

MINUTES

REGULAR MEETING OF THE BOARD OF DIRECTORS OF

THE NORTH YUBA WATER DISTRICT

Held at the District Office

8691 LaPorte Road, Brownsville

Thursday, February 28, 2019

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**A. ROLL CALL**

President Eric Hansard called the meeting to order at 5:02 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	

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

## ACTION ITEMS

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### **C. PUBLIC INPUT:**

President Hansard read the rules for public input.

Members of the public addressed the Board. A member of the public acknowledged Director Neilson's blog. Also discussed by the same public member was the

- South Feather Water & Power Agency financial reporting
- Forbestown Ditch Engineering plans

### **D. CONSENT ITEMS:**

1. Approval of **Minutes for Special Board Meeting of January 31, 2019**
2. Approval of **Payroll for the Month of January 2019 - \$46,689.95**
3. Approval of **Bills for the Month of January 2019 - \$69,210.28**

Director Flohr discussed the Minutes submitted for approval and made a request that they be pulled from the consent calendar and stated the following.

1. The public input is vague.
2. Formation of an Ad hoc committee request received no response.

There was discussion with the Attorney regarding the content of the minutes after discussion the Attorney stated that the minutes are a summary of the meeting itself not just actions. They should include discussion by the Board and some general indication of the public comments. Letters submitted by the public can be attached as part of the public record of the minutes or summarized.

**Director Flohr made a motion that the minutes be corrected per discussion and brought back for approval at the next Board meeting. Vice President Brown seconded the motion. The motion passed with a unanimous vote.**

**The item will be revised and brought back at the next Board Meeting. The motion included attaching the submitted letters.**

**Public Input:** A member of the public addressed the Board and discussed the importance of the Board to understand the pulse of the audience and reflect it in the minutes. Another member of the public discussed the importance for the minutes to reflect the discussion and comments of the public. Director Flohr thanked the public for their comments.

**CONSENT ITEMS:**

**2. Payroll**

**3. Bills**

Director Flohr commented on the remaining consent items, along with these requests.

1. Wanted employees' names on payroll.
2. Additional information on check number 22579, 22544 \*0

**Director Hawthorne made a motion that the Board approve Consent items 2 and 3. Director Flohr seconded the motion. The motion passed with a unanimous vote.**

**Public Input:** None

**E. FINANCIAL MANAGERS REPORT:**

1. Review of Cash on Hand and Income Statements for the period ending January 31, 2019

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

As of January 31, 2019, total cash in all accounts including reserves was \$4,775,368.77.

Total income to date was \$2,307,267.58. Total expenses were \$992,195.39 leaving a profit of \$1,315,072.19.

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.

Director Flohr asked for additional information regarding the \$75,075.67 expense listed under Equipment-Auto-Mobile-Shop and the \$8,750.77 payment to NorthStar expenses listed on the Expense out of Reserves report. Director Flohr also requested additional information on the payment of \$275,658.25 to NorthStar and inquired if this is in addition to the contract that she

reviewed for authorization of payment of \$42,000. General Manager Maupin will research and provide the requested information.

Vice President Brown suggested that when questions arise on financial issues, Director Flohr can call and make an appointment with the Financial Manager to go over the items she has questions about prior to the meeting. If she then thinks it needs to be brought to the public then she can do so. General Manger Maupin requested that requests be made through him.

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

**Public Input:** Members of the public commented on the importance of transparency and the importance of recording the meetings for the benefit of the Board and the public.

**F. RESOLUTION 19-730** – Resolution of the Board of Directors of the North Yuba Water District, Concurring in Nomination of Brent Hastey of Yuba County Water Agency to the Executive Committee the ACWA JPIA. Director Flohr discussed the recent resolutions being submitted without being brought to the Board first for review. Discussion followed on the appropriate way to receive a resolution on the agenda. Director Flohr also suggested that Mr. Hastey attend a Board Meeting and present himself for nomination. Director Flohr expressed her opinion that all resolutions should come from the direction of the Board during a public meeting. Legal Counsel stated that these kinds of resolutions are common from Aqua and other affiliations. It is also common for the General Manager to put them on the Agenda. After further discussion regarding who can submit a resolution, Director Flohr expressed concern that the Board had not given instruction for the item to be added as a resolution on the agenda.

**Public Input:** Members of the public commented on,

1. Past resolutions considered by the Board, and how they were presented.
2. Policy concerns
3. Brown Act violations

**President Hansard asked Legal Counsel how resolutions of this type are brought to Boards. Legal Counsel stated they can be brought by the General Manager and are usually not discussed previously by the Board. She also stated that this kind of resolution is not a violation of the Brown Act.**

**Vice President Brown made a motion that the Board approve item F as presented. President Hansard seconded the motion. The motion passed with a majority vote with Director Flohr voting nay.**

**Due to a public outburst, President Hansard cleared the room for a 5-minute break.**

**G. VICE PRESIDENT BROWN: Approved Items for Discussion from Previous Board Meeting**

1. a. Draft Resolution of Appreciation
- b. Discussion of Creating a Policy for Resolutions of Appreciation

Director Brown discussed the draft Resolution of Appreciation and creating a policy for Resolutions of Appreciation. Discussion continued regarding the need for a policy verses a letter of recommendation. After further discussion Vice President Brown recommended to table the items for further development. Director Flohr offered to sit on an ad hoc committee with Vice President Brown for further development and discussion.

**Public Input:** A member of the public commented on, policies to give direction, and plaques for previous directors. A member of the public inquired of the plaques that were previously hanging on the back wall. Director Neilson replied that the plaques were in the process of being updated.

**H. DIRECTOR HAWTHORNE: Provided Items for Discussion from Previous Board Meeting**

1. a. Provide 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 Hawthorne discussed items 1 a-c. Item a, providing periodic communication to the customer during irrigation season, especially in the Spring would enable customers to better manage crops and livestock. Item b, locating and retaining a reliable weather forecasting company to help estimate the waterflow in Dry Creek may help predict the irrigation season. Per Director Flohr, South Feather hydrographer who measures the snow. Data from PGE is also available. The date is comprehensive and at no cost. President Hansard asked what the cost would be if a weather forecaster was hired. Discussion continued the source of water in Dry Creek above the Challenge grade which feeds Dry Creek. Director Neilson stated Ben Borzoft of

Strawberry Valley has a weather station which is recorded by the National Weather Service which could be a good source of information. Director Flohr asked where the nearest semi station was located. President Hansard suggested a map would be beneficial to show the water shed and incoming water. Director Flohr presented the Board with G.I.S. maps she prepared for review.

Regarding item 1c Director Hawthorne discussed the possibility of holding a customer briefing at the Alcouffe Community Center sponsored by the North Yuba Water District. The meeting has been held in the past under a different organization. After a lengthy discussion, General Manager Maupin suggested that if comprehensive information is obtained from a weather forecaster projecting the coming irrigation season, this information could be put on the web page, included in flyers and as bill stuffers. This would be a projection of the season not a guarantee of water. Director Hawthorne concurred that this was a viable solution and would not pursue the community meeting.

Item 2a, Revise the Irrigation Policy to Include a Plan to Sign New Customers After the Piping is Complete was discussed by the Board. Reference to the 2005 agreement was made by Director Neilson. Discussion followed estimating the amount of water needed to supply new customers.

Regarding 2b, all agreed to the addition of the use of maps to enhance the visual understanding of the water source would be beneficial. Director Hawthorne discussed the possibility of having a question and answer session. Per Legal Counsel there is no Brown Act violation for such a session. Per previous approval by the Board, General Manager Maupin created an insert to be included in the domestic bills for questions and comments. Questions will be forwarded to the Board. An additional insert will be sent the following month for continued communication. All agreed that the insert will meet the need for communicating with the public in place of a question and answer session.

**Public Input:** Members of the public commented on:

1. Director Neilson's discussion of water flow
2. Contacting South Feather for contract negotiation
3. The importance of correct minutes.
4. Interest in service once the pipe is complete and the need for consistency in the whole irrigation district before adding new customers
5. A private entity obtaining a public entity's information.

## DISCUSSION/REPORTS

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**I. GENERAL MANAGERS REPORT:**

1. Operations Memorandum Provided by General Manager Maupin
2. Report on Current Outlook on Irrigation
3. Irrigation Ditch Maintenance Update

General Manager Maupin reported that the rain and snow that have been received will help offset losses from past seasons. Having the ditch full has helped identify issues and get them resolved. The question was asked about the phrase "Run it till the water runs out." General Manager Maupin responded that many have said they want whatever is available. It is going to be a combination of Dry Creek and Forbestown Ditch. All resources are used before using SF14.

**Public Input:** Comments from the public included:

1. Metering at Orleva,
2. Where the data is kept
3. Is the data submitted at the end of April to the State and what it is reported under.

**J. DIRECTORS INPUT:**

President Hansard read the rules for Director input.

Director Flohr updated the Board on the North Yuba Water.org website. Also discussed was Board packets for the public. The possibility of accessing the packets on the website prior to the meeting or possibly providing packets at the door at no cost. Costs of the packets could be covered by her declined salary. Director Flohr the engineering plans which were made complete in August and sent to Yuba County Water Agency, a potential funding partner for review. Discussion continued regarding the approved package with NorthStar and the six deliverables. Director Neilson stated that the State has been involved in the process along with the Yuba Water Agency over the last two years. If any changes are made at this time the two years start over. The Board will receive a package that is approved by the State and Local level, produced by a company that has the knowledge and manpower to complete the project.

Director Neilson also discussed Resolution 13-700 and Resolution 701. Actions are based on board majority not individual requests. All policies and Resolutions are available in binders in the office for review during operating hours and can be reviewed in the office. Discussion continued regarding the ability to obtain policies and the engineering report. Director Neilson stated that the completed engineering package will be available to the Board and the public for

public review soon. After further discussion Director Flohr stated that she would still like to see the engineering plans prior to the release to the public. Director Flohr inquired if the information requested could be refused by the General Manager. Director Neilson explained that Individual requests are based on time availability of the office staff

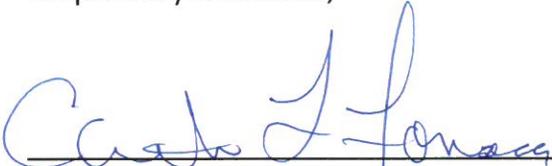
**Public Input:** A member of the public stated that in the past, policies and resolutions were provided to new board members at the onset of their term. Another member of the public asked what to anticipate if the ditch is piped.

**K. 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 8:36 p.m.

Respectfully Submitted,

  
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Catherine L. Fonseca, Recording Secretary