



BEATTY WATER AND SANITATION DISTRICT REGULAR MEETING MINUTES

SEPTEMBER 22, 2021

Amina Anderson – Board Chair
Albert Verrilli – Vice-Chair
Jeannie Ybarra – Secretary/Treasurer

Susie Henderson – Member
Frank Jarvis – Member

ITEM #	SUBJECT
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1. **CALL TO ORDER –**

5:00 pm. Frank Jarvis is not present. Refer to sign in sheet for public attendees.

2. **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.**

Jim Henderson representing Ed. Jim states that the question is directed to Amina. “If the Water Board has ever offered Ed Ringle the \$39,000 as a credit as opposed to a forfeiture and if the Board has done it, where can he get the documentation to show it?” Amina says she knows it has been discussed in the past, but as a public comment we can have the office get back to you on that. I don’t know specifics, but we will look into it.

Albert Verrilli – Makes a comment about the lithium mine. It is about 30 miles North of Beatty in the Sacrobattus Flat area. It is massive in scale and according to NI-43101 it could be the largest lithium deposit in North America. Albert goes into detail about the extraction process and what it takes. Believes at some point the Water District or Town Board would like to invite the company down to discuss the ramifications. Susie asks where about the location is exactly and Jeannie says she wonders if they have any water rights out there. Amina asks Teresa Gomez if she can look into who the contact people are for Iconic and Albert asks her if she can forward the email he sent her to all the Board members to read.

3. **FOR POSSIBLE ACTION – Approval of the agenda for Beatty Water and Sanitation District Meeting September 22, 2021.**

Motion by Jeannie Ybarra to approve the agenda, 2nd by Albert Verrilli. 4 yeas.

4. **FOR POSSIBLE ACTION – Approval of the minutes for August 18, 2021.**

Amina says that she personally has not read them in their entirety and would like to table so she can go over them. Jeannie said she read the first set, but has not read the changes made. Albert agrees he hasn't either. Motion to table by Albert Verrilli, 2nd by Jeannie Ybarra. 4 yeas.

5. OFFICE REPORT – General information and updates from the General Manager, Utilities Services, Inc, and Nye County. No action will be taken by the Board.

Teresa Gomez reading off General Manager report. 3 of the backup generators are in need of repairs and are scheduled for September 27th to the 29th. Total cost of repairs is \$7341.00. Letter to the state will be sent with pictures of Well 3 to satisfy the Sanitary Survey. Bolt was welded to the casing that can have an anode attached at a later date to help with corrosion. We are gaining on the backflow preventers being installed and tested. He will be sending out a second letter for those he hasn't heard from. Teresa mentions to the Board that we have a list of around 20 customers who already sent results in and would be good enough to send to the State to comply with the other deficiency on the Sanitary Survey. Jeannie agrees and says they wanted to see something that showed we had a plan in place to get them all going. They went out and sent a camera down the sewer line in front of 400 1st St and did not find a sewer service to the property after going downstream 60 ft, upstream 60 ft. and across the street to the manhole next to the property itself. Repairs on the backhoe were taken care of on the 13th and is good to go. There is a problem with the display for the influent wastewater meter at the ponds. After talking to the manufacturer of the meter, everything will need replaced since some parts have been discontinued and a new display would not be compatible with the old pipe section of the meter. The total comes out to roughly \$6134.00. Teresa says she will put those two items on the next agenda since they are more than 5 grand. She continues with the report saying there was a leak at A and Cottonwood on the 19th and fully repaired on the 20th. 25 ft. of line was replaced. Teresa says she will mention to Lance that there is an agreement with the County in place and we will not have to pay for road repairs since he mentions it will be costly in his report and that is all for the report. Amina asks if there is anything about the protests and Teresa tells her that he hasn't said anything to her about it. Jeannie mentions that she had talked to him the day before and Marty as well and evidently Marty had sent Lance the forms and there were a couple

errors on them and parts that were omitted, but the lady from State called and since then have been taken care of, right? Teresa says right, yes. Jeannie says she would have called again if it wasn't and believes it was all taken care of before the deadline. Teresa says she included in the packets the questions Amina had and the Capital project list that Lance had put together.

6. FOR POSSIBLE ACTION – Discussion, Deliberation and Approval of the financials as of August 31, 2021 and all matters pertaining thereto.

Jeannie begins with saying the last financials from July were tabled due to one item needing to be reclassified. The Capital Improvement fees were taken away from revenue and moved to other income as the CPA likes to have it. These financials are up to August 31st. Jeannie says unless anybody has any questions, she motions to approve the financials as of August 31, 2021, 2nd by Albert Verrilli. 4 yeas.

7. FOR POSSIBLE ACTION – Discussion, Deliberation and Decision on adding another signer to the Washington Federal accounts and all matters pertaining thereto.

Amina says it would be ideal to have a third. Jeannie says since Frank is around, she would like to motion to add Frank as the third signer. Amina says that he is not around to say yes or no. Jeannie says does he have to be? Albert says to make the motion pending his answer. Jeannie says she will revise her motion pending his acceptance, 2nd by Albert Verrilli. 4 yeas.

8. FOR POSSIBLE ACTION – Discussion, Deliberation and Decision to determine if Beatty Water and Sanitation District will require or abandon Easement/Right of Way between parcels 018-307-02 (350 N Irving St) and 018-307-03 (300 N Irving St) and all matters pertaining thereto.

Jeannie says there was already a discussion about it back in March 4, 2020 and at that time a motion was made that Beatty Water and Sanitation was no longer in need of that easement. That was just for us. They still need to follow through with the other utilities and the town. There was some discussion about the town owning some of the land through there. It is a dead-end line and continues on straight in the middle school. What they need from us is something stating in writing we give up our easement which was already voted on in March. They never followed through I guess and since then the

owners have changed hands. Amina asks what happens if they want to add two more buildings how would they connect the lines? Jeannie says you can't build and run a line through the easement anyways since the building concrete sidewalks and power is already going through there. Albert says we need it. We need it for our water line. Teresa jumps in and says that there is no water line going through that easement. The meter is right in front in the middle of the two buildings and stops there. It is a dead-end. Jeannie says since the apartment is already there, we could never access the easement anyways unless we moved the sidewalk and a portion of the building. Albert asks who is asking for this? Jeannie says that the property owner Eric Grundy is and at the time of approval before it was Ed Ringle. Albert says he would like some verbiage in there if not already included but something that says we relinquish any responsibility after abandoning the easement. Jeannie Ybarra motions for Beatty Water to draft a formal letter pertaining to our interest in the easement, 2nd by Albert Verrilli. 4 yeas.

9. FOR POSSIBLE ACTION – Discussion, Deliberation and Possible Decision on reviewing agreement and payment options with Utility Services, Inc and all matters pertaining thereto.

Jeannie says based on the email dated back in September 25, 2019, we were given the option of having them as a contracted operator for all 3 licenses at the cost of \$1000/month. I think what you are looking at is we no longer need the distribution portion of it. According what they stated to us, it would be \$400 for each of the other two licenses. My only concern is if we approach them asking for this they can back out of the deal, then we are in trouble. Amina says she believes there will be a conflict of interest soon with the contracted operator. Jeannie agrees. She thinks we should talk to Darrin and see if we could work out something with wastewater and that he knows a couple of people for treatment that we could possibly look into. Doesn't believe our best interest is being looked after with Utility Services and should look into going a different route. Amina says if we could table to look into other options and the possibility of conflict of interest. Jeannie Ybarra motions to table, 2nd by Albert Verrilli. 4 yeas.

10. BOARD MEMBER REPORTS/COMMENTS – General information and updates from board members. Announcements or topics / issues proposed for future workshops and agendas. No action will be taken by the Board.

Jeannie says we got the contract back with Corvus regarding the water rights that we voted on. There were a couple things that stood out that were questionable with the wording that was used. Basically on #2.2 where they talk about extensions being made without bringing it back to the Board and down on #4 where if the extension is used there would not be any further money owed. Basically, leaving it wide open to longer than a year with no additional costs. She did talk to Mike Young and Frank and Amina and told him what our concerns were. Their concern was what if the permitting takes a long time? Jeannie gave the option of the possibility of starting the year after the permitting is completed. They have since then changed and updated the agreement. There's still concerns. Contract will be sent to our attorney for review and Corvus did state they would pay for those fees. Amina says that #13 is interesting too and is kind of a conflicting statement. Jeannie says she believes that they are doing that to cover their bases on when they change hands with Anglo. Amina says we might want to look into the 'change of use', it is easy to downgrade but not to upgrade. Jeannie says if we could make a note of everyone's concerns are so we don't hold them up much longer. Amina says we have to make sure with the state engineers office that if we downgrade the manner of use, we can then go back to it because it is not easy. Amina asks if they changed #7? It states where lessee can terminate but the lessor cannot. Concern with that is what if there is a major impact, we should have the ability to stop. Jeannie says she doesn't believe they are going to draw it all out at one time and Amina tells her that they are. They are doing it all within a matter of 20 days. Her concern is what if one of the tanks drops like Indian Springs and it doesn't recover, they won't have the ability to tell them to stop. Giving 30 days wouldn't do anything since the project is supposed to be wrapped up within 20 days. Jeannie says to word how she wants it to be stated so the change could be made, but believes that there's a relationship there where if we noticed a significant amount and were to stay to them you need to stop, I don't think they would say no and will continue on. Amina says she doesn't think so either, but it is a legal document and bases need to be covered so no windows are left open. Albert says we just need to be very clear to our attorney on what we want and expect and what we want to guard against and make sure they apply the proper language to see that happen. Amina asks if there is anything else to add about the contract and Albert said no but to be cautious with

it. Amina asks when they think the changing of hands will happen. Naida says that they believe in the first quarter of 2022 so January or February. Amina brings up #1 being a concern, but isn't sure if she's understanding.

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

Scheduled for October 13, 2021 @ 5:00 pm.

12. 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.

None.

13. ADJOURNMENT –

Jeannie Ybarra motions to adjourn at 5:42 pm, 2nd by Susie Henderson. 4 yeas.

Name: _____ Date: September 29, 2021

Signature Approval of the Minutes

1. _____

2. _____

3. _____

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