

# MINUTES

Thursday, November 17, 2022  
Mammoth Community Water District  
Regular Board Meeting

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*The Board of Directors convened in session at the hour of 5:32 p.m. There was a brief recess taken and the meeting was adjourned at 7:25 p.m.*

Prepared by:



Stephanie Hake  
Executive Assistant

ATTEST:



Mark Busby  
Board Secretary

**THE REGULAR MEETING** of the Board of Directors of the Mammoth Community Water District was held on Thursday, November 17, 2022 at 5:32 p.m.

### **ROLL CALL**

#### **Board Present**

Director: Tom Cage  
Director: Robert Creasy  
Director: Dennis Domaille  
Director: Tom Smith  
Director: Gary Thompson (*attending remotely via Zoom*)

#### **Board Absent**

None

#### **Staff Present**

General Manager: Mark Busby (*attending remotely via Zoom*)  
Operations Superintendent: Clay Murray (*attending remotely via Zoom*)  
Finance Manager: Jeff Beatty  
Information Services Manager: Justin Mulbay  
Human Resources Manager: Chris Weibert (*attending remotely via Zoom*)  
Plant Maintenance Supervisor: Rob Motley  
Executive Assistant: Stephanie Hake  
District Counsel: Joshua Horowitz (*attending remotely via Zoom*)

#### **Guests Present**

Sharron Clark  
Elizabeth Hylton (*via Zoom*)

### **PUBLIC FORUM**

*President Smith opened the public forum at 5:33 p.m.*

*Sharron Clark addressed the Board and described a recent scenario where MCWD Mechanical Maintenance staff members Trevor English and Mike Lesiak responded to her request for help with a water outage at her home. She praised the team for their quick response, expertise, and willingness to help with her problem. She said MCWD was lucky to have Trevor and Mike as employees.*

*President Smith thanked Ms. Clark for taking the time to come to the meeting to share her comments.*

*No one else addressed the Board and President Smith closed the public forum at 5:38 p.m.*

**CONSENT AGENDA A**

- A-1 Approve the October 2022 Check Disbursements (InCode #'s 3055 - 3171)**
- A-2 Approve the Minutes from the Special Board Meeting held October 20, 2022**
- A-3 Approve the Minutes from the Regular Board Meeting held October 20, 2022**
- A-4 Approve the Minutes from the Special Board Meeting held October 28, 2022**

*Director Creasy made a motion.*

**BOARD ACTION – To approve Consent Agenda A**

MOVED BY: Director Creasy  
 SECONDED BY: Director Domaille  
 AYES: Directors Cage, Creasy, Domaille, Smith, and Thompson  
 NAYS: None

**CONSENT AGENDA B – DEPARTMENT REPORTS**

- |  |   |
|--|---|
| <b>B-1 Operations Department Report</b>  | <b>B-5 Information Services Report</b>        |
| <b>B-2 Maintenance Department Report</b> | <b>B-6 Personnel Services Report</b>          |
| <b>B-3 Finance Department Report</b>     | <b>B-7 Regulatory Support Services Report</b> |
| <b>B-4 Engineering Department Report</b> | <b>B-8 General Manager’s Report</b>           |

*Director Cage made a motion.*

**BOARD ACTION – To approve Consent Agenda B**

MOVED BY: Director Cage  
 SECONDED BY: Director Creasy  
 AYES: Directors Cage, Creasy, Domaille, Smith, and Thompson  
 NAYS: None

**CURRENT BUSINESS**

**C-1 Update on the District’s Annual “Years of Service” Recognition Picnic**

- ◆ Dave Carlson 5 Years
- ◆ Bruce Medhurst 5 Years
- ◆ Robert Gonzalez 10 Years

*Mark Busby described the individuals being recognized for their years of service. President Smith expressed appreciation for the dedicated service to MCWD and the community by Mr. Gonzalez, Mr. Medhurst, and Mr. Carlson.*

**BOARD ACTION – None, informational only**

**C-2 Discuss and Consider Waiving the Established Waiting Period for MCWD-Paid Health Insurance for Incoming Director Elizabeth (Betty) Hylton**

*Elizabeth Hylton addressed the Board and gave a brief history of her transition from being a staff member to being a board member.*

*Board members asked some questions to clarify the circumstances of the situation and identify options to make any changes to the established waiting period.*

*The Board directed staff and legal counsel to research options to make the Code language changes regarding the established waiting period for health insurance benefits and bring the item back to the Board for possible action in the next few weeks.*

**BOARD ACTION – Direction only**

**C-3 Discuss and Consider Adopting the Updated Fiscal Year 2022 Records Retention and Disposal Schedules**

*There was no discussion and Director Creasy made a motion.*

**BOARD ACTION – To adopt the Fiscal Year 2022 Records Retention and Disposal Schedules**

MOVED BY: Director Creasy  
SECONDED BY: Director Cage  
AYES: Directors Cage, Creasy, Domaille, Smith, and Thompson

**C-4 Discuss and Provide Direction to Staff Regarding an Investment Strategy for Long-Term Investments**

**1) Consider Adopting an Amended Statement of Investment Policy**

**2) Consider Adopting an Amended FY23 Operating and Reserve Fund Policy**

*Jeff Beatty addressed the Board and said the reason for amending the policies is to allow for designated investments to have up to a ten-year maturity. This strategy is to maximize interest returns on investments that are earmarked for capital projects planned for many years out. Mr. Beatty noted that, if approved, there would be a 90-day waiting period before changes could be made with the portfolio.*

*Director Cage commented that the proposal was discussed and supported by the Investment Committee.*

*There was no further discussion and Director Cage made a motion.*

**BOARD ACTION (1) – To adopt an amended Statement of Investment Policy**

MOVED BY: Director Cage  
SECONDED BY: Director Creasy  
AYES: Directors Cage, Creasy, Domaille, Smith, and Thompson

**BOARD ACTION (2) – To adopt an amended FY23 Operating and Reserve Fund Policy**

MOVED BY: Director Cage

SECONDED BY: Director Creasy  
AYES: Directors Cage, Creasy, Domaille, Smith, and Thompson

**C-5 Discuss and Consider Adjusting Compensation Paid to Each Director for Each Day's Service in an Amount Not to Exceed the Statutory Limit of 5.0%, Effective January 1, 2023**

*President Smith called for a motion. Following a brief discussion to clarify the maximum increase amount, Director Creasy made a motion.*

**BOARD ACTION – To increase compensation paid to each Director for each day's service by 5%, effective January 1, 2023**

MOVED BY: Director Creasy  
SECONDED BY: Director Domaille  
AYES: Directors Cage, Creasy, Domaille, Smith, and Thompson

**C-6 Consider Adopting Resolution No. 11-17-22-15 Recognizing Robert Creasy for his Seven Years of Service to the Mammoth Community Water District Board of Directors**

*President Smith recited the resolution. Then thanked Director Creasy for his time and commitment to serve the District and the community as a member of the MCWD Board.*

*Director Creasy expressed his appreciation for working with the District's exemplary management staff over the past seven years. Additionally, he recognized each of the board members for their individual strengths and guidance they provided.*

*Director Cage made a motion.*

**BOARD ACTION – To adopt Resolution No. 11-17-22-15 recognizing Robert Creasy for his seven years of service to the Mammoth Community Water District Board of Directors**

MOVED BY: Director Cage  
SECONDED BY: Director Domaille  
AYES: Directors Cage, Domaille, Smith, and Thompson  
ABSTAIN: Director Creasy

**C-7 Consider and Possibly Approve Adjustments in Compensation and Benefits provided to the General Manager (to be considered after closed session)**

*The Board returned from closed session at 7:23 p.m. President Smith stated that the ad hoc committee and Board had completed its performance review of Mark Busby and opened the discussion of a compensation increase to align with the outstanding performance review.*

*Director Creasy made a motion to give Mr. Busby a wage increase of 8% retroactive to the contract renewal date of October 1, 2022. There was no further discussion.*

**BOARD ACTION – To increase the General Manager's wage by 8% effective back to October 1, 2022**

MOVED BY: Director Creasy  
SECONDED BY: Director Domaille  
AYES: Directors Cage, Creasy, Domaille, Smith, and Thompson

### **COMMITTEE MEETINGS HELD DURING THE MONTH**

Technical Services Committee – *October 19, 2022*

Dennis Domaille  
Gary Thompson

Finance Committee – *October 19, 2022*

Tom Cage  
Robert Creasy

#### **Technical Services Committee:**

*Director Domaille said there wasn't much to report from the committee meeting.*

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#### **Finance Committee:**

*Director Creasy reported that there was nothing discussed at the committee meeting that had not already been discussed this evening.*

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### **DIRECTOR COMMENTS, REQUESTS, AND REPORTS**

*Director Creasy commented that the Board should reconsider Mono County's request to enter into a MOU for wastewater sampling when it is brought back to the Board in the coming months.*

### **ATTORNEY REPORT**

*Attorney Horowitz said there was nothing to report.*

### **CLOSED SESSION**

#### **D-1 Public Employee Performance Evaluation – General Manager**

Pursuant to Government Code sections 54954.5(e) and 54957

#### **D-2 Conference with District Labor Negotiators**

Pursuant to Government Code sections 54954.5(f) and 54957.6

District Negotiators: Tom Smith and Tom Cage

Direction concerning proposed terms of General Manager Employment agreement, including compensation and benefits

**ADJOURNMENT**

*President Smith called for a motion to adjourn the meeting.*

**BOARD ACTION – To adjourn the meeting**

MOVED BY: Director Domaille  
SECONDED BY: Director Cage  
AYES: Directors Cage, Creasy, Domaille, Smith, and Thompson  
NAYS: None

The meeting was adjourned at 7:25 p.m.