



# BIGHORN-DESERT VIEW WATER AGENCY

*"To provide a high quality supply of water and reliable service to all customers at a fair and reasonable rate."*

## BOARD OF DIRECTORS' MEETING MINUTES

**BOARD MEETING OFFICE  
1720 N. CHEROKEE TR.  
LANDERS, CALIFORNIA 92285**

**July 13, 2021  
Time – 6:00 P.M.**

**PUBLIC AND BOARD WISHING TO PARTICIPATE REMOTELY  
\*\*TELECONFERENCE LINE THRU ZOOM 669-900 6833\*\***

**OR**

**Please click the link below to join the webinar:**

<https://us02web.zoom.us/j/83110309642?pwd=NXYzT0xOQWl0Vy9TRkxCMdZvcG1pQT09>

**Passcode: 289421**

**Or Dial:**

**1-669-900-6833**

**Webinar ID: 831 1030 9642**

**Passcode: 289421**

**Please note that all requirements of the Brown Act requiring the physical presence of the board or staff have been waived per Executive Order N-29-20**

### **CALL TO ORDER**

Meeting convened by President Burkhart at 6:05 pm

### **PLEDGE OF ALLEGIANCE**

Led by David Chapman

### **ROLL CALL**

Directors present:           John R. Burkhart  
                                      JoMarie McKenzie  
                                      Megan Close-Dees  
                                      Craig Dicht  
                                      Vacant Seat

Staff present:                 Marina West  
                                      James Owens, PE – Agency Engineer with NV5

Public Present: 2 member(s) of the public indicated they were participating via teleconference and 4 members of the public were present in the meeting room.

**APPROVAL OF AGENDA**

Director McKenzie made a motion to move Item 8 up and present following Item 1 (i.e. recognize as Item 2) and otherwise to approve the agenda as presented. Director Dicht seconded the motion.

Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y
Vacant Seat	N/A

**MSC<sup>1</sup> (McKenzie/Dicht) unanimously approved.**

**Discussion and Action Items -**

- 1. Verbal Presentation by Jim Ventura, President of Mojave Water Agency Board of Directors, Division 2 – Presentation on “MWA Current and Future Challenges”**  
Jim Ventura, President of the Mojave Water Agency and Division 2 Representative addressed the Board and Public on MWA “Current and Future Challenges”.

**Information Only – No Board Action Taken**

**Board adjourned to break at 7:17 pm ---- Board resumed at 7:25 pm**

- 2. Ad Hoc Committee on Consumption Trends – Status Report**  
GM West gave a PowerPoint presentation outlining the water consumption trends and Agency responses to them. The presentation included information on the first billing under the various Customer Classifications.

The Ad Hoc Committee members also reported on the meeting held to date. Comments and questions were made and taken from the Board and Public.

**Information Only – No Board Action Taken**

- 3. Public Hearing: 2021/22 Tax Bill – Delinquent Water Accounts**  
That the Board Considers taking the following actions:

1. Review Staff Report, and note any letters received;
2. Receive questions from the Board of Directors;
3. Open public hearing;
4. Receive public comments;
5. Close public hearing;
6. Board discussion of public comments received;

Board to consider approving Resolution No. 21R-15 - 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 for Tax Year 2021.

GM West gave the staff report as provided in the Agenda Packet. She further reported that since the publication of the agenda on Friday three customer accounts were paid and removed from the final list submitted to the County of San Bernardino.

President Burkhart opened the Public Hearing at 8:24 pm.

Public Comment:

No public comment received.

President Burkhart closed the Public Hearing at 8:25 pm.

**Motion No. 21-042**

Following Board discussion on the matter Director McKenzie made a motion to adopt Resolution No. 21R-15 - 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 for Tax Year 2021. Director Dicht seconded the motion.

Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y
Vacant Seat	N/A

**MSC<sup>1</sup> (McKenzie/Dicht) unanimously approved.**

**4. Public Hearing: 2021/22 Tax Bill – Water Availability (Standby) Charges Improvement District Goat Mountain**

That the Board considers taking the following actions:

1. Review staff report, and note any letters received;
2. Receive questions from the Board of Directors;
3. Open public hearing;
4. Receive public comments;
5. Close public hearing;
6. Board discussion of public comments received;

Board to consider approving Resolution No. 21R-16 – Establishing Stand-By and Availability Fees for Water Service within Bighorn-Desert View Water Agency Improvement District Goat Mountain for Fiscal Year 2021/22 (Tax Year 2021).

GM West gave the staff report as provided in the Agenda Packet noting that Stand-by only applies to the Improvement District Goat Mountain service territory only and that no recommendation is made to change the rate currently set at \$30 per acre.

President Burkhart opened the Public Hearing at 8:30 pm.

Public Comment:

Mr. Chapman commented that the standby charge should stay as set.

President Burkhart closed the Public Hearing at 8:31 pm.

**Motion No. 21-043**

Following Board discussion on the matter, Director Dicht made a motion to adopt Resolution No. 21R-16 – Establishing Stand-By and Availability Fees for Water Service within Bighorn-Desert View Water Agency Improvement District Goat Mountain for Fiscal Year 2021/22 (Tax Year 2021). Director McKenzie seconded the motion.

Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y
Vacant Seat	N/A

**MSC<sup>1</sup> (Dicht/McKenzie) unanimously approved.**

**5. Item 9-k. Review Engineering/Hydrogeological Services Proposal for GM Replacement Well, Destruction of GM Well 2 and Up to Three Additional Borings/Monitoring Wells**

**Motion No. 21-044**

Director Dicht's made a motion to move Item 9k up in the agenda to accommodate James Owens, NV5, to Item 4. Director McKenzie seconded the motion.

Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y
Vacant Seat	N/A

**MSC<sup>1</sup> (Dicht/McKenzie) unanimously approved.**

Director Dicht's indicated the reason he pulled the item was to gain a better understanding of how NV5 was selected. James Owens, NV5, answered the questions posed by the Directors.

**Motion No. 21-045**

Director Dicht made a motion to authorize execution of Task Order No. 9, an amendment to the existing NV5 Master Services Agreement, for engineering and hydrogeological services for the Goat Mountain Replacement Well, destruction of Goat Mountain Well 2 and up to three additional borings/monitoring wells as provided in the proposal dated May 24, 2021. Director McKenzie seconded the motion.

Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y
Vacant Seat	N/A

**MSC<sup>1</sup> (Dicht/McKenzie) unanimously approved.**

**6. Board to Appoint Director JoMarie McKenzie as Vice President**

The Board of Directors to select a Director to be appointed Vice President by a majority roll call vote.

**Motion No. 21-046**

Director Dicht made a motion to appoint Director JoMarie McKenzie as Vice President. Director Close-Dees seconded the motion.

Public Comment: None

Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y
Vacant Seat	N/A

**MSC<sup>1</sup> (Dicht/Close-Dees) unanimously approved.**

**7. Board to Appoint Director Megan Close-Dees as Secretary**

The Board of Directors to select a Director to be appointed Secretary by a majority roll call vote.

**Motion No. 21-047**

Director McKenzie made a motion to appoint Director Megan Close-Dees as Secretary. Director Dicht seconded the motion.

Public Comment: None

Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y
Vacant Seat	N/A

**MSC<sup>1</sup> (McKenzie/Dicht) unanimously approved.**

**8. Standing Committees, Ad Hoc Committees and other Meeting Assignments for Calendar Year 2021 – Fill Vacancy on Finance Committee Left by Michael McBride’s Resignation from the Board of Directors**

Board considers taking the following actions:

1. President with Board consensus, to appoint Director Craig Dicht’s to the Finance Committee for the remainder of Calendar Year 2021

**Motion No. 21-048**

Director McKenzie made a motion to appoint Director Craig Dicht’s to the Finance Committee for the remainder of Calendar Year 2021. Director Close-Dees seconded the motion.

Public Comment: None

Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y
Vacant Seat	N/A

**MSC<sup>1</sup> (McKenzie/Close-Dees) unanimously approved.**

**9. Board to Consider Formation of an Ad Hoc Committee to Assist the Agency in the Acquisition of Legal Counsel**

Recommended Action: President, with Board consensus, to create an Ad Hoc Committee to assist the Agency in the acquisition of legal counsel through the Request for Qualification (RFQ) competitive process.

GM West gave a brief staff report on the process utilized to appoint the current legal counsel.

Director McKenzie and Director Dicht’s volunteered to this assignment.

**Motion No. 21-049**

Director Dicht made a motion to create an Ad Hoc Committee with Director McKenzie and Director Dicht, to assist the Agency in the acquisition of legal counsel through the Request for Qualification (RFQ) competitive process. Director Close-Dees seconded the motion.

Public Comment: None

Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y
Vacant Seat	N/A

**MSC<sup>1</sup> (Dicht/Close-Dees) unanimously approved.**

**10. 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. Regular Board Meeting Minutes, June 8, 2021
- b. Special Board Meeting Minutes, June 23, 2021
- c. Receive and File Special FPREP Committee Meeting Minutes, April 20, 2021
- d. Receive and File PLEGS Committee Meeting Minutes, April 20, 2021
- e. Financial Statements June 2021
  1. Balance Sheet
  2. Budget Sheet
- f. Receive and File Disbursements for June 2021
- g. Service Order Report for June 2021
- h. BDV Production Report for June 2021
- i. Goat Mountain Production Report for June 2021
- j. Adopt Resolution No. 20R-17 Authorizing a 3.0% Cost-of-Living Percentage Adjustment to the “Range and Step Scale” for All Non-Exempt Employees of the Bighorn-Desert View Water Agency approved by the Board of Directors on June 23, 2021 and Amending Appendix C of the Employee Handbook as Referenced and Setting the Effective Date of Any Such Adjustment
- k. Review Engineering/Hydrogeological Services Proposal for GM Replacement Well, Destruction of GM Well 2 and Up to Three Additional Borings/Monitoring Wells

Recommended Action:

Approve as presented (Item a-j with the removal of item k for further consideration earlier in the meeting):

**Motion No. 21-050**

Director Dicht made a motion to adopt the consent calendar excepting item k. Director McKenzie seconded the motion.

Public Comment: none

Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y
Vacant Seat	N/A

**MSC<sup>1</sup> (Dicht/McKenzie) unanimously approved.**

**11. Matters Removed from Consent Items**

Item k was removed from consent calendar and moved, by motion, in front of Item 5 (see above).

**12. Public Comment Period**

None

**13. Verbal Reports - Including Reports on Courses/Conferences/Meetings.**

1. General Manager Report – None
2. Director Reports


Director Close-Dees gave a report on the MWA meeting she attended in July and noted that Jim Ventura had covered many of the issues relevant to that meeting.

Director Dicht reported on the Board of Supervisors meeting held July 13, 2021. He also commented on the water demand presentation given at a recent MWA meeting.

**14. Adjournment**

President Burkhart adjourned the meeting at 6:18 pm.

Approved by:

  
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 Megan Close-Dees, Secretary of the Board

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

Official Seal