

**SOUTH TRUCKEE MEADOWS GENERAL IMPROVEMENT DISTRICT  
WASHOE COUNTY, NEVADA**

TUESDAY

11:00 A.M.

SEPTEMBER 26, 2005

PRESENT:

**Bonnie Weber, Chairman**  
**Bob Larkin, Vice Chairman**  
**Jim Galloway, Commissioner**  
**David Humke, Commissioner**  
**Pete Sferrazza, Commissioner**

**Amy Harvey, County Clerk**  
**John Berkich, Assistant County Manager**  
**Melanie Foster, Legal Counsel**  
**Paul Orphan, Engineering Manager**

The Board met in special session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada, and conducted the following business:

**05-42STM    AGENDA**

In accordance with the Open Meeting Law, on motion by Commissioner Humke, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the agenda for the September 26, 2005 special meeting be approved.

**05-43STM    MINUTES**

On motion by Commissioner Humke, seconded by Commissioner Larkin, which motion duly carried, Chairman Weber ordered that the minutes of the regular meeting of August 23, 2005 be approved.

**05-44STM    APPROVAL - DRAFT AMENDMENT OF ORDINANCE 1258**

Paul Orphan, Engineering Manager, discussed the compensation changes for the South Truckee Meadows General Improvement District (STMGID) Local Managing Board as detailed in the staff report dated September 26, 2005.

In response to Commissioner Larkin, Mr. Orphan said the maximum payment per month is \$400 as stated in number 6; and, by reference the meetings are limited to four per month.

In response to Commissioner Galloway, Mr. Orphan said a non-Board meeting would be anything that is a non-Local Managing Board meeting, such as a well mitigation meeting. Commissioner Galloway said he did not want to approve this ordinance if it was just meetings with staff. Mr. Orphan said that could be clarified, but in the past two Board members could meet with staff once a month. Commissioner Galloway requested that be clarified in any motion made.

Chairman Weber asked if the policies were the same for other Boards in the County. Mr. Orphan said this was the only elected Local Managing Board, which was different from a Citizen Advisory Board (CAB) or other boards.

Commissioner Humke said he shared the concerns of Commissioners Galloway and Larkin. He said a finite number of types of meetings should be listed in the amendment, along with providing for attendance at meetings to be approved by the Chair.

Melanie Foster, Legal Counsel, said it should be clearly spelled out in the ordinance what meetings are considered appropriate.

Commissioner Galloway said specific meetings would be listed and others would have to be duly noticed meetings approved by the Chair for which the Chair approves a member's attendance. He suggested Legal Counsel review a draft of the ordinance based on these comments.

In response to Commissioner Sferrazza, Mr. Orphan said the \$400 was in addition to the regularly scheduled Board meeting for a total of \$600 for attending five meetings.

Commissioner Galloway said the total would be \$8,400 per year for each Local Managing Board member and did not feel it was the intent of this Board that it all be used. Mr. Orphan agreed that amount was the maximum. Commissioner Galloway said the way to curtail it was to be specific about the non-Board meetings.

Commissioner Larkin stated it was not the intent of this Board to review a bill from STMGID for \$42,000 this time next year and said it would be a noticing issue if all members showed up at a non-Board meeting. He said this compensation was to help defray expenses incurred by attending meetings. Mr. Orphan said it was usual practice that only two members go to non-Board meetings.

Steve Cohen, STMGID Vice Chairman, said there were not that many meetings and the meetings were allocated at the Local Managing Board where it was determined which members would attend which meetings. He said there has been an increase in meetings, and that was why there was discussion on increasing the compensation for the meetings from two to four. He commented he attended these meetings because it was important to him, and he would continue to attend whether or not he received compensation. He said their District Attorney, John Rhodes, suggested the

ordinance needed to be updated, and the additional compensation makes it easier to offset income lost because of attending meetings.

Gary Schmidt, local resident, said he would oppose payment for attending supplemental meetings; and he believed there would be better quality representation if it was not done for pay, but for public service. He commented on his service on the County Board of Equalization and at various other meetings. He said, as a point of order, he thought it was clarified last time that he had three minutes, and Chairman Weber replied he had one minute.

Juanita Cox, local resident, thanked the Commissioners for being watchdogs on this item. She said the amounts were amazing, and she commented on the cost of government being astronomical. She said people were really struggling, especially with the price of fuel. She asked the compensation be limited and did not believe they needed any more money than the rest of the boards.

Commissioner Humke suggested the ordinance state there would be one member as the liaison to another Board, for example a CAB meeting. He said one additional member could be approved to attend a meeting at the discretion of the Chair, which could be dictated by an excessively complicated agenda or to represent two sides that exist at the Local Managing Board.

Upon recommendation of Mr. Orphan, through Steve Bradhurst, Water Resources Director, on motion by Commissioner Galloway, seconded by Commissioner Humke, which motion duly carried, Chairman Weber ordered that the suggestions and comments made today be relayed to the Legal Counsel of the Local Managing Board so a draft ordinance would come back to this Board addressing those concerns.

#### **05-45STM    MANAGEMENT REPORTS – SEPTEMBER 2005**

In response to Commissioner Humke, Paul Orphan, Engineering Manager, said there has not been a recent update on the interim Legislative Study on the Consolidation of Water Purveyors in Washoe County from the South Truckee Meadows General Improvement District (STMGID) lobbyist. Commissioner Humke requested additional details on that issue as an agenda item.

In response to Commissioner Galloway, Mr. Orphan said staff had a year's worth of data and would be looking at the balancing issue. Commissioner Galloway said he did not understand why the County flow into the STMGID system could not be metered. Mr. Orphan replied it was metered now. After some discussion between Commissioner Galloway and Mr. Orphan on metered flow, Mr. Orphan confirmed that it appeared STMGID was using additional Washoe County water on an annual basis according to staff, but he was not sure the Local Managing Board had reached that conclusion. He said one purpose of proposing drilling new wells was to rectify the situation.

On motion by Commissioner Humke, seconded by Commissioner Galloway, which motion duly carried, Chairman Weber ordered that receipt of the District's Management and Financial reports for the month of September 2005 be acknowledged.

### **PUBLIC COMMENT**

Gary Schmidt, local resident, said some time ago it was decided to limit public comment to one minute on ancillary boards and commissions, but leave at three minutes the public comment on action items. He said today only one minute was allowed. He stated this agenda item was not posted outside the chambers and there might be a posting problem with this unusual Monday meeting. He said the agenda indicates that public comments were one minute limited to items not on the agenda. He stated public comments must be allowed for everything on the agenda, and nowhere on the agenda does it say that it is only one minute. He said the default is three minutes because that is what the Board has historically done. He stated the agenda should state items not listed on the agenda as action items, because the Board has precluded speaking on non-action items either during public comment or under the item. He said the Board could not do this.

Juanita Cox, local resident, said she was also concerned with public comment being limited to items not listed on the agenda, and the agenda did not seem to be posted outside. She said public comment should be clarified.

Paul Orphan, Engineering Manager, said he would follow up on the comments regarding posting of the agenda.

Melanie Foster, Legal Counsel, said this Board decides if public comment for this Board is handled differently than what has been done in the past.

### **BOARD AND STAFF COMMENTS**

Commissioner Humke said he had received a request to change the time certain to 4:30 or 5:00 p.m. for this meeting or to hold it prior to the Board of County Commission meeting. He requested this item be placed on an agenda.

In response to Chairman Weber, Paul Orphan, Engineering Manager, replied the Board of County Commissioners meeting with the STMGID Local Managing Board was scheduled for October 18, 2005 at 11:00 a.m. and that item could be included on the agenda. Commissioner Humke said the Local Managing Board could have positive input on public comment times.

Chairman Weber requested public comment times be on a future agenda. Melanie Foster, Legal Counsel, replied the same would be done for the Sierra Forest Fire and the Truckee Meadows Fire Protection Districts.

Commissioner Galloway said the length of public comment on agendized items should be discussed as well as the length of the public comment items. Chairman Weber agreed both would be discussed.

Steve Cohen, STMGID Local Managing Board Vice Chair, commented the special study had been going on for almost two years and a draft agreement was discussed at the last Local Managing Board meeting. He said the District Attorney had requested minor changes, after which it will be brought to this Board. He said the special study meetings have stopped because it appears the Department of Water Resources wants the agreement signed before going on to any other issues. He said this agreement would probably be discussed at the October 18th meeting and the agreement should be signed within the next month or two.

Commissioner Galloway commented the agreement must allow for what happens if STMGID, on an annual basis, should be found to be importing water from the County and how that would be compensated until such time as they get new wells. Mr. Orphan replied the draft agreement addresses that issue.

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There being no further business to come before the Board, the meeting adjourned.

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**BONNIE WEBER**, Chairman  
South Truckee Meadows General  
Improvement District

**ATTEST:**

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**AMY HARVEY**, Washoe County Clerk  
and Ex Officio Secretary, South Truckee  
Meadows General Improvement District

*Minutes Prepared By:*  
*Jan Frazzetta, Deputy County Clerk*