



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

6425 Main Street,  
Georgetown, California 95634

**TUESDAY, OCTOBER 10, 2023  
2:00 P.M.**

**BOARD OF DIRECTORS**

Mitch MacDonald,  
President

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

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**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.
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A full copy of the meeting is available at: <https://www.youtube.com/watch?v=I35YTQrFraQ>

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

**President MacDonald called the meeting to order at 2:01 p.m.**

Roll Call was taken:

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

**Absent:** None

President MacDonald led the pledge of allegiance.

**2. ADOPTION OF AGENDA**

**Public Comment:**

Cherie Carlyon

**Director Stovall motioned to adopt the agenda. Director Saunders 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**.

### 3. PUBLIC FORUM

No comments were received.

### 4. CONSENT CALENDAR

#### A. Approval of Minutes

- September 12<sup>th</sup> Regular Board Meeting
- September 26<sup>th</sup> Special Board Meeting

#### B. Consider Adopting Updated Policy 4115 Duties of Board President

#### C. Consider Adopting Updated Policy 4215 Rules of Order for Conducting Board and Committee Meetings

#### D. Consider Adopting Updated Policy 4125 Duties of Board Treasurer

Director Stovall requested that item 4.C. be pulled from the consent calendar for discussion.

#### Public Comment:

No comments were received.

Director Saunders motioned to approve the Consent Calendar minus item 4. C. Director Seaman seconded the motion.

President MacDonald called for the vote.

**Ayes:** Seaman, Thornbrough, Saunders, Stovall, and MacDonald

**Nays:** None

**Abstentions:** None

The motion Passed **Unanimously**.

Item 4.C. discussion involved clarification on item 5040.7.1. Questions regarding the reasoning for this item were raised. Examination of Robert's Rules of Order explained that the rules are meant for larger bodies with member numbers in the double digits. Strict enforcement of the rules is not necessary for smaller bodies, lending less formality and easier discussion and debate while preventing weaponization of the rules discouraging discussion while obstructing the body's purpose and mission. Consensus is more easily achieved. Director Stovall raised concerns that future Boards may suspend the rules and consequently the entire policy. Proposed policy language change requiring a 4/5ths majority for rule suspension went to vote.

#### Public Comment:

Cherie Carlyon

Director Stovall motioned to adopt Policy 4215 Rules of Order for Conducting Board and Committee Meetings with an amendment to item 5040.7.1, temporary motion to suspend rules, adjusting to require a 4/5ths majority vote. Director Saunders seconded the motion.

President MacDonald called for the vote.

**Ayes:** Seaman, Thornbrough, Saunders, Stovall, and MacDonald

**Nays:** None

**Abstentions:** None

The motion passed **unanimously with an amendment**.

### 5. Office/Finance Manager's Report

General Manager Nicholas Schneider fielded Director inquiries regarding the Financial Reports. Inquiries included tax revenue amounts, Pers UAL changes, and fund summary calculations.

**Public Comment:**

Cherie Carlyon

**6. INFORMATIONAL ITEMS**

**A. Board Reports**

Director Stovall expressed a preference for focusing his work on local committees.

Director Thornbrough delivered an update regarding the American Rescue Funds awarded to the Grizzly Flats community. They have been able to meet fund qualification standards and their project will be moving forward.

Director Saunders reviewed his report highlights. The Director has been elected as the Association of California Water Agencies (ACWA) Region 3 Vice Chair for the upcoming term.

Director Seaman shared that the Irrigation Committee recommended the Irrigation Ordinance to the Board for approval in their most recent meeting.

President MacDonald attended the ribbon cutting for Senator Marie Alvarado-Gil's El Dorado Hills office opening. The Director will be attending the approaching JPIA/ ACWA conference this November.

**B. Legislative Liaison Report**

Director Saunders delivered the report.

**C. Operation Manager's Report**

- Monthly Water Demand Assessment

General Manager Nicholas Schneider delivered the report highlights. Director Saunders requested that CIP updates be included in future Operation Manager's reports.

**D. Water Resources Manager's Report**

- Bennett Engineer's WDR Presentation-Dave Harden

Water Resource Manager Alexis Elliot shared report highlights focusing on the recent update to Station 16. Dave Harden District Engineer noted the issue is identified as coming from septic tanks. The remedy is the installation of a larger pump station, recommending that pumping power be increased in the future. This would need inclusion in CIPs with the benefit of preventing spills.

Dave Harden Bennett Engineering delivered an update on the WDR situation in ALT. The zone was formed by this Board for Health and Safety at the state level. Examination of separating the CDS was explored, though as it is a zone under state health and safety this action is unavailable. Findings indicate that many of the lots have insufficient soil for disposal systems.

**Public Comment:**

Cherie Carlyon

**E. General Manager's Report**

General Manager Nicholas Schneider reviewed the report highlights. Award of \$25,000 in state appropriations funding was announced. There was discussion regarding freshwater jellyfish which have appeared in the Stumpy Meadows Reservoir. No concerns have been identified.

**Public Comment:**

Cherie Carlyon

## 7. COMMITTEES

### A. Irrigation Committee – Ray Griffiths, Chairman – Next Meeting October 17, 2023

- **Board Liaisons:** Directors Seaman and Thornbrough

The Committee has recommended the Irrigation Ordinance 2023-04 to the Board for approval.

### B. Finance Committee – Andy Fisher, Chairman - Next Meeting October 26, 2023

- **Board Liaisons:** Directors MacDonald and Stovall

The Committee reviewed the State Water Resource Control Board's water use regulation's water budget component. The November and December regular meetings will be combined into a Special Meeting on December 7<sup>th</sup>.

### C. Ad-Hoc Committee for Policy Manual – Next Meeting November 2, 2023

- **Board Liaisons:** Directors Saunders, Seaman

Director Saunders delivered the report. The Asset Management, Environmental Policy, and Personnel Manual are under Committee review, updates will be delivered in December.

### D. Ad-Hoc Grant Writing Committee – Next Meeting December 6, 2023

- **Board Liaisons:** Directors Saunders and Stovall

The October Committee meeting was canceled thus no update was delivered.

### E. AD-Hoc Labor Negotiations Committee- No Meeting Scheduled

#### **Public Comment:**

No comments were received.

## 8. ACTION ITEMS

### A. Consider Customer Leakage Consideration Request

General Manager Nicholas Schneider delivered the report. The public petitioner delivered a statement and requested that her meter be replaced, and the bill adjusted.

#### **Public Comment:**

Cherie Carlyon

**Director Thornbrough motioned to approve the customer appeal also approving that this action will not count as the one leakage consideration allowed every three years per Policy 2170 Leakage Consideration. Director Seaman seconded the motion.**

**President MacDonald called for the vote.**

**Ayes:** Seaman, Thornbrough, Saunders, Stovall, and MacDonald

**Nays:** None

**Abstentions:** None

The motion Passed **Unanimously**.

### B. Consider Affirming a First Amendment to Employment Agreement with the General Manager

Legal Counsel Frank Splendorio delivered the report. Director Saunders shared that the base salary took into consideration Compensation Survey results, delivering fair market value. This negates the need for recruitment which can double costs. The offer gives security to the District and General Manager Schneider given the commitment he has

shown in moving his family from the Mojave for the position. Board Discussion highlighted the value delivered by Mr. Schneider in his oversight of the acquisition of over \$2,000,000 in grants during his first year.

**Public Comment:**

Cherie Carlyon  
Steve Dowd

**Director Thornbrough motioned to affirm the First Amendment to Employment Agreement between GDPUD and Nicholas Schneider as presented. Director Seaman seconded the motion.**

**President MacDonald called for the vote.**

**Ayes:** Seaman, Thornbrough, Saunders, Stovall, and MacDonald

**Nays:** None

**Abstentions:** None

The motion Passed **Unanimously**.

**C. Consider Adopting Amendments to Policy 2135 Procurement Policy**

General Manager Nicholas Schneider delivered the report. This item was in coupling with the General Manager contract provision maintaining cohesion between the documents.

**Public Comment:**

No comments were received.

**Director Saunders motioned to approve adopting the amendments to Policy 2135 the Procurement Policy. Director Thornbrough seconded the motion.**

**President MacDonald called for the vote.**

**Ayes:** Seaman, Thornbrough, Saunders, Stovall, and MacDonald

**Nays:** None

**Abstentions:** None

The motion Passed **Unanimously**.

**D. Consider Accepting Salary Compensation and Staffing Survey results from (Sloan Sakai) Management Strategies LLP**

Barbara Cochran of Sloan Sakai Management Strategies LLP delivered the report and answered the resulting inquiries from the Board and the Public.

**Public Comment:**

Cherie Carlyon

**Director Thornbrough motioned to acknowledge that the Board of Directors had received the Compensation and Staffing Survey results. Director Stovall seconded the motion.**

**President MacDonald called for the vote.**

**Ayes:** Seaman, Thornbrough, Saunders, Stovall, and MacDonald

**Nays:** None

**Abstentions:** None

The motion Passed **Unanimously**

**E. Consider Supporting the STREAM Act**

The General Manager Nicholas Schneider delivered the report.

**Public Comment:**

No comments were received.

**Director Saunders motioned to support the ability to send a letter of support for the STREAM Act. Director Seaman seconded the motion.**

**President MacDonald called for the vote.**

**Ayes:** Seaman, Thornbrough, Saunders, Stovall, and MacDonald

**Nays:** None

**Abstentions:** None

The motion Passed **Unanimously**.

#### **F. Consider Award of Contract to Blain Stumpf for Gravel**

Operations Manager Adam Brown delivered the report. This contract award and action will assist with access to distribution infrastructure during the wet seasons.

**Public Comment:**

Cherie Carlyon

**Director Seaman motioned to approve the award of contract to Blain Stumpf and authorize the General Manager to execute said contract for the purchase of gravel. Director Saunders seconded the motion.**

**President MacDonald called for the vote.**

**Ayes:** Seaman, Thornbrough, Saunders, Stovall, and MacDonald

**Nays:** None

**Abstentions:** None

The motion Passed **Unanimously**.

#### **G. Consider Accepting Amendment to the Capital Improvement Projects Plan**

The General Manager and Operations Manager delivered the report. Adam Brown reviewed the changes to the CIP amounts.

**Public Comment:**

Cherie Carlyon

**Director Seaman motioned to accept the amended Capital Improvements Plan for FY 2023-24 with its associated budget amendment. Director Saunders seconded the motion.**

**President MacDonald called for the vote.**

**Ayes:** Seaman, Thornbrough, Saunders, Stovall, and MacDonald

**Nays:** None

**Abstentions:** None

The motion Passed **Unanimously**.

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### **9. Public Hearing**

**President MacDonald opened the Public Hearing for Ordinance 2023-04 at 5:38 p.m.**

**Public Comment:**

No comments were received.

#### **A. Irrigation Ordinance Establishing Rules and Regulations for Irrigation Service 2023-04**

**President MacDonald closed the Public Hearing at 5:41 p.m.**

General Manager Nicholas Schneider read Ordinance 2023-04 Rules and Regulations for Irrigation Service.

**Board Comments:**

Director Saunders shared that updating the Ordinance has been in process since 2018. The last workshop for the Ordinance took place in 2018. In March 2021 there was a presentation to the Board after the Irrigation Committee had been formed. The Director extended thanks to all who worked on the Ordinance throughout this process.

The Board provided feedback and edits to the Ordinance. Being as these changes were substantive there was no adoption. The Ordinance was requested to come before the Board for approval during its next session.

**10. CLOSED SESSION**

**President MacDonald adjourned the meeting to a closed session at 5:58 p.m.**

**A. Conference with Legal Counsel – Existing Litigation (Gov. Code, § 54956.9(d)(1))**

**Name of Case:** GDPUD v. PG&E

**B. Conference with Legal Counsel—Existing Litigation (Gov. Code § 54956.9(d)(1))**

**Name of case:** City of Camden, et al., v. E.I. DuPont de Nemours and Company, et al.

**C. Conference with Legal Counsel—Existing Litigation (Gov. Code § 54956.9(d)(1))**

**Name of case:** Cari McCormick v. California Public Employees' Retirement System, et al.

**D. Report out of Closed Session**

**There was no report out of the closed session.**

**President Macdonald adjourned the closed session and opened the meeting to an open session at 6:21 p.m.**

**11. BOARD MEMBER REQUESTS FOR ADDITIONS TO FUTURE MEETING AGENDAS**

Director Seaman requested that the lab testing fees be researched and a follow-up on the RFP which is in development.

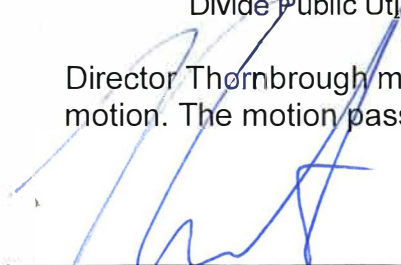
Director Saunders requested that a member of the U.S. Forest Service Deliver a presentation regarding the situation at Stumpy Meadows.


Director Thornbrough requested a follow-up action item regarding the fund transfer to CIP.

**12. NEXT MEETING DATE AND ADJOURNMENT**

**A. The next Regular Meeting will be November 14, 2023, at 2:00 PM., at the Georgetown Divide Public Utility District, 6425 Main Street, Georgetown, California 95634.**

Director Thornbrough motioned to adjourn the meeting. Director Saunders seconded the motion. The motion passed by acclamation. The meeting adjourned at 6:25 p.m.

  
\_\_\_\_\_  
Nicholas Schneider, General Manager

  
\_\_\_\_\_  
Date

GDPUD Board Meeting  
Tuesday, Oct. 10, 2023  
Public Comments by Cherie Carlyon

Item 3-- Public Forum

I don't see anything on today's agenda for the board to discuss the public comment changes that the Board President reported out at the August meeting and that I brought up at the September meeting during my public and written comments. There are several consent items concerning board policies, but nothing about public comments. We were told that it would be discussed at this meeting.

Item 8B GM Employment Agreement

Wow, what a sweetheart deal!

\$190,000 is more than the \$185,900 budgeted for his salary. In 5 years with a potential 5% annual increase and a 5% inflation increase, his salary will be over \$300,000. Do the math. I see a big 5 year rate increase coming for ratepayers.

Giving him 6 months severance is crazy. That's like a contract poison pill for future boards.

Why allow him to bank more vacation pay?

Well, at least the contract is an at will employment contract.

Item 8D Salary and Staffing Study

When this item was put out as an RFP, it was to include:

1. Develop and recommend the labor market agencies and job classes to survey.
2. Collect and analyze base salary and benefit survey data for the selected survey classes.
3. Develop a salary plan for all classes in the district using market data and internal relationships to ensure consistency with the labor market and internal equity within the district organization.
4. Analyze job descriptions and functions then report on appropriate staffing levels and formulate an appropriate staffing level plan.

This study only covers the salary survey portion and has totally neglected reporting the staffing level portion required by the RFP. The survey firm should be required to complete this part of the RFP. In my opinion, the office is over staffed and an actual staff level survey would show us that. This report needs to have the staffing level portion of the RFP completed.

Including districts with 101-293 employees is totally inappropriate to compare to a district of 28 employees. These large districts need to be eliminated and the median and average salaries need to be recalculated to be an honest report. Also, it should have included the low to high job salary schedules of each water district, instead of just the high salary.

Do some of these position in the survey require a degree? Not knowing that, will unfairly award our employees with a higher salary. A few of the positions really need a job description to compare to GDPUD's, such as the Executive Assistant, Office/Finance Manager and HR/IT due to their unique job descriptions, otherwise this report is comparing apples to oranges.