

MINUTES

REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
NORTH YUBA WATER DISTRICT

Held at the District Office

8691 LaPorte Road, Brownsville

Thursday, September 26, 2019

A. ROLL CALL

President Eric Hansard called the meeting to order at 5:00 PM at the District Office in Brownsville, CA. The Recording Secretary called the roll.

| | <i>PRESENT</i> | <i>ABSENT</i> | <i>VISITORS</i> |
|------------------------|-----------------|---------------|----------------------|
| <i>PRESIDENT</i> | Eric Hansard | | Visitor's Including: |
| <i>VICE PRESIDENT</i> | Terry Brown | | Donna Corson |
| <i>DIRECTORS</i> | Doug Neilson | | |
| | Gary Hawthorne | | |
| | Gretchen Flohr | | |
| <i>GENERAL MANAGER</i> | | Jeff Maupin | |
| <i>ATTORNEY</i> | Barbara Brenner | | |

B. PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by President Hansard.

ACTION ITEMS

C. PUBLIC INPUT:

President Hansard read the rules for public comment.

Members of the Public addressed the Board regarding:

- Director Flohr spoke as a public member about a vision for the future of the water and invited the public to a public meeting on Oct 16th.

- Carol spoke regarding continuous irrigation leaks which ends up on her property. She has reported it to the office staff and left a message with Director Hawthorne. She is not a current irrigation customer.
- Submitted a letter to the newspaper making a request for the resignation of Director Flohr.
- Had usable water for 4 days last month, the water is below the pipe. Also discussed was the water plants growing on Citron Way.
- Suggested that the General Manager take this time to repair all current leaks in the ditch.

D. CONSENT ITEMS:

1. **Approval of Minutes for Regular Board Meeting of July 25, 2019**
2. **Approval of Minutes for Special Board Meeting of August 13, 2019**
3. **Payroll for the Month of August 2019 - \$46,536.22**
4. **Approval of Bills for the Month of August 2019 - \$81,871.01**

Public Comment:

- Commented on a comment made by Director Hawthorne regarding the past board.
- Inquired of a check made out for \$5100.00

Director Hawthorne made a motion that the Board approve Consent Items 1, 2, 3 and 4. Vice President Brown seconded the motion. The motion passed with a majority vote. Director Flohr voted no due to questions not being answered.

The motion passed with a majority vote.

E. FINANCIAL MANAGER'S REPORT:

In Financial Manager, Heidi Naether's absence, President Hansard presented the financial report for the period ending August 31, 2019.

PUBLIC INPUT:

- Inquired on the power revenue check from South Feather.
- Does not get the sense that the Financial Report is reviewed by the Board.
- How can the report be approved without the Financial Manager in attendance.

Director Flohr commented on the payments made to Smart Marketing without a contract. The District's Attorney responded that the contract is currently being drafted.

Vice President Brown made a motion to accept the Financial Manager's Financial Report. Director Hawthorne seconded. The motion passed with a majority vote. Director Flohr voted no.

The motion passed with a majority vote.

F. BOARD MEMBER COMMENT POLICY: Resolution #19-737:

Director Flohr began the discussion of Resolution #19-737 limiting the time of discussion to three minutes and expressed concern about the limitations put on Board discussion.

PUBLIC INPUT:

- Questioned the Board's willingness to spend time discussing Agenda items.
- Requested the gavel be used less.
- Supported the three-minute rule to limit discussion and prevent abuse of time.
- Supports Director Flohr and expects the Board to have discussion without limit.
- The division between the public and Board is costing money. There needs to be a cohesive board, or nothing is going to work.

Vice President Brown made a motion to accept Resolution #19-737. Director Hawthorne seconded the motion. The motion passed with a majority vote with Director Flohr voting no.

DISCUSSION/REPORTS

G. GENERAL MANAGERS REPORT:

1. Operations Memorandum provided by General Manager Maupin.

Due to the absence of General Manager Maupin, President Hansard read the report.

PUBLIC INPUT:

- Inquired if her address was included in the General Manager's report for leaks.
- Apologized for earlier response. Would like to see more on irrigation maintenance, not just domestic. Has complained about Citron way several times, it is a pond and you cannot drive across it. The gunite used in March is not working.
- Disagreed with a comment made regarding the Oregon House Dobbins Water Association on a brochure sent out to domestic customers and requested a retraction.

Director Hawthorne made a motion to accept the General Manager's Report. President Hansard seconded. Director Flohr abstained due to the absence of the General Manager. The motion passed with majority vote with Director Flohr abstaining.

H. DIRECTORS INPUT:

President Hansard read the rules for Director Input.

Director Hawthorne commented on the achievements of the Board which included the recent Forbestown Ditch pipeline system and also a great irrigation season which was a success due to the communication from customers and staff. Director Flohr asked the Recording Secretary if the audio files were stored and requested copies. Also discussed was the recent brochure that was sent out to customers by Smart Marketing. Discussion continued regarding fire protection, Dry Creek and the 1270 permit.

PUBIC INPUT:

- Letter was written to the Board regarding supplying water for fire prevention. Is the Board doing all that they can.
- The IOS between domestic and irrigation is substantial. IOS will not rate the irrigation system because they cannot guarantee the water.
- 1500 customers are waiting for irrigation water who have been paying taxes for 30 to 40 years.
- Reminded the Board of the Areo Pines Annexation. Also discussed the Fire Board and the 5000 acre project looking for domestic water.
- The District's Lawyer reported that the annexation is being addressed.
- Domestic water over ag water is more profitable.

- I. **CLOSED SESSION:** Conference with Legal Counsel – Initiation of Litigation pursuant to Gov. Code Section 54956.9 (C)

PUBLIC INPUT:

- The question was asked why we are going into closed session and what does the Section number mean. The section number means the right to go into closed session.

THE BOARD ENTERED CLOSED SESSION TO DISCUSS ITEM I AT 6:03 PM

BACK IN SESSION AT 6:38 PM

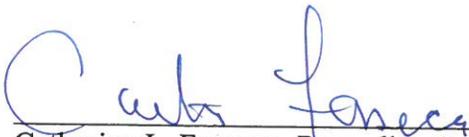
The Board has decided to proceed with communication with SFWPA.

- J. **ADJOURNMENT:**

There being no further business to discuss, Director Hawthorne made a motion that the Board adjourn. Director Flohr seconded the motion. The motion passed with a unanimous vote.

The meeting was adjourned at 6:39 PM

Respectfully Submitted,



Catherine L. Fonseca, Recording Secretary