

## REGULAR MINUTES

Wednesday, February 21, 2018  
ACTION MINUTES

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1. **CALL TO ORDER:** The meeting was called to order by Chairman Miller at 5:30 p.m.
2. **ROLL CALL:**

Director Richard Miller  
Director Anita Ebbinghausen  
Director Mark Etter  
Director Patrick Henry  
Director Rosco Raymond

Candi Bingham, General Manager  
Gisele Wurzburger, Board Clerk

3. **PLEDGE OF ALLEGIANCE:** Chairman Miller led the Pledge of Allegiance.

4. **AGENDA:**

General Manager Bingham requested two items be added for consideration because these items were received after the posting of the agenda.

- v. District Truck - 2004 Toyota Tacoma Bid Results. Discussion/Possible Action.
- w. Appointment of LAFCO Liaison. Discussion/Possible Action.

Rene Walden-Qualls requested k. District Policy 1020 - Public Request for Continuance be moved to the first item of discussion on the Board Matters.

**Motion by Board Member Henry, seconded by Board Member Etter, and carried by a 5 to 0 vote to approve the Regular Agenda dated February 21, 2018 as amended. Motion passed by the following vote:**

**AYES: Ebbinghausen, Etter, Henry, Miller, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

5. **PUBLIC COMMENT FOR MATTERS NOT ON THE AGENDA:**

Chairman Miller reiterated how the Board meetings would be conducted. He explained proper meeting etiquette and that disruptive behavior would not be tolerated and citizens may be asked to leave. He stated there is a three (3) minute limit per topic and any individual may offer any comment during the public comment period.

Rene Walden-Qualls clarified her statement regarding the Expenditure Report on the December 13, 2017 and requested they be amended as follows: **“Board Member Walden-Qualls reminded the Board that the**

**District’s Auditor requires and set forth in the 2013 Audit that the Expenditure Report to be monitored by a responsible official Board Member who is not a check signer for the District.”**

Dennis Hook, was present to request an update on the lot line adjustment. General Manager Bingham reported that item was on the agenda for discussion under 9c. Lot Line Adjustment District Shop Location.

Mary Pongratz inquired what did the Board vote on at the February 7, 2018 meeting because the public was not informed. General Manager Bingham explained it was a Special Meeting that by the California Brown Act only requires a 24-hour notice. She stated the minutes for that meeting have not been drafted for approval or posting on the website.

Nancy Endy stated the February 7, 2018 Agenda was not on the website.

Chairman Miller reiterated the Special Meeting Agenda was posted 24 hours and read the items on that agenda into the record:

- a. Resolution No. 2018-01 – Authorizing the District General Manager to Sign and File a Financial Assistance Application for a Financing Agreement for the U.S.D.A. for River Pines Water Rehabilitation Construction Project.
- b. Resolution No. 2018-02 – Authorizing the Board of Director to File for a Municipality Grant from Lowes Give Foundation for Town Hall Building Improvements.

Mary Pongratz inquired why the District needed a LAFCO liaison. Chairman Miller reported this item is on the agenda for discussion und 9w.

Nancy Endy requested the District ask LAFCO to make a full presentation of their agency’s dealing with the District so that there is transparency.

Chairman Miller stated there is a “committee signup sheet” being presented. He requested citizens volunteer to serve on the numerous committees being proposed by the public.

**6. MINUTES: Discussion / Approval.**

A. January 10, 2018 Regular Meeting.

Rene Walden-Qualls stated she wanted to clarify her statement regarding the Expenditure Report on the December 13, 2017 Minutes.

Board Clerk Wurzburger stated Rene Walden-Qualls’ request was noted and the minutes would be amended. She reiterated Ms. Walden-Qualls’ request was discussed during Item 5. PUBLIC COMMENT FOR MATTERS NOT ON THE AGENDA and no further discussion was necessary.

**Motion by Board Member Etter, seconded by Vice-Chairman Raymond, and carried by a 5 to 0 vote to approve the Minutes dated January 10, 2018. Motion passed by the following vote:**

- AYES: Ebbinghausen, Etter, Henry, Miller, Raymond**
- NOES: None**
- ABSTAIN: None**
- ABSENT: None**

**7. CONSENT ITEMS:**

- a. Monthly Financial Statements - Period Ending January 31, 2018.
- b. Expenditure Report – Submitted Check Approval through January 31, 2018.
- c. Resolution Closing State Responsibility Area Fire Prevention Fund – SRAFPF Grant.

Chairman Miller asked Board Clerk Wurzburger if this item could be approved with one vote. Board Clerk Wurzburger stated any item under the Consent Items can be pulled for additional discussion but typically these items are approved by one vote.

**Motion by Board Member Etter, seconded by Vice-Chairman Raymond, and carried by a 5 to 0 vote to approve the Consent Items. Motion passed by the following vote:**

**AYES: Ebbinghausen, Etter, Henry, Miller, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**8. MONTHLY OPERATIONS REPORT: Discussion.** Any matter requiring action will be placed on an upcoming agenda for consideration.

**A. Monthly Operations Report.**

The report included updates from AWA staff, construction, wastewater and water – see report for complete details.

**December Water Production/Sold Information:**

Well 2 - 388,400 gallons    Total Produced – 826,262 gallons  
Well 3R - 415,500 gallons    Total Sold – 609,180 gallons  
Well 6R - 22,362 gallons    Total Lost - 26%

**November Wastewater Production:**

Influent flow: 729,000 gallons    Effluent 341,600 gallons

Chairman Miller opened the public discussion. The following individuals spoke regarding the Monthly Operations Report: Several members of the public (did not sign in), Rene Walden-Qualls, Cathy Landgraf, Nancy Endy and Hal Jones. Hearing no further comments from the public, Chairman Miller closed the public discussion.

**B. Monthly General Manager Report.**

The Monthly General Manager Report included updates from the General Manager – see report for complete details.

Gabriel Stewart, Rocky Ridge Wireless, stated he received the keys to the storage building holding their equipment.

Cathy Landgraf thanked Vice-Chairman Raymond for donating the new chairs to the District.

Chairman Miller opened the public discussion. Hearing no further comments from the public, Chairman Miller closed the public discussion.

**9. BOARD MATTERS:** Discussion / Action / Direction to Staff.

**k. District Policy 1020 – Public Request for Continuance. Discussion/Possible Action.**

General Manager Bingham reported Rene Walden-Qualls requested this item be continued for further discussion.

Chairman Miller opened the public discussion. Rene Walden-Qualls' request this policy be revised. Hearing no further comments from the public, Chairman Miller closed the public discussion.

Chairman Miller stated policy was approved at the last meeting and no action was taken on this item.

**a. Resolution LAIF Name Change. Discussion/Possible Action.**

General Manager Bingham provided the Resolution 2018-03 Authoring Investment of Monies in the Local Agency Investment Fund (LAIF) Name Change.

Chairman Miller opened the public discussion. Hearing no comments from the public, Chairman Miller closed the public discussion.

**Motion by Board Member Etter, seconded by Vice-Chairman Raymond, and carried by a 5 to 0 vote to approve Resolution 2018-03 Authoring Investment of Monies in the Local Agency Investment Fund (LAIF). Motion passed by the following vote:**

**AYES: Ebbinghausen, Etter, Henry, Miller, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**b. Approve District 2016/2017 Audit. Discussion/Possible Action.**

General Manager Bingham provided the District 2016/2017 Audit.

Chairman Miller opened the public discussion. Hearing no comments from the public, Chairman Miller closed the public discussion.

**Motion by Board Member Etter, seconded by Board Member Henry, and carried by a 5 to 0 vote to approve District 2016/2017 Audit. Motion passed by the following vote:**

**AYES: Ebbinghausen, Etter, Henry, Miller, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**c. Lot Line Adjustment District Shop Location. Discussion/Possible Action.**

General Manager Bingham provided a copy of CTA Engineering & Surveying Agreement for Professional Services to prepare and process easements, boundary line adjustments and related document for the River Pines Public Utility District.

Vice-Chairman Raymond reported the Amador County Surveyor's Office stated this Lot Line Adjustment had not been submitted to their office by Toma. He stated he has not been able to talk to Toma on this matter. Chairman Miller reported he also found that the survey had not been completed and/or recorded.

General Manager Bingham reported the District paid Toma approximately \$2,700 to provide the survey to complete this lot line adjustment.

Chairman Miller opened the public discussion. Dennis Hook, and Cathy Landgraf stated she believes Toma billed the District for completion of this survey and recordation and staff should verify what services Toma was paid to date and that they should complete the job. Hearing no further comments from the public, Chairman Miller closed the public discussion.

Chairman Miller and Vice-Chairman Raymond stated they would research this matter.

No action was taken on this item and was continued to the next meeting.

**d. Approve Environmental Document Filing Fee to California Department of Fish and Game for Notice of Completion for Mitigated Negative Declaration in the amount of \$2,330.75.**

**Discussion/Possible Action.**

General Manager Bingham provided the RPPUD Water System Improvement Project DWSRF Project No. 0310006-002P Environmental Document Filing Fee to California Department of Fish and Game for Notice of Completion for Mitigated Negative Declaration in the amount of \$2,330.75.

Chairman Miller opened the public discussion. Nancy Endy requested a copy of the document. Hearing no further comments from the public, Chairman Miller closed the public discussion.

General Manager Bingham reported the original copy of the Mitigated Negative Declaration for the RPPUD Water System Improvement Project DWSRF Project No. 0310006-002P can be reviewed at the office.

**Motion by Board Member Etter, seconded by Board Member Ebbinghausen, and carried by a 5 to 0 vote to approve Environmental Document Filing Fee to California Department of Fish and Game for Notice of Completion for Mitigated Negative Declaration in the amount of \$2,330.75. Motion passed by the following vote:**

**AYES: Ebbinghausen, Etter, Henry, Miller, Raymond**

**NOES: None**

**ABSTAIN: None**

**ABSENT: None**

**e. Standby Fee Determination. Discussion/Possible Action.**

General Manager Bingham provided a copy of 1.05.100 Charges for Facility Standby Accounts which states: "In order to provide for future development of undeveloped parcels a "Standby Fee" shall be assessed on all parcels within the District boundaries to which water is made available for any purpose by the District pursuant to the District Rate Schedule."

General Manager provided a brief history of standby fees since 2011 and reported these funds are held in a separate trust account. Prior to 2011 the standby fees were placed in the General Fund and funds were used to operate the District as deemed necessary by the District Board.

Chairman Miller opened the public discussion. Several members of the public (did not sign in) spoke regarding standby fees. Hearing no further comments from the public, Chairman Miller closed the public discussion.

After considerable discussion the Board determined a Standby Fee Determination Committee should be appointed and this item be agendized on future agendas until a determination can be submitted for Board consideration.

**Motion by Chairman Miller, seconded by Board Member Etter, and carried by a 5 to 0 vote to appoint Board Member Henry, Vice-Chairman Raymond, Anne Schieding, Hal Jones and Steve Pongratz on the Standby Fee Determination Committee. Motion passed by the following vote:**

**AYES: Ebbinghausen, Etter, Henry, Miller, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**f. Recreation Grant River Access. Discussion/Possible Action.**

General Manager Bingham provided a copy of Board Member Raymond’s recommendation that the District participation in anything “Recreation” related must get LAFCO approval.

Vice-Chairman Raymond reported Amador Water Agency staff notified the District that they were having problem getting to the creek to access the grinders on River Trail.

General Manager Bingham stated it has been determined this project cannot be considered a Recreation Grant. There is a minimum cost of \$500 for the application to LAFCO. If a LAFCO application is not completed the District would have to pay for the whole project.

Chairman Miller opened the public discussion. The following individuals spoke regarding the Recreation Grant River Access: Nancy Endy, Steve Pongratz and Betsy Miller. Hearing no further comments from the public, Chairman Miller closed the public discussion.

After considerable discussion the Board determined to agendized and item on the next agenda to appoint a Recreation Grant River Access Committee.

No action was taken on this item and was continued to the next meeting.

**g. Town Hall Improvement Committee. Discussion/Possible Action.**

General Manager Bingham reported the Town Hall floor is in great need to be replaced and requested the Board appoint a Town Hall Improvement Committee.

Vice-Chairman Raymond reported he was working the floor replacement through a Lowes grant.

Chairman Miller opened the public discussion. The following individual spoke regarding the Town Hall Improvement Committee: Several members of the public (did not sign in) and Karla Christensen. Hearing no further comments from the public, Chairman Miller closed the public discussion.

After considerable discussion the Board determined a Town Hall Improvement Committee be appointed and this item be agendized on future agendas until a determination can be submitted for Board consideration.

**Motion by Chairman Miller, seconded by Board Member Henry, and carried by a 5 to 0 vote to appoint Vice-Chairman Raymond, Board Member Etter, Serenity Nelson, Karla Christensen**

**and Nancy Endy on the Town Hall Improvement Committee. Motion passed by the following vote:**

**AYES: Ebbinghausen, Etter, Henry, Miller, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**h. Appoint Solar Panel Committee. Discussion/Possible Action.**

Vice-Chairman Raymond reported he had contacted two solar companies regarding installation of solar panels that could greatly reduce the cost of running the District's operations and possibly create funds for the District.

Chairman Miller opened the public discussion. Nancy Endy spoke regarding Solar Panels. Hearing no further comments from the public, Chairman Miller closed the public discussion.

After considerable discussion the Board determined a Solar Panel Committee be appointed and this item be agendized on future agendas until a determination can be submitted for Board consideration.

**Motion by Board Member Henry, seconded by Chairman Miller, and carried by a 5 to 0 vote to appoint Vice-Chairman Raymond, Director Henry, Serenity Nelson, and Nancy Endy to serve on the Solar Panel Committee. Motion passed by the following vote:**

**AYES: Ebbinghausen, Etter, Henry, Miller, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**i. Appoint Water Rights Committee. Discussion/Possible Action.**

General Manager reported the District currently holds three (3) water rights permits. The District's slow sand filter used to draw water from the Consumes River and would go into the distribution system. 2007 was the last time water was used from the Consumes. The State no longer permits the District to use the Slow Sand Filter, stating exuberant cost and no measuring device in the River. If the District does not figure a way to use their current water rights, then there is a high chance that they will lose them. The Water Rights Permit states that water cannot be diverted and stored. The District needs to figure out how to divert and use without storing. All plans must be approved by the State before anything will be permitted. Also, must permit before diversion takes place.

Chairman Miller opened the public discussion. Betsy Miller spoke regarding Water Rights Committee. Hearing no further comments from the public, Chairman Miller closed the public discussion.

After considerable discussion the Board determined a Water Rights Committee be appointed and this item be agendized on future agendas until a determination can be submitted for Board consideration.

**Motion by Board Member Etter, seconded by Chairman Miller, and carried by a 5 to 0 vote to appoint Vice-Chairman Raymond, Melissa Beals, Serenity Nelson, Steve Pongratz, Nancy Endy, Amy Walker, Jeff Ulleseit and Hal Jones to serve on the Water Rights Committee. Motion passed by the following vote:**

**AYES: Ebbinghausen, Etter, Henry, Miller, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**j. Bylaws. Discussion/Possible Action. Discussion/Possible Action**

General Manager Bingham reported there was no update for this item.

No action was taken on this item and was continued to the next meeting.

**k.** This item was moved to the first item of discussion on the Board Matters.

**l. District Policy 1015 – Board Secretary. Discussion/Possible Action.**

General Manager Bingham reported staff utilized policies from the California Special District Association and Amador Water Agency to draft District Policy 1015.

Chairman Miller opened the public discussion. Hearing no comments from the public, Chairman Miller closed the public discussion.

**Motion by Board Member Henry, seconded by Board Member Etter, and carried by a 5 to 0 vote to adopt District Policy 1015. Motion passed by the following vote:**

**AYES: Ebbinghausen, Etter, Henry, Miller, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**m. District Policy 1025 – Claims against the District. Discussion/Possible Action.**

General Manager Bingham reported staff utilized policies written by attorneys from the California Special Districts Association to draft District Policy 1025.

Chairman Miller opened the public discussion. Hearing no comments from the public, Chairman Miller closed the public discussion.

**Motion by Board Member Ebbinghausen, seconded by Vice-Chairman Raymond, and carried by a 5 to 0 vote to adopt District Policy 1025. Motion passed by the following vote:**

**AYES: Ebbinghausen, Etter, Henry, Miller, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**n. District Policy 1040 – Correspondence to the Board. Discussion/Possible Action.**

General Manager Bingham reported staff utilized policies written by attorneys from the California Special District Association to draft District Policy 1040.

Chairman Miller opened the public discussion. Hearing no comments from the public, Chairman Miller closed the public discussion.



**Motion by Vice-Chairman Raymond, seconded by Board Member Ebbinghausen, and carried by a 5 to 0 vote to adopt District Policy 1040. Motion passed by the following vote:**

**AYES: Ebbinghausen, Etter, Henry, Miller, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**o. District Policy 1045 – Legal Counsel and Auditor. Discussion/Possible Action.**

General Manager Bingham reported staff utilized policies written by attorneys from the California Special District Association to draft District Policy 1045.

Chairman Miller opened the public discussion. Hearing no comments from the public, Chairman Miller closed the public discussion.

**Motion by Board Member Etter, seconded by Vice-Chairman Raymond, and carried by a 5 to 0 vote to adopt District Policy 1045. Motion passed by the following vote:**

**AYES: Ebbinghausen, Etter, Henry, Miller, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**p. District Policy 1050 – Overview of the General Manager’s Role. Discussion/Possible Action.**

General Manager Bingham reported staff utilized policies written by attorneys from the California Special District Association to draft District Policy 1050.

Chairman Miller opened the public discussion. Hearing no comments from the public, Chairman Miller closed the public discussion.

**Motion by Board Member Miller, seconded by Board Member Henry, and carried by a 5 to 0 vote to adopt District Policy 1050. Motion passed by the following vote:**

**AYES: Ebbinghausen, Etter, Henry, Miller, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**q. District Policy 2110 – Budget Preparation. Discussion/Possible Action.**

General Manager Bingham reported staff utilized policies written by attorneys from the California Special District Association to draft District Policy 2110.

Chairman Miller opened the public discussion. Hearing no comments from the public, Chairman Miller closed the public discussion.

**Motion by Board Member Henry, seconded by Vice-Chairman Raymond, and carried by a 5 to 0 vote to adopt District Policy 2110. Motion passed by the following vote:**

**AYES:** Ebbinghausen, Etter, Henry, Miller, Raymond  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

**r. District Policy 2115 – Credit Card Use. Discussion/Possible Action.**

General Manager Bingham reported staff utilized policies written by attorneys from the California Special District Association to draft District Policy 2115.

Chairman Miller opened the public discussion. Hearing no comments from the public, Chairman Miller closed the public discussion.

**Motion by Board Member Henry, seconded by Board Member Etter, and carried by a 5 to 0 vote to adopt District Policy 2115. Motion passed by the following vote:**

**AYES:** Ebbinghausen, Etter, Henry, Miller, Raymond  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

**s. District Policy 2120 – Employment of Outside Contractors and Consultants. Discussion/Possible Action.**

General Manager Bingham reported staff utilized policies written by attorneys from the California Special District Association to draft District Policy 2120.

Chairman Miller opened the public discussion. Hearing no comments from the public, Chairman Miller closed the public discussion.

**Motion by Vice-Chairman Raymond, seconded by Board Member Ebbinghausen, and carried by a 5 to 0 vote to adopt District Policy 2120. Motion passed by the following vote:**

**AYES:** Ebbinghausen, Etter, Henry, Miller, Raymond  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

**t. District Policy 2125 – Expense Authorization. Discussion/Possible Action.**

General Manager Bingham reported staff utilized policies written by attorneys from the California Special District Association to draft District Policy 2125.

Chairman Miller opened the public discussion. Hearing no comments from the public, Chairman Miller closed the public discussion.

**Motion by Chairman Miller, seconded by Board Member Etter, and carried by a 5 to 0 vote to adopt District Policy 2125. Motion passed by the following vote:**

**AYES:** Ebbinghausen, Etter, Henry, Miller, Raymond

**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**u. District Policy 2135 – Purchasing. Discussion/Possible Action.**

General Manager Bingham reported staff utilized policies written by attorneys from the California Special District Association to draft District Policy 2135.

Chairman Miller opened the public discussion. Hearing no comments from the public, Chairman Miller closed the public discussion.

**Motion by Board Member Etter, seconded by Vice-Chairman Raymond, and carried by a 5 to 0 vote to adopt District Policy 2135. Motion passed by the following vote:**

**AYES: Ebbinghausen, Etter, Henry, Miller, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**v. District Truck - 2002 Toyota Tacoma Bid Results. Discussion/Possible Action.**

General Manager Bingham reported a bid in the amount of \$1337.00 was received which was less than the starting bid amount. Board Member Etter reported he knows of two more bids.

Chairman Miller opened the public discussion. Hearing no comment from the public, Chairman Miller closed the public discussion.

No action was taken on this item and was continued to the next meeting.

**w. Appointment of LAFCO Liaison. Discussion/Possible Action.**

Vice-Chairman Raymond reported LAFCO has requested the District submit a Resolution recognizing him as the LAFCO liaison.

Chairman Miller opened the public discussion. Hearing no comments from the public, Chairman Miller closed the public discussion.

**Motion by Board Member Ebbinghausen, seconded by Chairman Miller, and carried by a 5 to 0 vote to approve a Resolution recognizing Vice-Chairman as the River Pines Public Utility LAFCO liaison. Motion passed by the following vote:**

**AYES: Ebbinghausen, Etter, Henry, Miller, Raymond**  
**NOES: None**  
**ABSTAIN: None**  
**ABSENT: None**

**11. BOARD OF DIRECTORS COMMENTS/REPORTS: Discussion Only.**

A. Capital Improvements and general repairs necessary at the District.

**12. COMMITTEE COMMENTS/REPORTS:** Continued Item.

**13. FUTURE AGENDA TOPICS:**

- a. District Truck - 2002 Toyota Tacoma Bid Results.
- b. Bylaws.
- c. Recreation Grant River Access Committee.
- d. Appoint Community River Cleanup.
- e. Appoint Grant Oversight Committee.
- f. Appoint LAFCO Oversight Committee.
- g. Appoint Water Grant Committee.

**14. ADJOURNMENT:** The meeting adjourned at 8:16 p.m.

Respectively submitted,  
Gisele Wurzburger, Board Clerk

DRAFT