

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF
SIERRA LAKES COUNTY WATER DISTRICT**

Date: Friday September 11, 2020 / **Time:** 6:00 p.m. / **Place:** 7305 Short Road, Serene Lakes, CA

The meeting was teleconferenced as provided by Governor Newsom’s Executive Order N-25-20 (“Executive Order”), declared on March 12, 2020. The Executive Order temporarily granted state and local agencies certain powers to aid in the implementation of social distancing measures recommended by state and local public health officials that suspended certain Brown Act requirements.

I. Open Meeting:

Roll Call: Directors in attendance at the Sierra Lakes Boardroom were:

Director Michael Lindquist

Directors in attendance by teleconference:

Director Karen Heald

Director Bob McCormick

Director Dick Simpson

Director Dan Stockton (joined the meeting at 6:13pm)

Staff members present: Anna Nickerson, Financial Consultant

Staff present by phone: Jeffrey Mitchell, District Counsel

Guests present by phone: Jonathan Sorger
Roger Drosd
Jon Harvey
Jean Snuggs
Carole Raisbeck
Gordan Steindorf

Minute Recorder: Anna Nickerson, Financial Consultant

II. Public Forum: An opportunity for members of the public to address the Board on items that were not on the agenda. Roger Drosd, resident of Serene Lakes, said the Serene Lakes Property Owner’s Association (SLPOA) recently sent out information regarding power outages, propane safety, and carbon monoxide poisoning and asked if the Water District would consider being a conduit for sending out emergency emails. He said SLPOA could forward something to the Water District to be sent to the property owners. Director Lindquist said the Board wasn’t allowed to discuss the topic since it was not on the agenda but would consider it at a future meeting. He said he would ask staff to review the request and get back to Mr. Drosd or put the item on the next

agenda. Mr. Drosd said he would follow up with an email. Jonathan Sorger, President of the SLPOA Board, said he believed the cell tower issue that the District considered a few years back would be coming up again based on the number of inquiries he had been receiving as a result of the recent fires and the number of people moving into the District full-time due to the pandemic. His request was to have a contact to discuss past history in the event the issue comes up in the future. Director Lindquist said someone would talk to staff and get him a response as to how the District could proceed with the issue.

III. Approve Agenda: The agenda was presented to the Board for approval.

A motion was made by Director Simpson and seconded by Director Stockton to approve the agenda. The motion passed by a unanimous rollcall vote: Directors Lindquist, Heald, McCormick, Simpson and Stockton.

IV. Public Comments: An opportunity for the Board to consider comments received from the public after the agenda was posted, regarding items on the agenda. Mrs. Nickerson reported that she received an email from Mary Loomis thanking the District for putting up a “No Boat Storage” sign so quickly adjacent to her property on Serene Road.

V. Operations: Mr. Schultz’s operations report was presented to the Board for consideration and possible action. Director Lindquist said Mr. Schultz was unable to attend the meeting due to an urgent family matter so there would not be a presentation. He asked for any public comments or questions. Director Simpson said he had a dozen questions and suggested that he email his questions to Mr. Schultz for an email reply. Director Heald said there were several days in the last month when water usage exceeded 100,000 gallons/day. Director Lindquist said the District had water storage capacity and that during times when water usage exceeded daily production capacity, water would be taken from that stored. Director Heald also said she would send questions and comments to Mr. Schultz. Mr. Mitchell, District Counsel, said emailing questions to Mr. Schultz was a good idea and suggested that the questions could be submitted as part of the board packet for the next meeting.

VI. Consent Items Calendar: The Consent Items Calendar was presented to the Board for action. The Consent Items Calendar included the minutes from the August 14, 2020, Regular Meeting; August 2020 Check Register; financial reports for the month ending August 31, 2020; and Disbursements for Board Approval. Director Lindquist asked any Board members wanted to pull An item off the Consent Items Calendar for significant discussion.

A motion was made by Director Heald and seconded by Director Simpson to approve the Consent Items Calendar. The motion passed by a unanimous rollcall vote: Directors Lindquist, Heald, McCormick, Simpson and Stockton.

VII. New Business:

A. Director Lindquist’s Water Conservation update was presented for consideration and possible action. Director Lindquist said the reason he wanted to put it on the agenda was to follow up on the message that was sent to customers regarding the urgent need for conservation. He said the message was sent to customers because, due to increased usage, the system was reaching its treatment capacity. The lakes had ample water for operations but the pumping and treatment

capacity was reaching its limit. The request to the customers was not to waste water and to reduce water consumption where possible. He wanted to remind customers to use water wisely. Roger Dsord commented that water usage at Lot 1 had increased a lot over the summer because there were so many people. He expected the usage would be dropping off. He also asked if real-time water usage data was available. Director Simpson said he was told that Anna Nickerson had access to the information in the office. Director Lindquist said the reason the District had decided to invest in smart meters was to provide end users with better information regarding their water use. The District was collecting data but when the information would become available to customers was unknown. He also said that challenges come with this information, and the Board needed to address the challenges before rolling the information out. Director Lindquist said the data was being collected to get an understanding of the water usage as the new rate structure was being developed. He also said homeowners could call Mrs. Nickerson at the District office with specific questions. Finally, he said the information that was being collected had been used to identify leaks during the winter.

Director Simpson asked if it would be appropriate to put an item on the October agenda to discuss the procedure for individual customers to access their data. Director Lindquist said it would depend on how crowded the October agenda was. But the plan was to start the discussion soon.

B. The Board discussed “How/Why/When logging operations use water from the lakes”. The Board wanted to better understand the community’s concerns regarding Truckee Donner Land Trust (TDLT) forestry operations and the associated water use. Director Lindquist said the item was intended for discussion with Mr. Schultz and provided the following information. He said Mr. Schultz met with the logging contractor and confirmed that they were hired by TDLT to perform logging operations on TDLT’s land, the logging operations were related to forest health and fire suppression, and the water was needed as a condition of the permit. The amount of water drawn from the lake varied between one and seven truckloads (approximately 4,000 gallons per load) and operations were expected to be finished that week. Also, water was being drawn from the southern lake. Director Simpson said the water was for a dust control requirement of the permit. Jonathon Sorger said a total of five truck loads were drawn from the lake. Director Lindquist said the reason for the discussion was because the water was being drawn as customers were asked to conserve water. Director Heald said the situation has caused angst in the community even though the logging operations did not impact the lake level or the District’s ability to provide water. However, she felt the District should have been informed before water was drawn from the lake. She suggested the proper procedures be discussed with TDLT and the logging company. In response to a question about charging a fee for the water, Director Lindquist said that was a question that should be addressed. The Board concurred that a letter should be sent by the General Manager outlining the proper procedures for drawing water from the lake. Director Simpson said he wasn’t sure the District owned the water; it could be owned by the State; he thought ownership should be determined before sending the letter. Mr. Mitchell said if the Board was going to take affirmative action, like enforcement, that he would recommend a motion. If the Board was just going to give direction to the General Manager to send a letter, a motion would not necessarily be required. Mr. Mitchell also confirmed that he was looking into the water rights issue with outside companies drawing water from the lake.

C. Paul Schultz, P.E. Inc.’s request for a budget adjustment for the purchase of a new 7 x 14 Carry-On Dump Trailer was presented to the Board for consideration and possible action. Director Simpson noted that the subsequent information states that the dump trailer had 16 wheels and that

he couldn't see more than two in the figure provided. Director Lindquist said there should be four wheels. Director Simpson said he could imagine six or eight but not 16.

A motion was made by Director Simpson and seconded by Director Heald to approve the budget adjustment for the Carry-on Dump Trailer. The motion passed by a unanimous rollcall vote: Directors Lindquist, Heald, McCormick, Simpson and Stockton.

VIII. Old Business:

A. The Board discussed the possibility of appointing a subcommittee to review the District's policies for docks/piers. Director Heald said Mr. Schultz had been analyzing the docks around the lake and had taken very extensive pictures of the lake and the strip. She said the most critical issues centered on docks. She also said the proposal was to form a subcommittee to review the information and pictures and report back to the Board. Based on her discussion with Mr. Schultz, the items that needed to be reviewed by the subcommittee included:

- Docks with footings in the lake bed that were grandfathered to September 2019 and that still existed around the lake. She said a plan needed to be developed for the replacement of those docks.
- Docks that were in significant disrepair and probably present a hazard on the District's property.
- Docks that were on the strip and not the lake.
- Docks installed after the lake management plan was implemented without requests from the owner.
- Indemnity and Insurance – issues with homeowners providing the insurance and Hold Harmless agreements.
- Clarification of the current dock ordinance based on current discussions.

Director Heald said Mr. Schultz suggested that the committee formation wait until after the election since there was only one meeting left before the election with ample time before the next summer season.

Roger Drosd said an issue with the insurance requirement is that not all companies were willing to provide the required insurance certificate because the docks were not on the insured property; the docks are on the District's property. He suggested the District's insurance company could provide the insurance for the individual owners for an appropriate fee. He also said the issues with the docks seemed to be more aesthetic than practical, and he didn't see how that affected the water quality which he felt should be the main concern of the Water District.

Carole Raisbeck said another issue was the limit that docks could only go out into the lake 15 feet. She said in her case, 15 feet wasn't enough to get the boat in without wading in the lake late in the summer. She asked if the committee could make individual consideration to the lake ward extension. She also asked that activities allowed on docks be reviewed.

Director Simpson asked Director Heald if there was a way to have Mr. Schultz put his finding regarding docks into a draft report sooner than December. Director Heald said Mr. Schultz was currently really busy and didn't see any urgency in addressing the issues. Director Simpson also said he thought there was an opportunity for community members to participate.

Mr. Mitchell said if a committee included members of the community, it would be subject to the Brown Act requiring notices and agendas. An ad hoc committee consisting of fewer than a quorum of the Board would not be subject to the Brown Act. Director McCormick said he didn't see a need to put members of the community on the committee but would consider the community's input. He also agreed the committee should review the insurance requirements to be sure the District wasn't asking for something that was not practical.

Director Lindquist said he was in favor of putting off the committee appointments until after the election to avoid having to replace a committee member.

Carole Raisbeck asked if the committee would be putting out a survey. Director Lindquist said that was a good idea for the committee to consider.

Roger Drosd said consideration should be given to possible conflict of interest issues and the past restriction that has been placed on participation based on where someone lives. Director Heald talked about Director Stockton's previous need to recuse himself from the lakefront lawsuit discussions due to the location of his property. Director Stockton said he had consulted with two different attorneys and both concluded that he could not participate in the discussions.

Director Lindquist said the Board would continue the discussion at the next meeting before making any decisions.

B. A request from the Office of the Placer County Counsel to revise the District's Conflict of Interest Code was presented to the Board for consideration and possible action. Mr. Mitchell said the issues were technical and that the proposed changes were minor. The only question he had was with the individual holding the position of District Engineer and whether or not that person managed public money — particularly investing public money. He suggested removing District Engineer from the list of personnel required to make a 87200 filing, leave that individual to disclose under Category 1.

A motion was made by Director McCormick and seconded by Director Simpson to approve Jeffrey Mitchell to make the changes proposed Placer County Counsel. The motion passed by a unanimous rollcall vote: Directors Lindquist, Heald, McCormick, Simpson and Stockton.

IX. Administration:

A. A list of Follow-up Items from the August 2020 Board meeting was presented to the Board for consideration and possible action.

- Item 1: Pictures/Bios for website – ongoing.
- Item 2: Complete – notices were drafted to customers regarding water conservation.
- Item 3: Discussions regarding ownership of the dam were continuing.
- Item 3: Mrs. Nickerson provided Mr. Harvey with the information requested.

B. The Status of Action Items remaining as of the September 11, 2020 meeting was presented to the Board for consideration and possible action:

- Item 1: Fertilizer Application: To be discussed in October when Mr. Schultz returns.
- Item 2: AMR Data Collection and Analysis – Ongoing.

- Item 3: Policies & Procedures Review – Director Simpson said Mr. Schultz’s operations report had mentioned a draft report on the Policies & Procedures Review in late fall, but he thought the committee should have a meeting before the report was drafted. The decision to hold a meeting would be revisited upon Mr. Schultz’s return.
- Item 4: Ownership of the Dam – Ongoing to be handled under separate effort.
- Item 5: Upcoming Meter Rates – Ongoing for future discussions.
- Item 6: Clarifying language regarding Dock/Piers – More discussions would be held at the October meeting.

X. Adjournment A motion was made by Director Simpson and seconded by Director McCormick to adjourn the meeting. The motion passed by a unanimous rollcall vote: Directors Lindquist, Heald, McCormick, Simpson and Stockton.

The minutes were approved at the Regular Meeting held on October 9, 2020, as part of the Consent Items Calendar. A motion was made by Director Simpson and seconded by Director Heald to approve the Consent Items Calendar. The motion passed by a unanimous rollcall vote: Directors Lindquist, McCormick, Heald, Simpson and Stockton.