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Chair
Area 3 - James C. Weeks
Area 4 - Position 1, John
MacLaughlin
Area 4 - Position 2, Donna
Lamm - Chair
Area 4 - Position 3, Michael
Lach
At Large - John Bosta
Susan Paprocki - Secretary-
Treasurer



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NYE COUNTY WATER DISTRICT GOVERNING BOARD REULAR MEETING

Monday, April 28, 2014 - 09:00 A.M.

2100 E. Walt Williams Drive
BOCC MEETING ROOM
PAHRUMP, NEVADA 89048

Pursuant to NRS 241.020, the agenda of the Nye County Water District has been properly posted at the following locations: Tonopah Convention Center, 301 Brougner Avenue, Tonopah, NV; U.S. Post Office, 201 Erie Main Street, Tonopah, NV; Commissioners' Meeting Room, 101 Radar Road, Tonopah, NV; Beatty Community Center, 100 A South Avenue, Beatty, NV; U.S. Post Office, 600 East Highway 95, Beatty, NV; Beatty Library, 400 North 4th Street, Beatty, NV; Amargosa Community Center, Amargosa Post Office, Amargosa Library, Amargosa Clinic; Nye County Courthouse, Pahrump, NV, 1520 E. Basin Rd; Nye County Administration, Pahrump, NV, 2100 E. Walt Williams Dr.; Nye County Complex, 250 North Highway 160, Pahrump, NV; Pahrump Town Office, 400 North Highway 160, Pahrump, NV; Pahrump Valley Times Office, 2160 East Calvada Boulevard, Pahrump, NV, Website:

<http://www.nyecounty.net>

Videoconference locations accessible to the public:

Pahrump, Nevada: Board of Commissioners Chambers, 2100 E. Walt Williams Dr.

Tonopah, Nevada: Board of Commissioners Chambers, 101 Radar Road

Supporting material for the items on the agenda, provided to the Governing Board of the Nye County Water District is available to members of the public at the Nuclear Waste Repository Project Office (2101 E. Calvada Blvd., Ste. 100, Pahrump NV) and on the County's website.

WEBSITE: WWW.NYECOUNTY.NET Supporting material for the meeting may be requested from Teddi Osburn, Administrative Assistant, Nye County Water District, 2101 E. Calvada Blvd., Ste. 100, Ste. 100, Pahrump, NV, (775)727-3487.

There may be a quorum of the Nye County Board of County Commissioners present but no deliberations shall occur, and no action shall be taken by the Board of County Commissioners. Any person with an action item on the Agenda must be represented at this meeting to answer any questions that might arise or that item may be tabled.

With advance notice we will make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Nye County Water District in writing at the above address, or call (775) 727-3487. Communication for Hearing Impaired: Dial Nevada Relay Service 711 or for Voice to TTY (800) 326-6888 or TTY to Voice (800) 326-686.

MEETING PROTOCOL:

Agenda: All items are approximate except if the item is agendized at a specific time. Items on the agenda without a time designation may be taken out of order. The Commission may combine two or more agenda items for consideration. The Commission may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda.

Speakers must come forward to the microphone, begin testimony by clearly stating their name, and direct all questions and comments to the Chairperson. The Chair will then direct the questions to the appropriate individual. Please avoid repeating testimony that has already been provided and be brief and to the point. Discussions on an item will be closed if they become long-winded, repetitious, or if members in support or opposition become rude. As a courtesy to all persons, please turn-off or set to a silent mode all cell-phones or pagers.

Public Comment periods are scheduled at the beginning and end of the meeting agenda with a time limit of three minutes per person. Additionally, public comment of three minutes per person may be heard during individual agenda items. The Commission reserves the right to reduce the time or limit the total time allowed for public comment. The Commission may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of the Commission, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers. Persons are also invited to submit comments in writing on the agenda items.

The Nye County Water District an equal opportunity provider and employer. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

- 1. Call to Order - Pledge of Allegiance**
- 2. Roll Call**
- 3. Mission Statement - "To develop and implement a long term plan for the management, conservation and sustainability of our water resources to support the long term economic development of Nye County."**
- 4. General Public Comment (first) (Three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item.**

5. **Approval or modifications of the Agenda for the Water District meeting of April 28, 2014.**
6. **For Possible Action -Approval of Minutes for March 24th & March 31st, 2014.**

[Item 6 -March 24 Minutes Draft](#) 

[Item 6 -March 31 Minutes Draft](#) 

7. **Correspondence and Announcements**
8. **Ex Parte Communications and Conflict of Interest Disclosure Statements**
9. **For Possible Action - Discussion, direction and possible decision regarding revision of the Mission Statement for the Nye County Water District that was adopted by the Nye County Water District Governing Board on July 27, 2009.**

[Item 9- Combined](#) 

10. **For Possible Action - Presentation, discussion and possible decision regarding legal opinions from the Nye County District Attorney's Office concerning the following issues:**
 - a. Duties of the Nye County Water District General Manager and the need for a Professional Services contract with the Water District
 - b. The validity of the MOU between Nye County and the Water District
 - c. Legal authority of the Water District to implement a metering program
11. **For Possible Action - Discussion, deliberation and possible direction from Staff regarding the Nye County Water District Budget for Fiscal Year 2014-2015. A detailed breakdown to be provided to the Water Board by staff for each of the short-term and ongoing programs proposed in the current tentative budget:**

[Item 11 - Combined](#) 

12. **For Possible Action - Discussion, deliberation, possible decision, and direction to staff to: 1) Fund the Water Science and Level Measurement Program; 2) Set the level of funding for the program in the 2014/15 budget; 3) Review the Oz Wichman basin health report; and 4) Identify information and technical water level data needed. (Tabled from March 24, 2014 meeting due to time constraints.)**

[Item 12 - Combined](#) 

- 13. For Possible Action - Discussion, deliberation, and possible decision to recommend changes to the Nye County Board of County Commissioners regarding Nye County Code 16.20.190 (E) to eliminate the 4.5-acre threshold for relinquishment of water rights to the Nevada DWR. This change would require relinquishment of water rights for all land subdivisions within Amargosa Valley, consistent with recommendations from the WDGB regarding relinquishment of water rights for land subdivision in the Pahrump Valley**

[Item 13 - Combined](#) 

- 14. For Possible Action - Presentation, discussion, deliberation on comments submitted to PUCN regarding the Integrated Resource Plan for Utilities Inc. of Central Nevada, Docket No. 14-02043.**

[Item 14 - Combined](#) 

- 15. For Possible Action - Presentation, discussion, review and decision to comment and/or make recommendations to the BOCC regarding the Development Agreement between Nye County and the Spring Mountain Raceway, LLC.**

[Item 15 - Combined](#) 

- 16. For Possible Action - Discussion, deliberation, and possible decision to authorize GM to protest or comment on select water right applications in order to protect the groundwater in Nye County as per guidelines from the Nye County Water District.**

[Item 16 -Back-up - Water Rights Protests](#) 

17. District Member, Staff and Liaison Reports/Comments:

a. Finances

I. FY 14 Budget Status - Susan Paprocki

[Item 17a, I - Combined](#) 

b. Board Reports


I. LVVWD/SNWA - Darrell Lacy

II. Desert Tortoise Advisory Committee - John MacLaughlin

c. Staff Reports:

I. Darrell Lacy

II. Oz Wichman

[Item 17c, II](#) 

d. Projects Status Report

I. Staff

[Item 17d, I, - Project Status Report](#) 

e. Board Liaison Reports

I. Commissioner Frank Carbone

f. Report from other individuals, groups and or agencies regarding water-related issues for informational purposes only.

18. For Possible Action - Discussion, Direction and Possible Decision Concerning Future Meetings/Workshops. The next Regular Meeting and Budget Workshop for the Nye County Water District Governing Board is scheduled for May 15, 2014 beginning at 9:00 AM.

19. General Public Comment (second)

20. Adjourn