

**ELK POINT SANITATION DISTRICT
BOARD OF TRUSTEES**

MINUTES OF PUBLIC MEETING

May 16, 2023 • 3:00 PM
Kay Fry Clubhouse 423 Elks Ave, Zephyr Cove, NV

Board Members Present

Marty Bibb
Tim Gilbert
Anne Harry
Cathy Oyster

Others Present

Steve McVicar, CPA
Karen Andrews

1. ACTION ITEM: Call meeting to order and roll call. The meeting was called to order at 3:05 P.M. by Chairman, Marty Bibb. Those in attendance are noted above.
2. ACTION ITEM: Approval of agenda. The agenda was unanimously approved with a motion made by Tim Gilbert and seconded by Anne Harry. The vote was unanimous.
3. PUBLIC COMMENT: None
4. ACTION ITEM Approval of April 4, 2023 minutes. The minutes were approved unanimously with a motion made by Tim Gilbert which was seconded by Cathy Oyster.

Anne Harry moved that the board address Action Item 6 before a motion was made on Action Item 5 which was seconded by Cathy Oyster; the vote was unanimous.

5. ACTION ITEM (renumbered – previously #6 on agenda): Review and approval of 2023-24 final budget. Steve McVicar, CPA, presented the final budget. Cathy Oyster stated that EPCC had pollution liability insurance; Anne Harry wanted to make sure it wasn't redundant – cost \$5,454. Cathy looked into it and it was specifically for the water storage tank. The board proposed to increase insurance (pollution liability) and legal fees. Tim Gilbert made a motion to approve the 2023-24 final budget as revised with an assessment of \$977 per year which was seconded by Anne Harry; the vote was unanimous.
6. ACTION ITEM (renumbered – previously #5 on agenda): Board approval of the proposed contract from Douglas County Lake Tahoe Sewer Authority. Steve McVicar, CPA presented notes of questions asked by the Board from the April 4 meeting. Marty commented on his phone conference with Paula East-Janicki, Nikolai Nikolov of DC/LT Sewer Authority, and Attorney Jim Cavilia. The Board discussed the following items: Anne Harry commented on the 28,000 flow gallons being relevant today and going forward 10 years; Tim Gilbert recalled Nikolai stating a higher number. Cathy Oyster questioned if the onus would be put on the Sewer Authority as to how the excess would be determined – formula outlined in contract. Steve McVicar felt usage would not be relevant in this contract. Cathy felt it was a non-clause and should be reworded so EPSD is not vulnerable to over-usage. NOTE: Generally, the main exit sewer line from Elk Point to the sewer plant is located near the top of the bluff to the west behind the homes on Elks Avenue from the entrance gate to the stop sign at Lakeview. Then turning left going west on Lakeview the sewer line is near the top of the bluff behind the homes on the left. There is also a sewer line under the road going south on Lakeview from the base of Hill Street to the top of the beach stairs and two pump lift stations on that part of the system, one on Lakeview and one on Reno Court. Other lines on the interior area of Elk Point tie into the exit line. Marty commented on the path of the lines – down a flat path, then up to the road toward Nevada Beach. Cathy questioned if it was possible to measure flow at the pump station and felt Tom Marks inference was not appropriate since he is not an EPSD employee. Marty

recapped the issue of the age of the pumps and equipment – presently no metering available. Cathy reiterated the extraneous verbiage in the contract and felt it should be taken out. The issue of pollution overflow insurance was brought up. Tim felt the 90-day wording was extreme. The Board agreed to have extraneous wording stricken from the contract. Marty wanted to let the Sewer Authority know of ESPDs intention of being a participant and are not looking to create a new sewage system. Cathy would like to see a maintenance schedule from the Sewer Authority and see if quarterly reports could be provided to assure that a catastrophic break doesn't occur. Marty stated that the Sewer Authority has records of inspections and maintenance and has operated on mutual trust with EPSD. Cathy agreed that the Sewer Authority has done a great job but the contract was somewhat boilerplate spurring EPSD to make greater demands; she felt "catastrophic" should be explicitly defined. Marty commented that the contract should be workable and equitable and EPSD has a commitment to move forward. Tim Gilbert made a motion stating that the Board will continue to consider the proposed agreement between EPSD and DC/LT Sewer Authority in concert with legal counsel prior to the Sewer Authority meeting of June 21 which was seconded by Anne Harry; the vote was unanimous.

7. ACTION ITEM: Approval of disbursements to date. Steve McVicar presented the disbursements; Cathy Oyster made a motion to approve which was seconded by Tim Gilbert; the vote was unanimous.
8. PUBLIC COMMENT: None
9. ACTION ITEM: Adjournment. The meeting was adjourned at 5:10 P.M. with a motion made by Tim Gilbert and seconded by Anny Harry; the vote was unanimous. Marty expressed his appreciation to the board and Accounting for all the hard work for the betterment of EPSD individually and collectively.

Respectfully submitted:
Karen Andrews