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NTCD Board Minutes
February 19, 2015
The Douglas County Library, Meeting Room
233 Warrior Way, Zephyr Cove, NV
10:00 AM Start Time

Present:

Supervisor Smith
Supervisor Penzel
Supervisor Cook
Supervisor Perlman-Whyman
Supervisor Sarnoff

Staff/Others

J. Brand, District Manager
M. Thorpe, Administrator

Absent: Supervisor McCarthy

1. Call to Order by Chair Smith.
2. Oath of Office for newly elected and appointed Supervisors: Supervisor Sarnoff was sworn in by Chair Smith.
3. Supervisor Roll Call: see above
4. Pledge of Allegiance
5. Approval of the Agenda: Supervisor Penzel moved to approve the Agenda, seconded by Supervisor Perlman-Whyman, motion carried unanimously.
6. Public Interests Comments: None.

CONSENT CALENDAR

Items 7b, 7d, 7e and 8c were pulled from the consent calendar for further discussion.

Supervisor Perlman-Whyman moved to approve the Consent Calendar (items 7a, 7c, 8a, 8b, and 8d with all other items pulled), seconded by Supervisor Sarnoff, motion carried unanimously.

7. Agency Reports, Discussion/Possible Action
 - a. For Possible Action: NRCS report. No report provided.
 - b. Moved to Administrative calendar.
 - c. For Possible Action: Department of Conservation and Natural Resources Conservation District Program report. No report provided.
 - d. Moved to Administrative calendar.
 - e. Moved to Administrative calendar.

8. Discussion/Possible Action (Business)
 - a. For Possible Action: Approval of the Board of Supervisors meeting minutes for January 15, 2015.
 - b. For Possible Action: Approval of the NTCD financial reports for December 2014. As of 12/31/14, the District's Fund balance was \$121,841. This represents the District's available spendable resources, or assets less liabilities. December had a deficit of \$2,066. December's deficit was due to: unbillable time was one week more than the average of 3.5 weeks (vacations and a holiday). Year-to-date the District is financially positive at \$161.
 - c. For Possible Action: Moved to Administrative calendar.
 - d. For Possible Action: Approval of removing "Acting" from Jason Brand's current title of Acting District Manager.

ADMINISTRATIVE CALENDAR

CONSENT CALENDAR ITEMS PULLED FOR FURTHER DISCUSSION

Item 7b) For Possible Action: NACD report. Supervisor Perlman-Whyman attended the annual meeting in New Orleans February 1 – 4. At the annual meeting, she did not have time to attend any breakout sessions. The new flood control system in New Orleans is very impressive. The new system also includes wind control. Supervisor Penzel stated at the Douglas County Commissioners meeting today, there will be discussion and possible approval of letters of support of the Lake Tahoe Restoration Act of 2013. Supervisor Penzel suggested the District send letters of support as well. Supervisor Perlman-Whyman reported a local

photographer has offered his services to help the District present itself to funders, grantors, the public, etc. The only cost would be materials. The 2016 annual meeting is in Reno. Supervisor Perlman-Whyman has started preparations for the 2016 annual meeting. There was some discussion regarding a useful fire kit for homeowners, and sending the information to the local fire districts.

Item 7d) For Possible Action: NvACD report. See item 7b.

Item 7e) For Possible Action: Staff report. District Manager Brand gave an update on the Hybrid project in Incline Village; during the recent rain event, one of the basins failed and flooded a homeowner's yard. Fortunately, there was no physical damage to structures. At this point, it appears it was a construction issue and not a design issue. The District has offered its services, to NDOT, to help clean up the debris on the homeowner's property. The recently hired Project Engineer is going well.

Item 8c) For Possible Action: Approval of the NTCDC financial reports for January 2015. As of 1/31/15, the District's Fund balance was \$128,910. This represents the District's available spendable resources, or assets less liabilities. January had a surplus of \$8,267. January's surplus was due to: received \$10,000 for Douglas County Community Assistance grant. Year-to-date the District is financially positive at \$8,429. Due to unusually high unbillable sick time, February 2015 is projected to be a deficit of \$4,000 to \$5,000. There was some discussion regarding the vacation/sick time liability, specifically the possibility of creating a reserve account for the liability. An agenda item will be added to the next Board meeting to discuss ideas to build a reserve for the vacation/sick time liability.

Supervisor Penzel moved to approve items 7b, 7d, 7e, and 8c, seconded by Supervisor Cook, motion carried unanimously.

9. For Possible Action: Approval/selection of date for a Conservation District Leadership Development Workshop. Of the five possible dates in March: 10th, 12th, 18th, 20th, and 26th; March 26th was decided to be the best date to try and schedule. Supervisor Smith moved to approve moving forward with March 26th, seconded by Supervisor Cook, motion carried unanimously.
10. For Possible Action: Approval of agreement with USFS for the Burke Creek Hwy 50 crossing and realignment project, \$27,625. The Burke Creek project was presented by District Manager Brand.
11. For Possible Action: Approval of agreement with Wood Rodgers for the Burke Creek Hwy 50 crossing and realignment project, \$105,902.

12. For Possible Action: Approval of agreement with Balance Hydrologics for the Burke Creek Hwy 50 crossing and realignment project, \$49,747.

Supervisor Sarnoff moved to approve items 10, 11, and 12, seconded by Supervisor Cook, motion carried unanimously.

13. For Possible Action: Approval of agreement with NDSL for the Zephyr Cove GID water quality improvement project, \$150,000. District Manager Brand presented the Zephyr Cove GID project. Supervisor Sarnoff moved to approve the agreement, seconded by Supervisor Penzel, motion carried unanimously.

14. For Possible Action: Approval of agreement with CDM Smith to provide assistance to Cal Trans, approximately \$60,000. District Manager Brand reported feedback/opinions from POOL/PACT, the Conservation Districts Program (CDP), and the District's attorney regarding this agreement. The District's attorney does not support signing this agreement, due to: statutes do not grant the District to enter into an agreement as a subcontractor for professional services, and could find nothing in the NRS that would allow the District to contract with private parties to provide professional services for a fee. POOL/PACT, the District's insurance provider, said the agreement would be OK with some changes to the contract language regarding insurance. CDP said the agreement would be OK if the project is located in the District's boundaries. Supervisor Perlman-Whyman suggested contacting Bruce Peterson of Nevada NRCS for advice. Supervisor Penzel suggested contacting TRPA or the State of Nevada to get more information regarding bi-state projects. It was agreed this is an important project with the potential for future projects; but before approval, need to satisfy the District's attorney's concerns.

15. Supervisor Comments: Supervisor Penzel reported most of Douglas County's tax revenue is from the Valley, vs. the Lake. This is opposite from a few years ago. Supervisor Cook stressed the importance of a reserve for the vacation pay liability. Supervisor Sarnoff would like the Board to consider time limits on agenda items. There was some discussion regarding the pros and cons of time limits on agenda items. Supervisor Perlman-Whyman reported the recent resignations of NACD's CEO and Bruce Peterson from Nevada NRCS. March 5, Supervisor Perlman-Whyman will attend preliminary planning for NACD's 2016 annual meeting in Reno. Supervisor Smith reported Carson City plans to appoint Doug Martin as their representative and District Supervisor. Supervisor Smith also stated the District needs to recognize former Supervisor Freeman for his service.

16. Public Interest Comments: None.

17. Motion to Adjourn: Supervisor Penzel moved to adjourn, seconded by Supervisor Cook, motion carried unanimously.