

TOPAZ RANCH ESTATES GENERAL IMPROVEMENT DISTRICT

Address: 1490 Albite Road, Arden Square, Suite 8, (Topaz Ranch Estates) Wellington, Nevada, 89444 / Telephone: 775.266.3000

PUBLIC NOTICE & MEETING AGENDA MINUTES

DATE: December 11, 2024

TIME: 6:00 PM

LOCATION: TOPAZ RANCH ESTATES COMMUNITY CENTER

3939 Carter Drive, Wellington, NV 89444

POSTING: Copies of the finalized agenda, were posted by 9:00 am on **Friday, December 6, 2024**, or before the third day prior to the meeting date at the direction of Alton Randall, TRE GID Secretary, in accordance with NRS Chapter 241 at the following locations: TREGID, 1490 Albite, #8, NEVADA TRADING COMPANY, 3900 Carter Dr., TOPAZ RANCH ESTATES COMMUNITY CENTER, and at PINION PINES REALTY, 1490 Albite, #6, <https://notice.nv.gov/>.

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1400 Independence Avenue, SW
Washington, D.C. 20250-9410
- 2. FAX:** (202) 690-7442 or
- 3. Email:** program.intake@usda.gov

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Agenda Items Supporting Documents: Copies of back-up materials used in the preparation of these agenda items are available by contact to our office in writing at the address and phone number above, OR by email directed to: TREGID2023@gmail.com copies are usually available in our office for pick up three business days prior to the board meeting.

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Notice to Persons with Disabilities: Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Please call (775) 266-3000 in advance so that arrangements may be conveniently made.

Notice: Items on the agenda may be taken out of order; two or more agenda items may be combined for consideration; and items may be removed from the agenda or discussion relating thereto delayed at any time.

Public Comment: Public Comment may not be limited based on viewpoint. Speakers will be asked to sign in for the record, speak from the podium, and limit remarks to 2 minutes. Public comment may be further limited due to time constraints. Public comment will be heard after Board Members and Staff are done speaking to an item, but before any Board action on the item. The Board is not required to respond to Public Comment.

ADMINISTRATIVE CALENDAR

The Administrative calendar will be handled as follows:

- (1.) The Chairman will read the agenda title in the public record.
- (2.) Staff will introduce the item and provide a report, if any.
- (3.) The applicant, if any, will have an opportunity to address the Board.
- (4.) The Board will then discuss the item. Once the Board and Staff have concluded their discussion, public comment will be allowed.
- (5.) Public comment is limited to two minutes per speaker.
- (6.) Once Public comment is completed, the Board may engage in additional discussion and may take action. On agenda items that are placed on the agenda "For Discussion Only" with no action listed, the Chairman may defer public comment to the end of the meeting.

AGENDA

- 1) **CALL MEETING TO ORDER** by **Trustee Becker** **TIME: 1806**
 - 2) **PLEDGE OF ALLEGIANCE** by **Trustee Becker**
 - 3) **ROLL CALL OF BOARD MEMBERS:** **Burgess, Becker, Tanner, Randall**
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- 4) **STAFF PRESENT:** **Carlos Aguilar, Frank Flaharty (arrived at 1816), Debbie Connors on phone.**
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5) INTRODUCTION OF GUESTS: Wendy Jackson and Roberta Reed as DBM applicants

6) AGENDA APPROVAL:

For Possible Action: Board action to approve the Agenda for the **December 11, 2024**, Regular Meeting

Public Comment before Board Action: **Donna Tanner asked if the Agenda Item #1 was filling the vacant position.**

Trustee Burges motioned to approve agenda, Trustee Randall seconded motion. Motion passes 4-0.

7) MINUTES APPROVAL:

For Possible Action: Board action to approve the minutes of the **November 13, 2024**, Regular Meeting and **November 21, 2024**, **Special Meeting**.

Public Comment before Board Action: **Trustee Becker split this agenda item into two parts; the 13th and the 21st.**

Motion to approve the November 13th minutes made by Trustee Tanner and was seconded by Trustee Becker. Motion passed 4-0

Motion to approve the November 21st minutes made by Trustee Randall and seconded by Trustee Burgess. Motion passed 4-0

8) PUBLIC COMMENT:

Not for Board Action: This portion of the meeting is open to the public to speak on any topic within the authority of the Board that is not on tonight's agenda. Speakers will be asked to sign in for the record, speak from the podium, and limit remarks to 2 minutes. The Board will not take action. The Board is not required to respond to Public Comment.

Donna Tanner:

Researched and determined that we were allowed to conduct motions and public comments in the order that we have been doing it.

POOL PAC is our insurance, verified by financial documentation found by Ms. Tanner. These documents should be made public.

Regarding public comment from the County Commissioner regarding FEMA, FEMA funding was not pulled away. FEMA took what we gave them and they trusted us.

The Commissioner said the county was \$4 million in deficit on road funds and "they" were glad "they" didn't take "us" over; but she went to those meetings and "they" wanted us.

More investigation needs to be done on the election of the board seats. Trustee Becker replied saying that the Douglas County District Attorney and the Clerk Chair verified that the Board was operating IAW NRS Law and Trustee Randall's seat was not up for election until 2026. This was verified by a statement made by Douglas County Clerk Treasurer Amy Burgans. Ms. Tanner wanted the statement made public.

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Wendy Jackson:

Had questions about Treasurers Report. Things were vague.

CONSENT CALENDAR

A. For Possible Action: Bills to be paid for: December 2024

1. Water Expenses: \$ 34,924
2. Road Expenses: \$ 30,752
3. Bergkamp: \$ 2122
4. Debt Service \$ 14,831
5. Project Expenses \$ 24,500

Trustee Becker: Shaw Engineering said Simmerson was outstanding. Smith Valley Garage and Western Nevada Supply were not paid.

Trustee Tanner said he paid Smith Valley Garage and Western Nevada Supply via **BILLS.COM**.

Debbie Connors commented that the Simmerson debt had to be processed through the **USDA**.

Trustee Becker said it was already done by Shaw Engineering the 1st of November.

Debbie Connors that when you [Trustee Becker] say things like, “they did that already”, Shaw Engineering doesn’t have the ability to process that through NIFS. Ms. Connors said there was a lot she had to do for the process and Shaw Engineering had not done things in the proper format.

Open for public comment before Board action:

Sandy Offenstein: Are we behind on bills? We are not seeing anything about bills.

Debbie Connor: “The Treasury Report has all the bill information on it. It has the bank balances on it. If there was a question from Shaw, I would think that would come through outside a board meeting.” Ms. Connors said the board meeting is not the appropriate place to discuss questions from Shaw Engineering.

Trustee Becker said she was just asking if bills were paid since it was part of the Treasury Report and we don’t see any invoices because there are few details provided in the Treasury Report.

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Ms. Connor related that all project costs not related to roads were all Shaw. So, the Project Expenses in the amount of \$24,500 is what was paid to Shaw [this is contrary to the fact that Ms. Connor in an email related that this amount for project expenses was “to be paid in December].

Trustee Becker asked if there was still any outstanding [bills with Shaw].

Ms. Connor said Shaw Engineering sends us a bill every month and there’s always something outstanding to them. She wasn’t sure what the question was and it was too general and not pertaining to normal operations.

Trustee Randall asked if there was anything outstanding.

Ms. Connor said people say there is “stuff” past due all the time and she goes and researches it and sometimes it is or it isn’t. That’s just daily life and part of the bill paying process. **IN SIMPLE WORDS, MS. CONNOR DID NOT ANSWER THE QUESTION.**

Cynthia Sanchez: When we get these reports, we want more detail. More break down and more accountability. We don’t see where money is going.

Ms. Connor asked if she could respond. Trustee Becker denied her response and stated that this is just public comment. Ms. Connor continued speaking anyway and related that detail is not actually required for the public. Trustee Becker advised Ms. Connor that comment was not required. Ms. Connor continued, but Trustee Randall interjected and directed Ms. Connor to stop talking after being directed previously not to respond.

Wendy Jackson: Wanted to know what the expenses on the consent calendar meant and what they were for.

Trustee Becker said debt services were what we owe USDA.

Motion to pay Bills made by Trustee Tanner. Motion Seconded by Trustee Randall. Motion carried 4-0.

REPORTS

9) **REPORTS:** For Discussion Only:

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- A. Treasurer's Report: **Presented by Trustee Becker**
- B. Water Operator's Report: **Presented by Trustee Becker**
- C. Road Report: **Presented by Trustee Becker. Trustee Tanner added equipment repairs done.**
- D. Attorney's Report: **Mr. Flaherty reviewed PERS policies to determine the maximum number of hours a PERS retired person could work without losing benefits. He also reviewed Public Meeting Law regarding when public comment had to be allowed regarding to before or after motion made. He also verified that the deadline for the Audit was extended. Also researched SR25 issues and small claims matter.**
- E. Engineer's Report: **Presented by Trustee Tanner**
- F. FEMA Report: **Trustee Tanner. We should be getting FEMA fund reimbursement soon.**

See attached Trustee reports.

10) AGENDA

(Any items removed from the Consent Calendar will be added and heard at this point.)

1. **For Discussion and Possible Action to approve, approve with modifications or conditions, or deny:** Accepting Trustee Sandbo's resignation and appointing a replacement for her position. This position will not be up for reelection until the 2026 election cycle. (AR)

Trustee Becker split this item. Motion to accept Trustee Sandbo's resignation was made by Trustee Burgess. Trustee Becker seconded the motion.

Donna Tanner said Lisa did a good job but was harassed.

Wendy Jackson asked when we would hear from applicants.

Motion carried 4-0

Trustee Becker advised not filling this position tonight

Mr. Flaherty advised it would be better to wait

Trustee Tanner thought the Agenda item was to fill a temporary Treasurer. He was advised that the Agenda was to fill the Trustee position until the 2026 election. The position had to be filled within 30 days. Trustee Tanner stated that we would not "railroad this thing."

Public Comment for filling this position:

Cathee Kincheloe asked who has been doing treasury job and we should fill this position so someone could begin doing the work this month

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Donna Tanner recommended waiting. She related there are lots of reasons and it would be more efficient.

Shelly Gonzalez said she would be applying and it would be better to wait until January.

Wendy Jackson advised waiting until January.

No motion was made.

- 2. For Discussion and Possible Action to approve, approve with modifications or conditions, or deny:** Hire a full-time District Business Manager as defined by the GID Standing Rules and determine the wage for that position. (AR)

Wendy Jackson discussed her qualifications and her pay range request was \$8K to \$10K

Roberta Reed discussed her qualifications and requested \$33/hour in interview

Trustee Tanner requested time to go over Resumes.

Trustee Burgess said he had enough information to make a decision.

Open to Public Comment before Board action:

Cynthia Sanchez asked if Ms. Reed has experience working on grants. MS. Reed said she has experience in managing grants

Shelley Gonzalez asked if it was required for the DBM to do the grants or could we get outside help

Donna Tanner asked if Wendy Jackson was still running a school and asked how Ms. Jackson's staff would be helping the GID

Trustee Becker made a motion to hire Roberta Reed at \$33/Hour to fill the TRE GID District Business Manager position. Trustee Burgess seconded the motion.

Public Comment again...Sandy Offenstien asked if we can hire a grant writer. That was affirmed.

Motion carried 4-0

- 3. For Discussion and Possible Action to approve, approve with modifications or conditions, or deny:** Approve Deborah Connors as a professional consultant performing recurring duties to begin at the end of her current contract ending December 31, 2024. Work

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performed would be billed by each task. Only monthly tasks would be billed monthly. See attached quote. Additional professional services to be negotiated with Ms. Connors and approved by the board. (MT)

See Attached fee schedule which still shows over \$50,000 in potential costs to the GID

Trustee Burgess related there should be a transition between Ms. Connor and Ms. Reed and not a rapid turnover.

Trustee Randall related that he had concerns that tasks will not all get accomplished if there is not a smooth transition. Tasks would be performed on an as needed basis decided by the DBM

Trustee Tanner related that Ms. Connors has saved the GID and thinks it would be beneficial if she stuck around for a while. There are multiple important government relationships Ms. Connors established. She got the GID millions of dollars. Ms. Connors saved the GID from getting turned over to the county. Mr. Tanner wants to keep Ms. Connors as long as she is needed.

Trustee Becker related that Ms. Connors has had considerable positive impact for the GID. Ms. Connors fixed serious problems the GID had. It would be beneficial to have Ms. Connors assist Ms. Reed.

Trustee Randall asked Ms. Reed how requests for service from Ms. Connors would be made. Ms. Reed related that the best way would be through purchase order for which service was needed.

Open for Public Comment before Board action:

Shelly Gonzalez: Would Ms. Connors be a consultant? She's not going away completely? Would there be a transition?

Debbie Connors: There would be no charge for meeting attendance. She put dollar amounts for anything she would be doing and she was concerned about things falling off the rails. Theres nothing to pay if she doesn't do anything. Other than the things she thinks the GID may need help with, she doesn't need to be involved in the GID Business. She's just as happy to go away just as some of the people are happy to see her go away. Her concern is that the GID owed Qualcon \$200,000 more in December and the GID only has \$293,000 in an operating account. Ms. Connors expressed concern with what happened tonight [in hiring a DBM IAW Standing Rules]. That's why she's recommended on multiple occasions to put a freeze on hiring and stop right now because we need the FEMA money to stay on the rails. This position [DBM] was supposed to go away [in

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violation of GID Standing Rules] after she left in December. Now, she has no idea where the GID is going to get the money and it wasn't in the budget. She is not sure what we just did tonight, but we did it and we are going to have to recover from it. The GID has to figure out how to pay for "it." She said she was very concerned with what happened tonight.

Trustee Burgess addressed to Ms. Connors that she was planning on leaving anyway.

Ms. Connors said that she was giving the GID a way of minimizing the cost, and now the Board has doubled the cost by hiring the someone [\$33/HOUR IS NOT DOUBLE \$10,000 PER MONTH]. The whole plan was to have me go away so that this cost wouldn't continue.

Trustee Randall related that the GID would save money when Ms. Connors' contract expires because the new DBM would cost half of what the GID is paying Ms. Connors.

Ms. Connors defying math said, "No, not at all." Ms. Connors said if we annualize what we were paying her for the entire year, she was working for the GID for \$2500 and working 90 to 120 hours per week.

Trustee Randall asked what the total cost was for Ms. Connors' service for the year, to which Ms. Connors replied \$90,000 [\$2500 PER MONTH DOES NOT EQUAL \$90,000 FOR A YEAR]. She said the GID would be paying \$90,000 going into the future [\$33/HOUR PLUS 20% FOR PERS IS \$76,032 MAXIMUM FOR A PERSON TO BE IN THE OFFICE FULL TIME] and the GID has never had this before and never needed it. Ms. Connors said her menu reduces her cost to \$55,000 with no PERS on it. Now the GID has done what it's done and now the GID is going to have to deal with it. Ms. Connors rattled off several important things that have to be done by a DBM. Ms. Connors expressed doubt that the new DBM would be able to get "on the rails" in 20 days. Ms. Connors continues the patronizing tirade about how the GID...

Until Trustee Randall interjected that Ms. Reed did not say that she would be up to speed in 20 days [no one ever implied that]. It was reiterated that Ms. Reed had only 90 days to get up to speed as much as she could, and that was why the Board was considering using Ms. Connors services on an as needed basis. Trustee Randall explained that the DBM position was required in accordance with TRE GID Standing Rules. [Ms. Connors was supposed to be training a replacement for months.]

Ms. Connors said that this position was not budgeted for and we will go over budget now [Yet she was costing more than a DBM]. [The Board never received an analysis on any recommendation on deviation from employee positions or any recommendation on

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pay scales. The board did not receive any number relating to how much the GID has available annually for salaries/pay.]

Trustee Burgess asked how was the GID supposed to be managed and how was it supposed to be cost free when Ms. Connors left.

Ms. Connors related that it would just be the cloud and have the clerks in there. This GID is not big enough. Her intention was to just use her menu to perform all the GID DBM functions.

Trustee Randall reminded Ms. Connor that an analysis was asked for months ago regarding what the GID could afford regarding pay. Ms. Connors did not provide the requested analysis [BUT NOW IS SAYING THAT DBM PAY WAS NOT BUDGETED FOR].

Berry Furgeson says things are a mess and was frustrated that we would be paying Ms. Connors and Ms. Reed [We wouldn't be]. We had employees and now they are all gone.

Wendy Jackson brought up the \$55,000 menu quote from Ms. Connors. Ms. Jackson demonstrated that the cost of the new DBM was affordable and the GID staff could perform all the functions on Ms. Connor's list and the money it would cost to hire Ms. Connors rolled back into the GID. Ms. Connors' prices are too high.

Trustee Becker related that she was inclined to table this item until Ms. Reed was able to determine if she may need Ms. Connors services. She did not make a motion to table it.

Trustee Tanner made a motion to approve this item. Trustee Burgess seconded the motion.

Trustee Tanner and Trustee Randall voted Aye
Trustee Becker and Trustee Burgess voted Nay

Motion failed 2-2

- 4. For Discussion and Possible Action to approve, approve with modifications or conditions, or deny:** Postponement of the TRE GID website design. There was a misunderstanding about the service provided by the company the Board decided to use. (SB)

Trustee Becker said the company is doing nothing for us, ie. redesigning our website. We haven't committed to them yet.

Trustee Tanner asked if we have another prospect for this function.

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Trustee Becker related that our current webmaster will still serve our purposes.

Open for Public Comment before Board action: **None**

Trustee Becker made motion to cancel contract with Streamline

Trustee Randall seconded the motion

Motion carries 4-0

- 5. For Discussion and possible action to approve, approve with modifications or conditions, or deny:** Change the January 2025 meeting from the 2nd Wednesday of the month to the 3rd Wednesday to give those involved in meeting development time to prepare around the holidays. (MT)

The facility would not be available and the Board needs to appoint the new Trustee.

Open for Public Comment before Board action:

Withdrawn by Trustee Tanner

- 6. For Discussion and possible action to approve, approve with modifications or conditions, or deny:** Approve the purchase of a safe for the office not to exceed \$1600 to secure sensitive information and items of high value to the GID. (MT)

Trustee Tanner related the importance of having a safe and the current safe does not work. The GID Seal, Important documents, the checkbook, etc. should be kept in a safe.

Trustee Becker proposed that it would be feasible to have a high security lock on an office door.

Trustee Tanner said it would cost approximately \$500 to attempt a repair [No guarantee]. It would be a good idea but can wait. It's a good idea to have a safe because a window is easy to break.

Trustee Becker made motion to Table

Trustee Tanner seconded the motion

Open for Public Comment before Board action: **None**

Motion to table carries 4-0

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7. **For Discussion and possible action to approve, approve with modifications or conditions, or deny:** Approve the purchase of two electronic tablets not to exceed \$200 each and monthly subscription fees not to exceed \$25 each to aid in employee time keeping. (MT)

Trustee Tanner related that POOL PAC recommended using these for reporting and efficiency. These would be a good way to manage timekeeping and payroll.

Trustee Burgess asked if employees clock in and out on their own.

Trustee Tanner said all the big companies are doing this.

Open for Public Comment before Board action:

Sandy Offenstein asked what happened to the timeclock.

Trustee Tanner said he bought one with his own money and installed it. Tanner related that employees had a problem with it and it disappeared.

Roberta Reed asked of number of employees. [6]. What could be done instead is having one person input all employee hours and save time.

Cynthia Sanchez said there are apps to do time keeping.

Trustee Tanner said this was recommended

Wendy Jackson: One is enough since we are so small.

Trustee Tanner said one would be for yard and one for the office

Trustee Burgess said the one at the yard would be destroyed.

Carlos Aguilar: Currently everyone uses phone app. He doesn't. He reports to the DOM.

Trustee Becker motioned to table to allow Ms. Reed to evaluate

Trustee Randall seconded the motion

Motion carries 4-0

8. **For Discussion and possible action to approve, approve with modifications or conditions, or deny:** Add a description and assign a wage to the standing rules for a newly hired employee (assistant administrative clerk). This became an issue when attempting to fill a part time position during the November regular Board meeting. (SB)

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Trustee Becker provided the description and pay at \$19/Hour no more than 20 hours per week for the position now called Administrative Office Assistant. See SR25 description described submitted by Trustee Becker.

Frank Flaherty added that the hours are not to exceed $\frac{1}{2}$ the number of hours of non-temporary employees.

Trustee Tanner inquired how hours accumulate to affect PERS.

Frank Flaherty interprets the statute of regulations regarding PERS to give the GID two options

- Employee is a temporary employee, but must take steps to ensure that total hours worked in any fiscal year do not exceed the equivalent of a half time position of that fiscal year depending on the GID's full time work schedule for clerical employees. The half time cut off could be less than 20 hours per week
- Employee in a non-temporary position should ensure that total hours worked per week do not exceed $\frac{1}{2}$ the GID's full time work schedule for clerical employees.

Trustee Becker: Essentially less than half time. This will be Standing Rule 25.7.1

Open for Public Comment before Board action:

Wendy Jackson: Use Frank's language and add other duties as assigned.

Trustee Becker made those changes.

Trustee Becker made motion to approve agenda item with changes described

Trustee Burgess seconded motion

Motion carries 4-0

9. **For Discussion and possible action to approve, approve with modifications or conditions, or deny:** Discussion or voting on an agenda item should not occur without supporting documents for that agenda item. (Fred Farley)

Trustee Randall motioned to remove this item since Farley did not show.

Trustee Becker seconded the motion

Open for Public Comment before Board action:

Wendy Jackson recommended not removing this item and tabling it for another time because he's requested it before

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Motion Carries 4-0

11) TRUSTEE'S REPORTS (if any, for Discussion Only):

12) PUBLIC COMMENT:

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Berry Ferguson said he has one question. He's been here many years, 27, before the board. He paid Topaz Mutual Water Company a \$100 deposit. Wanted to know where his deposit went.

13) ADJOURNMENT Trustee Randall motioned Trustee Becker seconded Motion carried 4-0

TIME: 2055