



REGULAR MINUTES

Wednesday, November 15, 2017

ACTION MINUTES

Board Member Miller reconvened to open session at 5:35 p.m. He reported the Board voted to reject Greg Guina's claim against the River Pines Public Utility District dated September 29, 2017 by a 4 to 0 vote.

1. **CALL TO ORDER:** The meeting was called to order by Chairman Landgraf at 5:40 p.m.

2. **ROLL CALL:**

Director Cathy Landgraf
Director Rene' Walden-Qualls
Director Anita Ebbinghausen
Director Michael Gardner
Director Richard Miller

Candi Bingham, General Manager
Gisele Wurzburger, Board Clerk

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

4. **AGENDA:**

Motion by Board Member Gardner, seconded by Board Member Miller, and carried by a 5 to 0 vote to approve the Regular Agenda dated November 15, 2017 as presented. Motion passed by the following vote:

AYES: Landgraf, Ebbinghausen, Gardner, Walden-Qualls, Miller
NOES: None
ABSTAIN: None
ABSENT: None

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

Hal Jones

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

A. October 11, 2017 Regular Meeting.

Motion by Board Member Gardner, seconded by Board Member Walden-Qualls Miller, and carried by a 5 to 0 vote to approve the Minutes dated October 11, 2017 as amended. Motion passed by the following vote:

AYES: Landgraf, Ebbinghausen, Gardner, Walden-Qualls, Miller
NOES: None
ABSTAIN: None
ABSENT: None

7. MONTHLY FINANCIAL STATEMENTS - Period Ending October 31, 2017.

Motion by Board Member Walden-Qualls, seconded by Board Member Ebbinghausen, and carried by a 5 to 0 vote to approve the Financial Statements ending October 31, 2017 as presented. Motion passed by the following vote:

AYES: Landgraf, Ebbinghausen, Gardner, Walden-Qualls, Miller
NOES: None
ABSTAIN: None
ABSENT: None

8. EXPENDITURE REPORT: Discussion / Approval. Submitted Check Approval through October 31, 2017.

Motion by Board Member Walden-Qualls, seconded by Board Member Gardner, and carried by a 5 to 0 vote to approve the Expenditure Report ending October 31, 2017 as presented. Motion passed by the following vote:

AYES: Landgraf, Ebbinghausen, Gardner, Walden-Qualls, Miller
NOES: None
ABSTAIN: None
ABSENT: None

9. MONTHLY OPERATIONS REPORT: Discussion.

A. Monthly Operations Report.

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

October Water Production/Sold Information:

Well 2 - 457,700 gallons Total Produced – 813,466 gallons
Well 3R - 326,200 gallons Total Sold – 699,939 gallons
Well 6R - 29,566 gallons Total Lost - 14%

October Wastewater Production:

Influent flow: 724,600 gallons Effluent 630,000 gallons

B. Monthly General Manager Report.

General Manager Bingham read into the record the following statement as posted on the Amador County's Board of Supervisor's Webpage:

Board of Supervisor Minutes dated April 11, 2017 under Public Comment for Matters Not on the Agenda: River Pines Public Utility District: Mr. Patrick Henry, District V resident, addressed the Board and expressed concerns relative to the current Board and management of the River Pines Public Utility District (PUD); he stated currently the PUD consists of a five member Board that was appointed by the Board of Supervisors, as they ran unopposed. The current Chairperson of the Board is Ms. Cathy Landgraf. Mr. Henry stated he and other community members have concern relative to the integrity of the Chairperson and the entire Board. He stated he is concerned about the financial integrity of the PUD due to the current bookkeeper, Ms. Candy Bingham, being a personal friend and previous bookkeeper for Ms. Landgraf. He pointed out that the previous Company that Ms. Bingham worked for went bankrupt and she faced embezzlement accusations. He

continued by noting shortly after Ms. Bingham was hired the Board voted unanimously to appoint her as the Operations Manager of the Water and Sewer Departments, despite having no experience in these areas. He also noted Ms. Bingham is the highest paid employee the PUD has at this time. In addition, Mr. Henry brought up an issue that involved Ms. Landgraf allegedly bypassing her water meter by capping off hose bibs on her property. He stated this issue was reported to the Sheriffs Office, however if no formal charges are brought forth by Ms. Bingham, there is nothing further law enforcement can do. Mr. Henry stated the community has been vocal at recent meetings of the PUD to no avail. He also noted he has contacted the State Public Utility Commission and the State Attorney General who advised they do not have any jurisdiction or bearing over the River Pines Public Utility District, therefore he is before the Board today to ask for guidance in this matter. Mr. Greg Gillott, County Counsel, responded by stating the Board of Supervisors does not have oversight over the River Pines Public Utility District. Therefore, he suggested Mr. Henry contact the Grand Jury as a possible remedy to the situation, or wait until a new Board of Directors is elected. Supervisor Oneto responded by stating he has met with Mr. Henry regarding this issue in the past and has also suggested he contact the Grand Jury or address it during the next Election cycle. Supervisor Oneto did point out that he met with Ms. Landgraf regarding the hose bib issue and recognizes the significance of the issue, but the bibs have since been capped off and Ms. Landgraf acknowledged it was an oversight on her part. However, he did point out that Ms. Landgraf has contributed a significant amount of time and effort in applying for and subsequently obtaining CDBG Planning Grants to facilitate repairs and modifications to the current water system in River Pines.

General Manager Bingham reported for the record Mr. Henry's accusations were untruthful and slanderous and wanted to clarify this matter.

The Board and staff discussed in detail the information submitted by General Manager Bingham regarding the Board of Supervisor Minutes dated April 11, 2017 under Public Comment for Matters Not on the Agenda: River Pines Public Utility District: Mr. Patrick Henry, District V resident. Clarification was provided for the following accusations:

1. Financial integrity of the PUD due to the current bookkeeper.
2. Personal friend and previous bookkeeper for Chairman Landgraf.
3. Previous Company that General Manager Bingham worked for went bankrupt and faced embezzlement accusations.
4. RPPUD Board unanimously appointed General Manager Bingham as the Operations Manager of the Water and Sewer Departments, despite having no experience in these areas.
5. General Manager Bingham the highest paid employee the RPPUD has ever had.
6. Knowledge that Chairman Landgraf allegedly bypassed water meter by capping off hose bibs on her property and formal charges were not brought forth by General Manager Bingham.

After considerable discussion among the Board and staff, it was the consensus that these accusations were unsubstantiated and suggested General Manager Bingham draft a letter of clarification and present it to the Board of Supervisors.

Board Clerk Wurzburger noted for the record, Mr. Henry's accusations were recorded on the record and made public as part of the Board of Supervisor's minutes posted on their website. It was suggested General Manager Bingham submitted the letter to the Board of Supervisor at their next meeting in order to have the false accusations recorded into the public record.

The Monthly General Manager Report included updates from the General Manager – see report for complete details. The Board requested General Manager Bingham contact RCAC to clear up the discrepancies relative to the Income Survey as mailed.

10. BOARD MATTERS: Discussion / Action / Direction to Staff.

For the record: Action minutes provide the necessary documentation of Board actions audio recordings are retained for those desiring more detail on agenda item discussion. These audio recordings provide an accurate and comprehensive backup of the Board deliberations and citizen discussion.

A. SWSRF – Baracco and Associates, Amendment No. 1.

General Manager Bingham reported at the October 11th meeting the Board approved Baracco and Associates' Amendment No. 1 Professional Services Agreement between the River Pines Public Utility District and Baracco and Associates for the River Pines PUD Water Rehabilitation Project Mitigated Negative Declaration Contract Modification in the amount of \$6,188. Board Clerk Wurzbarger had noted for the record this document required final approval under Board Matter not General Manager's reporting as this was an amendment to a previous agreement and proposal for environmental consulting.

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

Motion by Board Member Gardner, seconded by Board Member Ebbinghausen, and carried by a 5 to 0 vote to approve Baracco and Associates' Amendment No. 1 Professional Services Agreement between the River Pines Public Utility District and Baracco and Associates for the River Pines PUD Water Rehabilitation Project Mitigated Negative Declaration Contract as amended. Motion passed by the following vote:

AYES: Landgraf, Ebbinghausen, Gardner, Walden-Qualls, Miller
NOES: None
ABSTAIN: None
ABSENT: None

B. SCADA Update.

General Manager Bingham reported Amador Water Agency contacted the property owner that the SCADA/tower equipment was proposed to be located. It has been determined its location was not within the District boundary. The AWA is recommending the District have this property surveyed to obtain a public easement for access and the property own has agreed to this easement. AWA will draft the contract with the property owner for Board approval.

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

Motion by Board Member Walden-Qualls, seconded by Board Member Gardner, and carried by a 5 to 0 vote to direct staff to hire a surveyor to perform the necessary survey of said property in order to obtain a public easement, in an amount not to exceed \$3,100. Motion passed by the following vote:

AYES: Landgraf, Ebbinghausen, Gardner, Walden-Qualls, Miller
NOES: None
ABSTAIN: None
ABSENT: None

C. Income Survey Committee.

Board Member Miller suggested the District form an Income Survey Committee to provide the District's customers more information regarding the mailed Income Survey as discussed in the General Manager's report. He inquired if members of the public could also be included on this committee

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

Chairman Landgraf requested General Manager Bingham also ask RCAC if there was a stipulation regarding the any District involvement with the Income Survey before any a door to door assistance was initiated.

Motion by Board Member Miller, seconded by Board Member Gardner, and carried by a 5 to 0 vote to appoint two Board Members to the Income Survey Committee and to include members of the public if formation of this committee to provide further information is allowed by RCAC. Motion passed by the following vote:

AYES: Landgraf, Ebbinghausen, Gardner, Walden-Qualls, Miller
NOES: None
ABSTAIN: None
ABSENT: None

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

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

Chairman Landgraf requested the new Board be provided information regarding ongoing District projects and winterization of incomplete FEMA disaster repair projects.

12. COMMITTEE COMMENTS/REPORTS: Continued Item.

13. FUTURE AGENDA TOPICS:

A. Renew Board Clerk Wurzburger's contract.

14. ADJOURNMENT: The meeting adjourned at 6:51 p.m.

Respectively submitted,
Gisele Wurzburger, Board Clerk