

## REGULAR MEETING

PALOMINO VALLEY GENERAL IMPROVEMENT DISTRICT  
9732 Pyramid Hwy #407, Sparks, NV 89441

Thursday, June 15, 2023

### MINUTES

Trustee Tom Baker called the regular meeting of the Palomino Valley General Improvement District (PVGID or GID) to order at 6:00 p.m. Thursday, June 15, 2023 at 21555 Pyramid Highway, Reno, Nevada.

1. **Roll Call:** Trustees present were Tom Baker, John Patterson, Dan Helton, and Don Otto. Trustee Greg Dennis was absent. Also present were Shawn Kelly, Operations Manager; Cathy Glatthar, Assistant to the Board (by phone); and Vickie DiMambro, Assistant to the Secretary/Bookkeeper.
2. **Public Comment:**
  - Mark Devereux opined that on the roads graded [report] it would be helpful to have something relative to maybe hours on the equipment or distance on the road. Mr. Devereux said he lives off of Axe Handle Road and he thought it was discussed that next year Axe Handle would be on the schedule for work to be done, and he thought they needed to move that up a little bit.

Trustee Baker asked if there were any further public comments? Hearing no requests, he moved to the next agenda item.

3. **Judicial/Government Affairs:**
  - a. **Review of Proposal and Possible Retention of the Law Firm of Dyer Lawrence, LLP for General Counsel Legal Representation:**

Trustee Baker introduced Mr. Frank Flaherty.

Mr. Flaherty stated he was admitted in 1994, and explained he does administrative law, water law, labor and employment law. He said the firm has experience in the Supreme Court, the District courts, and various administrative agencies. He said he represents one other General Improvement District down south of Gardnerville and he has lots of other clients of different types as well.

In answer to Trustee Patterson's question about the cost, Mr. Flaherty stated his rate is \$350.00 an hour, but he would reduce that by 10% to \$315.00 an hour. He said his travel time was about one hour and 40 minutes, and unless we reach some agreement otherwise, his travel time would also be charged at \$315.00 an hour.

In response to Trustee Baker's comment that a lot of this could be done on the phone, Mr. Flaherty said once he got the hang of this, and depending what's on your agenda, we could be more selective or strategic about when he came up here in person. He thought it would be hard for him to say, "Stop! You're going to violate the open meeting law" if things were getting heated during a meeting and he was just a little voice on the phone. He said we could work out some arrangement, but initially, he'd like to be here.

An unidentified speaker asked Mr. Flaherty if he would be open to charging the travel time one way?

Mr. Flaherty said that'd be the equivalent of a travel rate of \$157.50 per hour, and that might be an option.

Trustee Patterson gave a timeline of what he had experienced here with the attorneys on the Board. For decades, they've not been hourly, but on retainer, which is common in a lot of organizations because it's cheaper. Mr. Mansfield came on under a Board vote to replace Louie Test at the same rate of a \$400.00 a month retainer in July of last year. Mr. Mansfield sent an email out before the April meeting stating some concerns he had with what was going on with the quorum, the open meeting law, and the relationship with you, Trustee Baker, in running the meeting. Trustee Patterson explained he talked with Mr. Mansfield about five days after that email and Mr. Mansfield said nobody had contacted him.

Trustee Helton said he contacted Mr. Mansfield.

Trustee Patterson continued and said then the April meeting came and there were some more infractions, some more things that we probably need to mitigate as a Board, and Mr. Mansfield resigned. The next day, Mr. Mansfield sent out another email to all of us Board members. Trustee Patterson said what he got from that email is we need to mitigate some problems on this Board, but also that Mr. Mansfield was open to discussing coming back. He thought the best course of action for the GID was for Trustee Baker and Trustee Otto to meet with Mr. Mansfield and, through communication, mitigate the concerns of both parties and save the District some money. He said he was not comfortable spending hundreds of dollars more a month when a cheaper solution is readily available with a little bit of conversation and leg work.

Trustee Baker said when Mr. Mansfield decided to read the declaration, that Mr. Mansfield probably wrote for the crew, he was going against the Board that he was supposed to be working for.

Cathy Glatthar stated for the record, Mr. Mansfield did not write that declaration. The three of us wrote that declaration, and we just asked that he read it, and all he did was read, verbatim, what was on the declaration.

Trustee Patterson asked Trustee Baker if he could talk to Mr. Mansfield about that?

Trustee Baker said no, he had no intention to talk to Mr. Mansfield about it. Sometimes, in the long run, you have to pay more to get things under control.

Trustee Helton said he thought we might be at the point we need to cut ties with people we know in this realm so we can move forward with something new. We may have burned some bridges with Mr. Mansfield, and Mr. Mansfield doesn't feel comfortable in here under this situation. He said if they talked and worked things out, that Mr. Mansfield would not feel comfortable in this venue in here.

Trustee Patterson said that's not what Mr. Mansfield said in the e-mail; that in the email we all got, Mr. Mansfield said he was open to discuss.

Trustee Helton explained he talked to Mr. Mansfield after that second email was sent and Mr. Mansfield said he didn't feel comfortable with the way things happened in this open meeting. Trustee Helton said a clean slate would be advantageous to the valley, even at an extra cost. Having somebody who doesn't live here would be better.

Trustee Patterson said he'd rather have more money on the roads. He said he was really not in a comfortable position to ask all the people in this valley to double, and maybe triple, the cost of an attorney, when the answer was simple.

Trustee Helton opined that what you can get for your money may be better; we may have a clean slate with a new attorney.

Trustee Patterson but Mr. Mansfield was [new], he came in July. There was no problem with Mr. Mansfield until February. So he was saying we needed to mitigate those issues.

Ferd Dahms, Chantry Flats, asked Mr. Flaherty if he knew any of the Board members personally?

Mr. Flaherty said no, that he'd spoken on the phone briefly with Trustee Otto and Trustee Baker.

Trustee Otto explained that Mr. Flaherty's name was given as a possible attorney for us through the POOL/PACT's (our insurance company) attorney.

In answer to audience member, Derek Perkins' question, Vickie DiMambro clarified how Mr. Mansfield's retainer worked. She stated we were paying \$400.00 a month retainer that included attending the meetings, however long the meetings lasted, and there was no extra charge for travel time. Then, if any additional work was needed during the time between meetings, it was billed at \$300.00 an hour.

In answer to Paul McCoy's question, an unidentified person said the PVGID meetings have always been monthly.

Jim Currivan opined that Mr. Mansfield was willing to come back. He lives right here, and the price is considerably less.

Cydney Harding opined that's the problem, Mr. Mansfield lives out here. They're talking about trying to get a neutral person that doesn't have sides and can look at it with fresh eyes. She said, as a taxpayer, she would be happy to pay more to get a neutral person that hasn't been tainted.

Matthew Lambert, opined that he didn't see an issue with paying a little more money to get an attorney that's outside of here. We're talking about being frugal with \$100 to \$200, and there's a \$120,000 building that just got put up. Pay a little extra money and get some outside influence and have this guy do his job.

Jan Mortensen asked Mr. Flaherty exactly what he was being retained for?

Mr. Flaherty said typically what he would anticipate doing is working with the Board between the meetings as well. He said you'd send me a draft agenda and he'd look it over to make sure there are no open meeting law issues. It appears you already work with an auditor for your annual audit, but for the other GID he represents, he prepared a memorandum with a bunch of deadlines and calendar dates that they have to comply with, NRS chapter 354, that's local government finance. If there was a complaint that was a violation of the open meeting law, he would respond to that. If there was a request for public records, he would help respond to that; this is the kind of work that can come up between the meetings. When the minutes are done, he typically would review the draft minutes as well, again to make sure that there were no open meeting law issues or to make sure his recollection of what happened wasn't radically different. He relayed some work he did for the other GID in Douglas

County, where he helped them to acquire a lot up for auction due to delinquent taxes. He explained he would be the PVGID's general counsel, and his client would be the District. He would represent the District by working with the Board and then, to the extent the Board directs him, he would work with staff as well. The Board basically steers the ship and gives him direction. He clarified that he wouldn't represent any individual member of the Board. He added that all work would be at the \$315 per hour rate.

Nancy Brown asked how much was in the budget for an attorney and how much a normal month would cost with these changes?

Cathy explained the budget is \$8,000, but she had no idea what the actual amount was last year.

Trustee Patterson said he calculates about \$2,000 a month with what the attorney just said.

Ms. Brown asked if it would be \$24,000 a year versus \$8,000 a year, and where would that come from in the budget?

Trustee Otto said he thought we were changing duties; that he didn't think the other attorney had all of the duties that this new attorney suggested.

Ms. Brown reiterated that she was asking where that money was coming from?

Trustee Otto said he didn't think they had accepted that this additional money would be the way this was going to be.

Ms. Brown said her expectation would be, as a Board, you would know those numbers and you would present those numbers to the public; that is information that's very important to her as a taxpayer and as a resident of the community.

Trustee Helton said we need to move on an attorney. We've been told by many people that we can't even have these meetings without an attorney present. We can't rely on going back and forth with Mr. Mansfield, he's a really nice guy, but we need to move forward.

Mr. Flaherty stated, for full disclosure, there's nothing in the statute that says you have to have an attorney. He didn't want the Board hiring him just because they thought they had to have an attorney, but unless they know the open meeting laws themselves, it's probably a good idea to have an attorney.

Trustee Helton opined that we'd feel a lot more comfortable with Mr. Flaherty around. Granted the budget's important, but there's other areas we can budget money from that are bloated.

In response to Nancy Brown's question as to where those other, "bloated" budget areas would be, Trustee Helton said he couldn't answer that because the secretary would be the one that would know all the numbers.

Ms. Brown said it's very frustrating because that should be fully disclosed to us when you make a proposal, and she thought in the future you need to be doing this ahead of time. You should have been ready today to tell the public this is how much it costs, this is how much it's going to be, this is where it's going to come from; that's your job as a Board.

Trustee Baker said the actual monthly cost will depend on how much we task Mr. Flaherty with doing, and we don't know how much we're going to have to task him with doing; as of the beginning of this, it's going to be just to monitor the meetings.

Trustee Helton said in the beginning, now, we need some assistance legally and it will change later on when we're able to do phone work with the attorney. In the beginning here, it is going to be more money than we're used to.

Ms. Brown said that should have been presented.

Wayne Mortensen said all we're asking is full disclosure of what we're doing. Trustee Helton just stated we're going to have more expenses up front. How much more and for how long? Is this about teaching the Board open meeting law? Is that why we're hiring an attorney? Is that what he's going to do for the next couple of months, and then what happens? We go to phone calls? What do we do? What does the cost go to, and then, where is the money coming from? Do we have a slush fund available or is there a miscellaneous fund we can pull from?

Cathy explained the money will come from the road maintenance category on the budget.

Mr. Mortensen said that's what we all fear; that it's going to come out of the road money. He said he would propose the board go back and think about how you're going to operate with this new attorney; lay it out and bring it back.

Larry Chesney said their job, as Board members, was to run this like a business and any business that doesn't budget for expenses, doesn't know where they're going. That if any additional fees come out of the road maintenance budget, you're going to have a serious public relations problem.

Pam Roberts said she understands people from both perspectives. Full disclosure, she is a semi-retired attorney living in the valley, and she wouldn't take this job, but she was glad this gentleman was willing to serve because she thought it was very important that this board have counsel on record. Louie Test was the attorney for a long time. He gave us a great bargain, \$400 a month retainer. I'll point out that there were some meetings over the last six years, that he wasn't here, not even on the phone, and sometimes that was a problem, because even the Board that existed before this combination, had some problems following the open meeting law. And Cathy knows a lot about the open meeting law and tried to help, but it's just not the same thing. Pat Mansfield is from our valley. I don't know him personally. I thought he was doing a great job and obviously things came to a head and you know, February, there's a lot of problems. We all know about what's going on with this particular Board and she didn't think the Board could have anticipated that they were going to lose their attorney at the April meeting. And so, when you budget for \$8000, it's based on the past attorney. She opined that if it ends up being \$1,000 a month, she didn't think that was outrageous. Frankly, based upon her personal experience and knowledge, obviously it sounds like this gentleman was willing to work with the Board to try and help reduce the cost, but he also was entitled to be paid for his time and his experience and she thought he's extremely qualified to serve as the attorney for this Board. She said she didn't have a problem with possibly \$4,000 more a year to have better run meetings and a better run organization. She said she would encourage the Board to retain Mr. Flaherty.

Trustee Helton made a motion to hire Mr. Frank Flaherty with Dyer Lawrence LLP. Trustee Baker seconded the motion. Upon a vote, the motion passed 3 to 1, with Trustee Patterson not in favor.

Mr. Flaherty was asked to take a seat at the table with the Board members and staff.

**4. Approval of Minutes - April 20, 2023 Meeting:**

Trustee Patterson made a motion to approve the April 20, 2023 meeting minutes as written. Trustee Baker seconded the motion, and hearing no opposition the motion passed.

**5. Approval of Minutes - May 18, 2023 Meeting:**

- Shawn stated he had some comments on the minutes.

Pam Roberts called for point of order and opined that this was not relevant to the approval of the minutes.

Mr. Flaherty said he had not seen the draft minutes and he asked who this individual was?

Shawn replied that he was the Operations Manager.

Mr. Flaherty said public comment isn't time for employees to raise their issues.

Shawn said this is approval of the minutes.

Ms. Roberts opined that Shawn was wanting to correct the Board minutes by inputting his own version of the facts.

Shawn said no, that he was tired of lies being spread here.

Ms. Roberts said maybe make those statements somewhere else in the meeting.

- Wayne Mortensen said during the May meeting, he suggested having forecasting put on the road maintenance report, and he would like to have the President's comment noted in the minutes where the President said, "That makes sense."

Cathy explained we do not have verbatim minutes; that would have to be done by a transcriptionist who is certified per NRS statute to do court-reporting type of minutes. She explained the Board can make a motion to add Mr. Mortensen's comment to the minutes.

Mr. Flaherty said Cathy is correct. You're not required to produce verbatim minutes, but the audio recording is a public record if you want a copy of the audio recording.

Trustee Baker said let's make a motion to add that comment to the minutes.

Mr. Flaherty said so you're going to move to amend the draft minutes. Are there any other amendments before you make the motion?

- Trustee Helton said he did not see where the conversation he had with Cathy about why we were no longer able to put the cameras on the agenda.

Cathy explained that for the last meeting, there were some items that weren't put on the agenda because we did not have a lawyer present, and that particular agenda item had a legal question involved. Trustee Patterson had a legal question that had yet to be answered, and we did not have a lawyer at the last meeting. Trustee Baker did the same thing with this month's agenda by moving the closed sessions to next month in hopes of having a new lawyer present.

In response to Mr. Lambert's question, Mr. Flaherty explained if staff had a concern about an agenda item and communicates that to the Board, the Board would reach out to the attorney and say there's been a question raised about this and they can get advice and based on that advice, it would go on the agenda as is, or with modification, or not at all.

Trustee Helton reiterated that he didn't see anything in the minutes that reflected the conversation between him and Cathy about the agenda.

Trustee Patterson explained what usually happened was if a Board member wants some words changed or a sentence changed for clarification, that Board member would have that wording presented, and if the Board agreed, they could approve the minutes as amended.

Cathy said there's a paragraph under New Business, on page 9, that addresses it and if Trustee Helton wanted something different, he'd have to submit what he thought should be changed and present it to the Board for their consideration.

Trustee Baker made a motion to table the approval of the May 18, 2023 meeting minutes until next month. Trustee Helton seconded the motion, and hearing no opposition, the motion passed.

## **6. Payment of Bills and Other Financial Matters:**

### **a. Transaction Report and Payment of Bills:**

Vickie DiMambro reviewed the transaction report for June 12, 2023 (see attached). The total cash in all accounts was \$486,471.78. Income for the month was Consolidated Tax (CTX) \$48,515.15 and LGTA/Fair Share \$4,637.30.

Vickie reviewed a few of the payments: 1) Clint Jensen Construction for \$15,000 for the primary/secondary framing and bracing milestone for the metal building; and 2) Dustbusters Enterprises for \$6,308.04 for Mag-chloride.

In answer to Trustee Otto's question about there being a payment to Dustbusters last month, Shawn explained there were two truck deliveries, and the invoice for the second truck was not received until after last month's transaction report.

Trustee Patterson made a motion to approve the transaction report for June 12, 2023 and pay the bills. Trustee Helton seconded the motion, and hearing no opposition, the motion passed.

### **b. Estimated Operating Funds Report:**

Cathy Glatthar referred to the report (see attached) and stated she held back the \$202,361 to SNC for the seal coat and patching project. The estimated net operating funds for road improvements as of August 31, 2023 is projected to be \$37,868.

## **7. Road Reports:**

### **a. Road Operations and Maintenance Reports:**

[Operations Manager's Report - Period 05/15/2023 to 06/11/2023, and Roadwork and Requests Report - Period 01/01/2023 to 06/11/2023 (see attached)]

- Shawn said everyone should have the reports and asked if there were any questions.

- Trustee Otto asked for the status of the injured employee’s condition as to what the doctor’s monthly review was.

Shawn stated the employee is still out and the employee is unable to work with the limitations stated in the doctor’s report. The prognosis is good and the employee should be able to return to work; we just don’t know when.

Discussion ensued with concerns over HIPAA privacy laws and what could or could not be reported. Mr. Flaherty stated staff could send sensitive information to the Board by blind-carbon-copy to avoid accidental “reply all” responses. He said information can go one-way to the Board members, but Board members cannot engage and deliberate. Upon a request from Cathy, Mr. Flaherty said he would look into what information the Board’s entitled to and then he would give instruction to staff.

Regarding a possible outstanding safety issue associated with the injury, and safety training, there was no safety hazard to be addressed, and Shawn explained he conducts safety trainings and those safety training sessions are documented.

- Operations Manager’s Report

Matthew Lambert objected to the wording of item number one under Roads Graded and/or Compacted. He opined that opinions should not be included in such reports; just report on the roads that were graded.

Jan Mortensen thanked Shawn for putting the road reports together; that the reports were helpful to show the community the work that was being done.

Trustee Otto said item number seven under “Other” states “Metal Building.” He asked how involved were we with the construction on the building? He said he thought we were subbing that out.

Shawn explained the building is done, but there's still work to be done when it comes to reports needed before the final inspection can be done. Those are things he handles. The roll-up doors still have to be installed, but he didn’t believe that would hold up the final inspection and issuance of the certificate of occupancy (CofO).

**b. Status of 2023 Chip Seal Rehabilitation:**

Trustee Patterson reported that on Thursday, May 25, 2023, Sierra Nevada Construction (SNC) slurry sealed two miles of Whiskey Springs Road from Amy to Right Hand Canyon. He explained he was out on the job site a number of times, and [former Trustee] Larry Johnson was out there a couple of times as well. He said he had to call in Shawn on short notice to do prep work and some patching. He said that was half of the contract, and he was still waiting to hear from SNC about a date for the patching work to be started on Ironwood.

In response to Trustee Otto’s question, Trustee Patterson explained, if he could stay within budget, additional areas of patching could be done on Ironwood.

**8. Old Business:**

**a. Discuss Installation of a Surveillance System for the Maintenance Yard:**

Trustee Otto said he had the same paperwork he had a couple months ago, and for the grant, they’ll probably just change the date on it. As for what these commercial



systems cost, Trustee Otto reported costs range from \$4,500 to \$5,500, and systems with “Cloud” storage have an ongoing monthly charge of \$40 to \$60. He reiterated the grant would pay 75% of the cost, so we would have a max out-of-pocket of \$2,000.

In answer to Trustee Patterson’s question, Trustee Otto said if the system that uses “Cloud” data storage is not selected, the data is stored within the machine on a hard drive and/or a thumb drive.

In answer to Trustee Patterson’s question raised at a prior meeting about who's going to honor the Nevada Public Records Act requests, Trustee Otto said he thought that the secretary could do that quite easily, and if she's overwhelmed and he's not, he'll do it. He added that it will store only 30 days of recordings and then it writes over the oldest data.

In answer to Jan Mortensen’s question as to who was going to have access to the surveillance system hard drive, Trustee Otto stated the Operations Manager (OM) would have access to this on his computer any time he wanted to look at it, but the OM would not be able to edit it. He said the recordings can be accessed remotely, and that all the Trustees would have access at any time.

Shawn stated it’s a surveillance system to watch when we go and come.

Nancy Brown opined that anytime something like this comes up for possible action, you should have the bids presented to the public and what your recommendation is, so there's full disclosure.

In response to Trustee Helton’s comments that the information was provided by Trustee Otto at a previous meeting, Cathy stated there has been nothing in the form of a handout showing any kind of details and comparisons and prices; none of that has been provided.

In response to Trustee Otto’s comment that he’s never seen the bids that we got on the building, Shawn said all the information on the building was outlined in a handout at the December [2022] meeting, and the costs have been coming in as quoted.

Trustee Otto made a motion that we accept the installation of the surveillance system in the maintenance yard. Trustee Helton seconded the motion. Trustee Baker asked for the vote on the motion.

Mr. Flaherty interjected and said there needed to be a little bit more in that motion, and he asked Trustee Otto to include the name of the company, the amount and all that.

Trustee Baker said we didn’t want the system with the data stored in the “Cloud.”

Trustee Helton asked Trustee Otto which vendor the GID’s Insurance company would approve for the grant?

Trustee Otto said he had three different quotes up here, and he didn’t know which company that was; he’d have to dig into them again.

Trustee Helton said he didn’t want to table this and we’d probably have to figure out which one it is now and get her done.

Mr. Flaherty said the motion could be stated as, “the motion is to move forward with the installation of a security camera system from the vendor that does not have “Cloud” storage and is approved by POOL/PACT for the grant.”

Mr. Flaherty said the shortcut is to say, “so moved.”

Trustee Otto said, “so moved.” Trustee Helton seconded the motion. Upon a vote, the motion passed 3 to 1, with Trustee Patterson not in favor.

**9. New Business:**

**a. Comments and/or Conditions for Special Event License: Scott’s Music Get Together, 15000 Roadrunner Road, from September 1st to September 3rd, 2023:**

Cathy explained the GID received an email from the Washoe County Business License Division for this special event, which was a temporary sales and/or services license and this was for a music event on a parcel at the end of Roadrunner Road. The GID maintains Roadrunner Road from Winnemucca Ranch Road to Kitty Green. She explained what we’ve done in the past was to require [the applicants] of this type of event to water the roadways before the event and before the event goes leave. The applicant would be responsible to hire a contractor to water the roadways.

Shawn said with that many vehicles, watering the roadways should be done multiple times a day; they have to get the road well-watered so it won’t corrugate.

Trustee Baker made a motion to impose a condition of approval that the applicant water Roadrunner Road from September 1st to September 3rd. Trustee Helton seconded the motion, and hearing no opposition, the motion passed.

**10. Calendar Review: Cathy Glatthar reviewed the upcoming items:**

- The next meeting is July 20th, 2023. That meeting will have the closed sessions for review of employee performance appraisals starting at 5:00 p.m. and then the regular, open session will start at 6:00 p.m.
- The Board members may submit comments and the President conducts the Operations Manager’s performance appraisal.
- The Operations Manager conducts the employee’s performance appraisal.
- The notices to the employees regarding the closed sessions have been revised to reflect the new date, and she believed Shawn had those notices.
- The annual fiscal reports must be published on or before July 1st and she had that scheduled to be published in the Reno Gazette-Journal on June 30th.
- The agenda will include employee compensation, which will include the PERS rate increase.
- The 4th Quarterly Economic Survey should be ready to be signed at the July meeting, but it is not due until August 14th.
- The invoice for the EMRB’s (Employee-Management Relations Board) per-employee fee will be due by July 31st.

At this time, Trustee Otto suggested having a special meeting two weeks from now and do the employee appraisals, and then the open meeting afterwards to deal with the raises or any changes.

In response to Trustee Patterson’s question, Trustee Otto said the reason he wanted a special meeting was because he was told that there were too many items on the

agendas and the meetings were taking too long. This [interim meeting] would get some of that out of the way, and then for the regular July meeting we could take care of a lot more of the standard things.

Trustee Patterson thought we could handle it all next month. Tonight, several items were taken care of, and nothing is life or death; work on a couple of items in July.

Trustee Otto said he wanted to rattle off a few of the items he'd like to see on the agenda.

Cathy interjected and said Trustee Otto should wait for agenda item 13.

**11. Correspondence:**

- Cathy reported receiving a letter from the Nevada Department of Taxation stating that the final budget was in compliance with the law and appropriate regulations.

**12. Public Comment:**

- Jan Mortensen said at the last meeting, Trustee Otto challenged each of us in the audience to go up and drive Quaking Aspen Road. She said she took Trustee Otto up on his challenge and she drove Quaking Aspen Road. She said compared to the end of Yellow Tail, Quaking Aspen was much better than what she's got. She said they put a maintenance request in, and Shawn would get to it. She wanted Trustee Otto to know that there's a difference between him and her; that Trustee Otto is on the Board and has a straight shot to Shawn, and she does not. She challenged Trustee Otto to drive her road, and have some patience on getting his road done as opposed to the rest of the roads in the valley.
- Ms. Mortensen addressed Trustee Baker and said Trustee Baker had indicated that things had changed and what had changed was the people that were making the decisions on the Board and the people that we, as a Community, elected. She said she would like Trustee Baker to know that there's a lot of us that have just moved into the valley, and our expectations are obviously more than what you, the Board, have been used to. She said she was glad to have the attorney on board. She wanted to make Trustee Baker aware of that; the Board has changed, but the people in the valley have changed also.

At this time, Mr. Flaherty clarified the matter of responding to public comments, as follows:

- The Board could respond to public comment, but it's not required.
- It would not be appropriate for an employee of the District to respond to public comment unless someone on the Board asked them to.
- If a Board member wants to respond to public comment, they have to be careful because someone might bring up something that's not on the agenda, and all of a sudden, they could be having a discussion that's not allowed; so they have to be really careful if they respond to public comment.
- Matthew Lambert opined that the employees are running the show and the Board members, as the elected officials, are responsible for the roads. The Board tells the employees what needs to be done, and if the employees don't do it, then somebody has to hold them accountable; the employees' opinions are irrelevant. He opined that having the employees write that demand letter was irresponsible, and the Board needed to wrap their hands around it and fix this problem.

### 13. **Board Member and Staff Items:**

- Trustee Baker asked the Sheriff's Deputies why they were coming to our meetings?  
Sheriff's Deputy #1 explained they were directed to by their superiors, that somebody in the community requested their presence.

Trustee Baker asked if there was a threat of violence or something they should be aware of?

Sheriff's Deputy #1 explained he doesn't make those decisions; he's told what to do. He said they were informed that the meetings were getting out of hand, and our presence was requested to help maintain order and make sure nothing got out of hand.

Trustee Baker said that's fine; feel free to come to all of the meetings.

Sheriff's Deputy #2 said from his understanding a meeting got out of hand, and they were directed, from even above their superiors, to come and maintain order. He said it seemed like at the last meeting, it worked, and it seems like at this meeting, it's worked. He said if they weren't wanted here anymore, he would tell his superiors that.

Trustee Baker said he had no problem, at all, with the deputies coming, he just was wondering if there was a specific threat or reason.

Trustee Helton said 39 years ago, we had to have a Sheriff's Deputy at every meeting because of all the fights in the parking lot.

- Trustee Otto talked about the agenda items and said, for the last meeting, we had some problems with the Secretary not wanting to put some items on that agenda that Trustee Baker wanted to put on.

Cathy said this meeting agenda has exactly what Trustee Baker requested.

Trustee Baker agreed and said this agenda does have exactly what he requested, but why did it have that it was requested by Trustee Otto?

Cathy explained that the item Trustee Baker was referring to was originally requested by Trustee Otto. She explained that she started adding who requested agenda items, because back at the March meeting, Trustee Otto did not initiate the conversations for the items that he requested be put on the agenda.

Trustee Baker said that was fine.

In response to Trustee Otto's comments, Cathy explained that last month was a special situation.

Mr. Flaherty interjected and said we talked about this earlier. If staff has a concern about the legality of an agenda item, that's what he was here for.

Trustee Baker said right, you're here now.

- Trustee Otto said an agenda item he was looking for was to find out whether or not the Board wanted the pits surveyed again, and we can find out where the corners are so we know where our limitations are on digging dirt up, especially the one on Ironwood.

Some discussion ensued, which Mr. Flaherty stopped and explained this agenda item was for topics for future agendas, and recommended that Trustee Otto have this item put on the agenda.

Trustee Otto asked to have the following agenda item on next month's agenda: "Discussion on the exact, physical corners of our [aggregate pit] properties."

In answer to Trustee Helton's question about the Ironwood pit, Shawn said the survey pins are there and he could put stakes there.

- Trustee Otto said another agenda item that he wanted to get talking about was use of our own materials from these pits and where in our properties.
- Trustee Otto mentioned getting the Level of Maintenance (LOM) item put back on the agenda.

Trustee Baker agreed and asked to have that item put back on the next agenda.

14. **Adjournment:** Trustee Baker made a motion to adjourn the meeting at 7:55 p.m. Trustee Patterson seconded the motion, and hearing no opposition, the motion passed.

**PALOMINO VALLEY GENERAL IMPROVEMENT DISTRICT**

**TRANSACTION REPORT AS OF June 12, 2023**

Submitted by Vickie DiMambro, Bookkeeper

<b>Total of all Bank Accounts:</b>	<b>Balance as of June 12, 2023 - Almost CD #5010</b>	<b>465,559.83</b>
	<b>Balance as of June 12, 2023 - A/P / General Ckg #4179</b>	<b>511.95</b>
	<b>Balance as of June 12, 2023 - Payroll #4430</b>	<b>20,000.00</b>
	<b>Balance as of June 12, 2023 - Petty Cash</b>	<b>400.00</b>
	<b>Total Cash In All Accounts</b>	<b>486,471.78</b>

<b><u>Wells Fargo - Almost CD #5010</u></b>	<b>Balance as of May 15, 2023</b>	<b>453,025.30</b>
Income for the Month		
Ad Valorem/Property Tax	0.00	
Consolidated Tax (CTX)	48,515.15	
LGTA/Fair Share	4,637.30	
Other Income	0.00	
TOTAL	53,152.45	
Interest Income	41.40	53,193.85
Transfer to Wells Fargo #4179	0.00	
Transfer to Wells Fargo #4430	(40,659.32)	(40,659.32)
	<b>Balance as of June 12, 2023</b>	<b>465,559.83</b>

<b><u>Wells Fargo - A/P / General Ckg #4179</u></b>	<b>Balance as of May 15, 2023</b>	<b>511.03</b>
Transfer from Wells Fargo #5010		
Interest Income	0.92	0.92

NAME	CK #	AMOUNT	DESCRIPTION
-			
		0.00	
			0.00
			<b>Balance as of June 12, 2023</b>
			<b>511.95</b>

**PALOMINO VALLEY GENERAL IMPROVEMENT DISTRICT  
TRANSACTION REPORT AS OF June 12, 2023**

<b><u>Wells Fargo - Payroll #4430</u></b>				<b>Balance as of May 15, 2023</b>	<b>20,000.00</b>
Transfer from Wells Fargo #5010		<b>\$40,659.32</b>			
Interest		1.03			40,660.35
Net Payroll		5,674.05	Net Payroll		
Reno Gazette Journal	Bill pay	163.00	Invitation to bid for road improvements 4/25/23		
Humana Insurance Co	Bill pay	197.41	Monthly Vision and Dental Insurance		
United Healthcare	Bill pay	3,051.16	Monthly Health Insurance		
Catherinie A. Glatthar	Patriot	2,570.00	Secretarial \$1,815.00, Accounting \$680.00, Website Maintenance \$75.00		
Vickie DiMambro	Patriot	2,226.25	Bookkeeping		
Catherine A. Glatthar	Patriot	20.66	Office Supplies		
Vickie DiMambro	Patriot	187.03	Office Supplies \$127.18, Patriot Payroll Service \$59.85		
SK's BECC 6/2/23 Stmt					
Pack N Post	SK's CC	53.58	Overnight Postage to Superior Tank & Fabrication		
Napa	SK's CC	14.46	Ford F450 Parts \$4.49, Stock \$9.97		
Our Car Wash	SK's CC	7.50	Truck Wash Ford F450		
Autozone	SK's CC	226.99	Ford F450 Power Steering Pump		
Waste Management	SK's CC	34.98	Monthly Waste Removal		
SK's BECC 7/3/23 Stmt					
GD's BECC 6/2/23 Stmt					
Granite Construction Company	GD's CC	169.28	Coldmix Durapatch .46 Tons @ \$160.00/ton, Energy Surcharge \$.56		
Westex Consulting Engineers	GD's CC	500.00	Setback Letter / Elevation Letter for Metal Building		
Granite Construction Company	GD's CC	74.16	Coldmix Durapatch .46 Tons @ \$160.00/ton, Energy Surcharge \$.56		
Sani-Hut Company Inc.	GD's CC	165.00	Portable Restroom for Metal Building		
Motorola Two Way Radio Gear	GD's CC	70.00	Monthly Two Way Radio		
Patriot Payroll	GD's CC	63.00	Monthly Payroll Processing Fee		
GD's BECC 7/3/23 Stmt					
Verizon	GD's CC	34.39	Monthly Telephone Bill		
Reno Gazette Journal	GD's CC	135.00	Public Notice of Final Budget Hearing for Fiscal Year 2023-2024		
NV Energy	Bill pay	151.98	Monthly Electric Bill		
Clint Jensen Construction LLC	6003	15,000.00	Primary/Secondary Framing and Bracing Milestone for Metal Building		
Dustbusters Enterprises, Inc.	Bill pay	6,308.04	Mag-Chloride 38.061 tons @ \$67.50/ton \$2,569.12, Freight 38.061 tons @ \$88.50/ton \$3,368.40, 11% Fuel Surcharge \$370.52		
Alhambra	EFT	12.25	Monthly Office Water		
PERS	Bill pay	1,945.40	PERS Monthly Payment		
Payroll Taxes - Patriot Payroll	EFT	1,604.78	Payroll taxes (941, NV Unemployment)		
		<u><b>\$40,660.35</b></u>			<u><b>(\$40,660.35)</b></u>
			<b>Balance as of June 12, 2023</b>		<b>20,000.00</b>
<b><u>Wells Fargo - Petty Cash</u></b>				<b>Balance as of May 15, 2023</b>	<b>400.00</b>
				<b>Balance as of June 12, 2023</b>	<b>400.00</b>

Reviewed by Cathy Glatthar, Assistant to the Board: \_\_\_\_\_ 06/12/2023 \_\_\_\_\_

## ESTIMATED NET OPERATING FUNDS FOR ROAD IMPROVEMENTS

Submitted by Cathy Glatthar, Assistant to the Board

**ATTACHMENT: 06/15/2023 Meeting - Agenda Item 6.b.**

Total Cash in all Bank Accounts as of June 12, 2023		486,472	
Additional Revenue Expected Through August 31, 2023		134,500	
<b>ESTIMATED OPERATING FUNDS THROUGH AUGUST 31, 2023</b>			<b>620,972</b>
LESS Average Monthly Expenses (\$35,000) x 2.5 Months		-87,500	
<b>LESS:</b> Capital Outlay FY21&22 Carryover + FY23 \$69,932*; [*\$2,500 for 1 Pickup Truck from TMFire (Pending)]; Aggregate Surfacing \$102,418; Seal Coat & Patching \$202,361; Workers' Comp \$2,000 (Aug); Insurance \$12,000 (July); Mag-chloride \$19,000 - \$6,300 - \$6,308 = \$6,392; Broken Spur Road Improvement Project \$38,000		-435,603	
<b>LESS</b> Reserve Funds (= Ending Fund Balance per Budget)		-60,000	
<b>ESTIMATED EXPENSES &amp; RESERVES THROUGH AUGUST 31, 2023</b>			<b>-583,103</b>
<b>ESTIMATED NET OPERATING FUNDS FOR ROAD IMPROVEMENTS AS OF AUGUST 31, 2023</b>			<b>37,868</b>
<b>Additional Revenue Expected Through AUGUST 31, 2023:</b>			
From 2022/2023 <u>Final Budget</u>	Figures Used for <u>Est Op Funds Rpt</u>		
340,854	340,000	Ad Valorem	*July '23 thru Aug '23 10,000
645,531	615,000	CTX	**38,000 x 3 114,000
40,000	42,000	LGTA	***3,500 x 3 10,500
<b>1,026,385</b>	<b>997,000</b>		<b>134,500</b>
	<b>-29,385</b>	<b>Difference between Budget and Estimated Operating Funds Report Projected Revenues</b>	
<b>MONTHLY EXPENSES:</b>			
	Average	Actual	Difference
Payroll	18,000	12,473	5,527
Other (non Road Maint)	17,000	5,917	11,083
	<b>35,000</b>	<b>18,390</b>	<b>16,610</b>
			A/P Acct Exps 0
Capital Outlay		15,719	P/R Acct Exps 40,660
Road Maintenance		6,551	Petty Cash Exps 0
<b>TOTAL EXPENSES</b>		<b>40,660</b>	<b>40,660</b>



**REVENUE - ACTUAL AND ESTIMATED**

NOTE: As of 6/12/2023, Actual Revenue was LESS Than YTD Estimated By: **-\$60,205.36**

**AD VALOREM** (Normally received around the 10th of the month)

Payment Posted Date	Estimated	Actual	Difference	YTD Difference
at 09/12/22 (35%)	119,000.00	0.00	-119,000.00	-119,000.00
9/15 and 10/13/22	0.00	129,562.84	129,562.84	10,562.84
11/07/22 (21%)	71,400.00	64,374.03	-7,025.97	3,536.87
at 12/12/22	0.00	0.00	0.00	3,536.87
12/15/22 & 1/12/23	0.00	6,562.02	6,562.02	10,098.89
02/10/2023 (21%)	71,400.00	64,001.77	-7,398.23	2,700.66
3/10/2023	0.00	160.48	160.48	2,861.14
4/7/2023 (21%)	71,400.00	59,888.06	-11,511.94	-8,650.80
5/11/2023	0.00	982.56	982.56	-7,668.24
at 6/12/23	0.00	0.00	0.00	-7,668.24
July (2%)	6,800.00			
August	0.00			
	340,000.00	325,531.76	<b>-14,468.24</b>	*Use \$10k

**CTX** (Normally received at the end of the month)

Payment Posted Date	Estimated	Actual	Difference	YTD Difference
9/28/2022	51,250.00	45,936.66	-5,313.34	-5,313.34
10/26/2022	51,250.00	47,237.89	-4,012.11	-9,325.45
11/28/2022	51,250.00	46,585.40	-4,664.60	-13,990.05
12/28/2022	51,250.00	46,204.99	-5,045.01	-19,035.06
1/27/2023	51,250.00	43,409.06	-7,840.94	-26,876.00
2/24/2023	51,250.00	48,938.57	-2,311.43	-29,187.43
3/29/2023	51,250.00	39,446.75	-11,803.25	-40,990.68
4/26/2023	51,250.00	37,351.89	-13,898.11	-54,888.79
5/26/2023	51,250.00	48,515.15	-2,734.85	-57,623.64
June	51,250.00			
July	51,250.00			
August	51,250.00			
	615,000.00	403,626.36	<b>-211,373.64</b>	**Use \$38k/mo

**LGTA** (Normally received mid-month)

Payment Posted Date	Estimated	Actual	Difference	YTD Difference
9/16/2022	3,500.00	377.00	-3,123.00	-3,123.00
10/18/2022	3,500.00	6,016.96	2,516.96	-606.04
11/16/2022	3,500.00	4,116.04	616.04	10.00
12/16/2022	3,500.00	5,282.26	1,782.26	1,792.26
1/17/2023	3,500.00	3,635.55	135.55	1,927.81
2/17/2023	3,500.00	3,848.69	348.69	2,276.50
3/16/2023	3,500.00	5,650.11	2,150.11	4,426.61
4/18/2023	3,500.00	3,022.61	-477.39	3,949.22
5/16/2023	3,500.00	4,637.30	1,137.30	5,086.52
June	3,500.00			
July	3,500.00			
August	3,500.00			
	42,000.00	36,586.52	<b>-5,413.48</b>	***Use \$3.5k/mo

## PVGID OPERATIONS MANAGER'S REPORT

Report Period 5/15/2023 to 6/11/2023

ATTACHMENT: 6/15/2023 Meeting Agenda Item 7.a.

### ROADS GRADED AND/OR COMPACTED:

1. Grass Valley: Whiskey Springs to Wayside - Work done by Trustee Otto disturbed the road's "crust" and the road washboarded quickly; removed washboard in preparation for slurry trucks accessing Wayside yard for stockpiled materials for the Whiskey Springs micro-paving project
2. Grass Valley: Whiskey Springs to Turf Farm
3. Piute Creek: Whiskey Springs to Turn
4. Lost Spring - Repair roadway from flash flood event
5. Roadrunner - Repair roadway from flash flood event
6. Grass Valley: Near Wayside to Near Pyramid (~2 Miles)

### OTHER ROAD WORK:

1. Whiskey Springs - Amy to Right Hand Canyon: Patch pot holes with ½ ton mix; Also sweep edges of the road in preparation for micro-paving
2. Ironwood - Near Ironwood Pit to Near 460 Ironwood: Repair flash flood damage, pull ditches to repair shoulders of roadway, and repair ditches on both sides of roadway
3. Piute Creek - Turn to Stop: Repair some ditches to redirect the water from springs off roadway in various spots along this section of the road

### OTHER:

1. Office work
2. Attend Meetings
3. Post Agenda
4. Road Surveys
5. Town for parts
6. Misc. Yard work
7. Metal Building
8. 1555 Sharrock Road - Tentative Parcel Map Case #WTPM22-0009 - New Driveway Access: Meet with representative from Reno Tahoe Geo Associates, Inc. to discuss compliance with PVGID's conditions of approval for access to a PVGID-maintained road
9. Employee out on medical
10. Holiday

### EQUIPMENT:

1. 1995 Water Truck: Right rear outer tire flat, Air up and inspect, found nail, Repaired
2. 2005 772 Grader: R&R Cutting edges
3. F450 Pickup: Power steering pump leaking - Remove all necessary parts to replace pump; Wash truck
4. 2005 IR Compactor: Replace screen over drum

2023 MONTHLY ROADWORK AND REQUESTS REPORT

Report Compiled by Cathy Glatthar from Monthly Operations Manager's Reports

ROADWORK: G=Grading (Incl Watering, Compacting, Escapes), CE=Class E, D=Ditching, CC=Culvert Cleaning, CI=Culvert Install, W=Watering, AM=Asphalt Maint (Patching, Crack Sealing, Striping, Shouldering, Sweeping, etc.), SR=Snow Removal, MC=Mag-chloride, SC=Seal Coats, EP=Edge Paving, ER=Emergency Repairs, DR=Debris Removal, DG=DG Added, R=Request Received

			2023 Operations Manager's Report Date											
P=Paved UP=Unpaved	Road Segment	Miles	01/15	02/12	03/12	04/16	05/14	06/11	07/16	08/13	09/17	10/15	11/12	12/17
UP	Amy (N)	0.1												
UP	Amy (Whiskey Springs - James Ranch)	1.57	SR		G									
P	Amy (James Ranch - Ironwood)	0.88	SR	AM										
UP	Amy (Ironwood - Wilcox Ranch)	0.4	SR	G										
UP	Amy (S) (Wilcox Ranch - End)	1.4	R/SR				CC(1)							
UP	Anniversary	0.5												
P	Axe Handle (Pyramid - Curnow Canyon)	3	SR	AM		ER,AM								
P	Bacon Rind (N: Axe Handle - End of Surfacing)	0.5												
UP	Bacon Rind (N: End of Surfacing - End)	1.2												
UP	Bacon Rind (S: Axe Handle to Sky Canyon)	1.25												
UP	Bacon Rind (S: Sky Canyon - End/Sage Cyn)	0.25												
UP	Big Dog (Prairie - Turn/4700 Big Dog)	0.6												
UP	Bootstrap	0.5												
UP	Broken Spur (N)	0.2												
UP	Broken Spur (S: Whiskey - Tumbleweed)	0.38	SR	R	R	G								
UP	Broken Spur (S: Tumbleweed - Morgan Ranch)	1.12	SR	R	R	G								
P	Broken Spur (S: Morgan Ranch - Sharrock)	0.9	SR											
UP	Chantry Flats	1.1	SR											
UP	Chieftan (Pasture View - Vista Trail)	0.8												
UP	Crazy Horse (Wilcox - Yellow Tail)	0.73	SR				R/CC(1)							
UP	Crazy Horse (Yellow Tail - End)	0.37	SR											
UP	Crossover (N)	0.2												
UP	Crossover (Wild Horse - Twin Springs)	0.6												
UP	Curnow Cyn (Axe Handle - Quonset)	0.9	SR		G									
UP	Curnow Cyn (Quonset - Top of Hill 455 CCRd)	0.9	SR		G									
UP	Curnow Cyn (Top of Hill - Stop/190 CCRd)	0.8	SR		G									
UP	Easy Jet (Range Land S - End)	0.4												
UP	Flagstone	0.2												
UP	Grass Valley (W) (Pyramid - Flying Eagle Air)	1.6	R Base	R/SR		R/G,ER								
UP	Grass Valley (W) (Flying Eagle Air - End)	2.25												
UP	Grass Valley (Pyramid - Wayside)	2.6						G prtl						
UP	Grass Valley (Wayside - Whiskey)	0.5						G						





PVGID MINUTES JUNE 15, 2023

ATTACHMENT - Agenda Item 9.a.

Agency Review of Special Event - Comments and/or Conditions of Approval  
Scott's Music Get Together - 15000 Roadrunner Road - APN 076-200-03  
Rescheduled for September 1 to 3, 2023 (Originally 9/15 - 17/2023)

Washoe County Business License Division sent an email with the Special Event (Temporary Sales or Services License) General Procedures and Application to the PVGID for their review and possible comments and/or conditions of approval per subsection 8 of the licensing procedures, which states:

8. **CONDITIONS OF APPROVAL.** One or more of the reviewing public agencies may recommend conditions be attached to the temporary sales or services license. Washoe County Business License will determine which conditions are attached to the license, and issue the license with those conditions. All conditions must be met to the satisfaction of the imposing public agency, and it is the applicant's responsibility to contact the agency for condition compliance. Failure to comply with any pre-event conditions may cause Washoe County to not issue the temporary sales or services license. Failure to comply with during-event conditions may cause Washoe County to take appropriate measures to revoke or suspend the license. Failure to comply with post-event conditions may cause Washoe County to impose more stringent conditions on, or potentially jeopardize the approval of, future temporary sales or services license applications.

Excerpts from the application:

Will an admission fee be charged for your event?  Yes  No  
If yes, amount and type of fee(s): \_\_\_\_\_  
When will fee be collected?  Pre-sales  At entrance  
Approximate number of participants and other persons: 10  
Approximate number of customers and spectators: 50  
Approximate maximum number of persons on any one day of the event: 60  
Approximate number of vehicles to be parked at the event: 40  
Parking Facilities: Location 15000 Road Runner Road Spaces available 120 ACRES

**Sales and Vendor Information**

Will food and/or beverages be served?  Yes  No  
(all food and beverage vendors must have the appropriate Washoe County Health District permits)  
Will alcoholic beverages be served?  Yes  No  
(all intoxicating liquor vendors must be individually licensed with Washoe County Business License)  
Will there be live music?  Yes  No  
Will amplified sound equipment be used?  Yes  No  
Will non-food items (such as t-shirts, posters) be sold?  Yes  No  
Will vendors be at your event?  Yes  No  
If yes, how many? For profit: <10 Not for profit: \_\_\_\_\_