

MINUTES

Thursday, October 19, 2023
Mammoth Community Water District
Regular Board Meeting

The Board of Directors convened in session at the hour of 5:31 p.m. and the meeting was adjourned at 8:08 p.m.

Prepared by:



Stephanie Hake
Executive Assistant

ATTEST:



Mark Busby
Board Secretary

THE REGULAR MEETING of the Board of Directors of the Mammoth Community Water District was held on Thursday, October 19, 2023, at 5:31 p.m.

ROLL CALL

Board Present

Director: Tom Cage
Director: Dennis Domaille
Director: Elizabeth Hylton
Director: Tom Smith

Board Absent

Director: Gary Thompson

Staff Present

General Manager: Mark Busby
District Engineer: Garrett Higerd
Operations Superintendent: Clay Murray
Finance Manager: Jeff Beatty
Information Services Manager: Justin Mulbay
Human Resources Manager: Chris Weibert
Maintenance Superintendent: Rob Motley
Principal Administrative Analyst: Michael Draper
Executive Assistant: Stephanie Hake
District Counsel: Joshua Horowitz

Guests Present

Leanna Block – MCWD Staff Member	Andrew Filzen
Dave Carlson – MCWD Staff Member	Seth Guthrie
Michael Youril – Labor Council (<i>remote attendance</i>)	Daylight Madison
Pam Bold – HSEF, Executive Director	Gordon Madison
Matthew Filzen	Gaylon Teslaa

PUBLIC FORUM

President Smith opened the public forum at 5:32 p.m.

No one addressed the Board and President Smith closed the public forum at 5:32 p.m.

CONSENT AGENDA A

- A-1 Approve the September 2023 Check Disbursements**
- A-2 Approve the Minutes from the Regular Board Meeting held September 21, 2023**

There was no discussion. Director Cage made a motion.

BOARD ACTION – To approve Consent Agenda A

MOVED BY: Director Cage
SECONDED BY: Director Domaille
AYES: Directors Cage, Domaille, Hylton, and Smith
NAYS: None
ABSENT: Director Thompson

CONSENT AGENDA B – DEPARTMENT REPORTS

B-1 Operations Department Report	B-5 Information Services Report
B-2 Maintenance Department Report	B-6 Personnel Services Report
B-3 Finance Department Report	B-7 Regulatory Support Services Report
B-4 Engineering Department Report	B-8 General Manager's Report

Director Hylton made a motion.

BOARD ACTION – To approve Consent Agenda B

MOVED BY: Director Hylton
SECONDED BY: Director Cage
AYES: Directors Cage, Domaille, Hylton, and Smith
NAYS: None
ABSENT: Director Thompson

CURRENT BUSINESS

C-1 Discuss and Consider Acting on Government Claims Submitted on behalf of the Mammoth Group by its representatives Seth Guthrie, Mathew Filzen, and William Wallace

President Smith provided a brief explanation of the emails received by community members regarding the Mono County Health Department's testing of wastewater.

Attorney Horowitz confirmed that the emails constitute legal claims but have no basis. He recommended that the Board reject the claims.

Four members of the public addressed the Board to express their concerns about Mono County's wastewater testing.

After comments from the public, board members asked several questions of Mr. Horowitz.

Director Domaille then made a motion.

BOARD ACTION – To reject the claims and direct Attorney Horowitz to prepare and send letters to the claimants denying the claims

MOVED BY: Director Domaille
SECONDED BY: Director Cage
AYES: Directors Cage, Domaille, Hylton, and Smith
NAYS: None
ABSENT: Director Thompson

C-2 Discuss and Possible Adoption of the Attached Side Letter of Agreement between MCWD and International Union of Operating Engineers, Local Union No. 12.

Chris Weibert provided the Board with a brief explanation of the side letter that goes with the revised Personnel Policy and Employer-Employee Relations Policy that were adopted in July 2023.

Michael Youril – informed the Board that the signed letter brings the MOU up to date with the policies and provides for more generous benefits for employees.

Director Hylton then made a motion to adopt the side letter.

BOARD ACTION – To adopt the Side Letter of Agreement between MCWD and the International Union of Operating Engineers, Local Union No. 12

MOVED BY: Director Hylton
SECONDED BY: Director Cage
AYES: Directors Cage, Domaille, Hylton and Smith
NAYS: None
ABSENT: Director Thompson

C-3 Presentation of the Tesla Battery Energy Storage System that Provides Backup Power to the MCWD Wastewater Treatment Plant

MCWD Assistant Engineer, Dave Carlson, provided an informational PowerPoint presentation on the Tesla backup battery used for the Wastewater Treatment Plant. He emphasized the financial savings and other benefits of this program.

Pam Bold of the High Sierra Energy Foundation thanked the Board for being a leader in energy savings.

President Smith commended Mr. Carlson on his great presentation and the project's benefit to District operations.

BOARD ACTION – None, informational only

C-4 Discuss and Possible Direction Regarding the Fiscal Year 2024 Mid-Year Financial Forecast

Jeff Beatty provided the Board with a high-level financial review of the past six months and what might be expected in the remainder of the fiscal year. He noted that there are some line items currently above budget and other items below budget.

He noted that a big increase in the District's revenue came from insurance payments for the replacement of water tank T-8 and the EQ Building roof.

There were a few questions and comments by the Board. Following President Smith thanked Mr. Beatty and the Finance team for their work on the report.

BOARD ACTION – None, informational only

C-5 Update on Status of the Fiscal Year 2024 Strategic Plan

Mark Busby and the department managers led the Board through the strategic plan document, discussing the mid-year status of many of the strategic objectives in the eight categories.

The Board thanked Mr. Busby and staff for the comprehensive update.

BOARD ACTION – None, informational only

C-6 Quarterly Water Supply Update

Clay Murray described the status of the water supply, noting that surface water is presently the primary source. He recommended remaining at the current water conservation level, Level 1 for the next three months. He noted that the next update in January 2024 should have more insight as to what the snowpack may indicate for the coming spring/summer season.

COMMITTEE MEETINGS HELD DURING THE MONTH

Code/Policy Committee – October 10, 2023

Tom Smith
Dennis Domaille

LAFCO – October 12, 2023

Tom Cage
Gary Thompson (*alternate*)

Technical Services Committee – October 18, 2023

Dennis Domaille

Investment Committee – October 18, 2023

Tom Cage
Elizabeth Hylton

Finance Committee – October 18, 2023

Tom Cage
Elizabeth Hylton

Code/Policy Committee:

President Smith reported about the positive updates in the Water Shortage Contingency Plan. Mark Busby added that the District's legal counsel recommended developing a policy for disposing of surplus equipment as a result of updating the Procurement Policy.

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LAFCO (Local Agency Formation Committee):

Director Cage reported that neither he nor Director Thompson were able to attend the October 12 meeting, but that he spoke with Paul McFarland, LAFCO's Executive Director regarding highlights from the meeting.

He said the only business of note to the District is that Mono County has now billed all agencies for back dues.

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Technical Services Committee:

Director Domaille reported that Garrett Higerd and Clay Murray are actively communicating with the District's regulators regarding Laurel Pond and the need to drill additional monitoring wells.

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Investment Committee:

Director Cage reported that the Chandler Asset Management representative reviewed highlights of the District's investment portfolio activity for the past quarter. Director Hylton added that it appears that the portfolio has sustained a loss, but as deposits have matured, they have been reinvested at a much higher interest rate. Director Cage commended Jeff Beatty for his work with managing four areas of investments.

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Finance Committee:

Director Hylton reported about the TESLA backup battery update (item C-3 at tonight's meeting). She emphasized that Jeff Beatty's mid-year financial update report looks good. A brief discussion followed.

DIRECTOR COMMENTS, REQUESTS, AND REPORTS

There were no comments or reports from board members.

ATTORNEY REPORT

Attorney Horowitz reported that the state legislature does not currently have anything new for Special Districts. Attorney Horowitz and his team are currently preparing the year-end report.

CLOSED SESSION

D-1 Conference with Real Property Negotiators

Pursuant to Government Code Sections 54954.5(e) and 54956.8

Property Description: Mono County APNs – 033-148-005-000 and 033-148-006-000

Under Negotiation: Price and Terms of Payment

MCWD Negotiators: Mark Busby and Garrett Higerd

Property Owner Negotiator: Greg Eckert

ADJOURNMENT

There was no report from closed session and President Smith adjourned the meeting at 8:08 p.m.