

**BOARD OF TRUSTEES  
SOUTH TRUCKEE MEADOWS GENERAL IMPROVEMENT DISTRICT  
WASHOE COUNTY, NEVADA**

TUESDAY

4:00 P.M.  
SPECIAL MEETING

SEPTEMBER 11, 2007

PRESENT:

**Bob Larkin, Chairman**  
**Bonnie Weber, Vice Chairman**  
**Jim Galloway, Trustee**  
**David Humke, Trustee**  
**Kitty Jung, Trustee**

**Amy Harvey, County Clerk**  
**John Berkich, Assistant County Manager**  
**Melanie Foster, Legal Counsel**  
**Rosemary Menard, Water Resources Director**

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:

**07-37STM    AGENDA ITEM 2**

**Agenda subject:** “Approve the agenda for the Board of Trustees meeting of September 11, 2007.”

Trustee Galloway said he understood staff was directed that this item include options for making the Local Managing Board (LMB) the governing board of STMGID, but that option was not on the agenda.

Rosemary Menard, Water Resources Director, said Trustee Galloway was correct that he had asked for that item. She e-mailed the Trustees asking their forbearance for the item to be brought back at the regular October meeting because staff needed time to work with the District Attorney’s Office and the LMB before bringing it back.

Trustee Galloway reiterated his request to be called regarding anything important rather than being e-mailed because of the number of daily e-mails he received. Ms. Menard apologized and stated she was still sorting out who wanted to be contacted by phone versus e-mail.

There was no public comment on this agenda item.

In accordance with the Open Meeting Law, on motion by Trustee Weber, seconded by Trustee Galloway, which motion duly carried, Chairman Larkin ordered that the agenda for the September 11, 2007 special meeting be approved.

**07-38STM AGENDA ITEM 3**

**Agenda subject: “Recommendation to award a bid for constructing two exploratory wells for the STMGID proposed Well No. 12 to Western Strata Exploration, Inc. the lowest responsive, responsible bidder, in the amount of \$126,630.00; if approved, authorize the Chairman to execute the contract documents upon receipt; and authorize the Engineering Manager to issue the Notice to Proceed.”**

There was no public comment on this agenda item.

In response to Trustee Galloway, Rosemary Menard, Water Resources Director, replied the difference in the bids was a surprise to staff also.

On motion by Trustee Humke, seconded by Trustee Jung, which motion duly carried, it was ordered that Agenda Item 3 be approved, executed, and authorized.

**07-39STM AGENDA ITEM 4**

**Agenda Subject: “Discussion and possible direction to staff regarding the Interim Western Regional Water Commission Board of Trustees representative membership and possibly request that the District Attorney, pursuant to NRS 228.150, seek an attorney general’s opinion on the STMGID appointment.”**

In response to Trustee Galloway, Rosemary Menard, Water Resources Director, replied there would be an item on the September 25th STMGID Board of Trustees and the Board of County Commissioners agendas to bring back the Interlocal Agreement with three suggested changes. She said the first change was a minor date change, the second would allow the STMGID Local Managing Board (LMB) to appoint a person to represent them on the Western Regional Water Commission (WRWC), and the third would allow the appointment of alternates.

Trustee Galloway asked if staff wanted direction to affirm what was being done because there was not a meeting where staff was given direction. Ms. Menard said she felt staff had been directed at the meeting of August 28th to bring Agenda Item 4 to the Board at this meeting, asking whether or not to seek an Attorney General’s Opinion on the long term, as well as the short term, STMGID representative. She explained the Interlocal Agreement was not bound by the requirements of SB 487. She said at their last meeting, the Interim WRWC asked staff to bring back a change to the Interlocal Agreement to specifically allow a STMGID LMB member to sit on the Commission. She felt there were two separate issues: a long-term resolution on where this was going and this issue.

Trustee Galloway said he was for getting the Attorney General's opinion, but someone else had talked about the Legislative Counsel Bureau (LCB). He asked if staff should get an opinion from both.

Chairman Larkin believed a member of the Legislature needed to seek an opinion from the LCB. Trustee Galloway said staff could be directed to seek a legislator who would do that. He felt this Board should affirm everything Ms. Menard said would be brought back on September 25th as part of the Board's direction. Chairman Larkin said he had no problem with finding a legislator to get an opinion from the LCB, which was part of the discussion on August 28th. Trustee Galloway said his point was that discussion was not by the STMGID Board. He felt Ms. Menard was working for STMGID today, and the Board should give her direction.

Trustee Humke felt it was a lower risk endeavor to seek a LCB opinion than to seek an Attorney General's opinion, and he knew a senator who could be approached.

Chairman Larkin felt the direction was to seek out a LCB opinion first and then the Attorney General's opinion. He stated he agreed with Trustee Galloway that Ms. Menard needed to get direction from the STMGID's Board of Trustees.

Melanie Foster, Assistant District Attorney, clarified the request should come from this Board because the District Attorney's Office was not authorized to seek an opinion from the LCB.

On motion by Trustee Humke, seconded by Trustee Galloway, which motion duly carried, it was ordered that, for Agenda Item 4, staff be directed to approach Senator Mark Amodei for the requested LCB opinion and that the tasks be affirmed that staff would bring back on September 25th.

#### **PUBLIC COMMENTS**

There was no response to the call for public comment.

#### **BOARD, LOCAL MANAGING BOARD AND STAFF COMMENTS**

Steve Cohen, Local Managing Board (LCB) Chairman, officially welcomed Trustee Jung to STMGID. He thanked the Board for approving the well process, which was finally in the works after two and a half years. He also thanked the Board for moving forward on requesting the LCB opinion on making the LMB one of the seats on the Western Regional Water Commission (WRWC).

Trustee Weber commended Mr. Cohen for always attending these meetings and providing the Board of Trustees with a monthly update.

Trustee Galloway felt Mr. Cohen was doing a great job. He said if he was allowed as an alternate on the WRWC he would want Mr. Cohen sitting next to him providing him with input. He stated he would vote accordingly while listening to Mr. Cohen, but he would rather have Mr. Cohen voting.

Mr. Cohen said he was pleasantly surprised to be asked to come up on Friday and represent STMGID. He said he asked it be placed on the LMB's agenda next Monday so the Board could affirm it.

Chairman Larkin clarified the Board was seeking an LCB opinion on the appointment of a member of the LMB to the WRWC not the Interim Committee, which was already done.

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**4:45 p.m.** There being no further business to come before the Board, the meeting was adjourned.

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

**ATTEST:**

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

*Minutes Prepared By:  
Jan Frazzetta  
Deputy County Clerk*