

VIRGIN VALLEY WATER DISTRICT REGULAR BOARD MEETING
VIRGIN VALLEY WATER DISTRICT OFFICE
JANUARY 6, 2009

Minutes of a Regular Board Meeting of the Virgin Valley Water District Board held on January 6, 2009, at the Virgin Valley Water District Office at 3:00 p.m. Attending were President John Paul, Vice-President Kenyon Leavitt, Secretary-Treasurer Cecil Leavitt, and Board Members Ted Miller and Robert "Bubba" Smith. Also present were Michael Winters General Manager, George Benesch District Council, Michael (Boomer) Johnson Chief Hydrologist and Mary Johnson taking minutes and other interested parties of agenda items.

President John Paul called the meeting to order at 3:00 p.m.

Cecil Leavitt offered a Prayer and Kenyon Leavitt led the pledge.

Public Comment: Sandra Ramaker stated her concerns on a water repair on Green Park Drive on January 2, 2009 and safety violations she observed. Patrick Williams questioned the VVWD Operations Systems "Closed Bids" and when they would be opened. Mike stated that no bids have been accepted; only RFP's to SH Architecture.

1. Oath of Office to Re-Elected Board Member Ted Miller

Notary, Mary Johnson, administered the Oath of Office to Ted as he had been re-elected to serve two more years on the Board of Directors for the Virgin Valley Water District.

2. Elect Officers

John Paul stated that he has been serving as the President and if the board so desired, he would be more than willing to continue in this position. John further stated that Cecil has been Secretary-Treasurer for years and asked if he would like to continue in this position and he stated that he would. Kenyon Leavitt was nominated as Vice-President last year and had no objections of continuing in this position.

Ted Miller made a motion to leave as status quo and to make no changes and keep the officer's of the VVWD the same with John Paul as President, Cecil Leavitt as Secretary-Treasurer and Kenyon Leavitt as Vice-President. Bubba Smith seconded the motion. John Paul asked if there were any other nominations, and seeing none, the motion was passed unanimously. 5-0

Discussion: Board Comments – Ted Miller questioned the District's pressure system and if we had information on the system pressure when pipes have broken and if any pipe replaced had failed again. Mike Winters stated that the District did have information regarding the pressure and yes, pipe had failed again that had been replaced, but it was still the same pipe back in 1999 and 2000.

President of Board Comments - None

CONSENT AGENDA:

John Paul had a question on item #4 regarding the company's paperwork on page 3

stating that the rate of inflation could be applied and if the amounts were included or the amount of this item would increase. Boomer answered stating that there should be no extra service charges and the amount stated should not go higher.

Bubba Smith made a motion to approve the consent agenda as listed below. Kenyon Leavitt seconded this motion and it was unanimously carried. 5-0

1. Discussion & Action - Approve Agenda
2. Discussion & Action – Approve of Minutes from **12/2/08 Regular Board Meeting**
3. Discussion & Action – Approve Bills Paid - **\$3,405,327.41**
4. Discussion & Action – Approve Purchase Orders Over \$2,500
 1. Subsurface Technologies - **\$121,080.00 – Aqua Guard Treatment of VVWD Well Nos. 30, 31, 32 and 33**
5. Discussion & Action – Approve “Will Serve” Letters - **Ratify**
 1. Sunrise Meadows Subdivision Phase 2 – **28 EDU’s Contingent upon meeting the Criteria to Ordinance II**

**** End of Consent Agenda****

6. Discussion & Possible Action – Consideration to File Complaint for Judicial Proceedings for Interpleader and Declaratory Relief

George stated that he was contacted by Chris Blair, wherein he was requesting the Ordinance II fees returned on a project, Vista Rose Subdivision, now known as Santa Fe Springs Subdivision, since he is no longer the owner of the project. Chris Blair, and/or, Stone Creek Development and Bulloch Brothers Engineering had both paid the Ordinance II fees on the project before the Ordinance II fees were increased and there was an issue on ownership. George contacted Greg Bulloch with Bulloch Brothers in an effort to determine if they were agreeable to the District returning the fees to Stone Creek Development since Bulloch Brothers are the owners of the property in question and Greg stated that they were not agreeable to this since they were under the theory that the payment became part of the project deeded over in lieu of foreclosure. Since the parties cannot agree, this forces the Water District to file this action for interpleader wherein the Justice Court will decide which party is entitled to the excess payment.

Ted questioned the money that the District has spent and will spend on this.

Cecil Leavitt made a motion to authorize general counsel to file complaint for judicial proceedings for Interpleader and Declaratory Relief. Bubba Smith seconded this motion and it was carried by a vote of 4-1 with Ted Miller opposed.

7. General Manager's Report

Mike informed the board that he has been working with legal counsel regarding the polyethylene pipe failure. Concerning the crossing at the Bunkerville Bridge, Mike stated that Boomer would have more in his report, but that we were getting ready to hook into the 16" system and install the PRV vault. Mike further reported that he believes that two or three of the arsenic plants will be operational by the end of January and the others shortly thereafter. Mike further informed the board of upcoming agenda items that we would be working on.

8. Hydrologist's Report

Boomer stated that he has been working on the second installation of the pipe for the directional drilling at the Bunkerville Bridge and that it finally passed the pressure test on Sunday and that they were demobilizing now. The aqua guard treatment for the wells should be completed at the end of January as well as well #30 we are getting the finalization of the equipment to begin the installation of the new pumping equipment.

9. Adjournment

President John Paul adjourned the meeting at 3:45 p.m.

(NOTE): The minutes of this meeting have been tape-recorded and will remain on file in the District office for a one-year period for public examination.