

CARSON WATER SUBCONSERVANCY DISTRICT  
BOARD OF DIRECTORS AND  
CARSON RIVER WATERSHED COMMITTEE MEETING  
March 17, 2021

## **Draft Minutes**

***The CWSD March 17, 2021 Board of Directors meeting was held via Zoom Videoconference and teleconference due to Governor Sisolak's statewide Emergency Directive in response to the COVID-19 Pandemic.***

Chairman Giomi called the meeting of the Carson Water Subconservancy District (CWSD) to order at 6:30pm. Roll call of the CWSD Board was taken and a quorum was determined to be present.

### **CWSD Directors present:**

John Engels, Director  
Mark Gardner, Director  
Stacey Giomi, Director  
Ken Gray, Director  
Jack Jacobs, Director  
David Nelson, Director  
Pete Olsen, Director  
Erne Schank, Director  
Lisa Schuette, Director  
Mike Workman, Director

Roll call of the Carson River Watershed Committee was taken which included CWSD Directors and Committee Members present - Kathy Canfield, David Griffith, and January Riddle.

### **CWSD Staff & Guests present:**

Shane Fryer, Watershed Program Specialist  
Brenda Hunt, Watershed Program Manager  
Edwin James, General Manager  
Patrick King, CWSD Attorney  
Debbie Neddenriep, Water Resource Specialist II  
Catrina Schambra, Administrative Assistant/Secretary to the Board  
Katie Smith, Watershed Technician – AmeriCorps

*The Pledge of Allegiance was led by Director Olsen.*

**Item #4 – Discussion Only: Public Comment** – None

**Item #5 – For Possible Action: Approval of Agenda**

*Further discussion is required and therefore it is requested for items 9, 11 and 12 to be pulled from the Consent Agenda. Chairman Giomi asks for any objections and they are none, and it is assumed approved by the Board.*

**Item # – For Possible Action: Approval of the Board Meeting Minutes of February 17, 2020**

*Director Jacobs made a motion to approve today's Agenda and the Board Meeting Minutes of February 17, 2021. The motion was seconded by Committee Member Griffith and unanimously approved by the Board.*

**\*\*CONSENT AGENDA\*\***

**Item #7 - For Possible Action: Approval of Treasurer's Report for February 2021**

**Item #8 - For Possible Action: Approval of Payment of Bills for February 2021**

**Item #10 – For Possible Action: Approval for Debbie Neddenriep to Attend the Association of State Floodplain Managers Virtual Conference May 10-14**

*Director Gray made a motion to approve Consent Agenda as amended. The motion was seconded by Director Jacobs and unanimously approved by the Board.*

**\*\*END OF CONSENT AGENDA\*\***

**Item #9 - For Possible Action: Approval of Contract #2021-21 JE FULLER - Ruhenstroth ADMP Phase 2 in an amount not to exceed \$89,284.**

**Item #11 – For Possible Action: Approval of Contract #2021-23 CARDNO - Clear Creek Floodplain Restudy and Remap in an amount not to exceed \$161,360.**

Committee Member Griffith asked if CWSD Board members needed to be added to all CWSD contracts as insureds. His concern is Board members may be held liable for contracts if they are not explicitly named in the indemnities clause of the contracts.

Patrick King, CWSD Attorney addressed this concern. He explained that during the last year when we updated our contracts to standardize the language, it was done with language recommended by the Attorney General's office. It is assumed that Directors are immune to litigation if acting in good faith in performing their duties in their position on the Board. This can be found on page 43 of the Office of Attorney General, Nevada Board and Commission Manual, Catherine Cortez Masto, Attorney General, State of Nevada, November 2006. Acting in bad faith would never be covered regardless of any cause in a contract. If ever in doubt, the Board is free to contact him as CWSD legal counsel.

Committee Member Griffith asked about Civil litigation and protection under Federal laws. There was discussion and consensus that Mr. King do further investigation into this issue. Director Schank specifically asked him to investigate the past TCID case litigation.

*Director Gray made a motion to approve agenda Items 9 & 1, with a caveat to add a clause to the contract if found necessary to indemnify CWSD Board members. The motion was seconded by Director Schank and unanimously approved by the Board.*

**Item #12– For Possible Action: Approval of the 2021 Water & Sewer Rate Report**

Debbie Neddenriep presented updates and corrections to the 2021 Water & Sewer Rate Report. These were provided to the Board members as a handout at the meeting and has been posted on the CWSD website. She reported that the correct figures will be incorporated into the final document that will be posted on our site and sent to water purveyors. Mr. James explained that this document is a tool that CWSD produces each year with information we collect from all water purveyors in our watershed. Director Giomi asks that a copy of the final report be sent to all

Board members when complete.

*Director Jacobs made a motion to approve 2021 Water & Sewer Rate Report. The motion was seconded by Director Engels and unanimously approved by the Board.*

**Item #13 - For Discussion Only: Presentation by Alpine Watershed Group on projects conducted in Alpine County**

Mo Loden, Watershed Coordinator, Alpine Watershed Group gave a presentation on the Hope Valley Restoration & Aquatic Habitat Enhancement Project. [Click here](#) to view her presentation on YouTube.

There was discussion regarding the cost of the project and the mitigation strategy used to combat bank erosion. Director Jacobs suggested this would be a good project site to visit when we are able to resume field trips in the future.

*No action was taken.*

**Item #14 - For Discussion Only: Presentation on the Final version of the Water Drinking Video**

Brenda Hunt gave the Board an exclusive sneak peek at the latest PSA video: “Water Connects Us All,” which will be premiering the week before Earth Day (April 22).

Kudos all around from Board members! Director Engels commented how important this is to get out the word for people to take care of their septic tanks. Nitrate Algae blooms are a problem in the Carson Valley. Director Gardner asks that the link be sent to Melissa Blosser, Douglas County PIO to help promote it, as well as all Board members for them to get it on their area websites as well.

*No action was taken.*

**Item #15 - For Discussion Only: Update on the Watershed Wednesdays Forum**

Shane Fryer gave an update on the Watershed Wednesdays Forum. He compiled a “Sizzle Reel” of the first 3 weeks of the month-long forum. [CLICK HERE](#) to view it on the CWSD YouTube channel. He also gave specific statistics on the well-attended and highly reviewed virtual forum. He thanked the team at CWSD for their long hours and hard work towards this production. It is a new and unique venue and CWSD is happy and proud of the results. There are 2 more Wednesdays. Join us!

*No action was taken.*

**Item #16 - For Possible Action: Update on the 2021 Legislation Session**

Mr. James discussed the various issues being addressed in the legislation session and how they would possibly affect CWSD.

*No action was taken.*

**Item #17 - For Possible Action: Approval of the Fiscal Year 2021-22 Tentative Budget**

Mr. James presented the FY 2021-22 Tentative Budget as recommended by the Finance Committee at the March 1, 2021 meeting. He went over the proposed General Fund, Acquisition/Construction Fund, and the Flood Fund in detail for the Board members. Mr. James also mentioned that the Ad Valorem tax figures are an estimate. CWSD will receive the tax numbers from the Department of Taxation on March 25. Mr. James recommended that we use these figures. He also mentioned that Alpine County amount is based on the average percent

increase of the other four counties.

Mr. James reported on the topics discussed at the committee meeting, such as Storey County funds, if SB 98 is approved, be used to bolster the Flood LGIP Fund. Director Schuette commented that it was a struggle to decide on funding with so many great projects being proposed. Sticking to our stated mission statement made it easier to make the cuts, she said. It was a 5-hour meeting with 18 funding proposal presentations. Chairman Giomi said this committee is the hardest job on the Board and he sincerely thanks all the members of the Finance Committee for their long hours and hard work.

*Director Schank made a motion to approve the FY 2021-21 General Fund with the Department of Taxation Ad Valorem tax figures, Acquisition/Construction Fund, and the Flood Fund. If Storey County is NRS approved, those funds will go into the Flood Fund. The motion was seconded by Director Gray and unanimously approved by the Board.*

**Item #18 - For Discussion Only: Update on 2021 Water Year**

Mr. James gave a slide presentation on the 2021 Water Year to the Board. The current flow is way below average. This year is another example of why the Truckee Canal is so important to the Newlands Project.

*No action was taken.*

**Item #19 – For Discussion Only: Staff Reports –**

Mr. James reported the following:

- CWSD was nominated for FEMA CTP Partner of the Year Award by FEMA Region 9!
- The BOR Basin Study Grant has been released for applications. The Regional Water System & Flood Committee will be meeting soon to discuss it we will pursue this grant.
- Thanks to Debbie Neddenriep for chairing the Charter meeting earlier today. FEMA awarded CWSD the funds requested for MAS 12 proposed projects.
- We are starting to look forward to hopefully being able to return to field trips by June. Please be thinking about ideas of what you would like to show to the Board members when we travel to your county.

Brenda Hunt reported the following:

- We would love to have Board members check out the presentations at Watershed Wednesdays! Please join us!

**Legal** – Mr. King reported he will be researching the Board member indemnity question and reporting back to the Board.

**Correspondence** – None

*No action was taken.*

**Item #20 – For Discussion Only: Directors Reports –**

- Chairman Giomi reported Carson City will address second reading of LID ordinance at meeting tomorrow. If passed, it would become part of CC Drainage Manual for future the construction projects effective July 1, 2021.

- Director Shank said we did not mention the discussion regarding the 1.75% COLA increase for CWSD employees for FY 21-22 from the Finance Committee. He wants this issue referred to the Administrative Committee to implement a standard calculation policy for use in the future. Chairman Giomi asked Mr. James to put that on the Administrative Committee Agenda for their next meeting.
- Director Gray reported that Lyon County recently had a great presentation by Rob Holley with the Dayton Valley Conservation District on the various river projects they are doing along the Carson river. He believes this would a good field trip opportunity for this summer. Director Gray also mentioned that he would like to be at the bill signing when Storey County becomes an official member of CWSD. He hopes that the other Board Members and representatives from Storey County would also be there. This is something we have been working on for over ten years.

*No action was taken.*

**Item #21– For Discussion Only: Update on activities in Alpine County –**

- Committee Member Griffith reported that Alpine County and California Forest Supervisors in Regions 4 & 5 are meeting to discuss Alpine County access to California grant funds.

*No action was taken.*

**Item #22– For Discussion Only: Update on activities in Storey County –**

- Committee Member Canfield reported Storey County has submitted a letter to Governor Sisolak stating their position on Innovation Zone proposed legislation. This letter was shared as a handout to the Board members and posted on our website.

*No action was taken.*

**Item #24 – For Discussion Only: Public Comment – None**

There being no further business to come before the Board, Chairman Giomi adjourned the meeting at 8:19 pm.

Respectfully submitted,

*Catrina Schambra*

Secretary to the Board