

MINUTES

Thursday, September 21, 2023
Mammoth Community Water District
Regular Board Meeting

The Board of Directors convened in session at the hour of 5:31 p.m. There was a brief recess taken and the meeting was adjourned at 7:10 p.m.

Prepared by:



Stephanie Hake
Executive Assistant

ATTEST:



Mark Busby
Board Secretary

THE REGULAR MEETING of the Board of Directors of the Mammoth Community Water District was held on Thursday, September 21, 2023 at 5:31 p.m.

ROLL CALL

Board Present

Director: Tom Cage
Director: Dennis Domaille
Director: Elizabeth Hylton
Director: Tom Smith
Director: Gary Thompson (*remote attendance under Gov't Code section 54953(b)*)

Board Absent

None

Staff Present

General Manager: Mark Busby
Finance Manager: Jeff Beatty
Operations Superintendent: Clay Murray
Maintenance Superintendent: Rob Motley
Information Services Manager: Justin Mulbay
Human Resources Manager: Chris Weibert
Principal Administrative Analyst: Michael Draper
Executive Assistant: Stephanie Hake
Legal Counsel: Josh Horowitz (*remote attendance*)

Guests Present

Richard Teaman – Teaman, Ramirez & Smith
Rick Gallo – Teaman, Ramirez & Smith
Mike Lesiak – MCWD Staff Member

PUBLIC FORUM

President Smith opened the public forum at 5:32 p.m.

Mark Busby provided a brief PowerPoint presentation to the Board updating the construction progress of the District's water storage tank, T-8.

No one else addressed the Board and President Smith closed the public forum at 5:38 p.m.

CONSENT AGENDA A

A-1 Approve the August 2023 Check Disbursements

A-2 Approve the Minutes from the Regular Board Meeting held August 21, 2023

President Smith called for a motion. Director Domaille abstained from the vote.

BOARD ACTION – To approve Consent Agenda A

MOVED BY: Director Hylton
SECONDED BY: Director Cage
AYES: Directors Cage, Hylton, Smith, and Thompson
NAYS: None
ABSTAIN: Director Domaille

CONSENT AGENDA B – DEPARTMENT REPORTS

B-1 Operations Department Report	B-5 Information Services Report
B-2 Maintenance Department Report	B-6 Personnel Services Report
B-3 Finance Department Report	B-7 Regulatory Support Services Report
B-4 Engineering Department Report	B-8 General Manager’s Report

President called for a motion.

BOARD ACTION – To approve Consent Agenda B

MOVED BY: Director Cage
SECONDED BY: Director Thompson
AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson
NAYS: None
ABSENT: None

CURRENT BUSINESS

C-1 Presentation, Discussion, and Filing of the 2022-2023 Financial Audit

- **Richard Teaman, CPA, Teaman, Ramirez & Smith**

Richard Teaman addressed the Board (via Zoom) and stated that his firm was once again issuing an “unmodified” opinion on the District’s fiscal year 2023 financial statements, the highest rating available in accordance with GAAP (Generally Accepted Accounting Principles). An “unmodified” opinion indicates that financial information is being reported fairly and with full disclosures. He described several Government Accounting Standards Board (GASB) pronouncements implemented in the past year, noting that most have little or no impact on the District. He mentioned GASB-96 relates to software leases and that any contracts for software should be reviewed and potentially updated.

Mr. Teaman then provided a thorough review of the Draft 2022-2023 Financial Audit, pointing out formatting differences since last year. He noted that there were “no findings” with the District’s internal controls or processes. He said staff should be commended for being well prepared and error free.

Director Cage congratulated Mr. Beatty and the finance team for a job well done. A few questions from Board members were addressed.

In closing, President Smith expressed compliments to the Finance Department staff for their thorough preparation and appreciation to Mr. Teaman and his team for their time.

There was no further discussion and Director Cage made a motion.

BOARD ACTION – To accept the Fiscal Year 2022-2023 draft Financial Audit dated 9/15/23 as presented

MOVED BY: Director Cage
SECONDED BY: Director Domaille
AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson
NAYS: None
ABSENT: None

C-2 Discuss and Provide Direction to Staff to Purchase a Replacement CAT 938 Loader and Amend the Budget Accordingly

Rob Motley described that the CAT 938 loader had a complete engine failure but was slated for replacement in the next budget cycle. The lead time to get a new loader is 6 to 12 months, therefore staff would like to order the replacement loader now. In the meantime, staff would like to spend the funds necessary to repair the broken loader so it can be used this coming winter.

Director Cage commented that the item was discussed in Finance and the Committee supported staff's recommendation. He then made a two-part motion.

BOARD ACTION – 1) To approve an expenditure to repair the broken loader; 2) To approve an expenditure to order a new replacement loader

MOVED BY: Director Cage
SECONDED BY: Director Domaille
AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson
NAYS: None
ABSENT: None

C-3 Discuss and Consider Adopting the Revised Board Delegation of Authority Policy (PL-BOD-003)

Mark Busby provided a review of the minor revisions proposed in the Board Delegation of Authority Policy. He said the revisions are consistent with the proposed Procurement Policy updates and align with day-to-day practices. In addition, the updates had been reviewed by the Board Code/Policy Committee and legal counsel.

There was no discussion and President Smith called for a motion.

BOARD ACTION – To adopt the revised Board Delegation of Authority Policy

MOVED BY: Director Domaille
SECONDED BY: Director Hylton
AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson
NAYS: None
ABSENT: None

C-4 Discuss and Consider Adopting the Revised Procurement Policy (PL-FIN-003)

Jeff Beatty echoed Mark Busby's comments regarding the alignment of this policy with the Board Delegation of Authority Policy update.

There was no discussion and Director Domaille made a motion.

BOARD ACTION – To adopt the revised Procurement Policy

MOVED BY: Director Domaille
SECONDED BY: Director Cage
AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson
NAYS: None
ABSENT: None

C-5 Discuss and Consider Adopting the MCWD Money Purchase Pension Plan Policy (PL-FIN-007)

Stephanie Hake said that creating a policy addressing the Money Purchase Pension Plan trustees is one of the final provisions remaining in Chapter 2 of the MCWD Code. The policy proposed for approval will be further reviewed and refined by committee in early 2024 and brought back to the Board.

There was no discussion and Director Hylton made a motion.

BOARD ACTION – To adopt the MCWD Money Purchase Pension Plan Policy

MOVED BY: Director Hylton
SECONDED BY: Director Cage
AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson
NAYS: None
ABSENT: None

C-6 Discuss Consider Adopting the Local Claims Procedure Resolution

Attorney Horowitz told the Board that procedures for processing local claims is required to be adopted by the Board by either a resolution or an ordinance. He noted that a resolution is the better option because it is easier and less costly to amend.

There was no discussion and Director Cage made a motion.

BOARD ACTION – To adopt Resolution No. 09-21-23-19 establishing the Local Claims Procedures Regulations

MOVED BY: Director Cage
SECONDED BY: Director Hylton
AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson
NAYS: None
ABSENT: None

C-7 Discuss and Consider Enacting Ordinance No. 09-21-23-20 Repealing Chapter 2 of MCWD Code

There was no discussion and Director Hylton made a motion.

BOARD ACTION – To enact Ordinance No. 09-21-23-20 repealing Chapter 2 of the MCWD Code

MOVED BY: Director Hylton
SECONDED BY: Director Cage
AYES: Directors Cage, Domaille, Hylton, Smith, and Thompson
NAYS: None
ABSENT: None

C-8 Appoint an Ad Hoc Committee to Conduct an Annual Performance Review of the General Manager

President Smith appointed himself and Director Cage as an ad hoc committee to conduct the annual performance review of the General Manager.

BOARD ACTION – None

COMMITTEE MEETINGS HELD DURING THE MONTH

Technical Services Committee – *September 20, 2023*

Dennis Domaille

Gary Thompson

Finance Committee – *September 20, 2023*

Tom Cage

Elizabeth Hylton

Technical Services Committee:

Director Domaille reported that there were only routine updates at the committee meeting.

~

Finance Committee:

Director Cage reported the Finance Committee reviewed the audit and budget amendment request discussed earlier in this meeting.

Director Hylton added that the District's insurance company has made a partial payment and staff are expecting reimbursement for the full cost, less the deductible, to replace the damaged water tank.

DIRECTOR COMMENTS, REQUESTS, AND REPORTS

President Smith complimented staff, particularly the Maintenance team, for successfully tackling and completing the complex construction projects over the past few months.

ATTORNEY REPORT

Attorney Horowitz said there was nothing to report this month.

CLOSED SESSION

D-1 Conference with Real Property Negotiators

Pursuant to Government Code Sections 54954.5(e) and 54956.8

Property Description: Mono County APNs – 033-148-005-000 and 033-148-006-000

Under Negotiation: Price and Terms of Payment

MCWD Negotiators: Mark Busby and Garrett Higerd

Property Owner Negotiator: Greg Eckert

REPORT OUT AND ADJOURNMENT

There was no report from closed session and President Smith adjourned the meeting at 7:10 p.m.