

**MINUTES OF THE REGULAR MEETING OF THE  
KINGSBURY GENERAL IMPROVEMENT DISTRICT BOARD OF TRUSTEES  
TUESDAY, OCTOBER 18, 2022**

**CALL TO ORDER** - The meeting was called to order at the Kingsbury General Improvement District office located at 255 Kingsbury Grade, Stateline, Nevada at 5:00 p.m. by Sandra Parks.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL** – In attendance were Trustees Parks, Nelson and Yanish. Trustee Schorr was not present. Also present were General Manager Mitch Dion, Operations Superintendent Brandon Garden, Administration & Human Resource Supervisor Judy Brewer and General Counsel Chuck Zumpft. Public included Jennifer Roman from Eastern Sierra Engineering, Mehgan Kelly, Charlie Hancock, Marilyn Spencer, Pat Miller and Pattie Paige.

**PUBLIC COMMENT** – There was no public comment.

**APPROVAL OF AGENDA** –

**M-10/18/2022-1** - Motion by Yanish, seconded by Nelson, and unanimously passed to approve the agenda.

**APPROVAL OF MINUTES** –

**M-10/18/2022-2** - Motion by Yanish, seconded by Nelson, and unanimously passed to approve the Regular Meeting Minutes dated September 20, 2022.

**APPROVAL OF CONSENT CALENDAR** –

Regarding Item A: List of Claims, Parks questioned check #62075 to Badger Meter for \$8K, which Garden explained is for costs associated with the remote meter reader which was out of date and needed replacement. It includes their software and updates. Parks verified that gas and electric is included in Pineridge rent.

It was clarified that the separate payments to Summit Plumbing of \$797 each reflect monthly retention held throughout the year.

Regarding Item B: Pavement Patch Material Purchase, Parks questioned longevity of the material which is stated to be at least 10 years. The larger purchase provides additional savings, as Round Hill GID and Summit Plumbing have committed to purchase 100 bags each.

**M-10/18/2022-3** - Motion by Yanish, seconded by Nelson, and unanimously passed to approve the Consent Calendar Item A: List of Claims in the amount of \$1,817,191.78 as represented by check numbers 62066 through 62172 and Consent Calendar Item B: Pavement Patch Material Purchase.

**NEW BUSINESS**

**NO ACTION TOOK PLACE ON THE FOLLOWING ITEMS:**

**Presentation on Kahle Drive Complete Street Concept**

Mehgan Kelly provided an overview of the project goals and objectives. The conservation district got involved due to storm water issues and is working with various agencies on the project. KGID involvement was contacted to consider replacing its water line in the roadway and indicated that there was no intention on the part of the district to replace this line and funding was never identified. However, it was noted that conventional road construction techniques could be problematic. The project sat idle until recent funding sources were identified, and the project is moving forward. Kelly questioned whether KGID wanted to fund the replacement of the line or let it remain. She also provided other information indicating that the line should be adequate for another 20 years and that construction would not affect the integrity of the line.

Parks questioned Barton's truck usage on the new road during construction. Kelly responded that they were not planning to have ingress and egress from Kahle Drive.

Per Nelson's request for clarification, Kelly explained that Douglas County and Oliver Park would maintain the street. Oliver Park GID supports the project and dedicated \$100K to the project, plus they have committed to maintaining Kahle Drive.

Marilyn Spencer questioned if some costs for improvements should be Barton's responsibility. Kelly stated that Barton would not be using Kahle Dr.

Charlie Hancock expressed concern as a district rate payer about the proposed project, asking about what benefit is the project to the rate payers? He noted who the road benefits.

Nelson confirmed the recent waterline breaks were on Highway 50 and not on Kahle Drive.

Parks expressed consideration for the portions of road and use and sought clarification of payment from beneficiaries.

Yanish sought clarification regarding whether KGID was going to participate or not and was told, no. The pipeline was in sound shape and the project manager has affirmed that work can be completed without disrupting it.

### **FOR POSSIBLE ACTION:**

#### **Appointment of Cindy Trigg to Board of Trustees**

A written report was provided, and it was explained that Darya Vogt sold her home, and her resignation date was September 30, 2022. The opportunity is to have Cindy Trigg commence her term instead of January 2023.

Parks noted that she and Trigg were unopposed and would be appointed automatically.

**M-10/18/2022-4** - Motion by Nelson, seconded by Yanish, and unanimously passed to appoint Cindy Trigg to complete the balance of term remaining in the position vacated by Darya Vogt effective October 18, 2022.

#### **Recognition of Darya Vogt, Board of Trustees 2011 to 2022**

A written report was provided, and it was noted that a resolution is provided to recognize Darya Vogt's 12 years of service. A resolution is the most formal act of the board.

**M-10/18/2022-5** - Motion by Yanish, seconded by Nelson, and unanimously passed to pass and adopt the resolution 2022-01 honoring Darya Vogt recognizing the distinguished service to Kingsbury General Improvement District upon her retirement as a member of the Board of Trustees District be passed and adopted.

#### **Clarification of Sewer Charges for Vacation Rental Property**

A written report was provided and changes regarding sewer rates for vacation rentals were addressed. There is a vacation club and timeshare rate within the current rate structure and the issue was introduced as to whether the Vacation Rental activity is more aligned with this use than residential and sought clarification.

Regarding the Douglas County permits, Yanish noted that most homes in Tier 2 are not very large. Parks noted that Tier 3 includes capacity for 12-20 people. The billing process was discussed. Parks questioned the potential increase in revenue, which was responded to as insignificant but cannot really discuss this component without drifting in to rate setting which requires a public hearing.

Parks expressed her opinion that long term rentals should also be considered commercial. Yanish disagreed. Dion explained that each category in a rate structure must have a nexus to cost.

Yanish noted the overhead differences of timeshares versus residential use.

Nelson requested clarification regarding the request. Parks explained that she requested this discussion among the board. Nelson clarified the request to reclassify vacation rentals to the timeshare/vacation club service which has the same rate structure as commercial. The rate for these categories includes water use.

Yanish stated that vacation rentals should be included with residential as they are not like commercial properties.

Nelson noted that vacation homes in her area have 10-12 cars each weekend and are likely creating more of a demand than a 4-person residential property. Park suggested moving these properties to the next level to ensure they are charged on sewer use which cannot be metered.

Dion offered to provide more data. It was explained that the board is clarifying the category for this type of property. Rate making for sewer would be more involved. Long term, short term and vacation rental income was discussed.

Marilyn Spencer stated she has a vacation rental in another GID and she pays commercial rates for trash, sewer and water along with permit fees. She noted that vacation rentals near her Kingsbury property are Tier 2 and have 10+ people on a regular basis. She commented that their usage for wear and tear on utilities and roads is higher. She supported the proposed change to place vacation rentals in category as Vacation Club.

Hancock agreed with Spencer. He stated that his house is empty most of the time and he still pays for sewer when it's not used. He added that Round Hill GID also charges commercial sewer and water rates. He supports recategorizing vacation rental rates to reflect impacts more accurately.

Yanish added that vacation rentals also have vacancies for periods of time.

Pat Miller requested clarification on the revenue estimates. Assumptions were based on usage and rough data from a small sample of vacation rental units.

Dion clarified that base rates for residential and vacation clubs are the same, but the vacation club rate increases by water usage. And clarified that this discussion is not rate making, it is a decision whether Vacation Rental units are more similar in usage to a Vacation Club/Timeshare or Residential categories in the rate structure.

The board requested additional information and to table the item. The board is requested to clarify classification for this item which is unique to Douglas County. Nelson requested information on how the owners would be notified of the changes and effective date as part of the next discussion.

**Revision to the Purchasing Policy; General Manager Authority**

A written report was provided, and it was explained that the original limit was insufficient for current expenses.

**M-10/18/2022-6** - Motion by Yanish, seconded by Nelson, and unanimously passed to increase the purchase authority of the General Manager from \$5,000 to \$10,000.

**Approval of Geotech Services Proposal for the FY23-25 Waterline and Road Improvement Project**

A written report was provided, and it was explained that providing Geotech services for multiple projects and consolidating the date avoids costs and increases the value of the work which may be leveraged in the future. Eastern Sierra Engineering was selected for Geotechnical Service and they will work with Farr West. Previously, Farr West would subcontract this service. The process includes capturing the information into the GIS system.

Jennifer Roman from Eastern Sierra Engineering stated that the schedule should be provided to Farr West in December in order to complete the first year of work. KGID records will also be reviewed for past information that may be utilized.

Nelson noted there is savings with contracting with Eastern Sierra directly. Dion explained the benefits to developing a team of local engineers.

**M-10/18/2022-7** - Motion by Yanish, seconded by Nelson, and unanimously passed to authorize the General Manager to sign Task order# 1 with Eastern Sierra Engineering for Geotechnical Services in support of the FY23 - 25 Waterline and Road Improvement projects in the amount of \$119,700.

**Snow Removal Fund Assessment and Revenue Configuration**

A written report was provided, and rate components were provided for consideration in a presentation. Direction from the board is requested. Annual increases are proposed and back stop of minimum \$1M year end fund balance was proposed. Equipment placement reserve was also identified as a significant departure from previous rate setting which now should help level the annual expenditures.

The revenues for the Snow Fund were reviewed. Annual average and minimum expenses were reviewed.

The board discussed various scenarios and vulnerabilities with consensus that a rate hearing should be set with the guidance of \$22.25 for January 2023, \$24.50 for January 2025 and \$26.82 for January 2027 unless the yearend balance falls below \$1M.

### **Expedient Repair Project to Repair Waterline Damage to Highway 50**

A written report was provided it was explained that there is a temporary patch in front of Lakeside that requires permanent repair. The pending Barton and NDOT projects timing is not in KGID's favor. Due to the sinking patch, NDOT is requiring replacement before snowfall. The proposal of \$79K for roadwork, plus additional costs for traffic control loops.

**M-10/18/2022-8** - Motion by Nelson, seconded by Parks, and unanimously passed to approve the price proposal from Sierra Nevada Construction, Inc. for repairs to Highway 50 resulting from the water line break and authorize the General Manager to expend not to exceed \$90,000 for the repairs to meet NDOT requirements.

### **Board Reports**

Yanish explained that there were no changes in the vacation rental program resulting from the meeting. Nelson noted the proposed changes were not properly explained. Yanish explained there was confusion on the discussion and changes in Commissioners may affect future votes. Douglas County is reallocating TOT funds to Kahle Drive in lieu of a contribution. The GID's are hoping for TOT funds for various projects. The Beach Club's inclusion in Oliver Park GID was also discussed. Nelson noted that the past discussion of combining Oliver GID with KGID would assist them to solve trustee issues they have due to countless out of state owners.

### **Management Reports**

#### **General Manager's Report**

A drought status update was presented. An overview of the Colorado River Basin was provided for consideration dependence of South Nevada on the Colorado River consideration of their influence upcoming legislative session. Nevada League of Cities will provide training on December 6-7 in Reno before their board meeting on the 8<sup>th</sup>.

#### **Utility Operations Superintendent's Report**

To increase efficiency and effectiveness with the two recent vacancies, some workers are covering both water and roads.

#### **Administrative and Human Resources Report**

Brewer has been cross-training various job positions to cover during the period which we experience the double vacancy.

#### **Attorney's Report**

Zumpft had nothing to report.

#### **Engineer's Report**

Dion indicated it has been a successful year for projects with FarrWest and the other vendors that provided the services in the CIP.

**CORRESPONDENCE** – Nelson noted that Round Hill GID is tying rate increases to CPI. This was a previous report from June 30.

**FINAL PUBLIC COMMENT** – Patti Paige stated that she tried to join the meeting a bit late, but the front door was locked and she reminded the trustees that this is a public meeting. Parks suggested she text her in the event that this should happen again.

### **UNFINISHED BUSINESS**

### **ADJOURNMENT**

**M-10/18/2022-9** - Motion by Nelson, seconded by Parks, and unanimously passed to adjourn the meeting at 7:39 p.m.

Respectfully submitted,

---

Sandra Parks, Chair

Attest:

---

Jodie Nelson, Vice-Chair