

**REGULAR MEETING MINUTES OF THE BOARD OF DIRECTORS OF THE
NORTH YUBA WATER DISTRICT
Held at the District Office and Zoom
8691 LaPorte Road, Brownsville
Thursday, April 27, 2023**

NOTICE: This meeting will be physically open to the public at the District OFFICE located at 8691 La Porte Rd, Brownsville, Ca 95919. the meeting will also take place via zoom. Members of the public may attend and participate in the meeting via videoconference at:

Join Zoom Meeting
<https://us02web.zoom.us/j/82940737818>
Meeting ID: 8129 4073 7818
Passcode: 456070
One tap mobile
*+16699009128,,83783159041#,,,,*354921# US (San Jose)*
+16694449171,,812940737818#,,,, US*

Dial by your location
+1 669 444 9471 US
+1 669 900 9128 US (San Jose)
Meeting ID: 8129 4073 7818
Passcode: 456070
Find your local number: //us02web.zoom.us/u/kbpLLjTIP.

COMMENCEMENT OF MEETING

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in the meeting, please contact North Yuba Water district office staff at 530-675-2567 or fax 530-675-0462. Requests must be made as early as possible and at least one-full day before the start of the meeting.

A. CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:31 PM, at the District Office in Brownsville, CA.

<i>NAME</i>	<i>PRESENT</i>	<i>ABSENT</i>	<i>VISITORS INCLUDING:</i>
<i>PRESIDENT</i>	Marieke Furnee		John, Donna Corson, Charles Sharp, Matilda, Kawanza Vinje, Jeanie Caviler, Dr. Gretchen Flohr, Jackie, Larry Badger, Amber Childs, Erin Hess, Ann Tatum Dr. Rubik
<i>VICE PRESIDENT</i>	Ann Plumb		
<i>DIRECTORS:</i>	Steve Ronneberg	Gary Hawthorne	
	Alton Wright		
<i>INTERIM GENERAL MGR</i>	Leona Harris		
<i>ATTORNEY</i>	Paul Boylan		

B. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Vice President Plumb..

C. OPPORTUNITY FOR PUBLIC COMMENT ON NON AGENDIZED ITEMS:

The public has the opportunity to address the District Board of Directors about matters not on the agenda. Public comment is limited to no more than four (4) minutes per person, twenty (20) minutes total for all speakers. **NOTE: ALL PUBLIC PARTICIPANTS WILL BE MUTED UPON ENTRY INTO THE MEETING AND WILL ONLY BE UNMUTED TO ALLOW THEIR COMMENT. TO PROVIDE PUBLIC COMMENT BY TELECONFERENCE PRESS *9.**

PUBLIC COMMENT: Members of the public commented: Oen the ground people being the heart and soul of the district. Don't be anxious to implement new policies, take a conservative approach, file a complaint against Crystal Martin and the previous board of directors and pursue accountability. Thanked Gary Hawthorne who submitted his resignation for his service to the board. Update the current map so all are represented fairly. Questions about comments after every item and no public invited to the Diversion Dam Celebration.

DISCUSSION/OPEN SESSION ACTION CALENDAR

D. OPPRTUNITY FOR PUBLIC COMMENT – Topics on the Agenda:

Members of the public may address the Board concerning any item on the agenda. No other comments will be allowed. Any member of the public wishing to make comment shall identify the agenda item they intend to address, and they will be provided an opportunity to make comment on that item only. Public comment is limited to no more than two (4) minutes per person, twenty (20) minutes total for all speakers. **NOTE: ALL PUBLIC PARTICIPANTS WILL BE MUTED UPON ENTRY INTO THE MEETING AND WILL ONLY BE UNMUTED TO ALLOW THEIR COMMENT. TO PROVIDE PUBLIC COMMENT BY TELECONFERENCE PRESS *9.**

PUBLIC COMMENT: No public comment.

E. CONSENT ITEMS

1. Approval of Minutes for Regular Board Meeting of March 23, 2023
2. Approval of Payroll for the Month of March 2023: \$40,571.82
3. Approval of Bills for the Month of March 2023: \$153,929.95

President Furnee made a motion to approve consent times 1, 2, and 3. Director Ronneberg seconded the motion.

The motion was approved with a unanimous vote.

F. STAFF REPORTS AND RECOMMENDATIONS: The Board will possibly hear reports by District staff and receive their recommendations for future Board action.

Operations Memorandum: Interim General Manager Harris presented her operations memorandum report and added that the challenge tank replacement received notice to proceed and has been signed by the contractor. In regard to irrigation, 2500 lineal feet of shot creek has been completed. Leona thanked the employees who have gone above and beyond, for their hard work. Leona also reported that she would be attending the next Pod meeting and may have information on awarded grants.

Financial Mangers Report: Financial Manger Heidi Naether reviewed Cash on Hand and Income Statements for the period ending March 31,2023. Total cash on hand in all accounts including reserves was \$5,115,552.41. Total income for the fiscal year to date (July 01, 2022 – March 31,2023) was \$4,701,335.06. Total expenses were \$1,909,612.75, leaving a net revenue over expenses of \$2,791,722.31. Expenses out of Reserves/Savings year to date totaled \$1,374,469.31.

District Legal Counsel, Paul Boylan: Mr. Boylan gave his report to the board . He is working day to day with the staff to make sure goals are met. It is time to avoid litigation. It is time to settle litigation. May 1st is an amazing day, you are going to get irrigation water for the first time in years. Water is the sign of civilization and has been going on for tens of thousands of years and he stated he is honored to be apart of that tradition, working with staff and the community.

G. WOODLEAF CONTRACT: The Board will discuss and possibly approve the yearly contract with Woodleaf Younglife to continue their agreement with the district to receive irrigation water

Director Ronneberg made a motion to accept the Woodleaf Contract. Vice President Plumb seconded the motion. ~~The motion was approved with a unanimous vote.~~

The motion was approved with a unanimous vote.

- H. **REVISION TO IRRIGATION POLICY:** The Board will discuss and possibly act to revise the existing irrigation policy to remove the word “moratorium” from the policy pertaining to the prohibition to adding new irrigation customers.

President Furnee stated that the district is not in any position to add new customers this year, we are experiencing the miracle of water. While attending the meeting at South Feather she saw a thought on the wall that read “Governess is taking the wishes and desires of the community and transforming them into polices to govern the district”. Things have changed since 1987. North Yuba’s supply of water was in balance with the community’s demand, and a moratorium of new connections was put in writing. North Yuba has ~~more~~ access to more water than in 1987 and 2008 when this policy was last updated. New leadership at North Yuba and mutual aid agreement from South Feather is leading to increased efficiency. The goal is to increase the amount of water delivered for consumption use and expanding the number of customers able to be served. The very first step is introducing an amendment to the of the idea of moratorium. President Furnee reviewed the steps that will be necessary to increase delivery. The first step would be to review page 14, sec 3 of the current policy. Vice President Plumb would like to revisit the policy. Director Wright commented on the parcels that have not received any water and what will be done for those who will never receive water. The Irrigation and Domestic policy need to be reviewed. Director Wright referenced Aero Pines.

President Furnee made a motion to start the process of reviewing the Irrigation Policy and the possibility of removing the word moratorium. Vice President seconded the motion.

PUBLIC COMMENT: Members of the pubic commented on the start of the moratorium.

The motion was approved with a unanimous vote.

- I. **RESIDENTIAL WATER TANK REPAIRS/IMPROVEMENT:** – The Board will discuss and possibly act to ratify a contract the District Interim General Manager entered into on the district’s behalf for repairs/ improvement to the district’s residential water tank.

Director Wright made a motion to ratify the contract the Interim District Manager entered into on the district’s behalf for repairs and improvement to the district’s residential water tank. Director Ronneberg seconded the motion.

The motion was approved with a unanimous vote.

- J. **EMPLOYMENT OF KEN MCLAUGHLIN:** The Board will meet to discuss and possibly ratify a contract District Interim General Manager entered into with Ken Mclaughlin to provide part time, temporary, services in connection with the ongoing district water conveyance improvement project, including but not limited to assisting the District Superintendent with the pending delivery of seasonal water to the District’s irrigation water customers.

President Furnee made a motion to ratify the contract District Interim General Manager entered into with Ken Mclaughlin. Vice President Plum seconded the motion.

The motion was approved with a unanimous vote.

- K. **DISTRICT WATER PERMIT REVIEW PROJECT:** The Board will discuss and possibly act to ratify a contract the District Interim Legal Counsel entered into on the district's behalf to retain attorney Gwyn Mohr Tully to conduct a study of the district's water permits and make recommendations.

Vice President Plumb made a motion to ratify the contract the District Interim Legal Counsel entered into on the district's behalf to retain Attorney Gwyn Mohr Tully. President Furnee seconded the motion.

The motion was approved with a unanimous vote.

- L. **POSSIBLE EXPANSION OF PUBLIC COMMENT:** The board will meet to discuss and possibly act to add a third opportunity for the public to address the board at the end of each meeting.

Director Wright made a motion to add a third opportunity for the public to address the board at the end of the meeting with a time limit of no more than 3 minutes total, no more than 5. Director Ronneberg seconded the motion.

PUBLIC COMMENT: Members of the public spoke about sustainability to irrigation customs who have not received water, taking questions under advisement by the public and personal agendas do not belong at the table.

The motion passed with majority vote with President Furnee voting no.

- M. **SIERRA MUZZLE LOADERS REQUEST FOR LEASE:** The board will meet to discuss a request from the Sierra Muzzleloaders (SML) for the district to lease property to SML.

After discussion President Furnee suggested that Jackie meet with Interim District Legal Counsel and bring back an agreement for the board to review and discuss.

H. **DIRECTORS REPORTS:**

Director Wright read his report to the board which included the 2023 irrigation season and all that has been accomplished including the deferred maintenance and the poorly engineered infrastructure. Director Wright also spoke about the absence of Director Hawthorne and the 2015 rate hike discussion that was shut down,. Director Wright asked the board to celebrate past pioneers on the board and give thanks to the many visionary community members.

President Furnee read her report which included May 1st, the beginning of the irrigation season, the improved relationship with South Feather, the invitation to the officials for the opening of the water and the planned celebration for the public once the water has come down the ditch. President Furnee also spoke about the irrigation season and the reason the season has started, which includes new board, new attorney and new management and renewed relationships with South Feather.

There were no other reports.

ADJOURNMENT

The meeting was adjourned at 6:53 PM.

Respectfully Submitted


Catherine L. Fonseca, Recording Secretary