

6. **FOR POSSIBLE ACTION** – Discussion and Deliberation to approve or amend and approve the minutes dated January 21st, 2026.

Motion by Edward Huffman to approve the minutes dated January 21st, 2026. Second by Dave Bryan. Motion carries 4-0.

7. **FOR POSSIBLE ACTION** – Emergency Items.

Item pulled due to not having any emergency items.

8. **PRESENTATION: OFFICE REPORT** – Update from Office Staff, Nye County, Utilities Services and/or Day Engineering regarding system breaks, illegal and new connections, and system projects update. No action will be taken by the Board.

March 2nd through 4th we will have a new service installation at 417 Watson Street, dug up on the 2nd, installation on the 3rd, samples will be taken the 3rd and the 4th. This requires a shut off, customers who will be affected will receive at 72-hour notice. Andrew with NRWA will be in next Monday the 23rd to help with the Consumer Confidence Report. We have received a quote from McCrometer in the amount of \$4,800.00 for a replacement meter at the Sewer Treatment Plant, this is needed for keeping track of the flow in. Frank spoke with Darrin Tuck Utility Superintendent, who will soon be retiring and is willing to work with Beatty Water as a consultant. Darrin has worked with us in the past, is familiar with our systems, is a certified operator and has offered a certain number of hours a week to help assist Beatty Water with compliance, and help recruit a general manager. Marty states that the O&M Manual that is required by NDEP to be updated, has successfully been completed and submitted. At the end of January Beatty Water received a letter of cancellation of permits 60120 and 60121 that are on EW-4. A letter was received around October / November notifying as a final notice, the letter was misplaced therefore the renewal was not made in time. An appeal has been filed with the state to reinstate those water rights and are moving through the process.

Public comment made by Bob Marchand states that it is time to get a general manager, would rather see money spent for a competent general manager than an attorney. Marty states that he has attended appeals in the past for other clients, they are held at the Division of Water Resources in Carson City and it is a discussion between the client and the State's Engineer office.

9. **FOR POSSIBLE ACTION** - Discussion, Deliberation, and Possible Decision on approving the financials through the month of January 2026 by Dave Bryan.

Motion by Edward Huffman to approve the financials through the month of January 2026. Second by Teresa Sullivan. Motion carries 4-0.

10. **FOR POSSIBLE ACTION** – Discussion, Deliberation, and Possible Decision on approving or denying request from AngloGold Ashanti for BWSD board to formally consider, discuss,

and vote on approving the Cost Recovery Agreement.

Received input from the DA's office, they requested holding off a hearing until we can get a legal review. Item tabled for next meeting.

11. FOR POSSIBLE ACTION – Discussion, Deliberation, and Possible Decision on approving or denying Engagement Letter with Thomas Driggs with Spencer Fane for representation/review on upcoming BWSD activities and authorization to sign engagement letter.

Thomas Driggs is highly recommended in the water field, an expert for water law in Nevada. Frank states he sought out an engagement letter with Mr. Driggs and he is willing to work with Beatty Water. One issue brought up is that Mr. Driggs is not a licensed attorney in Nevada however the DA's office did not have a problem with that. Thomas Driggs works through Spencer Fane in Las Vegas.

Public comment by Bob Marchand, asks if the need for this is because of the loss of the Water Rights on EW-4. Frank states not necessarily, there is upcoming work with AngloGold, however Mr. Driggs could be use for the loss of the Water Rights as well.

Public comment by Carrie Radomski, states that in the past AGA indicated that they would financially support Beatty Water their choice attorney, and asks if that is the case with this contract. Frank states that yes, and the plan is to first have the Cost Recovery reviewed by an attorney, proceed with the Cost Recovery and use that to pay for the review of the agreement and future things.

Motion to approve the engagement letter with Thomas Driggs and to give authorization to sign letter by Teresa Sullivan. Second by Edward Huffman. Motion carries 4-0.

12. FOR POSSIBLE ACTION – Discussion, Deliberation, and Possible Decision on approving or denying 2025 Rate Study completed by RCAC. Set a date for a rate adjustment public hearing or take no action.

With the affordability percentage and median income that was used, on the affordability scale where our rates are \$27, RCAC says is reasonable. With our new Asset Management Plan, we have some aging infrastructure that RCAC would like to see replaced which drives up our cost. There is more work that needs to be done before the Rate Study is completed, we are anticipating that the ate Study should be completed by next meeting. Item tabled for next meeting.

13. FOR ACTION – Discussion, Deliberation, and Possible Decision to review and approve or deny an extension to the ATM Lease with WaFd Bank, give authorization to execute the lease.

Lease has been active since 2016, WaFd currently pays \$382.43 a month. That specific amount could possibly be the interest on the loan for the building. Teresa Sullivan suggests looking more into this, does not feel that the amount being paid is accurate. Look into

finding original lease. Item tabled for next meeting.

- 14. FOR POSSIBLE ACTION** – Discussion, Deliberation, and Possible Decision on approving or denying Will Serve for 306 W Lewis Street submitted by Samir Vasani. To add additional units due to the property being reconfigured. Payment has been received. Item was tabled during December’s meeting due to incomplete paperwork. Item was tabled during January’s meeting due to incomplete paperwork. A letter for disconnect was sent out on January 27th 2026.

Payment, and a completed application with stamped engineering plans have been received, Marty reviewed and provided feedback that everything looked good to go. Motion by Teresa Sullivan to approve will serve for 306 W Lewis Street. Second by Dave Bryan. motion carries 4-0.

- 15. FOR POSSIBLE DECISION** – Discussion, Deliberation, and Possible Decision on approving or denying Will Serve for 521 W Hoyt Street submitted by Samir Vasani. To add additional units due to the property being configured. Payment has been received. Item was tabled during January’s meeting due to incomplete paperwork. A letter for disconnect was sent out January 27th 2026.

Payment, and a completed application with stamped engineering plans have been received, reviewed by Marty as well, everything looked good. Motion by Teresa Sullivan to approve will serve for 521 W Hoyt Ave. Second by Edward Huffman. Motion carries 4-0.

- 16. FOR POSSIBLE ACTION** – Discussion, Deliberation, and Possible Decision on approving or denying Will Serve for 1 water unit for 102 Twilight Circle submitted by Samir Vasani. Payment received.

Payment, and a completed application with a letter from the customers engineer stating that the flow and pressure would be acceptable to serve an additional unit. Motion by Teresa Sullivan to accept the letter from the engineer as additional back up. Second by Dave Bryan. Motion carries 4-0. Motion by Teresa Sullivan to approve the will serve for one water unit for 102 Twilight Circle. Second by Dave Bryan. Motion carries 4-0.

- 17. BOARD MEMBER COMMENTS** – This item is limited to announcements or topics / issues proposed for future workshops and agendas.

Edward Huffman states our main priority right now needs to be getting a general manager. Teresa Sullivan suggests agenizing an item for the next board meeting to increase the general manager salary. Pay salary is currently at \$80,000 - \$85,000. Frank states comparing the general manager position to the County as a Utility Superintendent, they supervise the same number of people, and is a similar job, pay for that goes from about \$105,000-\$150,000.

18. **FOR POSSIBLE ACTION** – Schedule next Board of Trustees meeting date and time.

Next board meeting is scheduled for March 18th 2026 at 4:00 pm at the small room of the Community Center. Motion to approve by Teresa Sullivan. Second by Dave Bryan. Motion carries 4-0.

19. **GENERAL PUBLIC COMMENT** – Three-minute time limit per person for matters both on and off the agenda. No action will be taken by the Board.

No public comments.

20. **ADJOURNMENT**

Motion by Teresa Sullivan to adjourn at 4:45 pm. Second by Edward Huffman. Motion carries 4-0.

Name: _____ Date: _____

Signature Approval of the Minutes

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3. _____

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