

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

Date: Friday January 8, 2021 / **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: No Directors were in attendance at the Sierra Lakes Boardroom

Directors in attendance by teleconference:

Director Dan Stockton
Director Bob McCormick
Director Karen Heald
Director Michael Lindquist
Director Jon Harvey

Staff members present: Anna Nickerson, Financial Consultant

Staff present by phone: Paul Schultz P.E. Inc., General Manager
Jeffrey Mitchell, District Counsel

Guests present by Zoom: Dick Simpson

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. Mr. Simpson said he was not able to log onto the Zoom meeting until he was given the passcode 1234. Director Harvey said he would prefer that the meeting be held via Zoom with video. He felt having video would make the meeting most like a live meeting by providing better communication through the ability to see who was talking and what they were saying. He also said he was contacted by SLPOA to let the Board know they decided to revisit ways to improve cell service in the District and that the solution would probably require the cooperation of the Water District. He anticipated that a member of SLPOA might attend a future meeting to discuss possible options

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

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

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 no comments were received after the agenda was posted.

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

- He looked into the history of dredging at the request of the Board. He learned, from talking with people and looking at old photos, that the lake had been dredged once. A “clam shell” approach was used to reach out 60' from the shoreline on the lower lake. The sediment removed was used to build the Van Norden and Soda Springs parking lots for Royal Gorge and the remaining sediment was dumped behind the District’s SPS #3. A member of the public reported the dumping behind SPS #3 and the District was fined.
- The District’s emergency regulations document for COVID 19 Guidance, as required by Cal OSHA, was complete. A copy would be forwarded to everyone, including the Board, and a training session for staff was scheduled for the following week.

Director Heald said, in regard to the contract negotiations with Placer County, she thought the District was looking at a one year extension for the storage of plow equipment. Mr. Schultz said he thought the extension was supposed to be for five years with single year options to continue until Placer County was able to secure another location. He also said he liked having Placer County there.

Director Lindquist said he thought the Board wanted a year by year agreement, that Placer County had some land but that it would take three to five years to develop. He said he thought the Board was asking them to seriously look at moving their operations and didn’t want to get to the end of five years with no progress towards finding a new location. However, he felt the District’s parking lot was a prime location for the plows and that was a benefit for the community. Mr. Simpson agreed with Director Lindquist’s summary of the Board’s intentions. Mr. Schultz said, although the District couldn’t force Placer County to actually look for a new location, the request to look could be memorialized in the lease agreement.

Mr. Simpson said the consensus among the operators and management at the time Placer County’s agreement expired was that the District needed the space. However, if Mr. Schultz no longer felt the space was needed, a year by year lease could be appropriate. Mr. Schultz said he would like to have the indoor space but liked having the plowed outdoor space. Mr. Simpson said he was told by Wade Freedle, past Director, that if the County was pushed out of the District’s building, Placer County could be forced to setup a Snow Removal Assessment District for Serene Lakes and the costs passed on to the community. Mr. Simpson suggested that the General Manager needed to look at “need” versus “want” as suggested by Director Lindquist.

Director Heald said she had serious doubts about the snow removal assessment but agreed the Board needed to weigh the pros and cons in the context of the contract.

Mr. Schultz was asked to weigh the pros and cons of having Placer County on site in conjunction with the contract negotiations. He said he would provide the information at the February meeting.

Director Harvey said he wasn't familiar with the indoor space and asked if it could be expanded. Mr. Schultz said he was already looking at adding space to the building because the current office space downstairs was getting crowded with the increased use of SCADA and computers. He said he was looking at whether the room could be remodeled or if another room was needed. He also said it was an expensive building and that he would have to expand out because he couldn't go up. Mr. Schultz said if he determined that another room was needed, he could look at adding a new garage at the same time.

VI. Consent Items Calendar: The Consent Items Calendar was presented to the Board for action. The Consent Items Calendar included the minutes from the December 11, 2020, Regular Meeting; December 2020 Check Register; financial reports for the month ending December 31, 2020; and Disbursements for Board Approval. Director Stockton asked if anyone wanted to pull any item off the Consent Items Calendar for significant discussion.

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

VII. New Business:

A report from the Lake Management Plan Review Committee (Committee) was presented to the Board for discussion and possible action. Director McCormick said a formal report was not submitted because the Committee was still in the beginning stages of the process. However, they met for the first time that Wednesday and identified three issues that needed to be looked at:

1. The configuration of docks and piers,
2. Insurance requirements, and
3. Debris stored on the strip

Director McCormick said, in general, most people were in compliance with the ordinance but there were a few situations that needed to be resolved. He said Mr. Schultz felt the main issue was that the District wasn't formally enforcing the ordinance. Director McCormick also said the Committee wanted to get feedback from the community but didn't have enough information yet to hold a public forum.

Director McCormick said one of the things the Committee talked about was preparing a guide to help the community understand why the District was reviewing the lake management plan. He said the committee also discussed developing a user friendly, fillable, dock/pier application to streamline the process. Finally, he said he did some research into the insurance issue and found that, depending on the insurance carrier, it wasn't easy getting coverage for a dock/pier that was not

on the homeowner's property but the District needed to be covered. Director McCormick said he was looking into the ability of the District obtaining coverage and passing any the associated cost the homeowners with docks/piers.

Director Harvey said the key accomplishment was that the Committee defined a scope of issues. He also acknowledged that there might be other issues and concerns that will need further review. He said for now, the Committee would be focusing on piers/docks and the use District property using historical data and feedback from the public. The Committee would consider making some ministerial and perhaps substantive changes in order to make the plan more clear and achievable.

Director Harvey said the Committee was also looking at creating a flyer that would describe the purpose of the Committee and the review of the management plan. He said Mr. Simpson's draft "A Guide to Dock and Pier Permitting" could be used to help develop a user friendly guide to the District's piers and docks ordinance. Director Harvey said the Committee also talked about including a map defining the locations of District's properties around the lake subject to the rules and regulations of the Lake Management Plan.

Director Heald said she did not hear either Director McCormick or Director Harvey mention sections 30.04 to 30.06 of the Lake Management Plan pertaining to personal property and use of the strip as identified in Mr. Schultz's report. She asked if the Committee was going to address those issues. Director Harvey said those issues could be considered, possibly in a second phase, but it was his understanding that the Committee was going to focus on dock and pier structures first. Director McCormick said the Committee spent most of their time focusing on the dock and pier issues because of the recent long approval discussions that carried over to multiple meetings. He said a better understanding of the problems on the strip would be needed from Mr. Schultz and the proposed map of District property would help because the west and east sides of the lake were different in terms of the how much property belonged to the District.

Mr. Schultz said it was his intent to send a general letter to lake front property owners asking them to be cognizant of the rules and to remove debris. He said if lake front owners continue to disregard the rules, he would send a more specific letter. He wanted to give them a reminder without singling them out until it became necessary. Director Heald said she thought that was a good idea but wanted to see a summary from Mr. Schultz of the issues he found relating to the strip. She said in her travels around the lake, she saw a lot of things on the strip that were not compliant with the rules regarding the storage of personal property. She also said, looking back at the ordinance, she could see why certain things were stored on the strip because the ordinance was confusing.

Director Lindquist said he really appreciated Director McCormick and Director Harvey looking at the issues and requested that more documentation be provided at the next report. He asked that a brief summary be included in the February board packet if possible, but no later than March.

Mr. Simpson suggested the Committee start with the draft he provided, marking out the things they don't like. He also said there could be some problems with the District getting insurance for the docks and piers since the District would be insuring other people's property.

Director McCormick said the District would not be insuring the property, it would be insuring against damage and injuries that happen on or near the docks and piers; the docks/piers and homeowners would not be insured.

Director Harvey said he and Director McCormick would be reviewing the existing Attachment A and seek public comments from people they knew and their neighbors. Mr. Schultz would extract information from the guide that would provide a front end description of the ordinance and a written report would be presented.

The Committee's next meeting was scheduled for January 28, 2021.

Director Heald asked if Mr. Schultz would provide the Board with a summary of his findings. Mr. Schultz said he would provide a summary.

VIII. Old Business:

There were no Old Business items on the agenda.

IX. Administration:

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

- Item 1: Director McCormick, Mr. Mitchell and Mr. Schultz discussed the ownership of the dam and it was agreed that the item would be removed from the Follow-up list and placed on the February 2021 Agenda.
- Item 2: Mrs. Nickerson said she was still waiting to hear back from SLPOA as to how the District could help SLPOA notify customers.
- Item 3: Mr. Schultz had a discussion with Director Harvey regarding the threat of litigation. The item was considered complete and removed from the list.

B. The Status of Action Items remaining as of the January, 2021 meeting was presented to the Board for consideration and possible action:

- Item 1: Development of New Limnology Report: Ongoing. The draft report, scope and budget were being reviewed by the University of Nevada Reno. Mr. Shultz would have something for the Board to review in February.
- Item 2: AMR Data Collection and Analysis – Ongoing, no changes were made.
- Item 3: Policies & Procedures Review – Mr. Mitchell said progress was being made on the Policies & Procedures and that a review of the District's Employee Handbook was added to the list. He said the policies seemed to be in good shape with the exception of a couple policies that needed a little more work. He hoped the review would be done by February.
- Item 4: Ownership of the Dam – Progress was updated to reflect 90% complete. It was anticipated that Director McCormick would present a report at the February 2021 meeting.
- Item 5: Upcoming Meter Rates – Ongoing. Mr. Schultz said because he had not start his Gantt chart progress remained at 0%. However, he would be starting it soon.

- Item 6: Ownership of the water –Mr. Mitchell began his review of the water ownership issue and progress was updated to 75%.
- Item 7: Customer Access to Water Data – Director Lindquist said he had been working independently and that he met with a couple vendors that offer web based portals for reviewing water usage. He said once he had information about the services offered and pricing he would get with Mrs. Nickerson since she had a lot of knowledge after working with the customers for many years.

Mr. Simpson asked if Director Lindquist would be addressing privacy issues. Director Lindquist said he was looking at having an individual user/customer being able to look at their own usage but nothing more than that.

X. Adjournment

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

The minutes were approved at the Regular Meeting held on February 12, 2021, as part of the Consent Items Calendar. A motion was made by Director _____ and seconded by Director _____ to approve the Consent Items Calendar. The motion passed by a unanimous rollcall vote: Directors _____.