

**ELK POINT SANITATION DISTRICT  
BOARD OF TRUSTEES**

**MINUTES OF PUBLIC MEETING**

May 22, 2024 • 3:00 PM  
423 Elks Ave. office • Video conference

**Board Members Present**

Bradley (Brad) Oneto  
Anne Harry  
Doreen Andriacchi  
Kylie Gerken  
Bill Olin

**Others Present**

Steve McVicar, CPA  
Karen Andrews  
Nackey Scagliotti  
Deb Moretto

1. ACTION ITEM: Call meeting to order and roll call. The meeting was called to order at 3:12 P.M. by Brad Oneto. Those in attendance are noted above.
2. ACTION ITEM: Approval of agenda. Anne Harry moved to approve the agenda which was seconded by Kylie Gerken. The vote was unanimous.
3. PUBLIC COMMENT: None
4. ACTION ITEM: Approval of April 3, 2024 minutes. The minutes were unanimously approved with a motion made by Kylie Gerken and seconded by Anne Harry.
5. ACTION ITEM: Review and approval of 2024-25 final budget. Kylie Gerken moved to approve the 2024-25 final budget which was seconded by Anne Harry. Steve McVicar, CPA presented the final budget and explained that the sewer fees were adjusted as advised by the Rural Community Assistance Corporation (RCAC). The RCAC advised that the sewer fees should be at least 1% of the median income for Douglas County and they will assist EPSD with a rate study fee. EPSD may adjust the rate before the next annual billing after the rate study is completed. Other comments included: The preliminary engineering report fee may be included in any funding sources received; A revision of how the sewer fee is worded on invoices – revise to sewer service fee; When Jerry Moretto was chairman, the Bitler property connections were audited and revised – multiple units and based on plumbing fixtures; Future sewer fees will be based on a tier system and EPSD is working on due diligence to determine rates; Studies are required in order to qualify for a loan – RCAC will do a rate study free of charge; Formation of a committee for sewer rates was suggested; A comment on vacant lots and adding future sewer hookups. Brad explained the Sewer Authority permit process and what they charge for new hookups – an engineering and inspection fee. The Sewer Authority will continue to provide that service going forward. The motion to approve the 2024-25 final budget was unanimous. The budget transmittal page will be emailed to Bill Olin to digitally sign.
6. ACTION ITEM: Approval of disbursements to date. Anne Harry moved to approve disbursements to date which was seconded by Kylie Gerken. Steve McVicar presented the current year-to-date financial reports. Brad commented that R.O. Anderson will invoice on time and material as work is performed and they will be doing surveying. Clarification was made on the Local Government Investment Pool interest report. The motion to approve was unanimous.

7. PRESENTATION/DISCUSSION/POSSIBLE ACTION:

A. Attorney Selection.

Brad Oneto moved to enter into an agreement with Minden Lawyers LLC for legal services which was seconded by Anne Harry. Anne reported that she and Doreen met with Chuck Zumpft of Minden Lawyers. He spoke about his history of representing several municipalities. He would charge a one-time retainer fee of \$1,000 and a billing rate of \$360 per hour. There were other estimates: Alling & Jillson - \$550 hourly, Ken Jillson & Associate Kara Hayes \$400 hourly; Rusby Law in Reno - \$250 hourly. The motion was amended to include "pending review of the retainer agreement". The motion was restated and approved unanimously.

B. Progress Update - Preliminary Engineering Report

Brad reported that he gave Rob Anderson stamped blueprint drawings of the sewer system so there won't be as much surveying as originally determined. He estimated it would take another 3-4 weeks for a completed report.

C. Update on State Revolving Fund

Anne reported that she is making progress. She went to a workshop at the NDEP (Nevada Division of Environmental Protection), which is the agency that the state revolving fund is under and has been submitting the necessary documents. She is waiting to get a Unique Entity Identifier, UEI, through the federal government. She also had a conference call with the people at the RCAC, which is the nonprofit that's assisting EPSD. They put her in touch with someone at the USDA. The USDA has a slightly higher interest rate, and that would be a 30-year loan. An assessment, to use that term, is likely for the balance of either that 30% or 20% or whatever portion of the loan they aren't going to cover. Deb Moretto said on April 15<sup>th</sup> she personally delivered to both our senators and all our members of Congress, a letter with a cover letter from her, requesting any federal access to funds. We could get grants, loans, whatever we could get. When this first started, it was because of the Clean Water Act. EPSD received money from HUD, which was a grant back in in '70. She personally explained to our senators and congresspeople how EPSD started, we're 50 years in, and we need funding again. It's going to impact the waters of Lake Tahoe. Can we get some of the Clean Water Act money. Can we get some of the Tahoe money? We're looking for any money we can get. Deb is not promising EPSD can get anything, but she started the ball rolling, and she will follow up. Brad clarified that Deb was not in service to the board but volunteering her time. Brad also wanted to clarify what Trustee Harry was saying and that the assessment is going to happen. The assessment is going to be based on how much we can either get in a grant or in a loan. There is also a possibility that we may have to request an extension on our timeline from the Sewer Authority if we can't meet the deadlines. Brad feels that they'll work with us until we can break ground on the upgrade of EP1 and EP2 which he estimates will happen by May 1, 2025.

D. Website Update

Kylie reported that the website, epsanitation.org, is live. She has posted a brief history, an archive of agendas, minutes, and a list of board members. Other suggestions were a community information page, announcements/updates, emergency numbers, a link to the Sewer Authority, being proactive with the HOA, and future documentation regarding the tiered rate structure.

E. Other Updates

Anne reported that the next Sewer Authority meeting is June 26<sup>th</sup> at 9:30 AM.

8. PUBLIC COMMENT: Nackey said she was impressed with the great progress and inquired about documentation regarding hookups on the Bitler property. Deb explained that the Sewer Authority sent engineers to assess how many connections there were. They came up with a number. It's not known if they prepared a document or a survey, but they reported that number to EPSD at that time. Brad stated that next to the collection sump on Lakeview Avenue, there is a storm drain. There is no stormwater or runoff water of any type that's allowed in the collection system or the sewer system. The Sewer Authority is going to do a dye test to see if the water from the storm drain is flowing into the sewer system. If it is, the line will have to be terminated.
9. ACTION ITEM: Adjournment. The meeting was adjourned at 4:54 P.M. with a motion made by Kylie Gerken and seconded by Brad Oneto; the vote was unanimous.

Respectfully submitted:  
Karen Andrews