

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS
BEAR VALLEY WATER DISTRICT
Monday January 18, 2010

Place: 441 Creekside Drive, Bear Valley, CA 95223

Time: 1:00p.m.

- A. Roll Call
- B. Approval of Minutes for the Month of December, 2009
- C. Public Comment
- D. Correspondence, although no action can be taken by the Board on matters not on the Agenda
 - 1. Letter to the Board from Gloria Dralla dated 12/21/2009
- E. Office Manager's Report
 - 1. Review of Financial Activity Reports for the month of January
 - 2. Request to pay accounts payable as presented
- F. General Manager's Report
 - 1. Review of Plant Operations
 - 2. Status of the chlorine contact tank project
 - 3. Silver Mt. Condo, Bear Valley Investors letter dated January 07, 2010
 - 4. Capacity study
- G. Unfinished Business
 - 1. Rate Study-update
 - 2. Report of Waste Discharge-update
 - 3. Forest Service agreement – update
 - 4. Revision of the personnel manual
 - 5. CCWD Design Standards –update
 - 6. Discussion and Possible Board action on General Committees
 - 7. Committees on Budget, Bylaws, Tech. Review.
 - 8. Correction to Res. No. 475. Change to C. Bruce Orvis
- H. New Business
 - 1. Salary Survey information
 - 2. Review of Director's Compensation Ordinance No. 70
- I. Board Members Reports & Comments

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“Materials related to an item on this Agenda submitted to the District after distribution of the agenda packet are available for public inspection in the District Office at 441 Creekside Drive, Bear Valley, CA. 95223 during normal business hours. Information on materials in the agenda is also available on the Bear Valley Water District website at bearvalleywater.org, subject to staff’s ability to post the documents before the meeting.”

Any material provided to the legislative body at the meeting by agency staff or a member of the legislative body will be available at the public meeting, documents provided by others will be available right after the meeting.

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Consent Agenda Items:

Office Manager's Report

- Board members, along with staff, went over the Balance Sheet for the month of January. Director Nelson had a question on the Directors' pay for the two meetings held on December 21, 2009. Barbara Goodrich read from Ordinance No. 69 which states in exhibit A that the compensation shall be \$100.00 dollars for each day's meetings attendance, not \$100/meeting. The Board agreed there seems to be a conflict and asked Julio to check on this item with legal counsel. On motion by Director Davis and seconded by Director Bissell, Accounts Payable in the amount of \$48,815.99 were approved. All in favor.

General Manager's Report – Plant Operations

- Julio informed the Board that there is 8 ft. of freeboard in the treatment pond; no transfers of effluent were made in December of 2009. Julio was able to take samples in three different areas: the Equipment House, the Reservoir and Bloods Creek. The Board and Julio discussed the process of sampling and how the information gathered will be used.
- The District received a letter dated December 30, 2009 from Regional Water Quality Control Board, acknowledging that BVWD has maximized land application of the effluent and has complied with the requirements of our Waste Discharge Requirements. Therefore, discharge of effluent to surface water is not prohibited provided all other requirements of the WDR's are satisfied. Julio stated that RWQCB would like to see an upgrade in our water balance reports. Julio and District Engineer Gary Ghio agreed that this is critical information for capacity. Gary Ghio is still working on the numbers concerning capacity. The Board discussed calculating flow profiles. Julio discussed having Balance Hydraulics do a water balance study. It would cost approximately \$14,000. This might be needed to be done at a later date.
- Julio provided the Board with a chart of the current flows, broken down among several areas within the District. Julio stated that Lake Alpine Basin figures were incorrect and are now corrected and that he will be meeting with Patty Clarey on Tuesday, January 19, 2010 at 1:00p.m. to discuss the sewer service agreement and the latest findings. Julio discussed with the Board flows from Bear Valley Mt. Resort and Lake Alpine Permittees.

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- Status of the Chlorine Contact Tank-
Julio provided the Board with pictures of the Chlorine Contact Tank project which included the process of the concrete pour and the installation of the new flow meter. The site will be ready for when the tank is delivered.

- Silver Mountain Condos
The Board received a letter dated January 07, 2010 from Bear Valley Investors, LLC in response to the invoice they had received from Mrs. White billing them for all 20 units for the 1st Quarter of 2010. BVI, LLC requested a reduction to reflect occupancy. The Board discussed various billing alternatives. Eric Jung briefly described "pink paper" status as a circumstance different from residential real estate. Eric Jung stated BVI is approximately 60 to 90 days out on being able to sell the units. Since this is an issue that will also affect future development, the Board directed Mrs. White to canvas three different districts on this issue as well as to send Board members BVWD's current ordinance for their review. The Board discussed forming a committee on this issue. On motion by Director Coffman and seconded by Director Nelson, the motion to form a committee to oversee this item was approved. AYES: 3 NOES: 2 ABSTAIN: 0. President Ritchie asked Phill Coffman to chair the committee; Director Nelson second Board Member of this Committee.

- Capacity Study
The District's Engineer is working on this item. Julio stated that more land disposal is critical to additional capacity. There will be a meeting with Chuck Toeniskoetter at 4:00p.m. on Tuesday The 19th of January, to discuss this issue. Work in progress.

Unfinished Business

- Rate Study-update
Gary Ghio's work on the water balances and capacity study will affect this item. Director Bissell would like to have this information before the beginning of this next fiscal year.

- Report of Waste Discharge-update
No new information

- Forest Service Agreement – update
(See General Manager's Report above)

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Unfinished Business -continued

- Revision of the Personnel Manual-
Julio stated that he has not heard back from Legal Counsel on the language regarding unpaid leave.

Also noted was that the Board voted on July 20, 2009, Regular Board meeting that certain personnel rules will be incorporated and adopted as the personnel rules of the Bear Valley Water District. Those personnel rules of June 20, 2005 will be augmented. A list will be available following the July 20, 2009 Regular Board Meeting. The Employees asked the board to allow employee input which they were granted. The Board needed to review section F on unpaid leave. Regarding the question of when a full time employee is granted medical coverage, Julio stated there was no language in the new personnel manual on this issue. There is also no language on probationary period for an employee in reference to the medical coverage in the revised manual. Board gave staff direction to clarify what the probation period is in the employee manual and to e-mail the changes to the Directors.

- CCWD Design Standards-update-
Gary Ghio is also working on this issue; this item will be carried over to the next Board Meeting. Board discussed the average flows. President Ritchie stated that the district has distribution curves data already from Eco-Logic. Julio stated that he has a spreadsheet with 5 years of data. Director Coffman asked if he could get a copy of this information. Julio said yes.
- Discussion and Possible Board Action on General Committees-
President Ritchie indicated that, based on input from an "administrative expert," he recommended against System Review, Administrative Review, System Baseline, Growth Capability and Performance vs. Requirements committees, as these areas were within the purview of the General Manager's job description.
- Committees on Budget, Bylaws, Tech. Review. The Board discussed forming a committee on the Financial Oversight of the District and on the District's yearly Budget. On motion by Director Nelson and seconded by Director Coffman the

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Unfinished Business -continued

motion to form a Financial Oversight Ad-Hoc committee of the District was brought to the table. President Ritchie to chair this committee, AYES: 4 NOES: 0 ABSTAIN: 1 President Ritchie asked Barbara Goodrich if she could be a member on this committee and she accepted.

On motion by Director Coffman and seconded by Director Nelson the motion to form the By-Laws Working Group and form a Technical Review Working Group, was brought to a vote. Vote: AYES: 2 NOES: 3 ABSTAIN: 0. The Board asked that these two items be separated.

Motion on the table for creating a By-Laws Working Group, on motion by Director Nelson and seconded by Director Coffman. Vote: AYES: 4 NOES: 0 ABSTAIN: 1

Motion on the table for creating a Working Group for Technical Review for the District, on motion by Director Coffman and seconded by Director Nelson Vote: AYES: 2 NOES: 3 ABSTAIN: 0. Despite the vote, President Ritchie stated that this is not a dead issue.

- Correction to Res. No. 475, Change to C. Bruce Orvis, on motion by Director Nelson and seconded by Director Coffman the motion to amend Resolution No. 475 to read in all areas where necessary changing Bruce Orvis the III to C. Bruce Orvis. All in favor.

New Business

- Salary Survey Information
Board members received in their packet salary survey information from CCWD, Angels Camp, TUD, and Amador County Waste Water Treatment Facilities. President Ritchie stated that this should copied to the Financial Oversight AD-HOC Committee. Director Coffman asked if staff could also provide a salary survey from Districts with like-kind connections, same size district, etc. Board directed Julio to check into this item.
- Review of Director's Compensation Ordinance No. 70.
The By-Laws are a factor in this item. This item will be carried over.

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- Barbara Goodrich asked the Board to discuss the community request of call-in capability at no cost to the District. This item will have to be agenized for the next board meeting. Staff will look into this item and check with BVRI. Director Nelson and Julio discussed the District's web-site.
- Adjournment – All in favor.

APPROVAL OF MINUTES



Board Secretary

Next Board Meeting- February 15, 2010

Next Resolution No. 476

Next Ordinance No. 71