

**OLYMPIC VALLEY PUBLIC SERVICE DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES #923  
JANUARY 16, 2024**

<https://www.ovpsd.org/special-board-meeting-january-2024-1>

**A. Call to Order, Roll Call and Pledge of Allegiance.**

Director Ilfeld called the meeting to order at 8:08 a.m.

**Directors Present:** Dale Cox\*, Katy Hover-Smoot, Fred Ilfeld and Katrina Smolen.

\*Joined via noticed teleconference.

**Directors Absent:** Bill Hudson

**Staff Present:** Thomas Archer, Legal Counsel; Jessica Asher, Program Manager & Board Secretary; Brandon Burks, Operations Manager; Brad Chisholm, Fire Chief; Mike Geary, General Manager; and Dave Hunt, District Engineer.

**Others Present:** Gary Bell, Wes Miliband, Nicolle Falcis.

Mr. Geary led the Pledge of Allegiance.

**B. Public Comment/Presentation.**

Mike Geary noted that while a quorum is in attendance at the meeting, there is not a quorum present within the District Boundaries. Action will not be taken until a third Director arrives in person.

*Katrina Smolen arrived at 8:43 AM.*

**C. Interviews for General Counsel Legal Services.**

The Board reviewed the item, accepted public comment, conducted interviews, and authorized the General Manager to negotiate General Counsel Legal Services with Colantuono, Highsmith and Whatley, P.C with Gary Bell serving as General Counsel.

The Board conducted the first interview, took a break from 9:20 – 9:30 AM, and conducted the second interview. The Board remained in open session but paused recording while discussing the qualifications of each firm. The Board stated that they were pleased with the Gary Bell's breadth of experience, depth of knowledge in the issues that are most relevant to the District's work, and overall demeanor. Colantuono, Highsmith, and Whatley, P.C also had a less expensive rate than the other candidate firms. As proposed, Alex Jack would serve as General Counsel (GC) with Gary Bell serving as Assistant GC. The Board made clear that their decision to move forward is contingent on Mr. Bell serving as General Counsel and Alex serving as Assistant GC as the Board has not had the opportunity to talk with Ms. Jack due to her maternity leave.

Director Cox made a motion to authorize the General Manager to negotiate General Counsel Legal Services with Colantuono, Highsmith and Whatley, P.C with Gary Bell serving as General Counsel. Director Hover-Smoot seconded the motion. A roll call vote was taken, the motion passed.

Cox – Yes | Hover-Smoot – Yes | Hudson – Absent | Ilfeld – Yes | Smolen – Yes

**APPROVED**

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

Director Hover-Smoot made a motion, seconded by Director Ilfeld to adjourn to closed session at 10:59 a.m. A roll call vote was taken, the motion passed.

Cox – Yes | Hover-Smoot – Yes | Hudson – Absent | Ilfeld – Yes | Smolen – Yes

*Director Hudson joined the meeting at approximately 11:00 a.m. via unnoticed teleconference and did not vote on any matters.*

**D. Closed Session.**

**D-1 Closed Session – Public Employment.**

The Board met in Closed Session pursuant to Government Code §54957 et al regarding the public employment of the General Manager. Only the item on the agenda was discussed, no action was taken.

**D-2 Closed Session – Public Employee Performance Evaluation.**

The Board met in Closed Session pursuant to Government Code §54957 et al regarding the public employment of the General Manager. Only the item on the agenda was discussed, no action was taken.

Director Hover-Smoot made a motion, seconded by Director Smolen to adjourn to open session at 12:37 P.M. A roll call vote was taken, the motion passed.

Cox – Yes | Hover-Smoot – Yes | Hudson – Absent | Ilfeld – Yes | Smolen – Yes

**E. Possible Action from Closed Session.**

**E-1 General Manager Recruitment.**

The Board reviewed the item, accepted public comment, and provided direction to staff regarding recruitment for the General Manager position.

The board decided not to move forward with Dr. Marshall’s General Manager candidacy. The Board requested that staff continue to review applications for the General Manager position and bring them to the Board efficiently.

Director Hover-Smoot made a motion, seconded by Director Smolen, to appoint Mike Geary as the lead negotiator for an interim General Manager contract with Dave Hunt. A roll call vote was taken, the motion passed.

Cox – Yes | Hover-Smoot – Yes | Hudson – Absent | Ilfeld – Yes | Smolen – Yes

**F. Adjourn.**

Director Hover-Smoot made a motion, seconded by Smolen, to adjourn the meeting at 12:39 P.M. A roll call vote was taken, the motion passed.

Cox – Yes | Hover-Smoot – Yes | Hudson – Absent | Ilfeld – Yes | Smolen – Yes

By, J. Asher

**APPROVED**  
SIGNATURE: J. Asher  
DATE: 1/30/24