS FOR BASIC SERVICE CHARGES, WATER CHARGES, REVENUE BOND SURCHARGES, DELINQUENT FEES AND PROCESSING FEES AND AUTHORIZING PLACEMENT OF PROPERTY LIENS ON THE SECURED TAX ROLLS OF SAN BERNARDINO COUNTY FOR COLLECTION OF DELINQUENCIES WITHIN BIGHORN DESERT VIEW WATER AGENCY**

General Manager West gave the staff report. Since the public posting of Resolution 13R-XX in the Hi Desert Star, three of the accounts have paid.

President McBride opened the public hearing at 6:08 p.m.

Public comment:

James Winchester stated he is protesting the lien on his property. He said he wants the meter removed from his property and claims he has no idea why he is being billed for any charges or fees.

No additional public comments were received.

President McBride closed the public hearing at 6:15 p.m.

General Manager Marina West stated that Mr. Winchester has been given the information on terminating his meter on more than one occasion. She also explained the termination process.

President McBride stated to Mr. Winchester that the Agency will not waive his lien and if he should want to terminate service, he will need to do it properly.

**MOTION NO. 13-053**

*(After brief Board discussion), Director Burkhart made a motion to adopt Resolution No. 13R-11 – Confirming reports of delinquent accounts for basic service charges, water charges, revenue bond surcharges, delinquent fees and processing fees AND authorizing the placement of property liens on the secured tax rolls of San Bernardino County for collection of delinquencies within Bighorn-Desert View Water Agency. Vice President Corl-Lorono seconded the motion.*

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

**PRESENTATION BY CADIZ INC. ON THE STATUS OF THE CADIZ VALLEY WATER CONSERVATION, RECOVERY AND STORAGE PROJECT - Information item only.**

At the previous Finance/Public Relations/Education and Personnel Committee (PLEGS) meeting a representative of the National Parks Conservation Association gave a presentation regarding their concerns about the Cadiz Water Project and the National Environmental Policy Act (NEPA) process. PLEGS Committee members requested that additional information be brought before the full Board for further discussion.

Leslie Thornburg of Cadiz Inc. and hydrogeologist Tom Henderson of CH2MHILL gave a brief overview of the Cadiz Valley Water Conservation, Recovery and Storage Project. Ms. Thornburg explained why her company is not required to comply with the National Environmental Policy Act (NEPA).

No public comment.

Adjourned for a Break at 7:29 p.m. - Reconvened from Break at 7:45 p.m.

**LEAK RELIEF/ BILLING ADJUSTMENT POLICY – Information and discussion item only.**

Staff member Michelle Corbin gave the staff report beginning with an overview of the parameters previously discussed with the Finance/Public Relations/Education and Personnel Committee. The Committee agreed that leak relief should be well defined and should include a “Leak Relief Application” to help simplify the process. Staff is requesting leak relief be limited to 25% of the metered overage up to \$500.00, excluding average usage and that this relief be granted once in a lifetime per account holder. A new policy would also include language that defines a qualified leak.

Public comment:

Ms. Adams commented that she has a long service line. She asked if this type of leak would qualify for leak relief.

**REVIEW OF FRAUD IN THE WORKPLACE POLICY FROM EMPLOYEE HANDBOOK -**  
Information and discussion item only.

General Manager West gave the staff report. The auditors annually have suggested that the Fraud in the Workplace Policy be reviewed. The auditors have also suggested staff review this policy annually. West went over the various "chains of command" regarding suspected fraud in the workplace.

Director Staley questioned how the Agency would recover stolen funds.

West responded it would probably be handled through the legal system but that she would look into it further.

No public comment.

**RESOLUTION 13R-XX – CALL FOR NOMINATIONS OF CANDIDATES FOR THE POSITION OF PRESIDENT AND VICE PRESIDENT OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES (ACWA)**

No action was taken.

**RECOATING AND REPAINTING B-3 AND B-4 RESERVOIRS – CHANGE ORDER NO. 1, ACCEPT COMPLETION OF WORK, AND AUTHORIZE FILING OF NOTICE OF COMPLETION AND PAYMENT OF RETENTION**

General Manager West gave the staff report. The work is completed at tanks B-3 and B-4 as well as the Johnson Valley reservoir. West described the additional items accomplished under Change Order No. 1. She is requesting the Board ratify the execution of the change order and to formally accept completion of the work. Filing the "Notice of Completion" and authorizing the release of retention amounts are the final steps of the project.

No public comment.

**MOTION NO. 13-054**

*(After brief Board discussion), Director Burkhart made a motion to Ratify execution of Change Order No. 1 in the amount of \$8,565 for additional work at the Johnson Valley Reservoir and C-1 Reservoir; and Accept completion of work; and Authorize filing of Notice of Completion; and Authorize release of retention amounts held. Director Larson seconded the motion.*

MSC<sup>1</sup> (Burkhart/Larson) 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 reported that she; President McBride and Vice President Cori-Lororno meet with Assemblyman Nastande's office. Senator Jean Fuller has asked Assemblyman Nastande to carry Senate Bill SB246 to the full Assembly.

No public comment.

**CONSENT ITEMS**

- a. Consumption & Billing Comparison Report, June 2013
- b. Service Order Report, June 2013
- c. Production Report, Resubmittal of March 2013
- d. Production Report Resubmittal of April 2013

- e. Production Report June 2013
- f. Regular Board Meeting Minutes, May 28, 2013

No Public comment.

**MOTION NO. 13-055**

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

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

**PUBLIC COMMENT PERIOD**

John Burkhart asked for an update on the Landers Post Office landscape project, the recharge project and the valve exerciser.

**VERBAL REPORTS**

General Manager Marina West responded the Joshua Trees are arriving at the Post Office tomorrow and the harvesting of rocks from the Landers Landfill is the next step. Whitewater Rock Company is donating the use of their crane for the rock harvesting.

The recharge project is almost complete and West reminded the Board of the Ribbon Cutting ceremony coming up at Ruth Rieman's home. West also noted the valve exercising program is being implemented by field staff.

Director Larson reported on the Homestead Valley Community Council where they spoke about a re-branding of the high desert area.

Vice President Corl-Lorono reported on her visit with Assemblyman Nastande's office on the topic of Senate Bill SB246. She also reported on the Alliance for Water Awareness and Conservation (AWAC) meeting.

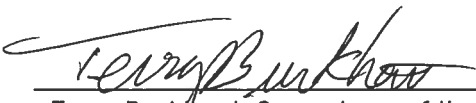
President McBride reported on his meeting with Nastandes office. He also handed out a questioner packet to be filled out by each Director. Lastly he confirmed August 7, 2013 as the date for the Ames/Reche Recharge Project Ribbon Cutting.

**FUTURE AGENDA ITEMS**

No agenda items suggested.

**ADJOURNMENT** - President McBride adjourned the meeting at 8:52 p.m.

Approved by:

  
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Terry Burkhart, Secretary of the Board

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