

MINUTES

Thursday, November 18, 2021
Mammoth Community Water District
Regular Board Meeting

The Board of Directors convened in session at the hour of 5:32 p.m. A brief recess was taken, and the meeting was adjourned at 6:41 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 held on Thursday, November 18, 2021 at 5:32 p.m.

ROLL CALL

Board Present *

Director: Tom Cage
Director: Robert Creasy
Director: Dennis Domaille
Director: Tom Smith
Director: Gary Thompson

Board Absent

None

Staff Present *

General Manager: Mark Busby
District Engineer: Garrett Higerd
Operations Superintendent: Clay Murray
Maintenance Superintendent: Jerry Baker
Finance Manager: Jeff Beatty
Information Services Manager: Justin Mulbay
Principal Administrative Analyst: Chris Weibert
Senior Administrative Analyst: Betty Hylton
Executive Assistant: Stephanie Hake
District Counsel: Joshua Horowitz

Guests Present *

None

**** As a result of the threat of COVID-19, the Board approved holding this meeting virtually in accordance with subdivision (e)(1)(B) of Government Code section 54953. To maximize public participation, comply with Brown Act requirements, and provide a clear record of the meeting, public comment was made available for each agenda item and all action items were voted on by roll call.***

PUBLIC FORUM

President Smith opened the public forum at 5:33 p.m.

No one addressed the Board and President Smith closed the public forum at 5:33 p.m.

CONSENT AGENDA A

A-1 Consider finding by a majority vote under Gov. Code, section 54953, subd. (e)(1)(B) that, as a result of the COVID-19 emergency: (i) meeting in person would present imminent risks to the health or safety of attendees: and (ii) the meeting is authorized to be held by teleconference pursuant to Gov. Code, section 54953, subd. (e)(1)(C)

A-2 Approve October 2021 Check Disbursements (Incode10 #'s 1610 – 1700)

A-3 Approve Minutes from the Regular Board Meeting held October 21, 2021

There was no discussion and President Smith called for a motion.

BOARD ACTION – To approve Consent Agenda A

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

CONSENT AGENDA B – STAFF REPORTS

B-1 Operations Department Report

B-2 Maintenance Department Report

B-3 Finance Department Report

B-4 Engineering Department Report

B-5 Information Services Report

B-6 Personnel Services Report

B-7 Regulatory Support Services Report

B-8 General Manager's Report

Director Domaille made a motion.

BOARD ACTION – To approve Consent Agenda B

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

CURRENT BUSINESS

C-1 Update on the District's Annual "Years of Service" Recognition Picnic

◆ Angie Greig	25 Years	◆ Kris Roberts	5 Years
◆ Marc Hannon	25 Years	◆ Melissa Bretz	5 Years
◆ Keith Weiland	15 Years	◆ Ryan Conboy	5 Years

President Smith thanked all honorees for their longevity and contribution to the success of MCWD.

BOARD ACTION – None, discussion only

C-2 Discuss and Consider Adjusting Compensation Paid to Each Director for Each Day's Service In an Amount Equal to or Less than the CPI of 4.6% Effective January 1, 2022

General Manager Busby introduced the item. Director Cage said that over the past 12 years the compensation increases have averaged approximately 3% annually. To save on staff time in future years, he suggested that moving forward an automatic increase of 3% per year be put in place. Attorney Horowitz advised that the language in both the ordinance and policy require that the Board have the discussion annually.

Director Cage rescinded his motion and made a new motion effective for only 2022.

BOARD ACTION – To increase the compensation paid to each Director for each day's service in the amount of 3% effective January 1, 2022

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

C-3 Discuss and Consider Proposed Terms and Time Period for Employees to Buyout the District's Interest in their Existing MCWD Shared-Value Employee Housing Purchase Assistance Agreement

Mark Busby provided an overview of the proposal, and the reasons staff support it.

Director Creasy said that the Employee Housing Committee met and discussed the proposal. The committee is suggesting that the offer be a 25% discount and be available for up to one year rather than the original proposal of 20% and six months.

A lengthy discussion followed with board members generally in agreement that the goals of the program are to help bridge the gap of the housing shortage in the area and to encourage employees to own their own home. Due to the very low interest rates currently available and the rise in home prices, if current participants are able to refinance their loans and buyout the District, then money goes back into the program and is available for others to use.

Attorney Horowitz confirmed that the proposal was well within the Board's discretion and he didn't have concerns for possible claims of discrimination or gift of public funds.

Director Creasy made a motion. Following further discussion, Director Creasy amended his motion to clarify that if a participant chooses to take advantage of the offer, they would not be eligible to use the purchase assistance program in the future.

BOARD ACTION – To approve the buyout proposal for participants currently in the MCWD Shared-Value Home Purchase Program. The buyout terms are as described in the supporting staff report, which consists of the District using the normal process for determining the gain in value due to the employee and the District with the addition of the following special terms:

- ✓ The District's share of net proceeds from the gain in value would be reduced by 25%
- ✓ The offer is only available for one year from the date of this meeting
- ✓ The employee would be no longer be eligible to participate in the MCWD Employee Housing Purchase Assistance Program

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

Committee Meetings Held During the Month

Employee Housing Assistance Committee – November 3, 2021

Robert Creasy
Gary Thompson

Technical Services Committee – November 17, 2021

Dennis Domaille
Gary Thompson

Finance Committee – November 17, 2021

Tom Cage
Robert Creasy

Employee Housing Committee:

Director Creasy reported that the committee only discussed the loan buyout proposal that had been discussed during item C-3.

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Technical Services Committee:

Director Domaille reported the committee complied with the provisions of AB 361 and approved the meeting to proceed via teleconference. He said the committee was updated on the current water supply, the Well 32 project, the sludge hauling contract, and well sampling.

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Finance Committee:

Director Cage reported that staff are continuing to sort out some utility billing issues associated with the new software. Otherwise, there was nothing else to report on.

DIRECTOR COMMENTS, REQUESTS, AND REPORTS

Director Cage expressed thanks to the summer construction crew for a productive construction season and the successful progress on the Well 32 project.

ATTORNEY REPORT

Attorney Horowitz said there was nothing to report from Sacramento and wished everyone a Happy Thanksgiving.

A brief recess was taken, and the Board members went into closed session at 6:28 p.m.

CLOSED SESSION

D-1 Conference with Real Property Negotiators

Pursuant to Government Code Sections 54954.5(e) and 54956.8

Property Description: Mono County APN – 035-090-008

Under Negotiation: Price and Terms of Payment

MCWD Negotiators: Mark Busby, Garrett Higerd, and Tom Cage

Property Owner Negotiator: Scott Voss

ADJOURNMENT

Following closed session, President Smith said that there was no reportable action from closed session and adjourned the meeting at 6:41 p.m.