



MEETING MINUTES

May 24, 2021 – 9:00 AM Budget Hearing and Regular Meeting

Members: Richard W. Carver - Area 1 (Carrant Creek/Smoky Valley)
Joe Westerlund - Area 2 (Tonopah/Manhattan)
James Weeks - Area 3 (Beatty /Armargosa Valley)
Helene Williams- Area 4, Position 1 (Pahrump Valley)
William Knecht- Area 4, Position 2 (Pahrump Valley)
Dennis Gaddy -Vice Chair- Area 4, Position 3 (Pahrump Valley)
Dave Hall - At Large - Chair

Legal: Sev Carlson

Board of County Commissioners: Debra Strickland

Finance: Savannah Rucker

Staff: Oz Wichman
John Klenke
Christal Behrends

Acronyms: AG - Attorney General
AVSTP - Armargosa Valley Science & Technology Park
BOCC - Board of County Commissioners
BOR - Bureau of Reclamation
CSWP- Community Source Water Protection
CNRWA - Central Nevada Regional Water Authority
DOA - Department of Agriculture
DOI - Department of Interior
EPA - Environmental Protection Agency
GID - General Improvement District
GM - General Manager
GWE- Groundwater Evaluation Grant
GWMP – Groundwater Management Plan
HUD - Housing and Urban Development
IRWMP - Inter Regional Water Management Program
MOU - Memorandum of Understanding
NTS - Nevada Test Site
NCWDGB - Nye County Water District Governing Board
NRWA – Nevada Rural Water Association
NWRA - Nevada Water Resources Association
RFP - Request for Proposals
RNWA - Rural Nevada Water Authority
ROW - Right of Way
SNWA - Southern Nevada Water Authority
USDA - United States Department of Agriculture
UGTA - Underground Test Area

1. **9:06 AM Call to Order / Pledge of Allegiance**
2. **09:07 AM Roll Call –Present:** James Weeks, Helene Williams, Dennis Gaddy, William Knecht and Dave Hall.
3. **09:08 AM Mission Statement – “Provide, protect and preserve water resources within Nye County.”**
4. **09:08 AM General Public Comment (first): Three-minute time limit per person. Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item.**

None.

5. **09:09 AM Approval or modifications of the Agenda for the Water District Meeting of May 24, 2021 (Non-action item).**

Savannah Rucker will present the FY 21 / 22 Budget Status Update after presenting Item 9 (Public Hearing on the Fiscal Year 2021-2022 tentative budget for the Nye County Water District).

6. **09:10 AM For Possible Action – Discussion, deliberation and decision regarding Approval of Minutes for February 22, 2021.**

Bill Knecht made a motion to approve the minutes from February 22, 2021 as written. Dennis Gaddy seconded the motion. **The vote was approved 4-0, with James Weeks abstaining, as he was not present at the February 22, 2021 meeting.**

7. **09:11 AM Water District Governing Board Member / General Manager Comments (This item limited to announcements or topic/issues proposed for future workshops/agendas).**

Commissioner Strickland extended an invitation to the Water District Governing Board to participate on a tour of Desert Utilities, which will be conducted by Darrin Tuck, today (5/24/21) at 1:30pm.

Helene Williams shared the Water Conservation Brochure she designed which was distributed at the 2021 Earth Day event.

8. **09:13 AM Ex-Parte Communications and Conflict of Interest Disclosure Statements.**

Commissioner Strickland disclosed in addition to this Board’s liaison and a County Commissioner, she is also the owner of Strickland Construction, T&M Group Realty and

Lakeside Storage. She has been a licensed well drilling, pump setting, septic contractor as well as a broker who brokers water rights for 26 years. She will not be voting on items during this meeting. Although she will be able to influence this Board, she does not find this to be a conflict of interest. It is her hope that her knowledge base is of value.

TIMED ITEM 9:00 AM

9. 9:15 AM- For Possible Action – Public Hearing on the Fiscal Year 2021-2022 tentative budget for the Nye County Water District; and discussion and deliberation to adopt or amend and adopt the Final Budget for the Nye County Water District for Fiscal Year 2021-2022.

Savannah Rucker reviewed all documents presented in the backup. The first page is the Operational Budget Worksheet prepared by Oz Wichman, General Manager. A larger number is budgeted to the State than what appears on the Operational Budget Worksheet. This secures additional funding from the Legal Budget, should a project arise.

Page 3 of 12 (Full Time Equivalent Employees By Function), reflects the number of employees employed by the Water District (2) and the Nye County population as of July 1 (48,414). Page 6 of 12 (Revenues) reflects the Legal Budget schedules. Special Assessment amount of \$289,190 is the parcel fee collected by the Nye County Water District. Additional revenue in the form of Interest, is in the amount of \$3,500. Both of these revenue totals combined with the Beginning Fund Balance of \$488,629 creates a Total Available Resources of \$781,319.

Page 8 of 12 (Expenditures by Function and Activity) for the Legal Budget, this includes: Salaries, Benefits, Services / Supplies and Risk Management / Insurance. Added together, these total \$566,708. As Oz's Operational Budget worksheet projects \$330,000 in expenditures, there is latitude in the Legal Budget. Also, Contingency is budgeted in the Legal Budget and creates an additional buffer.

Board Member Helene Williams asked a question regarding Insurance. Savannah explained that cost of Insurance (supplied by POOL PACT) is based off a percentage of revenues as approved by the Board of County Commissioners.

Bill Knecht motioned that we adopt the Fiscal Year 2021-2022 Final Budget as presented. Dennis Gaddy seconded the motion. **The vote was approved 5-0.**

10. 9:39 AM For Possible Action – Discussion, deliberation, revisions, rejection and / or approval of a Professional Services Agreement (PSA) between the Nye County Water District Governing Board and Oscar Wichman for a not-to-exceed amount of \$40,000 for Fiscal Year 2021 / 2022.

Oz stated his fiscal year 2021 / 2022 billings will most likely total around \$15,000, but wants to make sure there is room in the contract for any special projects / sub-contracts.

Bill Knecht motioned that we adopt the Professional Services Agreement (PSA) between the Nye County Water District Governing Board and Oscar Wichman for a not-to-exceed

amount of \$40,000 for Fiscal Year 2021 / 2022. Dennis Gaddy seconded the motion. **The vote was approved 5-0.**

- 11. 9:44 AM - For Possible Action – Discussion, deliberation, revisions, rejection and / or approval of continued engagement for legal representation with the law firm of Kaempfer Crowell, Severin A. Carlson for a not-to-exceed amount of \$50,000 for Fiscal Year 2021 / 2022.**

Helene Williams motioned that we approve continued engagement for legal representation with the law firm of Kaempfer Crowell, Severin A. Carlson for a not-to-exceed amount of \$50,000 for Fiscal Year 2021 / 2022. Bill Knecht seconded the motion. **The vote was approved 5-0.**

- 12. 9:48 AM- For Possible Action – Discussion, deliberation, revisions, rejection and / or approval of a Professional Services Agreement (PSA) with Kathy Gilmore (Quality Assurance Officer) for a not-to-exceed amount of \$3,000 for Fiscal Year 2021 / 2022.**

Bill Knecht motioned that we approve the Professional Service Agreement with Kathy Gilmore (Quality Assurance Officer) for a not-to-exceed amount of \$3,000 for Fiscal Year 2021 / 2022. Helene Williams seconded the motion. **The vote was approved 5-0.**

- 13. 09:51 AM - For Possible Action – Discussion, deliberation, revisions, rejection and / or approval of a Professional Services Agreement (PSA) with Jamison Walker (Geoscience Consultant) for a not-to-exceed amount of \$10,000 for Fiscal Year 2021/ 2022.**

John Klenke, Geoscientist, provided an overview of the services Jamison Walker provides to include: review of major geologic / hydrologic decisions, interfaces with the USGS upon our request and holds expertise on water modeling.

Bill Knecht motioned that we approve the Professional Services Agreement with Jamison Walker (Geoscience Consultant) for a not-to-exceed amount of \$10,000 for Fiscal Year 2021 / 2022. Dennis Gaddy seconded the motion. **The vote was approved 5-0.**

- 14. 09:53 AM District Member, Staff and Liaison Reports/Comments:**

a. Finances (09:32 AM)

Savannah Rucker discussed the Water District Fund Balance and Expense Status Report as of April 30, 2021. Actual Beginning Balance is \$522,873. Revenues are at 94% collected and Expenditures (\$197,907) are at 42%. Based on forecasts, we are expecting to end this fiscal year with Expenditures at 63%, which is well within the Legal Budget. The Water District is operating well within its means.

The Expense Status reports provides detail of where the Water District is with all budgeted expenditures. The Water District is within 43% of the Operating Budget Worksheet and looks fiscally healthy, with coffers available for unbudgeted programs if approved.

b. Board Reports

I. LVVWD/SNWA

II. CNRWA

Commissioner Strickland mentioned the upcoming NDWR workshop scheduled 6/16 at 9:30 am. Focus of workshop will be on NDWR's public hearing process. Commissioner Strickland made a request that Oz follow-up on County timelines regarding NDWR hearings, stating that Counties should be given preferential treatment especially when dealing with County / State needs. The time it takes to get change applications, protests, etc. needs to be expedited. Oz stated he will make every attempt to follow-up.

c. Staff Reports

I. Oz Wichman

Oz discussed AB 6 and AB 356, the only two water bills that have made it through the legislative process thus far. AB 6 deals with protest hearings on temporary change applications. AB 356 was a completely re-written conservation bill that now focuses on the removal of non-functional turf in Las Vegas.

Oz has been appointed to serve on the Nevada Supreme Court Water Commission. The Commission will meet approximately every 3 months and will meet for about a year. For the first meeting, Oz mentioned that rural cases should have a geographic connection with judges who understand the specific issues. He suggested that districts be formed.

As the Supreme Court ruled in favor of Order 1293A, the Groundwater Management Plan stays intact. In the next few years, we'll have enough data to assess our projections. Right now the domestic well drilling rate is running about half of what was projected (approximately 5 per month).

Lastly, Oz is working with the town of Beatty on some water planning issues as there is some foreseen mining interest in that area. He will be traveling to Beatty in the next week, meeting with their engineer, to discuss how to format the engagement with the mining companies.

II. John Klenke

John is working on a letter of opposition regarding the proposed USGS Pump Test which would require them to reopen a large well that was used in the 1970's for petroleum exploration in Amargosa Valley (west side of the gravity fault). The Water District does support protection of the Devil's Hole Pup Fish, and proposes an enhanced monitoring system along the pathway of the water model. We also support the drilling of a shallow carbonate well on the eastside of the gravity fault.

III. Christal Behrends

The Property Water Information Sheet is now on-line with all usable links. As spoken about before, it will assist those who buy land (usually through the tax auctions) and want to know how to get water service. This sheet is available under Frequently Asked Questions.

Christal attends a bi-monthly CA / NV Drought Climate Conditions meeting. No surprise, drought conditions have intensified. Nevada is now in a "multi-

year” drought. According to the US Drought Monitor, 98% of Nye County is in extreme drought (the worst). The website livingwithdrought.com provides Nevada specific agriculture and livestock drought recovery programs, including links to financial assistance.

Additionally, Christal spoke about a 4-part WaterSmart Innovations workshop series she engaged in. Leak detection is the new turf removal. WaterSense is now doing certifications with builders. During COVID, there was an increased interest in landscaping. SNWA is providing computer aided landscape modeling using drought resistant landscape plans.

d. Projects Status Report

I. Staff

e. Board Liaison Reports

I. Commissioner Debra Strickland

The County is looking at possibly using astro-turf for the park ball fields. Additional research is being conducted. Board member Bill Knecht suggested that they look at the turf that has thatch built in as its 10-15 degrees cooler.

f. Report from other individuals, groups and or agencies regarding water-related issues; for informational purposes only.

- 15. 10:22 AM For Possible Action- Discussion, deliberation and decision concerning future Water District Governing Board Meetings. Proposed schedule to include:
Monday, July 26, 2021 (Tonopah)
Monday, October 25, 2021 (Railroad Valley)
Monday, December 13, 2021 (Pahrump)**

Helene Williams motioned that the proposed schedule be approved. Bill Knecht seconded the motion. **The vote was approved 5-0.**

- 16. 10:26 AM General Public Comment (Second)**

Art O’Neal suggested that we should have a contingency plan to eliminate all the grass in Pahrump.

- 17. 10: 27 AM Adjourn**