



Call to Order: The meeting was called to order at 4:00 P.M. by Chairman Brad Oneto.

Board Members Present: Bradley Oneto, Chairman; Anne Harry, Treasurer; Doreen Andriacchi, Secretary; Kylie Gerken, Trustee; via Zoom: Bill Olin, Trustee.

Others Present:

Rob Anderson (R.O. Anderson Engineering), Anne Gerken, Richard Rowe, Nancy Greenhalgh, Bill Zeller, Mike Harry; via Zoom: Nackey Scagliotti, Robert Felton, Mary Tanner, Nancy Gilbert.

Approval of agenda: K. Gerken **motioned** to approve the agenda. **Seconded** by A. Harry. The vote was **unanimous**.

Public Comment: None

Open Discussion with Elk Point Country Club Board and Rob Anderson

Rob Anderson reported: RO Anderson Engineering (ROAE) was engaged by EPSD to do a preliminary engineering report (PER) for replacement of two existing lift stations that service EPSD. It became necessary when the Douglas County Lake Tahoe Sewer Authority (DCLTSA) decided to turn operations and maintenance of the system over to EPSD. The current condition of the lift stations dictates the need for new lift stations standard to the industry. ROAE is currently working on design. ROAE met with US Department of Agriculture (USDA) Rural Development. Because the new lift stations will be in a previously disturbed area, USDA determined that the EPSD project is categorically exempt from the National Environmental Protection Act environmental studies. The exemption reduces engineering costs by \$20K. Continuing to work on design. Oneto asked about the risks of not replacing the lift stations. R. Anderson responded – the existing equipment is aged. Parts are difficult to obtain. System is at risk of accidental discharge or overflow requiring hiring pumper trucks to remove the sewage. Response time is problematic. Fines for neglect can be as much as \$25K per day. Oneto stated the new system will have redundancy and backup.

A. Harry asked R. Anderson to explain the extent of the project and how it will affect the roads at EPCC. R. Anderson responded - DCLTSA scoped the existing lines and found them to be in good condition. Two force mains from the lift stations, EP1(Lakeview) And EP2(Reno), were not scoped. Their condition is unknown. A pressure test can be done but testing increases the risk of failure. Replacement of force mains is a possibility. The lift stations will be built in the road with a manhole cover. Pavement patching will be minimal. Area of disturbance will be in the same area as the existing equipment. Project includes adding a flow meter near the main gate behind Elks Avenue on EPCC property. Access to residences will be maintained through construction.

Elk Point Country Club (EPCC) President Richard Rowe read a list of statement and questions.

1. EPCC supports the work of the EPSD and is grateful to those early Board members who helped establish the EPSD. EPCC is happy to have been a partner in the reestablishment of the current EPSD Board.
2. EPCC is grateful for all the work done on the website. It is good to see emergency numbers posted. Asks that the emergency numbers be posted at all lift stations.

3. In the minutes of 10/15/2024, the DCLTSA will transfer maintenance to EPSD by July 1, 2025. Simply inquiring about the next step in maintenance the waste water operator for that transition.
4. RCAC report recommended EPSD carry liability & D&O insurance. Grateful to hear from Bill Olin that this is under investigation and will probably occur when maintenance is transferred to EPSD.
5. Happy to read Brian Burris of RCAC is working on an Operations Manual and Emergency Response Plan. Looks forward to EPCC being a partner in such development. Good to read the draft plan could be available by the end of this month according to the minutes.
6. In the minutes of 09/26/2024, RO Anderson will confer with legal counsel, Chuck Zumpft to establish status of right of way or easements for the new project. This is an item that Rowe brought up in his communication with the EPSD Board. Rowe researched the scanned EPSD minutes and can find no reference to right of way. Likewise, can find no reference to same in EPCC early minutes. It will be good to get all EPCC scanned documents to further search for this item. The Board of EPCC looks forward to being a partner in the research and development of such right of way. EPCC counsel stands ready to assist in this effort.
7. Rowe takes note of legal counsel's report that EPSD is sanitation district and not a GID. EPCC Board would like more information on this potential change or status or the understanding of this status.
8. Rowe is grateful for the phone call with Chair Oneto and Member Olin as recommended by counsel Mr. Zumpft.
9. EPCC looks forward to its infrastructure Committee working together with the installer of the new system for a smooth coordination regarding street dig up and resurfacing and traffic safety.
10. EPCC is grateful for all the hard work in pursuing funding possibilities.
11. EPCC stands ready to assist wherever possible for the betterment of all Elk Point

Response to Richard Rowe's Statement

D. Andriacchi disagreed with Rowe's statement that EPCC was a partner in the reestablishment of the current EPSD Board. The EPSD Board was appointed by the Douglas County Board of County Commissioners (DCBOCC). Any action to establish the EPSD Board was not an official act of the EPCC Board, but the private efforts of Richard Rowe.

DCLTSA is currently responsible for emergency response. We can ask authority to post emergency numbers at the lift stations.

Until DCLTSA transfers operations and maintenance to EPSD, DCLTSA is the responsible party.

RCAC is working on an operations manual for the existing system. RO Anderson will assist in creating manuals for the new system.

EPSD will maintain emergency response kits on site.

B. Oneto discussed ordinance EP3 which created EPSD in 1969. EPCC was required to remove septic tanks from the site and replace with a sewer system. EP3 gives EPSD authority to operate and maintain the sanitary system within EPCC.

R. Anderson discussed right of way and easements. At the time EPCC was created, Nevada had just established a Right to Subdivide, essentially a map act. One of the items referenced in the original statute, is an act approved by NV State Legislature March 3, 1905 and amended February 24, 1921. The act essentially gave right of way by necessity to all public ways shown on the plat map to serve the residents in the community.

The 1905 Map Act secured the streets, alleys, and public ways for any purpose that serves the community.

B. Oneto clarified that EPSD is not a public utility, but a quasi-municipality. The new system will be a benefit to the community. If the project is delayed, the community will bear the cost of increased maintenance.

A. Harry stated the new system will essentially be in the same location as the existing system which is the reason for the USDA environmental study exemption.

Richard Rowe stated that the EPCC Board does not object to the project but would like to have an easement agreement with EPSD. The EPCC Board does not want to interfere with the progress of the sewer project.

A. Harry stated EPSD falls under NRS 318. Since EPSD is authorized to oversee one basic power, sanitation, we are identified by our name, the one basic power, followed by "District" or Elk Point Sanitation District. If a district takes on additional basic powers, it is called a General Improvement District or GID.

B. Oneto informed that EPCC Board that construction will be monitored by ROAE and EPSD will be complying with TRPA and all other regulatory agencies.

D. Andriacchi informed the Board that for security reasons, EPSD may not be able to share or post all plans and specifications on the website.

K. Gerken reminded the EPCC Board that BMPS on Reno Avenue and throughout the community need to be cleaned and maintained by the EPCC Board.

A. Harry asked the EPCC Board to help locate a staging area within the community needed for compliance with USDA.

Approval of October 15, 2024 minutes: D. Andriacchi **motioned** to approve the October 15 2024 Minutes. **Seconded** by K. Gerken. The vote was **unanimous**.

Other Updates

A. Harry reported that we received our Unique Entity Identifier (UEI) and are in the process of getting registered within the Federal Government to get our Commercial and Government Entity (CAGE) number. We are at the last step. Working with Sean Zimmerman, one of the engineers, to get information to complete our USDA application.

The next meeting is scheduled for November 19, 2024 at 3pm.

Public Comment:

Anne Gerken – asked if Richard Rowe was speaking on behalf of the EPCC Board. D. Andriacchi responded that Rowe's statement was discussed at the EPCC Board meeting prior to the EPSD meeting. A. Gerken also commented about the best location for staging.

Nackey Scagliotti – asked about insurance coverage for the Board. A. Harry informed that the EPSD is covered by bonds.

Adjournment: K. Gerken **motioned** to adjourn the meeting which was **seconded** by A. Harry. The vote was unanimous. The meeting was adjourned at 5:48 pm.

Respectfully submitted:

Doreen Andriacchi
Elk Point Sanitation District Board Secretary

Approved by:



Doreen Andriacchi
Elk Point Sanitation District Board Secretary

Attachment(s):
None