

Bighorn-Desert View Water Agency

Board of Directors

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



Agency Office
622 S. Jemez Trail
Yucca Valley, CA 92284-1440

760/364-2315 Phone
760/364-3412 Fax

Marina D West, PG, General Manager

A Public Agency

www.bdvwa.org

**Board of Directors'
Regular Meeting Minutes**

Board Meeting Office
1720 N. Cherokee Trail, Landers, CA 92285
Tuesday, August 28, 2018 - 6:00 p.m.

Call to Order

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

Pledge of Allegiance

Led by Mark Johannes

Roll Call

Directors Present: Michael McBride
 Judy Corl-Lorono
 Terry Burkhart
 J. Dennis Staley
 J. Larry Coulombe

Staff Present: Marina West
 Seth Kish

Approval of Agenda

Motion to approve the agenda.
MSC¹ (Coulombe/Staley) unanimously approved.

**Resolution 18R-12 – A Resolution of the Bighorn-Desert View Water Agency
Incorporating by Reference the Standard Conflict of Interest and Disclosure Code
Adopted by the Fair Political Practices Commission**

General Manager West gave the staff report. Every two (2) years there is the biannual update to the Conflict of Interest and Disclosure Code. General Manager West noted that there has not been any changes to the Conflict of Interest and Disclosure Code since 2012. This year, the

Code has been updated by General Counsel to conform to the latest Fair Political Practices Commission updates. General Manager West explained that this is a routine biannual administrative action item for the Board of Directors.

No public comments

Motion No. 18-039

Vice President Corl-Lorono made a motion to approve Resolution 18R-12 – A Resolution of the Bighorn-Desert View Water Agency Incorporating by Reference the Standard Conflict of Interest and Disclosure Code Adopted by the Fair Political Practices Commission. Secretary Burkhart seconded the motion.

MSC¹ (Corl-Lorono/Burkhart) unanimously approved.

McBride: Y
Staley : Y
Corl-Lorono: Y
Burkhart: Y
Coulombe: Y

Agency Code of Conduct for the Members of the Agency Board of Directors

General Manager West explained that the Code of Conduct for the Board, which determines how the Board acts as a whole. It also determines how the Board treats one another, interacts with staff and also members of the public. General Manager West noted that in order to make sure everyone is aware of the Code of Conduct, it is important to review it annually with the Board. General Manager West explained to the Board that they will need to sign a form documenting that they have read the Code of Conduct. Reviewing the Code of Conduct will also help qualify the Agency for a District of Distinction Award, which is an award given out by the California Special Districts Association to agencies that are meeting different goals like Agency Transparency, Governance Trainings, and Ethics Training. This is information only and does not require any formal motion.

No public comments

Reimbursement to County of San Bernardino for Overpayment of Unitary Tax Allocation to Improvement District 1 (Bighorn Mountains) from Fiscal Year 2006/07 through 2016/17 in the Amount of \$130,183.35 with Repayment either as a Lump Sum or Amortized Over 5-years

General Manager West explained that for a number of years, the Improvement District 1 has received more tax allocations than what was originally requested. General Manager West noted the reason for the over collection. Basically, the County sets the tax rates and they factor in an expectation of delinquency. In order to collect the amount of money that is requested, the County has set the rate to 8% delinquency. General Manager West explained that in July, the Agency would be using the extra funds to pay off the rest of the ID1 debt and stop collecting the tax from the community. The County then requested for the overpayment of \$130,183.35 to be paid back. General Manager West explained that in order for the public to not be affected by this, the Agency will make sure the money gets paid back. General Manager West noted that the decision on how to make the payment is left to the board to decide, but General Manager West did recommend to the Board to amortize the amount owed over a 5 year 0% interest repayment plan.

Director Staley asked if the amount owed is accurate, Director Staley also asked why the Agency is recommending the 5 year loan repayment option. General Manager West noted that the Agency does have the funds available to pay this off now, but if the Agency stretched out the payment plan for 5 years, the Agency has a chance to still make money off of the interest while it sits in the bank. General Manager West also told Director Staley that the amount due is accurate.

An anonymous member of the public made a comment about the County of San Bernardino.

An anonymous member of the public asked why it took so long for the County to mention the overpayment. General Manager West explained that the County has known since 2016/2017 but just recently let the Agency know about it.

Motion No. 18-040

Vice President Corl-Lorono made a motion to enter into a 5-year Amortized Payment Schedule for overpayment of Unitary Tax Allocation to Improvement District 1 (Bighorn Mountains). Director Burkhart seconded the motion.

MSC¹ (Corl-Lorono/Burkhart) unanimously approved

McBride	Y
Corl-Lorono	Y
Burkhart	Y
Coulombe	Y
Staley	Y

Change Date of September Regular Board Meeting

Due to a scheduled event (2018 CSDA Conference) the Regular Board of Directors Meeting on September 25, 2018 needs to be rescheduled. General Manager West recommended October 2, 2018 to the Board.

No public comments

Motion No. 18-041

Vice President Corl-Lorono made a motion to change the date of September 25, 2018 Board Meeting to October 2, 2018. Director Staley seconded the motion.

MSC¹ (Corl-Lorono/Staley) unanimously approved

McBride:	Y
Staley :	Y
Corl-Lorono:	Y
Burkhart:	Y
Coulombe:	Y

Consent Items – The following items are expected to be routine and non-controversial and will be acted on by the Board at one time without discussion, unless a member of the public or member of the Board requests that the item be held for discussion or further action.

- a. Financial Statements July 2018
 1. Balance Sheet

2. Budget Status

- b. Receive and File Disbursements July 2018
- c. Cash Balance Distribution June 30, 2018
- d. Service Order Report, July 2018
- e. BH/DV Production Report, July 2018
- f. Goat Mtn. Production Report, July 2018
- g. Receive and File Regular PLEGS Committee Meeting Report from February 20, 2018
- h. Receive and File Regular PLEGS Committee Meeting Report from April 19, 2018
- i. Receive and File Regular PLEGS Committee Meeting Report from June 19, 2018
- j. Receive and File Regular FPREP Committee Meeting Report from May 16, 2018
- k. Regular Board Meeting Minutes, July 24, 2018
- l. Special Board Meeting Minutes, July 24, 2018

No public comment.

Motion No. 18-042

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

MSC¹ (Burkhart/Corl-Lorono) unanimously approved

McBride: Y
Staley : Y
Corl-Lorono: Y
Burkhart: Y
Coulombe: Y

President McBride adjourned the meeting for a small recess at 6:30 p.m.

Public Comment Period

No public comments

Verbal Reports

General Manager West wanted to let everyone know about the Orchid Festival coming up on October 6, 2018 and October 7, 2018.

Secretary Burkhart gave her report on the Mojave Water Agency Board Meeting she attended on August 23, 2018.

Director Staley wanted to thank the Board for all of the support it has given for the Landers Post Office Demonstration Garden. He also mentioned that a gardener from Florida complimented the garden and all of its plants.

Vice President Corl-Lorono gave her report on the Mojave Water Agency Board Meeting she attended on August 23, 2018. She further recommended to the Board that they send Beverly Lowry a card showing appreciation for her 30 years of service. Lastly, she gave a report for the San Bernardino County Water Conference she attended on August 10, 2018.

Director Coulombe gave his report for the San Bernardino County Water Conference he attended on August 10, 2018. He also read from an article in National Geographic (2010) regarding the water shortage crisis and he mentioned how this old article is still extremely relevant to today.

President McBride gave his report for the San Bernardino County Water Conference he attended on August 10, 2018. He also wanted to thank Director Staley on behalf of the Board for the work he does on the Landers Community Garden.

Adjournment – President Michael McBride adjourned the meeting at 7:04 p.m.

Approved by:


Terry Burkhart, Secretary of the Board

MSC¹ – Motion made, seconded, and carried.

