

# CARSON TRUCKEE WATER CONSERVANCY DISTRICT

Annual Board Meeting  
November 13, 2018

## **DIRECTORS:**

Todd Westergard  
John Capurro  
Mike Nevin  
Karen Baggett  
Ernie Schank  
Pete Olsen  
John Enloe  
Ed James

## **ABSENT:**

Tyler Minor  
Tyler Henderson

## **GUESTS:**

Lori Williams, Engineer  
Leo Bergin, Attorney  
Ron Penrose, Superintendent  
Chad Blanchard, FWM  
David Schaper, Barnard Vogler & Co.  
Nick Brothers, City of Reno  
Staff

### **1. CALL REGULAR MEETING TO ORDER -**

President Westergard called the Regular meeting to order at 10:00 a.m.

### **2. PUBLIC COMMENT – None**

### **3. APPROVE AGENDA –**

Director Capurro made a motion to approve the posted agenda; seconded by Director Olsen; motion carried.

### **4. APPROVAL OF MINUTES AND CHECKS WRITTEN –**

Director Schank made a motion to approve the October 2018 Minutes and financial statements as submitted and checks written on Bank of America #9515- #9523 and Nevada State Bank #2872 - #2866, motion seconded by Director Nevin; motion carried with Director James abstaining as he was not at the previous meeting.

### **5. DISCUSS AND APPROVE DRAFT FINANCIAL AUDIT FOR FY2017-2018 – David Schaper, BVC**

The Board was presented a copy of the Draft Financial Audit (copy available at District offices).

There was discussion as to the amount of money currently in the checking account. It was recommended to move some of the money into the LGIP due to better interest rates being paid.

- ❖ Director James made a motion to approve the Draft Audit for FY2017-2018 as presented: seconded by Director Capurro; motion carried.

### **6. FEDERAL WATERMASTER'S REPORT – Chad Blanchard**

*A complete copy of the Water Report is available at District Offices or on the internet at [troa.net](http://troa.net).*

Below flood control in all reservoirs.

### **7. NOMINATE AND ELECTION OF OFFICERS (CHAIRMAN/BOARD PRESIDENT, VICE CHAIRMAN AND SECRETARY/TREASURER).**

- ❖ Director Capurro made a motion to keep the officers the same: President/Chairman – Todd Westergard; Vice-Chairman – Ernie Schank; Secretary/Treasurer – Mary Pat Eymann; motion seconded by Director Nevin; motion carried.

### **8. DISCUSSION AND POSSIBLE ACTION ON DISTRICT BYLAWS.**

A copy of the Bylaws was distributed to the Board (available at District offices). The last Bylaws were updated in June of 2013. There was discussion as to what the last changes made to the Bylaws were. In the future the Bylaws should note the changes made and the date.

**9. DISCUSSION AND POSSIBLE ACTION REGARDING “MONO COUNTY V. WALKER RIVER IRRIGATION DISTRICT: ORDER CERTIFYING A QUESTION TO THE SUPREME COURT OF NEVADA” AND POSSIBLE ACTION BY CTWCD– Todd Westergard/Leo Bergin**

There are a couple agencies that are moving forward with an Amicus Brief. The deadline has been moved to January 2019 to file Briefs.

**10. DISCUSSION AND POSSIBLE ACTION FOR POSSIBLE PARTICIPATION IN THE ONGOING FUNDING OF THE TRUCKEE RIVER OPERATING AGREEMENT (TROA) – Todd Westergard/Chad Blanchard**

TROA was originally set up for the administration of the agreement to be 20% to the State of California, 40% to the State of Nevada and 40% to the Federal Government. There is not an issue with the State of California covering its share of the cost. The Federal Government is having issues with who is responsible for its portion. The State of Nevada is having discussions between TMWA, Fernley, Reno, Sparks, Washoe County and the State on what portions individual entities are going to be contributing. Funding will be needed beginning with the 2020 water year, which starts October 1, 2019. The approximate amount needed from the State of Nevada is \$600,000 annually. CTWCD is a signatory to TROA.

Director Westergard wondered if the board was interested in contributing. It is unknown if there is any money in the current State of Nevada budget to contribute. The Board felt that; 1. CTWCD should be involved in the Nevada portion and; 2. that the State’s portion needs to be determined before CTWCD contributes anything. Director Westergard is going to follow up to see if there is any money in the State’s budget.

**11. DISCUSSION AND POSSIBLE BOARD DIRECTION REGARDING ENCROACHMENT PERMIT REQUESTS– Lori Williams**

*See Engineer’s Report*

**12. DISCUSSION AND POSSIBLE BOARD DIRECTION REGARDING MAINTENANCE DEBRIS REMOVAL WORK, EMERGENCY DEBRIS/DEPOSIT REMOVAL WORK, FEMA PROCESS FOR COST RECOVERY AND NEXT STEPS FOR REMAINING WORK TO BE COMPLETED – Lori Williams**

*See Engineer’s Report*

- ❖ Director James made a motion for Ms. Williams to proceed to have NV ENV Company proceed with phase 2 of debris removal work not to exceed \$25,000; seconded by Director Schank; motion carried.

**13. DISCUSSION AND POTENTIAL ACTION REGARDING ISSUES THAT MAY ARISE DURING THE 2109 REGULAR SESSION OF THE NEVADA LEGISLATURE WHICH COULD POTENTIALLY IMPACT CONSERVANCY DISTRICTS, GENERALLY – Karen Baggett**

There are currently 13 BDRs, will continue to follow.

**14. ENGINEER/CONSULTANT REPORT – Lori Williams**

*See Engineer’s Report*

**15. SUPERINTENDENT REPORT – Ron Penrose**

Continuing to wait for the FEMA reimbursement. Will continue to work to get the remaining funds due to the District of \$52,162.50.

**16. LEGAL COUNSEL REPORT – Leo Bergin**

Nothing to report

**17. SECRETARY/TREASURER REPORT – Mary Pat Eymann**

1. Reminder to Director’s Capurro, James, Enloe and Schank that their terms expire in December 2018.
2. Holiday Luncheon scheduled for 12/11/18 at noon at Louie’s Basque Corner.

**18. PUBLIC COMMENT - None**

## **19. BOARD COMMENTS AND REQUESTS FOR FUTURE AGENDA ITEMS**

### **Future Agenda Items:**

1. Agenda Item #8 – Add the position of Assistant Treasurer for check signing.
2. Agenda Item #9
3. Agenda Item #10 - with the follow-up of the State of Nevada funding

### **Board Comments:**

- Director Enloe – The Nature Conservancy had a controlled burn at Independence Lake that got out of control which burned the TMWA dock down. The dock had the valves and electronic actuators on it, it fried all the electronics so now the valves must be done manually.
- Director James – Ran into someone from a Conservation District who was unaware of the District's funding awards. Clearing and Snagging got refunded.

## **20. ADJOURNMENT -**

There being no further business, President Westergard asked for a motion to adjourn the meeting. Director Schank moved to adjourn, Director Baggett, seconded said motion, motion carried.

**\*\*The next meeting will be Tuesday, December 11, 2018 at 10:00 a.m.\*\***

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Todd Westergard,  
President

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Mary Pat Eymann,  
Secretary/Treasurer