

DEVIL'S GATE GENERAL IMPROVEMENT DISTRICT
October 6, 2008

STATE OF NEVADA)
 : ss
COUNTY OF EUREKA)

CALL TO ORDER

The Board of Eureka County Commissioners, sitting as Board of Directors for the Devil's Gate General Improvement District, met pursuant to law on October 6, 2008, during a scheduled break from the regular Eureka County Commission Meeting. Present were Chairman Leonard Fiorenzi, Vice Chairperson Donna Bailey, Member Jim Ithurralde, District Attorney Ted Beutel, and Clerk & Treasurer, Jackie Berg. The meeting was called to order by Chairman Fiorenzi at 10:54 a.m.

APPROVAL OF AGENDA

Member Bailey motioned to approve the agenda as posted. Member Ithurralde seconded the motion. Motion carried 3-0.

PUBLIC COMMENT

Chairman Fiorenzi opened the floor to public comment. Robert McMinn, with Pony Express Home Sales, stated he has been working with Lavernia Rasmussen on developing homesites in the Devil's Gate subdivision. Four homes were set up during the summer, with three pending sales, and more planned. Several water applications have been submitted to Public Works and Mr. McMinn and Ms. Rasmussen voiced concerns over recent status reports on the water system and suggestions of a moratorium on new hook-ups. The Board agreed that they were very close to imposing a moratorium and until that time, applications would be considered on a first-come first-served basis. It was suggested that existing hook-ups could possibly be transferred to the new lots.

The Board assured Mr. Minn that remediation of the water shortage will be a priority in the upcoming budget sessions, and action has already been taken to contract an engineer to conduct a preliminary engineering report.

There were no further public comments.

APPROVAL OF MINUTES

Member Ithurralde motioned to approve the minutes of the September 5, 2008 Devil's Gate GID meeting. Commissioner Bailey seconded the motion. Motion carried 3-0.

DEVIL'S GATE GID

Update on Water System: Public Works Director, Ron Damele, reported that District #1 has approximately 15 customers, District #2 has approximately 40 customers, and everything is operating normally. Humboldt Drilling will be on site the week of October 21st to upgrade the pump in District #2 Well #3. Following that, they will video the District #1 Well #1 and install a 10 hp pump.

District #2 Water Applications: A water application was submitted by Rodd Lighthouse for residential service on the corner of El Centro and El Toro (APN 007-394-05). Chairman Fiorenzi noted the application listed the beginning service date as unknown. He cautioned his fellow Board members to avoid a situation where a developer locks in several water hook-ups while developing the ground. If there are limited hook-ups he would rather see them granted to people who planned to utilize the water right away. District Attorney, Ted Beutel, suggested

allowing applicants to pay for and have a meter installed, with the understanding that water service is on a first-come first-served basis, so if a moratorium is enacted, there wasn't a guarantee of water availability. Existing meters that are not currently active would also lose any construed priority of water service. With these precautions in mind, Member Ithurralde motioned to approve Rodd Lighthouse's application for a new ¾" residential water service in Devil's Gate District #2.

Application was also made by Clayton Nicholes for new service in Devil's Gate District #2. Member Ithurralde motioned to approve this application for a new ¾" residential water hook-up. Member Bailey seconded the motion. Motion carried 3-0.

Chairman Fiorenzi asked Public Works to make a recommendation at the next meeting regarding placing a moratorium on water hook-ups in the Devil's Gate GID, adding that he hated to consider doing this at this time of population growth in Eureka County, but felt it was imminently necessary as a temporary precaution.

Revisions to Devil's Gate GID Ordinance: The Board reviewed draft revisions to the Devil's Gate GID ordinance, to better define a special assessment for the purpose of continued financial support of the Devil's Gate GID water system. Chairman Fiorenzi requested that the ordinance specify the amount that the assessment would raise each year, and that the individual water assessment would be adjusted up or down with the goal of reaching this static amount. The Board could address the annual amount periodically if they felt the need to raise or lower it.

Set Date/Time for Public Hearing: Member Ithurralde motioned to set the date and time for a public hearing to review revisions to the Devil's Gate GID Ordinance on November 20, 2008 at 2:00 p.m., in order to make a recommendation to the Board of County Commissioners. Member Bailey seconded the motion. Motion carried 3-0.

PUBLIC COMMENT

Chairman Fiorenzi opened the floor to public comment. There were none.

ADJOURNMENT

At 11:34 a.m., Member Ithurralde motioned to adjourn the meeting. Member Bailey seconded the motion. Motion carried 3-0.

Approved this 6th day of November, 2008.

/s/ Leonard Fiorenzi

Leonard Fiorenzi, Chairman

Attest: /s/ Jackie Berg

Jackie Berg, Clerk