

MINUTES

Thursday, September 21, 2017
Mammoth Community Water District
Regular Board Meeting

The Board of Directors convened in session at the hour of 5:35 p.m. A brief recess was taken and the meeting was adjourned at 6:59 p.m.

Prepared by:



Stephanie Hake
Executive Assistant

ATTEST:



Patrick A. Hayes
General Manager

THE REGULAR MEETING of the Board of Directors of the Mammoth Community Water District held on Thursday, September 21, 2017 at 5:35 p.m.

A. ROLL CALL

Board Present

Director: Tom Cage
Director: Robert Creasy
Director: Dennis Domaille
Director: Tom Smith

Board Absent

Director: Eric Kaufman

Staff Present

General Manager: Pat Hayes
District Engineer: John Pedersen
Finance Manager: Jeff Beatty
Public Relations / Environmental Specialist Manager: Irene Yamashita
Information Services Manager: Justin Mulbay
Executive Assistant: Stephanie Hake
District Counsel: Joshua Horowitz (*via telephone*)

Guests Present

None

B. PUBLIC FORUM

President Smith opened the public forum at 5:35 p.m.

No one addressed the Board.

President Smith closed the public forum at 5:35 p.m.

C. CONSENT AGENDA

C-1 Approval of August 2017 Check Disbursements (Springbrook #'s 53445 – 53612)

C-2 Approval of Minutes from the Regular Board Meeting Held July 20, 2017

Director Cage made a motion.

BOARD ACTION – To approve the Consent Agenda items C-1

MOVED BY: Director Cage
SECONDED BY: Director Creasy

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AYES: Directors Cage, Creasy, Domaille, and Smith
NAYS: None
ABSENT: Director Kaufman

D. CURRENT BUSINESS

D-1 Discussion and Possible Approval of an Amendment to the 2011 Employee Down Payment Assistance Loan Agreement Between the District and Justin Mulbay to Facilitate a Refinancing of the Primary Loan

Pat Hayes provided the Board with a brief history of Mr. Mulbay's participation in the MCWD Employee Down Payment Assistance Loan Program. Mr. Mulbay then highlighted the reasons for his request to amend the agreement.

Director Cage commented that the subject had been reviewed with the Finance Committee and determined that the request was in line with the parameters of the program.

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

BOARD ACTION – To approve the amendment to the 2011 Employee Down Payment Assistance Loan Agreement between the District and Justin Mulbay as presented to facilitate a refinancing of the primary loan

MOVED BY: Director Cage
SECONDED BY: Director Creasy
AYES: Directors Cage, Creasy, Domaille, and Smith
NAYS: None
ABSENT: Director Kaufman

E. CONSENT AGENDA NO. 2 – MANAGEMENT REPORTS

- E-1 Operations Superintendent's Report**
- E-2 Maintenance Superintendent's Report**
- E-3 Finance Manager's Report**
- E-4 District Engineer's Report**
- E-5 Information Services Manager's Report**
- E-6 Human Resources Manager's Report**
- E-7 Public Relations / Environmental Specialist's Report**
- E-8 General Manager's Report**

There was no discussion.

President Smith called for a motion.

BOARD ACTION – To approve the Consent Agenda No. 2

MOVED BY: Director Domaille

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SECONDED BY: Director Cage
AYES: Directors Cage, Creasy, Domaille, and Smith
NAYS: None
ABSENT: Director Kaufman

Meetings Held During the Month

Finance Committee – September 20, 2017

Tom Cage
Robert Creasy

Technical Services Committee – September 20, 2017

Dennis Domaille
Robert Creasy (alternate)

Finance Committee: Director Cage reported that the Finance Committee primarily discussed the recent property tax payment from the Mono County Assessor was less than budgeted. Finance Manager, Jeff Beatty commented that he would verify the allocation was accurately distributed.

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Technical Services Committee: Director Domaille reported that the Technical Services Committee met and the primary discussion was regarding the status of the exploratory well project at the Snowcreek Golf Course. It was reported that the project has been delayed due to the need to establish alternate access to the drill site. Additionally, the contracted driller has been detained on their current job; therefore the project will likely be deferred until spring of 2018.

Director Creasy added that there was a brief discussion regarding production from the photo voltaic system being down 20% this year as compared to the previous year for unknown reasons.

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There were no other committee meetings held during the month.

H. ATTORNEY REPORT

Attorney Horowitz reported that the State legislature is done for the year and the discussion on the proposed long-term water conservation bill has been deferred until January 2018 when they are back in session.

Attorney Horowitz additionally reported that there is a proposed bill added late in the legislature's session which would require local water providers to include a tax in their bills for all water consumption. The proposed bill is only in the discussion phase and his office will continue to provide updates.

The Board members went into closed session at 5:52 p.m.

H. CLOSED SESSION

H-1 Conference with Legal Counsel

Existing Litigation – Pursuant to Government Code Section 54956.9 (a) Case: Mammoth Community Water District vs. United States Department of Interior, Bureau of Land Management; Mammoth Community Water District v. United States Department of Agriculture, Forest Service

H-2 Conference with Legal Counsel

Existing Litigation – Pursuant to Government Code Section 54956.9 (a) Case: Mammoth Community Water District vs. Great Basin Unified Air Pollution Control District with ORNI 50, LLC as a Real Party in Interest – Mono County Superior Court

H-3 Conference with Legal Counsel

Anticipated Litigation – Significant exposure to litigation pursuant to Government Code Section 54956.9 (d)(2); Discrimination complaint filed by Ronald L. Yates, Jr., DFEH Number 521493-233658; EEOC Number: 37A-2017-00125-C

The Board returned to open session at 6:59 p.m. and there was no report out.

I. ADJOURNMENT

President Smith adjourned the meeting at 6:59 p.m.