

**MINUTES
REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT**

6425 Main Street,
Georgetown, California 95634

**TUESDAY, JULY 11, 2023
2:00 P.M.**

BOARD OF DIRECTORS

Mitch MacDonald,
President

Donna Seaman, Vice President Mike Thornbrough, Treasurer
Michael Saunders, Director Robert Stovall, Director

MISSION STATEMENT

It is the purpose of the Georgetown Divide Public Utility District to:

- Provide reliable water supplies.
- Ensure high-quality drinking water.
- Promote stewardship to protect community resources, public health, and quality of life.
- Provide excellent and responsive customer services through dedicated and valued staff.
- Ensure fiscal responsibility and accountability are observed by balancing immediate and long-term needs.

1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

President MacDonald called the meeting to order at 2:08 PM. Director Seaman led the Pledge of Allegiance.

Roll Call:

Directors Present: Saunders, Stovall, Thornbrough, Seaman, and MacDonald

Staff Present: General Manager Nicholas Schneider, Operations Manager Adam Brown, Office/Finance Manager Jessica Buckle, Water Resources Manager Alexis Elliott, and Executive Assistant Elizabeth Olson.

2. ADOPTION OF AGENDA

The General Manager Nicholas Schneider shared that there was a proposed amendment to the agenda. This would be moving Item 8.A., the adoption of legal services agreement, to after the public forum placing it between items three and four.

Director Seaman motioned to adopt the agenda with the amendment. Director Thornbrough seconded the motion.

President MacDonald called for the vote.

Ayes: Director Seaman, Director Thornbrough, Director Saunders, Director Stovall, and President MacDonald

Nays: None

Abstentions: None

3. PUBLIC FORUM

The General Manager addressed the public comment that was put in the minutes this morning which had been previously missed in an inbox.

Bonnie Neeley of Georgetown stated that when she pulled the Board packet up to review it again this morning. It said that all of the various packages, and sections had all been updated today, but in looking at the pages there is no way to know what was updated, or what was changed. Is it something I was interested in from before? Is there some way to make that simpler so we can know whether or not this is something we really want to pursue or is it a typo?

Cherie Carlyon submitted public comment per the attachment.

Dane Wadley Field Coordinator with the California Special Districts Association (CSDA) recognized Nicholas Schneider for earning the Certified Special District Manager Certification at the General Managers Leadership Summit. One of the things that CSDA does aside from their advocacy work is in looking to offer training and raise professionalism across the state for special districts. One of the ways this is accomplished is through these various recognition programs. General Managers can voluntarily study for the test and get the certification. It is a rigorous two-hour exam covering all aspects of district governance. This accomplishment demonstrates a commitment to the profession and special districts. CSDA appreciates the initiative from Mr. Schneider and the support from the Board of Directors to raise the professionalism and knowledge of special districts. This helps CSDA in their advocacy when there are individuals like Nick who go above and beyond. This public appreciation of Mr. Schneider for going above and beyond offered.

8.A. Agenda Item- Approval of Legal Service Agreement for General Counsel

The General Manager shared that the Board interviewed and voted to have Best, Best, and Krieger (BBK) utilizing Frank Splendorio as legal counsel at the last meeting. What is in front of you is a legal services agreement. This agreement will be entered into retroactively as of July 1st to represent the District on any legal matters as seen fit.

Public Comment:

Cherie Carlyon delivered comment per the attachment.

The General Manager shared that the Board of Directors approved legal services for Best, Best, and Krieger at the last Board meeting to go out for the Professional Services Agreement. Today is accepting that into open session. This is a legal procedure to accept them in an open session, but as stated going back to July 1st, as this was initially agreed upon in the June meeting. Director Saunders motioned to adopt the resolution. Director Stovall seconded the motion.

President MacDonald called for the vote.

Ayes: Director Seaman, Director Thornbrough, Director Saunders, Director Stovall, and President MacDonald

Nays: None

4. **CONSENT CALENDAR**

Director Stovall asked a question about the consent calendar. It was established that the question was regarding a process in Policy 2220 Temporary Water Use. It was discussed that it would be best to pull it vote on the Consent Calendar and then address the policy questions.

Director Stovall motioned to pull the Consent Calendar item C. Policy 2220 Temporary Water Use for discussion. Director Saunders seconded the motion.

Director Saunders motioned to approve Consent Calendar items A. and B. Director Seaman seconded the motion.

Public Comment:

Cherie Carlyon wants to make sure that her comments will be included when the minutes are posted.

Policy 2220 Temporary Water Use Discussion

Director Stovall asked about page 2 of 4 item (G) which discusses maintaining strict adherence to District requirements including, but not limited to unauthorized modifications. The Director's question being should there be a statement included to address liability in case there is a failure to adhere to the requirement? Specifically, his concern is with the backflow device if that device is removed and there is a backflow into the water system that could be a liability to the District for introducing untreated water into the line. It was explained that when the District issues the meters with backflow devices attached. It must be used as it was issued. It can't be altered. The Director inquired what happens should the meter be altered. It was explained that they then lose the ability to use the meters for two years. The Director asked, "Is there a liability to assign to the party if they fail to adhere". Director Seaman read the last section of the policy which covers those concerns should there have been contamination introduced to the system.

Public Comment:

Fran Todd of Pilot Hill inquired if there was a way to reference the policy section which was quoted in the new policy which is open for discussion. It was clarified that the policy is broken into sections, all of the discussion was from the text of Policy 2220, which is available online and, in the packet, provided to the public in the Board Room.

Cherie Carlyon asked is there an actual backflow device on this equipment that they are going to put a \$3,000 deposit on? Currently, what is the deposit? It was shared that yes, the temporary meters have backflow devices attached and that currently, the deposit is \$1,500.

Director Stovall motioned to adopt Policy 2220 Temporary Water Use. Director Thornbrough seconded the motion.

President MacDonald called for the vote.

Ayes: Director Seaman, Director Thornbrough, Director Saunders, Director Stovall, and President MacDonald

Nays: None

Abstentions: None

The motion Passed **Unanimously**.

5. **FINANCIAL REPORTS**

General Manager Nicholas Schneider shared that these are the financial reports through June 30th. This is not a fiscal year-end there will still be some changes through the previous fiscal year. The District has until the end of August to backdate any payments or charges which occurred in the previous fiscal year as they come in. What is presented are the normal financial reports.

Office/Finance Manager Jessica Buckle shared that when the September 1st billing goes out that is the system cutoff. There shouldn't be much outstanding revenue at that point as customers have been notified by late fees and the warning of water turnoffs. The revenue amounts will increase as the utility billing is collected.

Public Comment:

Cherie Carlyon inquired about the checks for Jake Setzinger. Is he a contractor? It was shared that he was an employee who moved on and that was his final paycheck. Ms. Carlyon asked about a check to Mitch Cordero. It was answered that he was a contractor. She asked about an item from Murray Sheds for \$22,000. It was shared that those were sheds to protect equipment from sun damage as part of the Capital Improvement Projects (CIP). Ms. Carlyon then shared that Manager Jessica Buckle had shared that she was going to have automatic billing from bank accounts set up. Is there a charge? Manager Buckle shared that the billing option had been available for over a month. The District absorbs the fees. Cherie Carlyon then asked did anything come of the payroll car allowance thing which she submitted at the last meeting. It was shared that staff had investigated the issue. The General Manager was not paid a monthly payment in September and that would be the extra payment she was referencing.

6. INFORMATIONAL ITEMS

A. Board Reports

Director Stovall reported that he attended the Upper American River Watershed meeting. It was a good opportunity to see the partnerships agencies that are involved in our water, there was a spectrum from water districts to recreation interests present. This helped provide a foundation and education.

Director Seaman attended the Garden Valley 4th of July event and participated in community outreach at the GDPUD booth.

Director Saunders reviewed his Board report which included meetings attended. Of significance, the Regional Water Committee (RWA) has updated its contract with the Department of Water Resources (DWR) for a voluntary agreement on groundwater project funding. This means that DWR will reimburse any project which is funded for groundwater in the Sacramento Region. This is to the tune of \$55,000,000. The Director was interviewed for the Association of California Water Agencies (ACWA) Vice President by the committee. The vote was close 8-6 so that means this will go out for campaigning and there is still a chance.

Director Saunders and President MacDonald both attended the CA-United Water Conference Silicon Valley Water Tour and shared a presentation. Mountain Counties Water Resource Association created this conference as a way to unite the Southern and Northern water districts of the state and create understanding. There were three research projects covered in the tour.

The first was a presentation from Turlock Irrigation District. Their project is to cover the canal with solar panels. It is a way to reduce evaporation, which helps with algae and temperature control while also providing energy. This project helps with water use efficiency.

The second project was the Silicon Valley Clean Water Wastewater Treatment Plant. The wastewater treatment is aerobic, and they are looking at the anaerobic treatment. This reduces 99% of the solids. It also produces energy, there were flames coming out of the buildings at the top.

The third project was the Valley Water Purified Water Facility which treats wastewater rendering it potable. The water goes through micro-filtrations and reverse osmosis and then through ultraviolet treatment. The agency is going through a process with the state to be able to produce potable water from wastewater.

Director Saunders shared that one big takeaway from this tour was that the projects which work with universities end up being funded by the State and DWR and get grants. There were also industry water efficiency projects which were presented. Google has a net positive water usage. They recycle their water and use it to cool the servers and the buildings. Levi Stadium recycles its water. The stadium roof has gardens, and a green belt is growing. They grow some of the food for concessions. Director Saunders shared that the takeaway from the industry section of the tour is that Google is interested in funding projects which promote water replenishment. That is one way to get funding from private industry.

President MacDonald shared that he had engaged in community outreach on social media. There was a discussion in a local group regarding automatic water meters. The President offered responses to posted concerns and questions and had positive interactions. He promoted the Board community outreach and referred inquiries to the General Manager.

Public Comment:

Cherie Carlyon asked who went on the tour. It was shared that Director Saunders and President Macdonald were on the tour.

Carolyn shared that most complaints on social media were about increases in water bills. There was talk of 2,000 gallons a day being used and billed. She thought something must be messed up with the accounting system. It seemed that people needed answers. It was shared that the General and Operations Managers are looking at the accounts with issues identified. Analysis of water use per day is being conducted. Should the amounts be legitimate water use then suggestions will be offered for use reduction. If the situation is due to leaks or other issues on properties, then there are leakage considerations or other policies in place to help. Staff investigation noticed that irrigation water use raised water bill amounts for many accounts.

Cherie Carlyon shared that for the future when you put in the automatic readings, by airwaves, her past research into the electronic meters that was the biggest complaint. People didn't realize they were going to have this stuff going through the air. The AMI (Advanced Metering Infrastructure) was the biggest so you might want to do public education before you put those things in.

Stephen Dowd noticed posts on social media of people complaining about the water quality on the Georgetown Divide. He shared that he commented, "We have the best water in the country. We have probably got the best water in the world."

B. Legislative Liaison Report

Director Saunders, the Legislative Liaison reviewed recent developments. Assembly Bill (AB) 754 is a bill that we were asking to oppose. That bill along with AB1337 will both be moving out of committee for further review. AB754 states that any agency with a reservoir must be on contingency plans based on the water levels as well as requiring agencies to enforce water use. Both bills are moving forward.

C. Operation Manager's Report

Operations Manager Adam Brown reviewed the operations report. The Stumpy Meadows Reservoir spilled for 7 months total this season. The spilling stopped last week, which was more than has been seen in the last few years. Gross water use versus time is the same as last year, which is down historically. There are challenges this year with heavy vegetation growth. The crew is down a canal operator who recently moved to another agency. The road slide repair near Structure 5 repair is complete. The total cost came to about \$100,000. A smaller excavator for the raw water department was purchased with surplus funds. Automated meter readings are now working properly. The General Manager recognized Mr. Brown and the crew for their hard work this season, from mucking out fine sedimentation in the canals upcountry to working the ditches for season start the team is commended.

Director Seaman inquired if the cost of irrigation ditch cleaning has vandalism cleanup removed. This would remove an atypical event and anomalies from being included when looking at determining true costs and the budget. It was shared that unfortunately, vandalism happens frequently.

Public Comment:

Cherie Carlyon asked how long does it take to read the meters? The canal maintenance photos on pages three and four showing vegetation is that just one year's growth? It was shared that the meter read time is weather dependent and can be between 1.5-3 days. The vegetation growth shown could be a few weeks' worth of development.

Ms. Carlyon also asked where the meter manual is located. It was shared that it is found under the FAQ's on the website.

Urban Water Management Plan (UWMP)

The Operations Manager shared that the plan was submitted once and pushed back. The District revised the plan and resubmitted. The District did not meet its SB7X7 target of a 20% reduction since 2010. They responded and there are two options to move forward from here to meet the state requirement. The first would apply if the District qualified as a disadvantaged community. The second option is in preparing financial plans, budgets, and documents which will be required when applying for state grants or loans. The state will not be less stringent, the District needs to be more proactive in its outreach and education.

Director Saunders shared that he experienced this during the 4th of July event. People who came by the booth were saying we have a lot of water this year and the District still had to emphasize conservation. We need to continue our communication and outreach that has been occurring. It is not the fact that we have water, it is the fact that there are state requirements that will impact the finances of the District.

The General Manager emphasized that what is being shared here is that staff is going to continue to pursue and push education utilizing social media, the website, and events. Water use is broken down into four categories, indoor residential, outdoor residential, leaks, and commercial outdoor. These metrics make up the water budget. The outdoor water use piece is still being worked on with the state.

Director Stovall inquired as to how the indoor and outdoor use figured into the gallons per day per capita. It was shared that in the future there will be calculations for irrigable acreage and irrigated acreage. There will be a metric applied to the District to be used as an outdoor water budget. One variance is for fire mitigation, which the District has been pitching hard, livestock use is also being addressed. There are variance pieces being put forward that the state was meant to have done. The District continues working on this issue.

Public Comment:

Stephen Dowd shared that there are two dead cedar trees past Marvel by the suburban propane tank going out of town. They died when the ditches were lined. Is PG&E going to remove them are there plans to take them out? It was shared that this was in the PG&E right of way and that they were working on one tree recently.

Fran Todd inquired when the state did their calculations what was the annual rainfall amount used? It was shared that they don't use rainfall as a metric. They use ETO (evapotranspiration). Which is basically the amount of water that is lost through ground evaporation and transpiration from the plants in an area for outdoor budgeting. Ms. Todd asked where the state metrics could be found. It was shared that the state has not settled on a metric yet as there has been pushback. Director Saunders offered that the current formula is available on the DWR water use efficiency portal it will show the current calculation for outdoor water budgeting.

Bonnie Neeley shared that she doesn't see how the weather, the threat of fire, and where you live is ever going to be controlled. I have three acres which doesn't sound bad. For the first number of years I was here it was easy to keep it green and kind of organized and I didn't use that much water. Now that it has gotten hot and we have had wind, you know extreme weather every which way. My whole place right now is very dry trees as well as grasses. I have to hire someone to cut it clean. In the meantime, if I am not able to do that, then that means I have to water. I know my neighbor next door is always saying, cut your trees down and water your lawn. Well, some of that can be done. Some of that can't be done unless you have more money or whatever, or the weather works. So, one day your grass is this high the next day you look outside, and the leaves have grown to here. To try to water or figure out how you can keep your water use a certain amount seem kinda confusing. So, whether the wind and whatever aren't going to cooperate much.

Cherie Carlyon asked if this GPCD at 160 is that per person that we are using. It was shared that GDPD stands for gallons per capita daily. Which is how much water an individual person uses on a daily basis.

D. Water Resources Manager's Report

Water Resources Manager Alexis Elliot reviewed the report highlights. There were 93 routine inspections and 5 escrows completed. A new pump tank was installed. Last month saw .07 inches of rainfall. The National Oceanic and Atmospheric Administration (NOAA) forecasting is showing equal chances of high temperatures or lower than normal temperatures and the same with rainfall. Last month the Consumer Confidence Reports (CCR) were released and distributed.

E. General Manager's Report

Nicholas Schneider, the General Manager reviewed the report highlights. He attended ACWA state legislation meetings. The Upper American River Watershed meeting. The group is working to assemble a series of projects and ideas which could have grant funding potential. Mr. Schneider earned the CSDA Certified Special District Manager Certification at the General Managers' Leadership Summit. He spent time working with operations to alleviate some of the identified system challenges. Good news updates included the success of the Georgetown Divide Rotary Fishing Deby event at Lake Walton and Office/ Finance Manager Jessica Buckle receiving her certification as a Business Office Manager.

There is no audit update. The last communication with the auditors shared that they were in the process of writing the draft audit.

7. COMMITTEES

A. Irrigation Committee – Ray Griffiths, Chairman

The meeting was canceled due to a lack of quorum. The month previous was due to lack of staff support. The Committee is currently working to address the final pieces of the ordinance, strategies to increase sales, and defining officer requirements.

Director Stovall inquired as to how many acre-feet are in a miners inch. It was shared that a miners inch is 1/50th of a cubic foot. This year the sales were approximately 3,700 acre-feet through irrigation. The revenue for the season will be \$386,000. The Director asked if the system was set up as a use it or lose it situation or could the water be sold. It was shared that if water is not being utilized it can be sold in a water transfer.

Public Comment:

Bonnie Neeley shared comments regarding Ray Griffith's irrigation water. I talked to him yesterday. He hasn't been in touch much. His AT&T lines are down, something else is down, and trees fell over part of his house. He has irrigation water, has for 29 years. He started getting it probably ten days after June 1. His water comes from downhill somewhere and goes under the

ground and he can actually if he is walking, and the water is gurgling, he can actually feel the gurgling. He can turn his water on and off and then it goes back up. So, I haven't seen it, but it sounds a little obscure. So the water came in a little and all of a sudden huge amounts came in and actually knocked down some of the, whatever you call it. He put in a string to grow berries and such. It knocked down some of that stuff with too much water and then it was back to a little water. He said it took like a week and a half before it kind of calmed down.

B. Finance Committee – Steve Miller, Chairman

In the absence of a Committee representative, the General Manager delivered the committee update. During the last meeting, the committee elected new officers. The Committee reviewed the investments and the investment reserve funds. Investment vehicles that the District will be utilizing were reviewed. The California Asset Management Program (CAMP) and CA Class vehicles were discussed. Both vehicles are market-driven similar to the LAIF funds, but with higher returns. The District will also be utilizing Certificates of Deposit (CDs) for the 30% allowed.

Public Comment:

Bonnie Neeley asked are these various financial whatever's going to be managed by the Optum contract, which was signed three months ago, one thousand dollars a month. I was checking with Steve Miller, and he remembers also that when you described that it was at the beginning of this whole search that the commission would be 12% whether it was in or out. It was shared that the commission would be 10% they do it based on basis points. They are charging the District 10 basis points. The \$1,000 is a percentage based on the \$10,000,000. They don't touch the money they are advisors only. Only staff at the District has the ability to move money. Ms. Neeley asked if any money had been moved since the contracts were signed. The answer was not yet, the staff is working to get the necessary accounts set up at the moment.

C. Ad Hoc Committee for Policy Manual

Director Saunders shared that the first metric that was put out was that the committee was created to update the policies of the District and provide those which are missing. The Committee has completed the Temporary Water Use Policy which was in the consent calendar. The next up is the Water Transfer Policy. That one came about during the last water transfer and there was no policy and there were issues with being able to bring items forward to the public. Being able to put things in terms of finding out what the refill agreements are and providing transparency were leading factors in this policy development. The District hired a firm to work on the Water Transfer Policy. The Sexual Harassment Prevention and Discrimination Policy is being reviewed by legal counsel and was reviewed by ACWA /JPIA's Human Resources department. Moving forward the California Environmental Quality Act (CEQA) and Asset Management policies will be reviewed in Committee.

Public Comment:

Bonnie Neely stated that yesterday she read through all of the board policies that are on the website. Loosely speaking, a lot of them aren't followed at all by the Board. Many of them have to do with travel arrangements or things like that or when something needs to be agendized and bought before the Board. Some of it seems even to me picky stuff, really picky some things are supposed to be put in a locked cabinet after you have certified them. Those are in the Board policies that are on the website and many of them you don't follow.

Cherie Carlyon, will there be an employee policy manual? We are not going to use the winery policy. The one in them meeting packet 3-4 months ago was from a winery.

D. Grant Writing Committee

Director Stovall delivered an update. It was shared that applications are now being accepted for the USDA grant program. These funds could potentially be utilized for hydroelectric projects. The General Manager shared that the District is also working with a company, Helix. This company

produces water wheels that can be used in the canals to provide hydroelectric energy. Helix is working with the District to procure a grant, through the inflation reduction act for the water wheels.

The General Manager shared that there are two committees not appearing on the agenda. They were Ad Hoc Committees that will be reinstated as needed. They are the Labor Negotiations and the Audit Committees.

Public Comment:

Cherie Carlyon asked if getting those kinds of grants requires a shovel-ready project.

8. ACTION ITEMS

B. Charlotte Miller Certificate of Recognition for Service on the Finance Committee

The General Manager shared that unfortunately the Board is being asked to accept the resignation of MS. Miller. Ms. Miller's service was acknowledged, and the resolution was read. President MacDonald shared that he has known Ms. Miller to be active in the community. Moving forward she will be a positive advocate for the District in the community. Director Saunders thanked Ms. Miller for her service on the committee.

Director Saunders motioned to accept the resignation of Charlotte Miller from the Finance Committee. Director Seaman seconded the motion.

President MacDonald called for the vote.

Ayes: Director Seaman, Director Thornbrough, Director Saunders, Director Stovall, and President MacDonald

Nays: None

Abstentions: None

The motion Passed **Unanimously**.

C. Policy 5030 Water Transfer Policy

The General Manager shared that this policy came up in 2020. The District participated in a voluntary water transfer (VA) with the Westland's Water District. Unfortunately, it didn't go as smoothly as it could have as there was no policy in place and things didn't move through the community as they should have. Much of what this policy states is the process through which a water transfer could take place. There are certain parameters in place. A note no one will sell all of the water from the Stumpy Meadows Reservoir at any time. There is a responsibility to provide water to the Divide first. Any water transfer would be over and above the water which is available. A benefit to the community would be the potential for lessening the burden of a future rate increase.

Michael Preszler with Zanjero presented information about the policy. The policy is a road map or the District to follow when thinking about and choosing to determine that a water transfer is available in a particular year. One of the paramount terms in this policy is to look at a water transfer regarding water not needed to meet community demands. Any transfer would protect the District's water demand portfolio. The policy puts together a timeline and helps identify activities that the District would take to determine whether a transfer is plausible in a particular year. Time is of the essence as these water transfers are determined and facilitated early in the year. When creating the policy the team aimed at being detailed and focused while at the same time being flexible enough to accommodate different scenarios.

Board Discussion:

The General Manager noted that the Voluntary Settlement Agreements (VA's) are potential state actions requiring the District to forcibly transfer water. The team at Zanjero has been helping with these VA discussions. The District is part of the Reservoir Reoperator Group of the American River which includes PCWA, EID, Forest Hill, and GDPUD. There are also other groups working

in the Sacramento Valley on groundwater recharge. In general, what the groups are saying is, we will give up portions of water if the state pays in order to avoid a state transfer requirement with no payment.

Public Comment:

Stephen Dowd stated that it sounds like they will twist our arm and force us to give them our water. The last refill agreement was terrible. I wouldn't mind transferring some water as long as we can pay it back on our terms.

Fran Todd asked if the state has ever used water under the eminent domain legislation.

Bonnie Neeley suggested that the policy state that for situations where you decide to sell just a straight sale or negotiate a sale and it's not mandated by the state. Many in the community find that really offensive. They don't want any water to go anywhere especially if you are asking them to conserve, I would like to suggest that you put a notice in the paper whatever 30 days' notice. People can think about it and have them come to a meeting if they want to object. It was shared that public noticing is included in the policy. Item 4. B. was read which covers this concern.

Ms. Miller shared that her only concern was that we are in a fire-prone zone and water is needed to put the fires out. This could be a part of what the community is thinking because they worry about their homes. It was explained that these transfers happen early in the year. The District has a pre-1914 right which lends a generous ability to move water when needed. The goal is to not have any of those negative impacts.

Cherie Carlyon asked is there stated anywhere into which account the funds will be placed. It was shared that the policy states this piece will be decided at the time of transfer.

The General Manager shared that there has been work to be transparent about this process and keep the public aware that this is something that could happen. We want to be fully transparent about the happenings at the District so that the public may see how the community is benefited. Director Thornbrough shared that his self and the Board were equally as upset as many in the community with the last water transfer. It was done without community knowledge and there was a refill agreement entered into the contract with no decided-upon terms included. That is why the current policy has been developed. Director Saunders shared that this policy addressed a list of problems created after the last transfer.

Director Seaman motioned to adopt Policy 5030 Water Transfer. Director Thornbrough seconded the motion.

President MacDonald called for the vote.

Ayes: Director Seaman, Director Thornbrough, Director Saunders, Director Stovall, and President MacDonald

Nays: None

Abstentions: None

The motion Passed **Unanimously**.

D. Annual Review of Director's Stipend as Required by Policy 4030

The General Manager reviewed the staff report for this item. It was shared that this is an annual review which occurs every year. There is the opportunity to adjust Director compensation to a couple of different metrics. There are three options. Option one is currently utilized, which gives Directors \$400 per month. The second option exists within the utility code. It is a charge of \$100 per day up to a maximum of \$1000 per month. The third option would be a bit lengthy in process. This would require that the GDPUD Ordinance regarding Board compensation would need to be updated. It would look to the Water Code as opposed to the Public Utility Code which contains a provision stating that Board compensation may be increased annually by no more than five percent.

Board Discussion:

It was shared that from a historic perspective, there hasn't been an increase in 13 years. In 2008 the medical benefit was removed.

Director Thornbrough shared that the Board is in place for the benefit of the District. He stated that he is not comfortable with raising the Director's compensation. Director Stovall offered that he is here to serve the community and it is an honor there is no need to raise compensation. Director Saunders offered that until there is a rate study the compensation should remain at its current level until the next annual review. It is good to have the discussion for the public to understand this process is all based on California's public code. Director Seaman shared that she is happy with the current level. It was explained that this Board's focus and goal is transparency. The Board is working to be good stewards of the ratepayer resources. The Board reached a consensus on the first option.

Public Comment:

Cherie Carlyon stated I think you should probably with one, but possibly three, with inflation I could see that. If you went with two that's \$36,000 difference. That would be about \$10 per year for every treated water customer. Divided approximately there are about 3,800, that's how my math added up.

Stephen Dowd stood up for MIKE Donna and Mitch, that's why we got you in there. You guys are true blue. You are great. You are the best, level-headed, and common sense.

Bonnie Neeley objected to any increase. I am pleased that at least three of the Board members are content with \$400 a month. Board correction was offered that all five Directors were against an increase. Bonnie Neeley stated that she can never hear Director Saunders he is kind of behind everybody. So, if I understood the next possibility \$100 a month for various meetings. When Saunders was the Board President, he appointed two liaisons to Irrigation and Finance. From what Nick said, does that mean that each one of you as a liaison would get \$100 for those meetings? Does that mean the liaison would get paid for the committee meetings? It was shared that under option two service days were compensated. Ms. Neeley stated I understand what you are talking about, but no liaison should be paid \$100 a meeting. Forest Hill PUD their Board serves as a community service. They do not ask for a stipend.

Director Saunders stated, "Let the record show that Director Saunders did agree with the other five members that \$400 is where it would stand."

Carolyn Loomis asked why is there not an option to raise it to perhaps say \$500? It was shared that the code only allows the five percent increase. She shared that she thought they all deserve more.

Cherie Carlyon asked does option 1 requirement still require you have to attend a regular board meeting to get the \$400. Also, for a note the local fire dept doesn't take anything so it's not all CSDs (Community Service Districts).

Bonnie Neeley stated she had one last comment. I would remind you that the treasurer accepts the responsibility of signing checks and we do rotate. So, it's not like a thing, but remember all those people voted you in because of what you were agreeing to at the time. I do think if you are going to raise rates you have to go back to the public, not voting, but to have really open meetings. So, everybody understands what is going on.

9. PUBLIC HEARING

President MacDonald opened the Public Hearing at 4:39 PM.

A. Direct Charges Ordinance 2023-03 Certification of Annual Direct Charges, Fees, and Assessments

It was explained that this is an annual legal process that must be done every year. Unfortunately for the District to maintain its service these are things which must be done.

Office/Finance Manager Jessica Buckle reviewed the staff report and public noticing process. Ordinance 2023-03 Certification of Annual Direct Charges, Fees, and Assessments was read.

Public Comment:

Cherie Carlyon when will it be in the paper? When is the balance due? Can they do a payment plan right now if they don't have the money? Last year there was the big uproar look what they are doing. The thing is people have been getting bi-monthly billing and they are getting late notices on top of that.

Bonnie Neeley last year the notices came out in the Gazette. That was the first public notice. However, the Gazette only goes to 900 people. None of us know how to fix that. That means 3100 customers did not see the Gazette So I had started looking through it. To see who was on it. Well the VFW was on it. I figured well they probably don't want to be on it They have three different facilities. They are dealing with guys with PTSD. I called them up and said do you realize that you were on this list? The Commander answered and he said they didn't know they were on the list. Somebody else I called didn't know. I know you try hard to get people to know things. If 3100 customers don't see the Gazette I am not sure how you cure that. So many phones have changed from the old 333 to cell phones. There is no way to look up in a phone book or find cell phone numbers unless you happen to run into the person.

Closed: President MacDonald closed the public hearing at 4:56 PM.

Director Seaman motioned to accept the first reading of Ordinance 2023-03. Director Stovall seconded the motion.

President MacDonald called for the vote.

Ayes: Director Seaman, Director Thornbrough, Director Saunders, Director Stovall, and President MacDonald

Nays: None

Abstentions: None

The motion Passed **Unanimously.**

10. CLOSED SESSION-There was no closed session.

A. Conference with Legal Counsel – Existing Litigation (Gov. Code, § 54956.9)

Name of Case: GDPUD v. PG&E

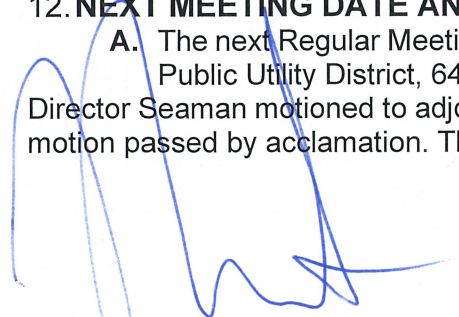
B. Report out of Closed Session

11. BOARD MEMBER REQUESTS FOR ADDITIONS TO FUTURE MEETING AGENDAS

12. NEXT MEETING DATE AND ADJOURNMENT

A. The next Regular Meeting will be August 08, 2023, at 2:00 PM., at the Georgetown Divide Public Utility District, 6425 Main Street, Georgetown, California 95634.

Director Seaman motioned to adjourn the meeting. Director Stovall seconded the motion. The motion passed by acclamation. The meeting adjourned at 5:00 PM.



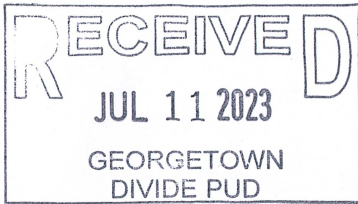
Nicholas Schneider, General Manager



Date

Attachments:

- 1) Public Comment Cherie Carlyon



GDPUD Board Meeting
Tuesday, July 11, 2023
Public Comments by Cherie Carlyon

Item 3-- Public Forum

There has been at least 5 different revisions posted today on the GDPUD's meeting packet website. Maybe you need to hire a proof reader to make sure the public is getting accurate information. It is a burden for me to have to download that many files on a very limited data plan. I am requesting that the board require the staff to inform the public by email each time there are any changes to the original meeting packets or agendas.

Item 4—Consent Calendar

On Monday, 7-10-2023, I sent an email to the board clerk Elizabeth Olsen and Board President Macdonald requesting the June 19, 2023 meeting minutes be pulled from the consent calendar because my written Public Comments were not included. Please add my written comments to those minutes.

Item 8A—Authorizing a Professional Service Agreement for Legal Services.

I am stating again that this board did not follow the proper Brown Act procedures by holding closed meeting sessions to interview the different legal firms. So, you are hiring BB&K as an independent contractor, not as an employee. BB&K seems to know this because:

Section 3.6 of the PSA states:

3.6 "Independent Contractor. BB&K shall perform all legal services required under this Agreement as an independent contractor of the client and shall remain, at all times as to the Client, a wholly independent contractor with only such obligations as are required under this Agreement."

They are not your employee, but an independent contractor just like the CPA's.

Was the Professional Services Agreement that is attached to this agenda item reviewed by independent counsel?

Item 8D—Annual review of Director Stipend.

Option 2 should not be approved. Allowing directors to be paid to go to public events and get paid is ridiculous. This option will really only benefit one director and the others will get less pay based on their past attendance at GDPUD and outside meetings. Plus, \$24,000 is the budget amount and not \$60,000. A budget amendment will need to be completed, if approved. The \$36,000 difference will cost each water customer an approximate extra \$10 per year in their base rate when the rate study is completed.