



**Johnsville Public Utility District  
Board of Directors  
Special Meeting Minutes**

**Date** September 16, 2023     **Time:** 12 noon PST

**Teleconference: 775-843-6159**

**Website: JohnsvillePud.org**

1. The meeting was called to order by David Piepho, Johnsville Public Utility District Chair, at 12:04 PM. All directors and manager were in attendance,
2. There were no additions or corrections to agenda and 7/29/23 JPUD Board of Director's minutes. A **motion** to approve the minutes from the July 29<sup>th</sup>, 2023 meeting was made by Chair Piepho and seconded by Director Fregulia.

The **motion** carried unanimously with the following vote:

Ayes: 3

Noes: 0

Absent: 0

3. There was no public comment.
4. Action Items.
  - 4.1. A **motion** was made by Director Fregulia to approve the Payment to Stewart Engineering INC invoice # 2314-001. The motion was seconded by Chair Piepho. The motion carried unanimously with the following vote:

Ayes: 3  
Noes: 0  
Absent: 0

4.2 Director LaTourrette made the motion to withhold the 5% retention fee per contract (see attached) with Stewart Engineering INC.

The motion followed unanimously with the following vote:

Ayes: 3

Noes: 0

Absent: 0

4.3. After reviewing and amending Resolution 27-07 to remove period after payments in A,1 as follows,

**Whereas** Article 22 specifically states:

*A. Owner shall make progress payments on the basis of Contractor's Applications for Payment on or about the 30th day of each month during performance of the Work as provided in Paragraph 22.02.A.1 below, provided that such Applications for Payment have been submitted in a timely manner and otherwise meet the requirements of the Contract. All such payments will be measured by the Schedule of Values established as provided in the General Conditions (and in the case of Unit Price Work based on the number of units completed) or, in the event there is no Schedule of Values, as provided elsewhere in the Contract.*

*1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Owner may withhold, including but not limited to liquidated damages, in accordance with the Contract.*

A **motion** was made to adopt Resolution 24-07 by Director Fregulia and seconded by Director LaTourrette. The motion passed unanimously with the following vote:

Ayes: 3

Noes: 0

Absent: 0

5. The next meeting is scheduled for Saturday September 23, 2023 and 12 noon at Saint John's church.

6. The meeting was adjourned at 12:30.

