

**MINUTES
MOAPA VALLEY WATER DISTRICT
BOARD OF DIRECTORS MEETING
HELD
THURSDAY, JULY 9, 2009**

PRESENT: James Robison
Robert Jones (absent)
Kenneth Staton
Guy Doty
Glen Hardy
Brad Huza
Joe Davis
Bryan Mortensen
Susan Rose
Ken Bessey
Byron Mills
Joe Genovese
Kurt Lytle

ORDER OF BUSINESS: At 4:05 p.m., Chairman James Robison called to order the regular meeting of the Moapa Valley Water District Board of Directors. The agenda items were addressed in the following order:

1. Approval of the Minutes of the previous meeting held on June 11, 2009 (Action Item)

On motion of Glen Hardy and seconded by Ken Staton, the Board voted 4-0 in favor to approve the minutes of the previous meeting.

2. Public Comment (May be limited to five minutes)

3. Account #227- Request for Waiver of Late Fees (Action Item)

Mr. Huza explained that as a result of the policy change regarding delinquent accounts adopted at the May meeting, Staff has sent out certified / return receipt letters to the owners of property that were delinquent by 36 months or greater. This was Staff's initial mail out. As a result of that mailing, Mr. Kurt Lytle, owner of parcel 070-137-100-26 and responsible party for water account #227, contacted Staff with the request to have all late charges dropped. Staff does not have that capability. Mr. Huza met with Mr. Lytle to discuss the situation in an effort to gain insight on the circumstances that lead to an outstanding bill of \$9,572.85. Mr. Lytle indicated that he had received the bills and late notices and elected not to pay the bills.

From a historical standpoint, the last time water was used at this parcel was September 2005. After that time, no additional payments were made on the account.

Mr. Huza turned the time over to Kurt Lytle to explain the situation.

Mr. Lytle explained that originally he was just taking care of Robert Carl West's bills and when Mr. West went into a care center Mr. Lytle started taking care the property also. The care center took all of the money Mr. West received from Social Security and when Mr. West died Mr. Lytle started paying off all of the bills Mr. West had incurred. He didn't pay the water bill because he didn't know what was going to happen with the property and because the meter was off and no water had gone through the meter since September 2005. The property is now in Mr. Lytle's and Mr. West's name. Mr. Lytle requested that the late charges be removed.

Mr. Huza explained that due to the precedence setting nature of this request, Staff cannot recommend waiver of late fees. What may be possible is a long term repayment plan (five years +) of the outstanding bill. Mr. Huza asked Byron Mills if the owner could consent to having the Moapa Valley Water District place a lien on the property for the outstanding balance. That would insure the Water District would collect the outstanding bill at the time the property changed hands and would not cause any undo financial hardship on the present owner. Byron said it's called a "Confession of Judgment". The owner signs it and then a lien is placed against the property. Byron said that he did not recommend putting a lien the property but that it was the Directors decision.

Chairman Robison suggested that Mr. Lytle let the District pull the meter for abandonment of service and when the property is solely in his name and he needs water again, he can come in and purchase another meter.

There was a lot of discussion on this item but in the end on motion of Chairman Robison and seconded by Guy Doty, the Board voted 4-0 in favor to deny Mr. Lytle's request for waiver of late fees on account #227.

Mr. Lytle left the meeting indicating that he would probably let the District pull the meter for abandonment of service.

4. Review and possible action on four meters located on vacant lots (Action Item)

Clarence Lewis was not able to attend the meeting. This item was tabled and will be on next months agenda.

5. Approval of the contract extension request to the Overton Breaks Construction Agreement (Action Item)

Mr. Huza reminded the Board that at the July 10, 2008 monthly meeting, the Board approved a time extension to the Overton Breaks subdivision, which required the final map to be recorded by July 25, 2009, the financial assurances (bonds) be posted by July 25, 2009 and to construct the water related facilities within 24 months of recordation of the final map.

The developer has not completed any of the above requirements primarily due to the difficult economic times the development is presently experiencing. The "Logandale Real Estate Partners" have requested a second time extension. The development is presently seeking a waiver from Clark County to the requirement that a bond must be posted and off site improvements be constructed as a condition of recordation of the final map. This waiver is scheduled to be considered at the July Board of County Commissioners meeting. If granted, the final map would record by December 31, 2009.

In consideration of the extremely tough economic times the development industry is presently having, the request seems reasonable. If granted, the request will not have any significant impacts on the District and to that point, Staff would support an extension to the contract under the terms and conditions outlined in AMENDMENT #2 (DRAFT).

A copy of the draft "AMENDMENT #2", the request letter and last year's amendment was available for the Director's review.

Joe Genovese was present at the meeting as the owner/developer of the project. He explained that they should have no problem getting the map recorded by December 31, 2009.

On motion of Ken Staton and seconded by Guy Doty, the Board voted 4-0 in favor to approve the request for a contract time extension to Construction Agreement 007-06 as conditioned in the draft amendment and direct staff to execute Amendment #2, as written.

6. Manager's Report

Senior Accountant – Monthly Budget Report - Ken Bessey reviewed the monthly budget report with the Directors. He explained that the budget still looks good. Everything is right on track. Some of the items will change a little during the audit.

Ken explained that 160 customers used the credit card terminal by either calling or walking into the office. Total transactions thru the terminal were \$13,600 with an average transaction of \$86.86. There were 11 payments made online the last week in June when the website went live. The total amount of credit card payments made online was \$876.80 and the total of online checks was \$110.58. The average bill paid online was \$89.76. The bank fee for the credit card payments was 4.68% of the total transaction amount. The percentage charged will go down as the usage goes up.

The District use to have four billing routes. That has now been changed to two routes. Everything south of Gubler is one route and everything north of Gubler is another route. The change started this month and it went smoothly. Scott was able to read route 1 in about 4.5 hours.

Ken informed the Directors that the physical audit of the inventory was done the end of June.

Water Production Superintendent – Bryan Mortensen provided each Director with a chart showing the monthly diversions for the last two years. Total diversions for June 2009 were 121 million gallons with a daily average of 4.0 million gallons. May 2009 diversions were 120.3 million gallons with a daily average of 3.5 million gallons.

Last month Bryan and Scott worked on the following items:

- 1) Final repairs/training on VFDs at Baldwin Spring
- 2) Arrow Canyon #2 motor inspection and 2nd quarter oil analysis
- 3) Generator test @ Baldwin Springs
- 4) Water quality monitoring samples (Arsenic, Nitrates, VOC's)
- 5) Monthly preventative maintenance on arsenic analyzers; warranty repairs by Trace Detect
- 6) Six customer service requests

Bryan explained that they are shutting off 4-5 meters a week and only turning 2-3 of them back on.

Water Distribution Superintendent - Joe Davis informed the Directors that no hydrants or meters were installed in June.

District crews removed three meters that were abandoned on BLM property by the mining companies that installed them.

The end of year inventory count took place last week. Staff is working on implementing new procedures to help streamline the process in the future.

Joe also informed the Directors that the Conair Boxes are here. They are being used for storage. They will be painted next week to match the building.

General Manager- 1) Dechlorination Facility - Work on the dechlorination facility is progressing along as scheduled.

1) All of the pipeline has been installed and hydrostatic testing has started.

2) The discharge structure is under construction. Due to the increased irrigation demands, the levels at Bowman Reservoir will be at a stage that will not cause negative impacts on the construction of this structure.

3) The building pad is complete. The delivery of the building is scheduled for mid July.

4) The project is scheduled to be completed in late summer.

SNWA has indicated that the anticipated start date for the pump test has been moved back to late winter / early spring of 2010.

2) Intermediate Booster Station - The design of the intermediate booster station has started. Bowen, Collins and Associates has started data gathering on the pipeline. The design of the booster station is in progress. The project is scheduled to be completed by late summer.

3) Small Water Main Replacement - Staff received six proposals from local surveying firms to provide surveying services for this project. The low proposal was from Bullock Brothers Engineering of Mesquite, NV. Their proposed price was \$6,210. As the proposed price was below the \$10,000 cap, this item will not show up on an upcoming agenda for Board approval.

Upon completing the necessary surveys, the construction plans and specifications will be prepared in house. Staff hopes to have the surveys completed by August. The plans should be completed and necessary approvals obtained by mid fall.

9. Ratify payment of June Expenditures

On motion of Ken Staton and seconded by Guy Doty, the Board voted 4-0 in favor to ratify payment of the June expenditures.

10. Director's Preference

11. Personnel – Closed Door Session

12. Approval of the July 9, 2009 Board meeting

The general consensus was to hold the next board meeting on August 13th.

13. Adjournment

The meeting adjourned at 5:25 p.m.