



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**

**February 14, 2023
Time – 6:00 P.M.**

**MEETING ROOM IS OPEN FOR IN-PERSON ATTENDANCE
PUBLIC WISHING TO PARTICIPATE REMOTELY**

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/86762809027?pwd=U0s5Mk1ucnBzZ0FieWtxY1ZOWFVPZz09>

Passcode: 415469

OR

TELECONFERENCE LINE THRU ZOOM

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CALL TO ORDER

President Burkhart called the meeting to order at 6:00 pm.

PLEDGE OF ALLEGIANCE

Led by James Owens.

ROLL CALL

Directors present: John R. Burkhart
 JoMarie McKenzie
 Megan Close-Dees
 Craig Dicht
 David Chapman

Staff present: Marina West
 James Owens, NV5 (Engineering Consultant to Agency)

Public Present: Following Roll Call, 2 member(s) of the public indicated they were participating via teleconference. 1 members of the public were present in the meeting room.

APPROVAL OF AGENDA

Director McKenzie made a motion to approve the agenda as presented. Director Close-Dees seconded the motion. Unanimously approved.

Discussion and Action Items –

1. Award Public Works Contract No. PWC22-001 to Abundant Water Wells, Inc. in the Amount of \$708,340 for the Goat Mountain Replacement Well

GM West gave the staff report and a PowerPoint as presented in the Agenda Packet. She also stated for the record, that no letters of protest have been received as of the meeting start.

GM West clarified that grant award was \$500,000. Staff is seeking an adjustment to the grant due to cost escalation. The grantor has been notified but has not yet responded. The possibility exists that the Agency would be responsible for costs exceeding \$500,000 but the well is necessary for the operation of the Goat Mountain water system and absent the grant, the Agency would be pursuing the construction of this well.

GM West answered questions of the Board and public. Mr. Owens also answered questions of the Board.

Public Comment: None

Motion No. 23-005

Director Dicht made a motion to ratify issuance of Addendum Nos. 1, 2 and 3; and award Contract No. *PWC22-001 Replacement Production Well for the Goat Mountain System* to Abundant Water Wells, Inc. in the amount of \$708,340; and authorize construction contingency of 10% or \$70,800. Director Chapman seconded the motion.

Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y
David Chapman	Y

MSC¹ (Dicht/Chapman) approved.

2. Authorize Execution of \$11,000,000 Funding Agreement No. D2102065 Between the Bighorn-Desert View Water Agency and CA State Water Resources Control Board for Purpose of the Potable Water Supply Systems Improvements Consolidation of Water Systems Project No. 3610009-002C.

GM West gave the staff report as presented in the Agenda Packet and PowerPoint presentation.

Director's comments and questions were addressed or acknowledged.

Public Comment: None

Motion No. 23-006

Director Chapman made a motion to adopt Resolution No. 23R-03 Authorize execution of \$11,000,000 Funding Agreement No. D2102065 with the State Water Resources Control Board for the Purpose of the Potable Water Supply Systems Improvements Consolidation of Water Systems Project No. 3610009-002C. Director McKenzie seconded the motion.

Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y
David Chapman	Y

MSC¹ (Chapman/McKenzie) approved.

3. Resolution No. 23R-04 Setting the Service Line Installation Fee for Water Meter Size Ranges Size ¾-inch to 10-inch

GM West gave the staff report as outlined in the Agenda Packet noting that she has not received any letters of protest regarding the increase to the fee. This fee is being brought more frequently due to the rapid escalation of parts. She stated the draft resolution was posted on January 13, 2023 at least 14-days prior to the Board’s consideration in accordance with the Mitigated Fee Act. Furthermore, the matter was brought before the Finance Committee on January 17, 2023 for discussion and the Committee received no public comments prior to recommending the item be brought to the full Board for this public hearing. If adopted, the fee will be effective in 60-days.

Director’s comments and questions were addressed or acknowledged.

Public Comment: None

Motion No. 23-007

Director Close-Dees made a motion to adopt Resolution No. 23R-04 Setting the Service Line Installation fee for water meter size ranges size ¾-inch to 10-inch at 1-inch at \$2,435. Director Dicht seconded the motion.

Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y
David Chapman	Y

MSC¹ (Close-Dees/Dicht) approved.

4. Consent Items -

- a. Regular Board Meeting Minutes, January 10, 2023
- b. Financial Statements
 - 1. Balance Sheet – December 2022

- 2. Budget Status – December 2022
- 3. Quarterly Investment Report for the period ending Q4/2022
- c. Receive and File Disbursements for January 2023
- d. Service Order Report for December 2022
- e. Grant Award Status Report January 2023
- f. BDV Production Report for January 2023
- g. Goat Mountain Production Report for January 2023
- h. Receive and File Finance (FPREP) Standing Committee Minutes for September 21, 2022.
- i. Receive and File Finance (FPREP) Standing Committee Meeting Minutes for November 16, 2022.
- j. Authorize Execution of Contract Extension with C. J. Brown & Company, CPA’s (formerly Fedak & Brown, LLP) for Audit Services for the Period End June 30, 2023 thru June 30, 2027 (Moved by Finance FPREP Committee of January 17, 2023).
- k. Authorize Issuance of Request for Proposals to Provide Professional Services for Acquisition of Right-of-Way Services Necessary to Acquire Certain Easements Necessary for the Projects Outlined in the Potable Water Supply Systems Improvements Consolidation of Water Systems Project No. 3610009-002C.
- l. Authorize Filing of Categorical Exemption in Accordance with the CA Environmental Quality Act (CEQA) for the “Meter Replacement Project” Funded by the Department of Water Resources Disadvantaged Community Involvement Grant Program – “Drought Round 2022”.

Public Comment: None

Motion No. 23-008

Director Dicht made a motion to adopt Consent Calendar items a to l. Director Chapman seconded the motion.

Burkhart	Y
McKenzie	Y
Close-Dees	Y
Dicht	Y
David Chapman	Y

MSC¹ (Dicht/Chapman) approved.

5. Matters Removed from Consent Items

None

6. Public Comment Period

None

7. Verbal Reports – Including Reports on Courses/Conferences/Meetings.

- 1. General Manager Report – GM West reported that the Agency was awarded the District of Distinction and Transparency Awards for another two year period. She

anticipates that a representative from Special Districts Leadership Foundation will present the awards at an upcoming Board meeting.

GM West requested the Board discuss and decide on a date for the Annual Workshop on a Saturday in April. The Agenda would include the updated Board of Directors' Handbook and an overview of the Potable Water Systems Improvements Consolidation of Water Systems project followed by lunch and an optional field tour of the proposed facility locations. She inquired on additional subject matter desired by the Board. The directors did not decide on a date for the Workshop so GM West will reach out soon to discuss further.

In addition, GM West asked if the Board of Directors was amenable to moving the regular March meeting from the 14th (regular date) to March 28th. She requested this change as it more closely aligns with the draft budget presentation planned for the Finance Committee meeting on March 21st. She also stated it would allow her to take a vacation in late February to early March to assist family in Missouri as well as attend a memorial service for an immediate family member who recently passed away.

Lastly, GM West noted that Director Close-Dees and herself will be attending the ACWA conference May 9-11 and that will also require the May Board of Directors' meeting to be moved to a different date. She suggested May 23rd (forth Tuesday as with the March meeting for consistency).

2. Director Reports –

Director Close-Dees reported on the mandatory bi-annual Ethics training she completed on January 13, 2023. The important take away is the public's perception of the elected individual. She also surmised there is a lot of corruption because there is a lot of legislation proposed to curb it. One memorable quote is "It can be legal and still unethical".

8. Adjournment

President Burkhart Adjourned the meeting at 7:30 pm.

Approved by:


Megan Close-Dees, Secretary of the Board

MSC¹ – Motion made, seconded and carried



Official Seal