

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, October 11, 2023
TIME: 6:00 P.M.
LOCATION: TOPAZ RANCH ESTATES COMMUNITY CENTER
3939 Carter Drive, Wellington, NV 89444

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- 1) **CALL MEETING TO ORDER:** Led by Vice Chairman Dave Akola **TIME: 6:00 PM**
- 2) **PLEDGE OF ALLEGIANCE:** Led by Vice Chairman Dave Akola
- 3) **BOARD MEMBERS PRESENT:** Dave Akola, Lisa Sandbo, Michael Tanner, and (via phone) Kaitlyn Insell
- 4) **STAFF MEMBERS PRESENT:** Jeff Dines, Larry Hathcock
- 5) **INTRODUCTION OF GUESTS:**
- 6) **AGENDA APPROVAL:** For Possible Action: Board action to approve the **October 11, 2023**, Agenda.

Public Comment before Board Action: No Public comment.

Lisa Sandbo made a motion to approve the Agenda for the October 11, 2023, Regular Meeting. Kaitlyn Insell seconded. Motion carried 4-0.

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

Public Comment before Board Action:
Fred Farley

Mike Tanner made a motion to approve the Minutes of the September 13, 2023, Regular Board Meeting. Lisa Sandbo seconded. Motion carried 4-0.

- 8) **PUBLIC COMMENT:**
 - a. Larry Offenstien – how many months have we gone without seeing anything on water bills / road bills / bergkamp?

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- b. Sandy Offenstien – it should be on the agenda; it always has been, and it hasn't been in months.
- c. Kathy Dolce – Can you explain what an agenda is in your view?
 - i. Dave Akola – the agenda itemizes the items we are going to talk about.

CONSENT CALENDAR

A. For Possible Action: Bills Paid for: **September 2023**

- 1. Water Bills: \$
- 2. Road Bills: \$
- 3. Bergkamp: \$

REPORTS

9) REPORTS: For Discussion Only:

- A. Treasurer's Report: Mike Tanner – property tax (includes purchase of lot on Granite Way) \$2,499.00, investment funds - \$87,157.00, USDA - \$121,278.00, short lived assets - \$23,901.00.
- B. Water Operator's Report: None
- C. Road Report: None
- D. Attorney's Report: Frank Flaherty – to be addressed on agenda item #10(4)
- E. Engineer's Report: None
- F. FEMA Report: Mike Tanner – 10/11/2023 all projects moving through the queue as expected, category A and B projects are in the EHP (environmental historical preservation) phase. FEMA will only make things as they were prior to the storm (water flowing and smooth chip sealed roads).

ADMINISTRATIVE CALENDAR

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:**

Interview and select a replacement Trustee to fill the remaining portion of Brandon Taylor's term. DA

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There was Public Comment before Board action.

John Pendelton (applicant) – I have lived in TRE for 20 years, have been doing construction my entire life, and I am a heavy equipment operator for the Marine Corps (roads/irrigation/etc.).

Sharon Becker (applicant) – I am fairly new to the area. I have worked on boards since I was 18. I have a lot of background in finances. I was a founding member of the board for dental hygiene school. I am only here to represent this public to the best of my abilities as a Board member.

- a. Larry Offenstien – for some reason, people have always thought that we needed operators / road crew people on the Board, that isn't the case, we need businesspeople; people who understand this stuff, that is why we are in the woods right now because we have let this thing go without a good business person handling the GID.

Kaitlyn Insell made a motion to nominate Sharon Becker to fill the vacant trustee position. Dave Akola seconded the motion. Motion failed 2-2

Mike Tanner made a motion to nominate John Pendelton to fill the vacant trustee position. Lisa Sandbo seconded the motion. Motion failed 2-2

Dave Akola stated that because both motions failed, this item will go to the Douglas County Commissioners, and they will advertise and appoint our new Board member.

John Pendelton – so if this goes to the County, they will appoint someone living in TRE which will likely be one of "their" people. By us not making this decision right now, it could backfire on us. So, if one of us were to pull our application right now, the other person would win and be appointed? I would love to be on this Board to make a difference but if it is better for the community and we can make this decision right now and not wait for the Commissioners to appoint someone then, I will pull my application right now. TRUSTEE POSITION APPLICATION PULLED by John Pendelton.

Dave Akola made a motion to nominate Sharon Becker to fill the vacant trustee position. Kaitlyn Insell seconded the motion. Motion carried 4-0

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

Discuss the pro-ration of overhead expenses and adjust/modify the current proration between road expenses and water expenses. DA

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Dave Akola – per our standing rules we are supposed to review every 6 months. As far as I know, it has never been done since I have been coming to these meetings. Right now, our overhead expenses are prorated—60% comes out of the water funds and 40% comes out of the road funds. Per spreadsheet, income from property taxes per accountant is \$233,000, but per communication from the County, it should be \$217,000. If we change it from 60%/40% to 75%/25%, our overhead budget would be about even instead of over budget as we are right now.

There was Public Comment before Board action.

- a. Sandy Offenstien – does that mean that we would be using our water budget for the roads?
 - i. Dave Akola – the water expenses would increase, and the road expenses would decrease.
 - ii. Frank Flaherty – recommends that Board run this by the CPA.

Mike Tanner motioned to table this agenda item for 30 days in order to be able to give the public a clear view of what this agenda item means. Sharon Becker seconded this motion. Motion carried 5-0

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

Discuss the need to raise water rates and by how much. Raise the rates starting with the next water bill. DA

Dave Akola – in the past we have received grants from the USDA and the State Revolving Fund. What that requires is the GID to provide matching funds. In the past we have taken out loans and never raised the rates to cover those loans. I propose a \$20 per month increase to the base rate.

There was Public Comment before Board action.

- a. Lisa Sandbo – if you look at the roads account, we are \$6,000 above right now.
 - i. Dave Akola – I looked at the bank statements and there was only \$10,000 in the bank total.
- b. Mike Tanner – From what I am seeing we have enough money, my concern is how much power bills have gone up, so I think we need to do a study to see if we only need to do a small increase to cover that and what it takes to do business at the cheapest for our customers.

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- c. Sharon Becker – we also need to consider the rise in everything that has gone on since the last time that there was a rate increase and how these increases in everyday things (employee healthcare, wages, etc.) and how much of a rate increase is necessary.

Mike Tanner made a motion to table this agenda item for a study. Lisa Sando seconded the motion.

Sharon Becker moved to amend the original motion to add “within 60 days to complete the study”.

Mike Tanner seconded the amended motion. Motion, as amended, carried 5-0.

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

Discuss the action of the Douglas County Board of County Commissioners in response to our letter requesting that the BOCC become the ex-officio trustees for the Topaz Ranch Estates GID and Water Company. DA

Dave Akola – the Board of county commissioners voted not to accept the letter to become the ex-officio at that time. If we want to come back with a petition signed by 20% of the TRE community, they will reconsider it.

Frank Flaherty – I sent that letter to the County Manager on behalf of the Board, and I copied the Department of Taxation, I received a phone call from someone at the Department of Taxation stating that she had received some conflicting information from the TRE contract bookkeeper, the Department does not rely on the information received from the bookkeeper or the information provided by the attorney, but they go based off the filed audit. Based on the audit they did not see / feel that the GID needed to be in a trusteeship.

No Board action taken.

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

Prohibit the use of the Bergkamp pothole machine until someone with a CDL is hired. DA

Dave Akola – we have a large piece of equipment that is currently being operated by our employees. None of our employees have a commercial license to drive it. We have the equipment break down and it was towed to Reno, a Board member “hired” a family member to tow it back because they had a commercial license.

Public Comment before Board action:

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- a. Alton Randall – a CDL is not required to operate any vehicle or equipment on TRE roads because they are not maintained by the government. The vehicle code does not apply to TRE roads.
- b. Brad Becker – why not contact the insurance company to see what they have to say about this.
- c. Larry Offenstien – why isn't a CDL a job requirement?
- d. Donna Tanner – are there people who have applied that have a CDL? And if so, shouldn't we start the interview process to get them hired?

Mike Tanner moved to follow the instructions obtained from District's insurance company. Sharon Becker seconded the motion. Motion carried 5-0

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

Nominate and appoint the most qualified applicant to our Board of Trustees. LS

Lisa Sandbo removed agenda item (duplicate agenda item)

7. For Discussion Only:

GID issues Fred Farley

Frank Flaherty – the Open Meeting Laws requires more specificity for agenda items. Upon advice of counsel, this item was removed from the agenda.

11) TRUSTEES' REPORTS: None

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.

Larry Offenstien – looking at this budget sheet, what is "bank analysis"?

Dave Akola – the bank charges us to analyze our bank account.

Larry Offenstien – what is the \$220,000 estimate for legal fees?

Sandy Offenstien – we use to get a legal report, the attorney was not always here at every meeting. When he came, he would say "I worked on this, this, this and this". We don't get that type of report anymore.

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13)ADJOURNMENT: Kaitlyn Insell made a motion to adjourn. Lisa Sandbo seconded. Motion carried 5-0.

TIME: 7:46 pm

Minutes submitted by Board Secretary Kaitlyn Insell

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

DRAFT