

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

TUESDAY

5:00 P.M.

JANUARY 23, 2007

PRESENT:

Bob Larkin, Chairman
Bonnie Weber, Vice Chairman
Jim Galloway, Trustee
Pete Sferrazza, Trustee

Amy Harvey, County Clerk
Katy Singlaub, County Manager
Melanie Foster, Legal Counsel
Paul Orphan, Engineering Manager

ABSENT:

David Humke, Trustee

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

07-04STM AGENDA

In accordance with the Open Meeting Law, on motion by Trustee Weber, seconded by Trustee Galloway, which motion duly carried with Trustee Humke absent, Chairman Larkin ordered that the agenda for the January 23, 2007 meeting be approved.

07-05STM MINUTES

On motion by Trustee Weber, seconded by Trustee Galloway, which motion duly carried with Trustee Humke absent, Chairman Larkin ordered that the minutes of the regular meetings of October 24, 2006, November 28, 2006 and December 19, 2006 be approved.

07-06STM RECONSIDERATION – WELL MITIGATION CLAIM – MARVIN SPIKER – APN 49-355-09

Paul Orphan, Engineering Manager, explained Marvin Spiker was requesting an additional reimbursement of \$9,299.06 for connecting his residence to the Truckee Meadows Water Authority (TMWA) water system because the construction costs surpassed the 2005 estimate of those costs. He discussed Mr. Spiker's claim and his request for reconsideration and the Well Mitigation Hearing Boards (WMHB) denial of

claims by two of Mr. Spiker's neighbors as contained in the staff report dated January 10, 2007.

In response to Trustee Galloway, Mr. Orphan indicated the two neighbors who participated with Mr. Spiker in connecting did not receive a percentage reimbursement.

Steve Cohen, Local Managing Board (LMB) Chairman, said there were many issues surrounding this case and explained the two neighbors did not meet the criteria for reimbursement. He indicated in 1994 the State Engineer offered Mr. Spiker the option to deepen his well; however, he chose not to because of water quality issues. Mr. Cohen said the matter was quality, which was beyond the District's control. He said the LMB felt the amount originally awarded was sufficient for his claim.

Mr. Spiker said the well was placed at 98 to 100 feet because that was where the good water ended. He said he received a letter from the County when STMGID's Well No. 1 was put in stating his well was within a certain amount of feet of Well No. 1 so he would be entitled to compensation; however, now the wells were dry. He explained his water usage per day since he had been hooked up to the District. He stated TMWA explained it would cost \$6,200 to hook into the infrastructure, and indicated the cost would increase by 50 percent if this were not completed before the deadline. Mr. Spiker felt he was entitled to the reimbursement and said the District should be responsible.

Trustee Galloway asked what was the change in policy. Mr. Orphan replied the factors that were considered and the criteria were formalized before the implementation of the Well Mitigation Board. Trustee Galloway said now there were factors that even-handedly determined the percentage of the District's responsibility, which would be zero under the current standard. Mr. Orphan indicated that was the ruling on the adjacent neighbors so when Mr. Spiker appealed the LMB denied the additional amount. Trustee Galloway said the staff report dated January 10, 2007 had no recommendation. Mr. Orphan explained the recommendation was to reconsider the compensation and either deny or approve.

In response to Chairman Larkin, Melanie Foster, Legal Counsel, replied the reconsideration was strictly the amount allocated to Mr. Spiker, and the Board was being asked to reconsider the original award.

Trustee Galloway said the new standards were the key issue. He said under the current criteria Mr. Spiker would not have even received the original compensation. Trustee Galloway noted to increase that would make an inequity with regard to the other two properties, and he did not approve any additional compensation.

Trustee Sferrazza stated he favored giving Mr. Spiker 60 percent of the cost.

Upon recommendation of Mr. Orphan, on motion by Trustee Galloway, seconded by Trustee Weber, which motion duly carried with Trustee Sferrazza voting "no," and Trustee Humke absent, Chairman Larkin ordered that Marvin Spiker's well mitigation claim on APN 49-355-09 for additional reimbursement due to actual construction costs surpassing the 2005 estimated construction costs, in the amount of \$9,299.06, be denied.

07-07STM WATER SALE AGREEMENT – WASHOE COUNTY

Upon recommendation of Vahid Behmaram, Water Rights Manager, on motion by Trustee Galloway, seconded by Trustee Weber, which motion duly carried with Trustee Humke absent, it was ordered that the Water Sale Agreement between Washoe County, a Political Subdivision of the State of Nevada and the South Truckee Meadows General Improvement District be approved and the Chairman be authorized to execute the same.

07-08STM MANAGEMENT REPORTS – OCTOBER, NOVEMBER AND DECEMBER 2006

Following discussion, Chairman Larkin ordered that receipt of the District's management and financial reports for the months of October, November and December 2006 be acknowledged.

PUBLIC COMMENTS

There was no response to the call for public comments.

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

ROBERT M. LARKIN, Chairman
South Truckee Meadows General
Improvement District

ATTEST:

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

*Minutes Prepared By:
Jan Frazzetta and Stacy Gonzales, Deputy County Clerks*