

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

Date: Friday July 10, 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 Karen Heald

Directors in attendance by teleconference:

Director Michael Lindquist
Director Dick Simpson
Director Dan Stockton
Director Bob McCormick

Staff members present: Anna Nickerson, Financial Consultant

Staff present by phone: Paul Schultz, General Manager
Jeffrey Mitchell, District Counsel

Guests present by phone: Carole Raisbeck
Gordon 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. There were no comments

III. Approve Agenda: The agenda was presented to the Board for approval. Director Simpson asked if Carole Raisbeck and Gordon Steindorf were interested in hearing the operations report or having their item be moved up the agenda to be discussed first. It was agreed that item VII. New Business, A. Dock/Pier Application from Carole Raisbeck would be moved up the agenda and discussed prior to the Operations Report.

A motion was made by Director Simpson and seconded by Director McCormick to approve the agenda as modified, moving Item VII. A before the Operations Report. The

motion passed by a unanimous rollcall vote: Directors Lindquist, Heald, Simpson, Stockton and McCormick.

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 Director Simpson received some suggested changes to the June 19, 2020 minutes from Ms. Mansell and that he would address the suggested changes during the consent items calendar discussion.

VII. New Business: Item A. Dock/Pier Application from Carole Raisbeck:

Carole Raisbeck's Dock/Pier Application was presented to the Board for consideration and possible action. Mr. Schultz said the proposed pier was four feet wide and would extend out into the lake 15 feet. He also said he discussed the proposed dock with Director Lindquist because he wasn't sure if the configuration met the spirit of what the Board had in mind when the rules were drafted. Director Lindquist said he appreciated the complete sketches and pictures that were submitted but was concerned with the configuration due specifically to the right hand turn and the size of the appendage; he wasn't sure the appendage fit the intent of the guidelines. He asked for input from any of the Board members that were present during the drafting of the ordinance. Director Heald said she didn't remember the 15 foot lakeward limit and that she too had concerns about the L on the pier so she reviewed the ordinance. She then said she felt the most applicable guideline was the 20 foot from the lakeward extension of the residential lot line and because there were no lot lines on the drawing, she couldn't determine if the dock met that requirement.

Ms. Raisbeck said the lot line was approximately 40 feet from the water. Director Lindquist said the guideline referred to the side lot lines with the intent that the dock would be placed in the middle of the lot avoiding being too close to the neighbor. Ms. Raisbeck referred to the drawing that showed heavy vegetation on both sides of her lot limiting the placement of the dock. She said the proposed placement was the only access to the water.

Director McCormick said he didn't have a problem with the proposed placement of the dock; Ms. Raisbeck had previously had a dock there that was grandfathered in and due to circumstances beyond her control, the dock was removed. However, he was concerned about the extra elbow. Once the Board started allowing docks to extend and become more complex it would become hard to say no to future requests. He said he was in favor of the base dock without the elbow extension horizontal to the shoreline.

Director Heald said she wanted to be clear that the proposed placement of the dock was appropriate but that she too had an issue with the horizontal extension because it appeared to get too close to the property line. Ms. Raisbeck said she would like the L to be able to get in and out of more than one boat. She also said she got the idea for the L extension from Diane Scanlon's dock and that her neighbor had a dock that was a T shape.

Director Heald said she wanted to point out that Ms. Scanlon's dock was an old dock that existed prior to the Lake Management plan and that Ms. Raisbeck was in an in-between position due to the way she lost her prior dock. Ms. Raisbeck also said her prior dock was 10 or 12 foot square.

Director McCormick confirmed with Ms. Raisbeck that the proposed dock was significantly bigger than her prior dock. Ms. Raisbeck said because the old dock was square they were able to sit out on the dock and that was what she wanted to be able to do. She also said the reason why the new dock was so much bigger was that she needed to extend out into the lake further to be able to get into the water later in the summer.

Director Simpson said he too was concerned about the L-shape because it effectively made the dock 12 feet wide. He also said the reason for docks and piers was to be able to get boats into the water and didn't think the intent was to provide a place to sit. Ms. Raisbeck said the land behind her property was very water soaked making it impossible to put a chair on the shore, like most others are able to do.

Director Simpson then said, when he joined the Board Mr. Byers was negotiating with the District to gain access to the lake. He said it was a very drawn out process because Mr. Byers installed his walkway and dock and put gravel on the shoreline before he applied for a permit. He also said Ms. Raisbeck's application needed to address access over the marshy area. Mr. Steindorf said there had been a walkway in place since at least 1994. Ms. Raisbeck said there were also railroad ties that provided additional walkway and she feared that removing them would cause more damage than anyone would like. Director Simpson said Mr. Byers installed an elevated walkway that encouraged growth of vegetation under the walkway and suggested that Ms. Raisbeck install an elevated walkway. Director McCormick said he understood what Ms. Raisbeck was saying and thought a raised walkway could be installed over the railroad ties. He also said he was in favor of approving the current entrance to the dock but not the added elbow on the end of the dock.

Director Simpson said grandfathered docks expired in September 2019 so the old docks would now need to meet the current requirements. Director McCormick said Ms. Raisbeck's basic dock, without the L, was acceptable and proposed approving the basic dock and the existing walkway access. He also said approving the additional L shape would open a door for people to propose more and more complex docks. Director Heald said, in regard to the grandfathered docks, the grandfathered docks were subject to the Hold Harmless and Indemnity Agreements and that after September 1, 2019, all docks that had posts or column that required a fixed footing had to be replaced with a floating dock but not all docks had to be replaced. Therefore, as long as Diane Scanlon's dock was a floating dock, it wouldn't have to be replaced.

Director Heald then said she wanted to talk about Mr. Byer's application. She said they had built a huge extensive walkway and the Board made them cut it back. The Board also changed the configuration of the dock. The final dock was a T-shape consisting for a 4' x 6' plank out of the shoreline with a 10' x 4' T. Mr. Byer's dock extends 15' into the lake and is 10' wide. Ms. Raisbeck's proposal would be 10' wide. Director Heald proposed making the L a T-shape so the extension out went to both sides. Ms. Raisbeck would also have to shorten the extension out to accommodate the T-shape.

Director Simpson said there was also a problem with the insurance certificate that Ms. Raisbeck included. The certificate only showed she is insured, it didn't show the District being additionally insured. Mr. Schultz said he would provide Ms. Raisbeck with an example that she can provide to her insurance company.

Director Simpson then said Ms. Raisbeck's application did not include the required elevation drawing. He also said he would appreciate a drawing that showed the lot line extension. Finally, he said only the cover note mentioned that the dock was seasonal, the application also needed to state the dock was seasonal. The dock would need to be removed at the end of the season and reinstalled each year.

Director Heald suggested a dock with two 4' x 6' sections, extending out into the lake, with a 4' x 6' section across the end. With one foot on the shore, the dock would extend out into the lake 15' and would only be 6' wide. She thought that would be more amenable than the 10' or 12' proposed. Director Simpson agreed. Director Stockton thought that was the better solution; she would be using the width of the dock as part of the sitting area.

Director Lindquist said, years ago the community came together to discuss land use issues, sharing their visions and concerns, one of which was aesthetics. He said the discussions around approving docks were really about what came out in the lake management plan.

Ms. Raisbeck asked if she had two 4' x 6' sections as the ramp, would the Board object to a 4' x 8' section for the T. Both Directors McCormick and Simpson said they would object. Director Heald suggested that Ms. Raisbeck sketch out the proposed dock with the property lines to see how the dock would interface with the property lines. Ms. Raisbeck said she would prepare the information and submit it to the District by Monday asking when she would hear back. Director Simpson said it would be a month until the next meeting unless a special meeting was held.

Director Heald said she was really empathetic to what Ms. Raisbeck has had to go through and would be happy to have a special meeting the following week provided all the information could be submitted. Director Simpson said he couldn't do it the next week but the week after would be possible. Director Lindquist polled the Board and found that all Directors could be available for a special meeting the following week except Director Simpson.

Director McCormick suggested that the Board approve the dock in concept consisting of three 4' x 6' sections with the stipulation that the required drawings and insurance were submitted. When asked, Jeffrey Mitchell, District Counsel, said the Board could legally approve the dock and delegate final approval authority to the Board President or General Manager.

Director Simpson said he had five issues with the application. He said he would like to see the whole package before the dock was approved. He would like to see the drawing with the property line and the shrubbery. He did not want to give a conceptual OK. Director McCormick said if Director Simpson had reservations he would not go against him with a conceptual approval. Director Lindquist said he felt it was important to expedite the process. He was agreeable to either a special meeting or conceptual approval subject to certain requirements. Director Simpson said he was unavailable Monday due to medical appoints and Tuesday, Wednesday, Thursday he potentially had all day conference calls but Friday was a possibility or evenings. He said he had enough going on that he didn't want to deal with it next week. Director Lindquist said he respected Director Simpson's opinion and as long as he felt he had a good understanding of Director Simpson's requirements, he was comfortable with have a meeting even if Director Simpson was not available only because of the particular situation.

Director Lindquist confirmed that Ms. Raisbeck was agreeable to a dock with three 4' x 6' panels. He summarized that there were some key items missing and that Ms. Raisbeck would get the information to the District quickly. Director Lindquist proposed that a special meeting be held to consider the item if there was consensus of the Board. Director Simpson said that was what he thought was happening. Both Directors McCormick and Stockton said they were ok with it. Director Heald said she was fine with either calling a special meeting or hammering out what was needed in the application and giving Director Lindquist authorization to approve the dock. Director Stockton said he was fine with a conceptual approval if it was doable. He said he was in favor of whatever it took to make it happen as fast as possible; summer was slipping away and wanted them to be able to use their dock. Director McCormick said if approval was given to Director Lindquist and/or the General Manager, he wanted to make sure the details were not glossed over. Director Simpson said he still had five concerns and was not willing to set up a checklist that said a new drawing was good enough. He had concerns about the concept of the drawing and would like to see an elevation drawing as spelled out in the procedure. He also said he would like the applicant to address the walkway across the riparian strip. For him it was not just a matter of check those things off, he would like to see what was in the application before it was approved. Ms. Raisbeck said she would submit the required information.

Director Lindquist asked Director Simpson how the elevation drawing would help him make his decision about the dock; how would having the elevation drawing benefit the decision? Director Simpson said "because it was listed in the requirements". He said he felt he understood what was happening but it would be nice to have the drawing on file as a reference in future requests. Director McCormick said he understood that the proposed dock was adjustable and could be lowered as the water level dropped. Director Stockton confirmed that he lowers his dock as the water level drops. Mr. Schultz said he would provide Ms. Raisbeck with an example of an elevation drawing. Mr. Schultz also said he was in the early stages of developing the science that he would like to use for making suggestions about protecting the riparian zone from foot traffic. He anticipated the information would be available for next season. Director Simpson said Ms. Raisbeck could request to leave the walkway as is until the District establishes requirements for the riparian zone.

Director McCormick summarized that Ms. Raisbeck would submit a new drawing of the configuration of the dock, an elevation drawing and modify the proposal stating the walkway would be maintained "as is" until the District issues a contrary policy. Director Simpson said Ms. Raisbeck needed to submit the required insurance and revise the application to state the dock was seasonal.

Director Lindquist summarized a motion to tentatively approve Ms. Raisbeck's application subject to the changes that were talked about. The Board would grant authority to the General Manager and Board President to approve the application if all requirements were met. Mr. Mitchell said it might be simpler to say "the Board grants authority to the Board President to approve the application consistent with..." listing the requirements for approval.

A motion was made by Director McCormick and seconded by Director Heald authorizing the Board President to approve the application subject to the satisfaction of the following criteria:

1. **The dock be reconfigured as three 4 x 6 sections with one section configured as a T on the end with the dock being one foot on the land so it doesn't extend more than 15 feet into the lake.**
2. **The applicant provide an elevation drawing.**
3. **The applicant specify that the application is for a seasonal dock.**
4. **The applicant provide proof that the District has been named as additionally insured.**
5. **The applicant agree that her right to maintain the existing walkway through the riparian zone to the dock will be subject to revision in the event the District changes its policy in the future.**
6. **The applicant provide a plan view showing the property lines.**

The motion passed by a rollcall vote: Ayes: Directors Lindquist, Heald, Stockton and McCormick. Noes: Director Simpson. Abstentions: none.

Later in the meeting, Ms. Raisbeck rejoined the meeting to say Pier D'Nort's website showed that a T shape was not an option. The options were to go with an L-Shape or a T-shape that consisted of two attachments out to the side as opposed to one attachment along the end.

A motion was made by Director Heald and seconded by Director Stockton to reopen the discussion regarding Ms. Raisbeck's dock. The motion passed by a rollcall vote: Ayes: Directors Lindquist, Heald, Stockton and McCormick. Noes: none. Abstentions: Director Simpson.

Mr. Schultz said the website stated "Of course if you haven't seen the pier you like, it doesn't mean we can't make it for you; we like challenges." He said it would just require a couple pieces to be welded on the frame. Ms. Raisbeck said she would call Pier D'Nort on Saturday and if they were not able to accommodate her request, a Special Meeting would be scheduled.

VI. Operations: Mr. Schultz's operations report was presented to the Board for consideration and possible action. Mr. Schultz summarized the following:

- There were permit violations at Donner Summit PUD last month.
- Donner Summit PUD was still discharging to the South Fork of the Yuba but planned to switch to spray irrigation on the ski hill on August 1, 2020.
- Donner Summit PUD was still working on a modified schedule; they have a larger staff to manage in regard to social distancing. The District has returned to its normal schedule and staff are working apart. He also said he has not hired a seasonal worker at this point.
- He said he was working with a tree removal person to remove some downed trees around the lake but was waiting for the lake to drop a little to avoid creating erosion around the lake.
- Property transfers have increased. There were 14 requests in June for water and sewer lateral tests and fixture inspections.
- He started updating the master source water monitoring schedule to replace all the anticipated monitoring for the next five years.
- A dumpster was provided for the community cleanup day and an item was also added to the 2020/2021 budget for next year.

- Letters to dock owners have been sent requiring indemnification. There were a few questions but almost everyone is now compliant.
- Discussions with Mr. Steuart have started regarding the lake limnology project. He also met with John Cobourn from UNR earlier in the week to start discussing the scope of work. The plan will be provided to Mr. Steuart and his professors for review before finalizing the plan.
- A draft lease agreement was received from Placer County for the continued use of the garage bay and outside area. The agreement was provided to Mr. Mitchell for comment. Those comments will be sent back to Placer County for review. Mr. Schultz hoped to have a final agreement soon.
- Zoning and regulatory components of the Well 01 improvements have been advanced. Water samples were received and sent off to Isolux for the design of the media and catalyst and to prepare a final quote. There was still one approval needed from the Division of Drinking Water, but he did not anticipate any problem getting the approval.
- There were no sanitary sewer overflows in June.
- The Consumer Confidence Report was sent out in June.
- The upgrade to the SCADA system continued, there were a couple scheduling issues but the work should be complete by the end of July.
- Staff began cleaning wetwells and mainlines. All of the wetwells had been cleaned as of the day of the meeting and all problem mainlines had been cleaned. The crew has now begun cleaning the less troublesome mainlines.
- Staff has identified the valve boxes and sewer manholes in need of repair and will begin that work.
- Flyers Fueling Services has been set up to provide regular and emergency fuel delivery in the event of Public Safety Power Outages.
- Water flow totals were surprisingly high which was attributed to there being more people coming up to the District. The elevated sewer totals were attributed to starting up the filter plant after the filter replacement.

Director Simpson asked when Mr. Steuart would start. Mr. Schultz said he anticipated the work would start within the month and that a lot of the work was not season dependent. Water samples will be taken, then inoculated with various amounts of nitrogen and phosphorus and other elements. Mr. Steuart's work will align with his fall semester and should be well underway by September. Work will begin after approval by the professor.

Director Simpson said, in regard to Placer County's lease, Bill Quesnel had been working on a plan to phase Placer County out and have them find space elsewhere. Mr. Schultz said that was still the plan, but the County had not found another location yet. He also said the new lease would not be another 20 year agreement; it would be more like a two year agreement.

Director Simpson asked if the radio link to Donner Summit PUD was up and running again. Mr. Schultz said the RTU was now properly communicating with both the District's base and Donner Summit PUD's base.

Director Simpson said he was not concerned about the water, he felt it was just due to a lot more people being in the District. He said, last month the water and sewer flows looked out of balance but the current report looked better.

VII. Consent Items Calendar: The Consent Items Calendar was presented to the Board for action. The Consent Items Calendar included the minutes from the June 19, 2020 Special Meeting; minutes from the June 29, 2020 Special Meeting; June 2020 Check Register; financial reports for the month ending June 30, 2020; preliminary June 30, 2020 Balance Sheet; and Disbursements for Board Approval. Director Simpson said he provided Ms. Mansell's proposed corrections to the June 19, 2020, minutes to Mrs. Nickerson. The corrections also included one typo.

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

VIII. New Business:

A. The Board discussed Ms. Raisbeck's dock application earlier in the meeting.

B. Draft Resolution 2020-04 – Establishing Appropriations Limitation was presented to the Board for consideration and possible action. Ms. Nickerson said it was the required annual appropriations calculation

A motion was made by Director Simpson and seconded by Director Heald to approve Resolution 2020-04 as presented. The motion passed by a unanimous rollcall vote: Directors Lindquist, Heald, Simpson, Stockton and McCormick.

C. The Board was presented with the District's Conflict of Interest Code for Biennial review.

A motion was made by Director McCormick and seconded by Director Stockton to approve the District's Conflict of Interest Code with no changes required. The motion passed by a unanimous rollcall vote: Directors Lindquist, Heald, Simpson, Stockton and McCormick.

D. Robert W. Johnson an Accountancy Corporation engagement letter for the June 30, 2020, annual audit was presented to the Board for consideration and possible action. Ms. Nickerson said the letter constituted an audit step required by the AICPA (American Institute of Certified Public Accounts).

A motion was made by Director Simpson and seconded by Director Stockton to authorize the Board President to sign the letter of engagement from Robert W. Johnson an Accountancy Corporation. The motion passed by a unanimous rollcall vote: Directors Lindquist, Heald, Simpson, Stockton and McCormick.

IX. Old Business:

A. None

X. Administration:

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

- Item 1: Pictures/Bios for website – ongoing.
- Item 2: a memorandum was sent to the Board members for review. A closed session item will be added to the next agenda if questions arise that cannot be addressed by email.
- Item 3: Mr. Schultz obtained the additional pages referred to in the cover pages of the subdivision maps along with the CC&Rs. Those items were sent to Mr. Mitchell and were made available for public review.

Director Simpson added a fourth item: he asked if anyone knew what the schedule of procedures was for candidates in regard to the upcoming election. Ms. Nickerson said as far as she knew the County office was still closed and that she had not received a packet that includes the schedule. Director Simpson said he would contact Placer County Elections and report the results to Mrs. Nickerson and Director Heald.

B. The Status of Action Items remaining as of the April 10, 2020 meeting was presented to the Board for consideration and possible action:

- Item 1: Fertilizer Application: Mr. Schultz said the item should be taken off the list and will be replaced with a new item pertaining to the limnology project.
- Item 2: AMR Data Collection and Analysis – On going. Mr. Schultz said he planned on putting together a chart by September.
- Item 3: Policies & Procedures Review – Approximately 50% complete – due August 2020. Mrs. Nickerson said she planned on having her portion done by the end of the month for review by the Board.
- Item 4: Ownership of the Dam – Ongoing. Director McCormick asked if the discussion about acquiring the parcel could be discussed in closed session. Mr. Mitchell said yes if the Board was talking about acquiring real property. However discussions about critical infrastructure maybe not unless it was in regard to litigation. Director McCormick would contact Mr. Mitchell to discuss the situation.
- Item 5: Upcoming Meter Rates –No discussion.

Director Lindquist asked about creating a subcommittee to think about clarifying language regarding docks. Director Simpson said he thought the language was clear enough but maybe include some examples or a how to guide. Director McCormick said the main reason for the dock discussion was to try to anticipate having docks all the way around the lake. Mr. Schultz said that he and Ms. Nickerson work off a spreadsheet that was developed by Mr. Quesnel and that he would soon be going out on the lake for the annual inspections. He also said he would take photos of the docks. Last year the inspection was done on July 1st but that was too early; not all the docks had been put out yet. Director McCormick said he remembered the dock discussion included a suggestion that homeowners share docks. Director Lindquist was looking for something to reduce painful dock discussion — simplifying the process. He asked Mr. Schultz to provide a summary of applications and dock approvals over the last couple of years. Director Simpson said he had done some research and compiled a list of the docks that had been approved since he was on the Board. He was missing information prior to 2016.

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

The minutes were approved at the Regular Meeting held on August 14, 2020, as part of the Consent Items Calendar. A motion was made by Director Simpson and seconded by Director McCormick to approve the Consent Items Calendar. The motion passed by a unanimous rollcall vote: Directors Lindquist, Heald, McCormick, Stockton and Simpson.