



Board of Trustees  
Minutes of Regular Meeting  
Tuesday, September 2, 2008  
7:00 P.M.  
Board Room  
Minden-Gardnerville Sanitation District  
1790 Hwy. 395  
Minden, Nevada

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Board Members Present:

Jerome Etchegoyhen  
O.P. Brown, Jr.  
Michael Henningsen  
Ronald Wilcks  
Mark Dudley

Staff Members Present:

Frank Johnson  
Bonnie Fetic  
April Burchett  
Bruce Scott  
William Peterson (telephone conference call)

Others Present:

Jeremy Hutchings

Board Members Absent: None

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*Meeting called to order at 7:00 p.m.*

**Claims Review and Approval** -- The claims were reviewed by the Board and questions were answered by Frank Johnson, April Burchett, and Bruce Scott. Frank explained that the power bill was higher this month due to the running of the dewatering pumps for the Anaerobic Digester Project. **Motion by Ronald Wilcks to approve the claims for August, 2008 in the amount of \$474,746.31, and to approve the claims paid during August, 2008 in the amount of \$74,030.64.** Seconded by O.P. Brown, Jr. Motion carried unanimously.

**Minutes of August 5, 2008** – The minutes of August 5, 2008 were reviewed by the Board. **Motion by O.P. Brown, Jr. to accept the minutes of August 5, 2008.** Seconded by Mark Dudley. Motion carried unanimously.

**Public Comment**— There was no public comment.

**Minden Gateway Center, LLC -- Tentative Subdivision Map Approval located at the Minden Gateway Center, intersection of Hwy. 88 and Hwy. 395, Minden** -- Represented by Jeremy Hutchings. Jeremy explained the subdivision map is being submitted to allow the development to go forward. Discussion followed regarding sewer service to each building, the number of buildings on each parcel, blanket easements for utility service, and existing and proposed CC&R's. Bruce presented a letter outlining 4 conditions for conceptual approval of the tentative map. Bruce also pointed out that Parcel 2A is a parking area, and does not have a building on it.



Minutes  
September 2, 2008  
Page 2

Frank reported that the EDU's on existing Parcel 6 will need to be assigned to proposed Parcels 6A, 6B, 6C, and 6D, as the capacity needs to be assigned to individual parcels and not blanket more than one parcel. Jeremy stated he will send MGSD a letter to designate the EDU's on Parcels 6A through 6D. **Motion by O.P. Brown, Jr. to approve the Tentative Subdivision Map for Minden Gateway Center, LLC subject to 4 conditions outlined in the letter from Resource Concepts, Inc. dated August 18, 2008. All rules, regulations, and requirements of MGSD are to be met and all fees paid.** Seconded by Michael Henningsen. Motion carried unanimously.

**Emergency Telephone Conference with MGSD Legal Counsel** – MGSD's Legal Counsel Bill Peterson reported that MGSD received a letter on August 28, 2008 from the Douglas County Clerk's Office which stated that Trustee Bud Brown was ineligible to run for re-election in November, due to the new term limit law. The Clerk has issued a deadline of September 4, 2008 to file a response, which is why the emergency telephone conference was not on the agenda. Bill explained that the term limit law applied to any elected official that has currently served more than 12 years. There is a question about when Mr. Brown actually began serving on the Board of Trustees. The minutes of December 10, 1996 contained a motion to appoint Mr. Brown to fulfill Vic Pedrojetti's unexpired term to the first Monday in January 1997, and the January 7, 1997 minutes have a motion to appoint Mr. Brown to fill Vic Pedrojetti's unexpired new term beginning the first Monday in 1997. If Mr. Brown's term of office began in 1996, he has served more than 12 years; however, if he began serving in 1997, then he has served less than 12 years. Bill further explained that MGSD could argue that according to the Nevada Revised Statutes the Trustee for a General Improvement District formed under NRS Chapter 318 begins serving his or her term after the bond and oath of office are filed at the County Recorder's Office. April Burchett reported that she spoke with the Douglas County Clerk's office, who stated to her that Mr. Brown's oath and bond were filed on January 7, 1997, which was not possible since the oath was not administered until the evening of January 7, 1997, and April believed that the oath and bond was probably filed at the Clerk's office on January 8, 1997. Bill stated he would be willing to prepare a response letter to the Clerk's Office outlining MGSD's position that Mr. Brown's term of office did not begin until January 8, 1997, but he cautioned that the Clerk would most likely disagree with MGSD's position, which would then bring the matter before a judge. The Board directed Bill Peterson to prepare the response letter and email it to MGSD staff on September 3, 2008 for immediate submittal to the Douglas County Clerk's Office.

**Engineer's Report** – **Pump Station #2 Project:** Bruce Scott presented a summary letter regarding payment to V&C Construction for \$35,749.48, which includes deductions in the



Minutes  
September 2, 2008  
Page 3

amount of \$25,830.19 for liquidated damages and additional inspection costs. He also reported that there will be a small amount still owing V & C due to some final items. **Motion by O.P. Brown, Jr. to approve Payment #6 for V&C Construction in the amount of \$35,749.48 for the Pump Station #2 project.** Seconded by Ronald Wilcks. Motion approved unanimously.

Discussion followed regarding the Town of Minden proposed improvements to County Road, as well as the Town office reorganization plans.

Bruce reported that the State Engineer's Office issued the secondary effluent permits for Galeppi Land and Livestock, Park Cattle Company, and Bently Agrodynamics. Bruce explained that Bently's biosolids permit is still being held up at NDEP, and that Bently's application is being politically tied in with the County's North Valley treatment plant applications, so there is no indication on when this matter will be resolved.

**District Manager's Report (see attached report)** – Frank reported on Items 1, 2, and 3 of the District Manager's report which were not previously covered during the meeting.

**Personnel:** Frank reported that both Laborer/OIT positions have been filled. Andrew Marshall began on August 28<sup>th</sup>, and Anthony LaRocca will begin on September 15, 2008. The Board directed Frank to make an offer of employment to Sarah King for the administrative position.

**Vehicles:** Frank reported that safety lights were installed on the trucks as recommended by the State during their safety inspection. The lights were installed by Douglas County at a cost of approximately \$2,300.00. In addition, the County has offered to provide maintenance services for the district vehicles. The Board asked about oil changes and other similar simple maintenance. Frank stated that MGSD's staff would still perform the simpler maintenance items, but the County would perform the maintenance such as transmission, transfer case, and differential maintenance, all items that MGSD is not set up to perform. The maintenance would be provided at "cost" to the District, which would be a substantial savings over taking the vehicles to the dealer or local shops as is now currently done. Frank said he will look into this further, and the Board concurred. Frank also reported that the County now participates in the State vehicle auctions in Reno, and they no longer auction vehicles. The Board directed Frank to put a notice in the paper to sell the old Dodge.

**Grease Program:** Frank presented a report regarding processing Fats, Oils, and Greases based on the workshop he attended in June and other research he has conducted. MGSD currently



Minutes  
September 2, 2008  
Page 4

requires grease interceptors to be pumped on regular intervals; however, compliance has been an issue. Frank explained that technology is now available to process brown grease to increase methane production and convert it into electrical power. Frank believed that it was possible that enough methane would be generated to supply not only the plant's needs, but also additional power could be generated to sell to the power company. Concerns raised by the Board included taking in too much grease, scheduling of deliveries, the need for additional personnel, the cost of new equipment, the cost of an engineering study, and the impact to MGSD's current customers. Bruce Scott recommended that the Board approve the engineering study by Paul Cockrell, and also recommended that Board members tour the facility at Watsonville, California, which Paul Cockrell designed. Bruce pointed out this project does not increase capacity, but it does cut down operating costs. The Board directed Frank to ask Paul Cockrell to make a presentation at the October meeting, and to pay Mr. Cockrell's expenses to come to MGSD for a presentation.

*Meeting adjourned at 9:00 p.m.*

Approved \_\_\_\_\_ By \_\_\_\_\_  
Date