

TOPAZ RANCH ESTATES GENERAL IMPROVEMENT DISTRICT

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

MEETING MINUTES

REGULAR MEETING MINUTES

DATE: Wednesday, January 10, 2024
TIME: 6:00 P.M.
LOCATION: TOPAZ RANCH ESTATES COMMUNITY CENTER
3939 Carter Drive, Wellington, NV 89444

Supporting material and the audio tape is available for public inspection at the TREGID office during regular business hours (8:00 a.m. to 4:00 a.m.), Monday through Friday, except legal holidays. Please make your request to the TRE GID office at the address and phone number above OR by email directed to: TREGID2023@gmail.com

- 1) **CALL MEETING TO ORDER:** Led by Chairperson Sharon Becker **TIME: 6:00 PM**
- 2) **PLEDGE OF ALLEGIANCE:** Led by Chairperson Sharon Becker
- 3) **BOARD MEMBERS PRESENT:** Dave Akola, Lisa Sandbo (joined via telephone at 6:25 pm), Michael Tanner, Sharon Becker, Kaitlyn Insell
- 4) **STAFF MEMBERS PRESENT:** None
- 5) **INTRODUCTION OF GUESTS:** None
- 6) **AGENDA APPROVAL:** For Possible Action: Board action to approve the **January 10,2024**, Agenda.

Public Comment before Board Action: No Public comment.

Kaitlyn Insell made a motion to approve the Agenda for the January 10,2024 Regular Meeting. Mike Tanner seconded. Motion carried 4-0.

- 7) **MINUTES APPROVAL:** For Possible Action: Board action to approve the **December 13, 2023**, Meeting Minutes.

Public Comment before Board Action:

Kaitlyn Insell made a motion to approve the amended Minutes of the October December 13, 2023, Regular Board Meeting. Sharon Becker seconded. Motion carried 4-0.

- 8) **PUBLIC COMMENT:**

Sandy Offenstein: How many meetings can a board member miss? This is the 3rd month where only four members are present. What is going on? If the person can't fulfill her position, she should resign and a person who can do the role and attends the meetings.

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CONSENT CALENDAR

A. For Discussion Only: Bills Paid for: January 2024

- | | |
|--------------------------|-----------|
| 1. Water Bills: | \$ 49,565 |
| 2. Road Bills: | \$ 28,265 |
| 3. Bergkamp: | \$ 2,122 |
| 4. Water Projects (net): | \$ 73,573 |
| 5. Attorney: | \$ 5,426 |
| 6. Debt Service: | \$ 16,953 |

REPORTS

9) REPORTS: For Discussion Only:

- A. Treasurer's Report: Lisa Sandbo – Restricted: \$296,865 Unrestricted: \$1,107,829, Deposits: \$463,528, Debits: \$306,043. Cash/CD Accounts: \$729,825, Investment Funds: \$674,870 (totaling \$1,404,695). The remaining pages of the Treasurer's report were not read into the record.

Public Inquiry: Donna Tanner: Question about the Line item under Income, Loan Proceeds. Did we get a new loan? Sharon Becker explained this is a reimbursement that was caught in an audit by Pierre at USDA and forwarded to TREGID.

- B. Water Operator's Report: No water report was available.
- C. Road Report: No road report was available.
- D. Attorney's Report: The audit was due this month. Where is it in process? Has the extension been filed? Sharon Becker stated that the auditor is currently out ill, and the extension has been filed.
- E. Engineer's Report: Cody Black via Mike Tanner – No engineer's report. Sharon Becker stated as of this evening, the USDA has approved the start of Well #8.
- F. FEMA Report: Mike Tanner – Mike Tanner reported there are no changes. FEMA is currently in process at the state. Money should be coming in for the completed projects. Mike is meeting with contractors about upcoming projects which include culvert clean up,

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edge repair, base addition to the roads and chipseal. Sharon Becker asked Mike for FEMA pin drops to help with our (CIP-road report). He will provide those so CIP can be completed in a timely manner.

Public Inquiry: Shelley Gonzales- What is debt service in the consent calendar? Sharon Becker explained these are our regular payments on our loans like USDA.

10) AGENDA

1. For Discussion and Possible Action to approve, approve with modifications or conditions, or deny:

Renew the office space lease at the current location at \$600 per month.

Trustee Becker moved to approve a one (1) year lease with Walkley Properties(Sherri Walkley).

Trustee Tanner seconded. No board discussion or public comment on the item. Motion carried 4-0.

2. For Discussion and Possible Action to approve, approve with modifications or conditions, or deny:

Emergency Response Plan (ERP) and vulnerability assessment plan approval is needed.

These documents are required to be filed each year per NRS 239C.270 Homeland Security.

They are submitted and filed with NDEP-Bureau of Safe Drinking Water.

Board discussion: Sharon Becker- This document is required and has been provided to us.

Trustee Tanner: Was there a cost for the document?

Trustee Becker: There was no cost.

Frank Flaherty: The Board has to submit this document, yet much of it is confidential due to the contents about the vulnerability aspects.

Trustee Insell: I move that we submit the ERP and vulnerability plan.

Trustee Becker: Seconded the motion.

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Public Comment:

Donna Tanner: Do we have some kind of guidance for TRE after the plan it submitted.

Trustee Becker: From what I understand, after the plan is submitted and accepted, the Board should have a community review of it at its Board meeting with actions for implementing the plan. The plan can be modified as to team captain, areas to report, etc. at that time.

Trustee Tanner: I will try to look the plan over.

No further public comment or board discussion. Motioned carried 4-0.

3. For Discussion and Possible Action to approve, approve with modifications or conditions, or deny:

Past due Water accounts, payment plan

Although SR 22 does state payment plans are available, there is no documentation of established payment plans. The recommendation is to adopt a clear and concise plan, as necessary. See. Attachment 1.

Trustee Becker read into the minutes the parameters of the payment plan from Attachment 1.

Board Comment:

Trustee Akola- There is no sewer as noted in the first line of the payment plan. This wording should be struck out.

Trustee Insell: I move to adopt the payment plan as set forth in Attachment 1.

Trustee Tanner: I second the motion.

Public Comment:

Shelley Gonzales- There were documents on payment plans, however they were not used after 2018. They are in the office in a drawer.

Trustee Becker: Thank you for the information. They are not currently located in the Standing Rules.

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Motion carried 5-0.

4. For Discussion and Possible Action to approve, approve with modifications or conditions, or deny:

Renew a contract as District Business Manager. This contract would be through December 31, 2024, at the rate of \$10,000 a month.

Trustee Becker reviewed Attachment 2 of the past, present and future duties outlined in the attachment. This is not a new employee; this contract is for professional services. No benefits included in this contract; it is for services as outlined in the attachment. Before I joined the Board, I reviewed other GIDs for the cost of a DOM, which we have been looking to replace. I found the cost of the salary, since most are not paid hourly, to be over \$100,000 a year. When you include their benefits, it exceeded \$180,000/year. I agree this is a lot of money, however, the need to complete the audit is necessary.

Board comments:

Trustee Akola- The interim DBM was hired illegally. The Board has to approve a contract. Money to pay this is 40% for the roads (\$48,000). We are broke and the roads do not have money to pay this contract. This would be misuse of public funds. We cannot afford a business manager.

Trustee Becker: Did you look at our current budget? The payroll increased 9% over the previous year. We are currently budgeted for \$526,845 for payroll of which \$300,000 is the projected actual payroll. That is a positive variance or savings of \$226,845. If this position were included in the payroll, which it is not, it would be \$390,000. That would still be a savings of 26% or \$136,845. However, it is included under professional services, which will have a positive variance of 33% this year.

Trustee Insell- When reviewing other GIDs, What do they oversee? Who sets the wage? The contract service person or the Board?

Trustee Becker- The other GIDs were a mixed bag in terms of services provided. The contractor proposed the \$10,000 per month fee.

Trustee Sandbo- We cannot afford not to keep her. She has kept us on the straight and narrow: She does multiple jobs; payroll, A/R, A/P, HR etc.

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Trustee Insell- Can we do a 6-month contract and reassess the necessity for the future needs?

Trustee Becker- Yes, the motion can be stated any way the Board wants.

Frank Flaherty- Does the draft contract have a termination notice included?

Trustee Tanner- Yes it does.

Trustee Tanner- The interim DBM has worked extremely hard and made close relationships with many of our vendors and government contacts.

Trustee Becker- She has established working relationships with POOL/PACT, Nevada Supply, Pierre at USDA, Cody Black with Shaw Engineering. She has several of these contacts looking for revenue streams to further the development of TREGID, particularly in regard to roads.

Trustee Insell- I move to renew the contract for interim DBM for \$10,000 per month until June 30, 2024, at which time the board can reassess the contract.

Trustee Tanner- second the motion.

Public comments:

Alton Randall- I agree with Trustee Akola on the emergency contract. I am worried about procedural compliance. I want to make sure the Board is following procedures. This will alleviate the community concerns as to why this person was hired and the wage being paid by TREGID. What is the process for bidding for this service? I am concerned about discrepancies in the procedural compliance process or the exceptions to the procedural requirements due to emergencies. I want to make sure procedure is being followed for community clarity. What are the defined guidelines for granting emergency contracts?

Christine Bradford- There are Standing Rules governing the granting of emergency contracts.

Shelley Gonzales-The Gardnerville Ranchos does not have a business manager. Can I get a copy of the past and current contract? Was the DOM pay included in the calculations? How will this contract affect the office staffing? Do we have an HR department currently?

Donna Tanner- 3-D Enterprises came and helped during the emergency in March 2023.

Sandy Offenstein- We have had emergency contracts to staff the office without going to bid.

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Larry Offenstein- The current situation is the audit. This situation is an emergency. If you bid this position, it will take at least 3 months or more to fill. The board and audit cannot wait that time period.

Further Board discussion:

Trustee Sandbo- The Gardnerville Ranchos does have a business manager as I have spoken to her.

Trustee Becker- Yes, the DOM was included in the payroll calculations as Larry Hathcock is currently being paid to fill the DOM position until the position is filled.

Trustee Akola- The position should be advertised.

Trustee Insell- When 3-D was asked to come in March, Brandon Taylor- former trustee, and myself assessed the situation and declared the emergency status.

Trustee Becker- We are actively seeking applications for office staff.

Trustee Tanner- POOL/PACT has been advising on HR.

Motion carried 4-1 (Trustee Akola opposed)

5. For Discussion and Possible Action to approve, approve with modifications or conditions, or deny:

Approval of \$3/hour raise for Jeff Dines. This is subject to him passing his D-1 by June 1, 2024.

Board comments:

Trustee Tanner: We gave him some money previous to the meeting, correct.

Trustee Becker: Correct. Remember, the Board hired Cody Dalhaus to fill the DOM and receive the pay grade associated with the position subject to his completion of a D-2. This information was from previous minutes.

Trustee Sandbo- We currently do not have a D-1.

Public Comment: Christine Bradford- Larry Hathcock has his D-1.

Trustee Becker- Larry Hathcock has failed to update and renew his D-1 status, currently.

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Trustee Akola suggests holding the raise.

Trustee Insell: I move to award Jeff Dines a \$3/hour raise. This is subject to his certification of D-1 before April 1, 2024.

Trustee Tanner seconded the motion.

Public comment: none

Motion carried 5-0

6. For Discussion and Possible Action to approve, approve with modifications or conditions, or deny:

Start the bidding process for debris removal and road projects.

Board comments: Converted to discussion only item. It is on the TREGID website.

Public comment: None

7. For Discussion only:

Old office building - Kaitlyn Insell reached out to Mr. Taylor about the old office building; he has stated that he is still interested in it but has not indicated when he would be able to remove it / how much he is willing to offer for it. Kaitlyn Insell will follow up on this and have information for the next meeting.

Board comments:

Trustee Insell: I did talk with Mr. Taylor. He is interested in the building. He will not be able to move it until the spring due to other commitments. No money value was discussed. I will follow up on this.

Trustee Tanner: Just informational- How long has the building been abandoned?

Public comments:

Larry Offenstien: Probably 7 years.

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Christine Bradford : There is a report previously filed in the office stating the building has mold and is not recommended for rehabilitation.

11) TRUSTEES' REPORTS.

Trustee Akola: Mike Tanner had work/repair done on Sandstone. FEMA states it is to be to the original condition. The repair did not include filter fabric, only rip-wrap. Filter fabric under the rip-wrap prevents dirt from migrating to prevent potential future failure. The Board has to approve this work. The Board did not approve the work on Sandstone, only the work on Ballman and Topaz Ranch Drive and 208.

Frank Flaherty reminded the Board members that the Trustee Reports are informational only. There is no discussion as the public has no idea of what the Trustee may be reporting. It is a violation of the Open Meeting Law to have any discussion between Trustees during the Trustee Reports item on the agenda.

12) 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.

Trustee Insell - I forgot to add the item to move a water rate study from RCAC to NRWA. It was on the agenda last month to move to the January agenda. I will add that to next month's agenda.

Christine Bradford— Follow up on Alton Randall request about procedural compliance of awarding emergency contracts such as the Interim Bookkeeper last August and 3D Enterprises last March.

Trustee Becker- SR 7 states "—If two Board members declare a situation to be an emergency, purchases can be made in excess of \$1,000.00. Such purchases will be placed on the next regular Board meeting agenda.

Steve Bohler- The rule states two (2) board members not one (1).

Lori Dunn- Is there a status update on the property the TREGID purchased on Granite Way? How is the zoning change proceeding?

Trustee Becker- I talked with the Assessor and Clerks office a few days after the last Board meeting. At that time, it had not been transferred to TREGID. They had just noted this oversight. I checked in after the first of the year and the property had finally been transferred to

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TREGID. As far as the rezoning and resale issues are concerned, neither the clerk nor the assessor's office has any clarification.

Frank Flaherty- The Board may want to check in with the Gardnerville city manager/town manager about the rezoning. The Filling Station property was acquired similarly, and they may be able to answer those questions.

Trustee Akola- That might be Glen Nelson for the contact.

13)ADJOURNMENT: Trustee Insell moved to adjourn. Trustee Tanner seconded. Motion carried 5-0.

TIME: 7:42 pm

Minutes submitted by Board Chairperson Sharon Becker

A COMPLETE RECORDING OF THIS MEETINGS DISCUSSION CAN BE FOUND AT THE GID OFFICE