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NTCD Board Minutes
March 19, 2015
The Parasol, Meiling Room
948 Incline Way, Incline Village, NV
10:00 AM Start Time

Present:

Supervisor Smith
Supervisor Penzel
Supervisor Sarnoff (via telephone)
Supervisor Martin
Supervisor McCarthy

Staff/Others

J. Brand, District Manager
M. Thorpe, Administrator

Absent: Supervisor Perlman-Whyman, Supervisor Cook, and Supervisor Berkbigler

1. Call to Order by Chair Smith.
2. Oath of Office for newly elected and appointed Supervisors: Supervisor Martin 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 with item 11 moved to after the consent calendar, seconded by Supervisor McCarthy, motion carried unanimously.
6. Public Interests Comments: None.

7. For Possible Action: Approval of agreement with CDM Smith to provide assistance to Cal Trans, approximately \$60,000. District Manager Brand presented the District's attorney's concerns: contracting with a private party (CDM Smith), and providing professional services for a fee. The District's insurance company (POOL/PACT) stated the District is covered for any insurance or Workers Comp risk. Tim Rubald, Program Manager for the Conservation Districts Program at the State of Nevada, does not know of any reason why the District cannot accept this work. The work required by this agreement is just labor for assessments, no designing or consulting. The District needs this work, presently and for possible future projects. The Board of Supervisors appreciates the District's attorney's concerns and conservative approach. Supervisor Penzel stated it is not a good idea to decide against the District's attorney's recommendation. Supervisor McCarthy moved to approve the agreement, seconded by Supervisor Sarnoff, motion carried (3 - 2), Ayes: Supervisors Smith, McCarthy, and Sarnoff; Nays: Supervisors Penzel and Martin. Supervisor McCarthy moved to request an attorney/client advisory session regarding an approved fee for service, seconded by Supervisor Penzel, motion carried unanimously.

CONSENT CALENDAR

Item 9b was pulled from the consent calendar for further discussion.

Supervisor Martin moved to approve the Consent Calendar (items 8a, 8b, 8c, 8d, 8e, 9a, and 9c with all other items pulled), seconded by Supervisor McCarthy, motion carried unanimously.

8. Agency Reports, Discussion/Possible Action
 - a. For Possible Action: NRCS report. No report provided.
 - b. For Possible Action: NACD report. No report provided.
 - c. For Possible Action: Department of Conservation and Natural Resources Conservation District Program report. No report provided.
 - d. For Possible Action: NvACD report. No report provided.
 - e. For Possible Action: Staff Report. No report provided.
9. Discussion/Possible Action (Business)
 - a. For Possible Action: Approval of the Board of Supervisors meeting minutes for February 19, 2015.
 - b. Moved to Administrative calendar.

- c. For Possible Action: Approval of Interlocal agreement with the Nevada Public Employees' Program, which is a voluntary retirement savings program for employees of the State of Nevada and other local government employers. This is an administrative correction only; the changes will be transparent to the District's employees, since there will be no changes to the functionality of the current plan. Years ago the District's voluntary retirement program was setup using Douglas County's account/agreement. The Nevada Public Employees' Deferred Compensation Program would like the District to have its own account/agreement for ease of administration.

ADMINISTRATIVE CALENDAR

CONSENT CALENDAR ITEMS PULLED FOR FURTHER DISCUSSION

Item 9b) For Possible Action: Approval of the NTCD financial reports for February 2015. As of 2/28/15, the District's Fund balance was \$127,819. This represents the District's available spendable resources, or assets less liabilities. February had a deficit of \$4,382. February's deficit was due to: unbillable time was four weeks more than the average of 4.5 weeks. Year-to-date the District is financially positive at \$4,046. Due to unusually high unbillable sick time, March 2015 is projected to be a deficit of approximately \$5,000. The fiscal year is still projected to be breakeven to slightly positive. Supervisor Martin moved to approve item 9b, seconded by Supervisor McCarthy, motion carried unanimously.

Note: Item 11 was discussed at this time.

10. For Possible Action: The Conservation District Leadership Development Workshop is March 26 at the Douglas County Library, Tahoe Branch, 233 Warrior Way, Zephyr Cove, 9:15am to 4:45 pm, lunch will be provided. This item was informational only, no action taken.
11. For Possible Action: Approval of Agreements with the Nevada Division of State Lands (NDSL) and the Nevada Department of Transportation (NDOT) for the Burke Creek project. Approximately \$110,000 to \$120,000 from each agreement is for the District Staff's time on the project. This is NDSL's and NDOT's portion of the funding for the project. Supervisor Martin moved to approve the agreements, seconded by Supervisor Penzel, motion carried unanimously.

12. For Possible Action: Create a reserve for the Vacation/Sick leave liability. Note: On March 1, 2015, Staff created a \$5,000 reserve for this liability and plans to add \$500 per month until a balance of \$10,000 is reached. The total Vacation/Sick leave liability is currently \$26,000. Supervisor Penzel suggested the District fully fund the liability amount. Supervisor Martin moved to approve the reserve with a goal to fully fund the liability, seconded by Supervisor Penzel, motion carried unanimously.
13. Supervisor Comments: Supervisor McCarthy reported the Tahoe Environmental Research Center Science Expo is being held this week. Proposition 1 the Water Bond passed. District Manager Brand stated Proposition 1 is only for California, which makes an approved process of accepting work from private companies (like CDM Smith) even more important. Supervisor McCarthy thanked District Manager Brand for attending the TIE (Tahoe Intragency Executives Committee) steering committee meeting. Supervisor Penzel reported currently there is a bill working its way through the Nevada assembly, that states conservation districts do not have to be funded the same. Supervisor Martin requested, at a future Board meeting, an agenda item regarding an appreciation for Chris Freeman who was a District Supervisor for many years. Supervisor Smith reported Vail Resorts has a recognition program for people who make contributions to the community, and Supervisor Smith was nominated. He is going to use the District's Rosewood Creek project as an example; this might give the District some recognition and possible future funding.
14. Public Interest Comments: None.
15. Motion to Adjourn: Supervisor Penzel moved to adjourn, seconded by Supervisor Martin, motion carried unanimously.