

MINUTES

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

Held at the District Office
8691 LaPorte Road, Brownsville

Thursday, January 31, 2019

A. ROLL CALL

President Eric Hansard called the meeting to order at 4:02 PM at the District Office in Brownsville, CA.

<i>PRESENT</i>	<i>ABSENT</i>
<i>President Eric Hansard</i>	
<i>Vice President Terry Brown</i>	
<i>Director Doug Neilson</i>	
<i>Director Gary Hawthorne</i>	
<i>Director Gretchen Flohr</i>	
<i>General Manager Jeff Maupin</i>	
Barbara Brenner, General Council	
Allan Lilly, Water Rights Attorney	

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 input.

Members of the public addressed the Board. A member of the public wanted to be on record as being in favor of the neighbors to the South being provided irrigation when available. A member of the public expressed concern regarding the Brown Act, A request that all board packets be provided electronically, the review of the Forbestown Ditch plans and a letter to Congressman John Garamendi, letters attached.

D. ELECTION OF BOARD MEMBERS:

Director Neilson made a motion to nominate Vice President Hansard for president. Vice President Hansard seconded the motion. The motion passed with a unanimous vote.

Director Flohr made a motion to nominate Director Brown for vice president. President Hansard seconded the motion. The motion passed with a unanimous vote.

PUBLIC COMMENT: Members of the public addressed the Board. Concerns were expressed regarding the 10 minutes of public comment being provided. Members of the public commended the nomination of Director Brown for Vice President.

E. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – EXSISTING LITIGATION (Government Code Section 54956.9, subdivision (d)(1): North Yuba Water District’s petitions for extensions of time for water-right Permits 11516 and 11518 (Application 13957 and 14113), which are pending before the State Water Resources Control Board

PUBLIC COMMENT:

A member of the public discussed the items included in the closed session.

THE BOARD ENTERED CLOSED SESSION TO DISCUSS ITEM E. AT 4:22 PM

BACK IN SESSION AT 5:04 PM

President Hansard called the meeting to order at 5:04 PM.

No Action Taken.

F. CONSENT ITEMS:

1. Approval of **Minutes for Special Board Meeting of November 30, 2018.**
2. Approval of **Payroll for the Month of November 2018 - \$33,854.73**
3. Approval of **Payroll for the Month of December 2018 - \$31,104.35**
4. Approval of **Bills for the Month of November 2018 - \$139,906.31**
5. Approval of **Bills for the Month of December 2018 - \$258,329.56.**

Director Neilson made a motion that the Board approve Consent Items 1. Director Hawthorne seconded. The motion passed with a majority vote. Director Flohr voted Nay. Public Input: A member of the public expressed displeasure regarding comments made during the November Board meeting. A member of the public requested that the names of visitors be included in the monthly minutes.

Director Hawthorne made a motion that the Board approve Consent items 2-5. President Hansard seconded the motion. The motion passed with a unanimous vote.

Public Input: None

G. FINANCIAL MANAGER'S REPORT:

1. Review of Cash on Hand and Income Statements for the period ending December 31, 2018.

Financial Manager, Heidi Naether, reviewed Cash on Hand and Income Statements for the period ending December 31, 2018.

As of December 31, 2018, total cash in all accounts including reserves was \$4,837,886.50.

Total income to date was \$2,270,434.03. Total expenses were \$882,834.22 leaving a profit of \$1,387,599.81.

Not including labor, the District spent \$14,763.75 on engineering and \$58,620.75 on pipe and supplies for piping the Dobbins/Oregon House Ditch year to date grand total: \$73,384.50.

Vice President Brown made a motion that the Board approve the Financial Manager's report as presented. Director Hawthorne seconded the motion. The motion passed with a unanimous vote.

Public Input: A member of the public inquired if the USBR reimbursement grant had been received. The item will be discussed in Item I.

H. RESOLUTION 19-729: Expressing Appreciation to Donald Ferguson.

Vice President Brown discussed with the Board Resolution 19-729 and a potential policy regarding issuing resolutions to those who serve, including past board members, expressing appreciation for service. Motions were made regarding Resolution 29-729 and a Resolution policy. After further discussion both motions were withdrawn.

Director Hawthorne made a motion to table item H. Director Flohr seconded. The motion passed with a unanimous vote.

Public Input: A member of the public expressed appreciation for Vice President Brown. Another member of the public discussed concerns regarding Resolution 19-729.

DISCUSSION/REPORTS

I. NORTHSTAR: Staff Update

Kristen McKillop of NorthStar updated the Board regarding the Bureau of Reclamation grant process. Notice was received that the Funding Agreement will be distributed to herself and the General Manager for review and consideration to bring forward in April.

J. GENERAL MANAGERS REPORT:

1. Operations Memorandum Provided by General Manager Maupin.
2. Report on Current Outlook for Irrigation
3. NYHB Repair- County/Contractor Payment Update

General Manager Maupin reported regarding item 2, the Current Outlook for Irrigation, he is anticipating starting service on time. The suggestion is to start the season and run it until it runs out. The Board concurred. Item 3, the NYHB Repair is complete. General Manager Maupin reported that an itemized bill was sent to the County for the damage that was caused to the pipe by their guardrail, as previously reported. Vice President Brown inquired of the breaks in the airport area. General Manager Maupin reported that the area is problematic due to surges in pressure. A lot of the infrastructure is substandard in the Airport area.

Public Input: A member of the public inquired about lines 1,2, and 3 and if they had been complete. A member of the public also inquired about a repair.

K. DIRECTORS INPUT:

President Hansard read the rules for Director input.

Director Hawthorne presented items to the Board for consideration for discussion on the next agenda. Director Flohr suggested an ad hoc committee be formed to discuss these items and others. The idea was discussed but at this time it was felt that meeting in the context of a public meeting was more transparent. After discussion the following items were agreed upon to be included on the agenda for discussion:

1.
 - a. Provide a periodic communication to the customer base about the supply of irrigation water.
 - b. Locate and retain a reliable weather forecasting company.
 - c. A customer briefing at the Alcouffe Community Center in March sponsored by the North Yuba Water District.
2.
 - a. Revise the Irrigation Policy to include a plan to sign new customers after the piping is complete.
3.
 - a. Include maps and pictures to help inform the customers of technical water issues.
 - b. Offer a brief question and answer session during the Board meeting.

Director Flohr discussed a blind survey that she prepared using Survey Monkey. Also provided was "data by resident" regarding snow fall. Director Flohr presented the Board with information regarding a letter that was mailed to domestic customers by an unauthorized organization which included an online survey. Director Neilson reported that there have been unauthorized persons at public meetings representing themselves as being with North Yuba Water District also.

Vice President Brown requested that an Appreciation Policy be added for discussion on the next agenda which would honor Board members who served the District past and present. All Board members concurred.

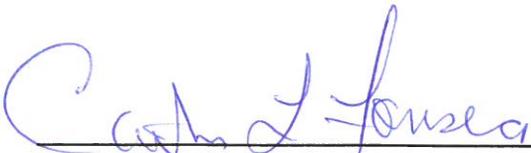
Public Input: None.

L. ADJOURNMENT

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

The meeting was adjourned at 6:06 p.m.

Respectfully Submitted,



Catherine L. Fonseca, Recording Secretary

At the November 30, 2018 Meeting, Dir. Forgyson violated the Brown Act by speaking in a derogatory and insulting manner to a newly-elected board director. No one on the former Board stopped the tirade.

What action has been taken to remedy this violation and this behavior? By rewarding Dir. Forgyson with a Resolution of thanks?

This is the first and only such Resolution we have ever seen. No previous Board director has been thanked upon their departure using a Resolution.

"I don't trust you people out there" to quote Dir. Forgyson's reprehensible comment of disdain for the public.

As a remedy, we request Dir. Forgyson and the former Board be called upon to publicly apologize for his "bully" behavior displayed toward Dir. Flohr within the 30-day Brown Act remedy process.

Norma Carson

P.O. Box 162

Hobbs, CA 95935

} Submitted to be part of the meeting minutes 1/31/19

1/31/19

I would like to request that all Board Packets be provided electronically to all public members who request them.

Alternatively, the Board packet could be placed on the NYWD website to be downloaded by the public. The Board ^{Packets} should be available to the public when it is made available to the Board Directors.

Further, this would give the public the opportunity to review the Board packet and have questions ready when attending Board meetings. It is part of the public's right to know and contributes to transparency of this public agency.

This is the 21st century and we need to behave as such. Not to mention gas used, money spent on printing costs, and paper wasted using the old dinosaur process.

Anna Carson
P.O. Box 162
Holliston, CA 95935

> submitted to meeting minutes
1/31/19

I am asking each director to explain to us whether each of you personally reviewed the Forbestown Ditch plans before the plans were sent to Yuba County Water Agency?

If Not:

1. Why would the plans be sent out to any outside agency before the NYWD BOD has had the opportunity to review the plans?
2. Why would the plans be sent out to any outside agency before the NYWD customers and public have had the opportunity to review the plans?
3. Why have the plans been sent to the Yuba County Water Agency only, and not to South Feather Water and Power?

If sending the plans to Yuba County Water Agency was to request financial assistance, South Feather is our present business partner. It seems only fitting to include a partner who has equal interest and a personal business stake in the Forbestown Ditch construction.

Norman Corson
P.O. Box 162
Steffens, CA 95935 } *submitted to meeting minutes 1/31/19.*

TO Congressman John Garamendi
Davis District Office
412 G St
Davis, CA 95616

December 7, 2018

Dear Congressman Garamendi,

About 12 customers of the North Yuba Water District attended your Saturday May 19, 2018 Town Hall, Marysville, CA. We were seeking your help regarding our loss of irrigation water for the 2018 season.

Mr. Garamendi, you were very patient and very sympathetic. Mary Jane Griego, your Senior District Representative had briefed you regarding our concerns. Still, you listened to all of us, our concerns and our pleas for help. As a result of our meeting, you directed Garret Durst from your congressional staff to contact NYWD with grant application information.

At our most recent Board of Directors meeting it was announced that a USBR \$75,000.00 grant was awarded to NYWD for improvements/maintenance to the Dobbins/Oregon House irrigation system.

We applaud and thank you and your willing staff, for the dedication to public service and the concern for the welfare of your constituents.

Sincerely,

Donna Corson, Dennis & Judy McCarty, Tim Brennan, Karolyn McCall, Jenny Cavaliere, Kathy & Bob Schultz, Gretchen Flohr, Marieke Furnee, Rulik Perla, Asher Perla, The Vinze Family.

Presented to BOD

1/31/19

By Donna Corson to be attached to the meeting minutes 1/31/19.