

REDWOOD VALLEY COUNTY WATER DISTRICT

2370 Webb Ranch Road
P. O. Box 399
Redwood Valley CA 95470
(707) 485-0679

MINUTES

Board of Directors
Regular Meeting
Thursday, March 20, 2008

CALL TO ORDER: 7:03 P.M.

Directors Present: John W. Groth, Jeanette Hallman, Hal Voegel, Granville Pool,
Donald E. Butow arrived at 7:32 p.m.

Staff Present: General Manager Bill Koehler
Office Manager/Board Secretary Linda Groth

Members of the Public: Will Carson

Board of Directors Vice-President Groth called the Meeting to Order at 7:03 p.m.

1. ROLL CALL.

Granville Pool, Director
Hal Voegel, Director
Jeanette Hallman, Director
John W. Groth, Vice-President, Board of Directors

2. HEARING OF COMMENTS OR QUESTIONS FROM THE ATTENDING PUBLIC.

Member of the public, Will Carson told the Board that Millview CWD met with the City of Ukiah regarding the intertie. They discussed a letter from the Flood Control District to the SWRCB requesting confirmation that Russian River Flood Control water is legal and valid if served through the intertie. He said the same letter also named Willow, Millview, Calpella and Rogina, with emergency water sometime in the future for Redwood Valley. General Manager Koehler said that the Flood Control District is asking the SWRCB for legalities of wheeling throughout the Flood Control District area.

3. CONSIDER HEARING OF URGENT ITEMS RECEIVED SINCE THE AGENDA WAS POSTED.

Nothing submitted.

4. APPROVAL OF CONSENT CALENDAR.

The Consent Calendar was presented.

- a. Financial Statement.
- b.-1. Bills Paid since those approved at last Meeting.
- b.-2. Bills Paid as approved at previous Meeting.
- c. Bills Payable.
- d. Special Expenditure Fund status report.
- e. District Activity.
- f. Mail Log.

During discussion, Director Hallman voiced concern about legal expenses and whether the District could reduce some legal expenses by soliciting legal advice locally. General Manager Koehler will make an inquiry to learn if County Counsel is available to answer questions about administrative issues.

Also discussed was the cost of drilling a well. It was stated that the costs are reasonable and that they would be borne agency-wide.

MOTION: Accept and approve the Consent Calendar as presented.

Voege/Groth Discussion CARRIED

Ayes: Voege, Groth, Hallman, Pool

Noes: None

Absent: Butow

Abstain: None

5. APPROVAL OF MINUTES AS PRESENTED.

The Minutes of February 21, 2008 were presented.

MOTION: Approve the Minutes of February 21, 2008 as presented.

Voege/Groth Discussion CARRIED

Ayes: Voege, Groth, Pool

Director Hallman approved the 2/21/08 Minutes from 7:01 p.m. until 8:47 p.m. when she left the Meeting.

Noes: None

Absent: Butow

Abstain: Director Hallman abstained from voting on that portion of the 2/21/08 Minutes reporting on activities after 8:47 p.m. because she left the Meeting at that time.

Board of Directors President Butow arrived 7:32 p.m.

The Gavel was handed to President Butow.

6. STATUS REPORT BY LEGISLATIVE CONSULTANT.

Director Butow reported that he had a phone conversation with Nick Tibbetts just before this meeting. The Senate will consider the Bill after Easter vacation. Mr. Tibbetts said things continue to be hopeful; he will be going to Washington D.C. to urge support and he expects the Bill to proceed to the House of Representatives. Mr. Tibbetts will continue to keep the Board of Directors informed.

7. DIRECTOR AND STAFF REPORTS. ACTION TOPICS.

- a) Status of water supply compared to conditions existing at the time of the Special Meeting. Discuss and consider lifting the irrigation water shut-off.

General Manager Koehler reported that the ag water services were restored last month per Board action. He said the lake is 5-feet higher now than it was this time last year; but so far this March, rainfall is less than last year. General Manager Koehler recommends the Board leave the Water Emergency Condition in-place for now and then probably in May, we put together a mailer to our customers. He expects to be speaking with Chris Murray during the coming month and will have a report ready at the next Meeting.

b) Response to AB 2121.

A response to Assembly Bill 2121 has to be developed and submitted before the May 1st deadline. Most agencies (Trout Unlimited, etc.) are unhappy with the Bill. General Manager Koehler said there is a very specific format for the response letter; the language has to be precise. He is uncomfortable developing a letter in-house. Counsel Minasian has offered that he could prepare a response if requested, which would cost approximately \$2,000 and which would give RVCWD "placeholder status". Will Carson said that Millview CWD wants to stand as "intervener status". Director Pool offered to assist in research; (start here, strike out:) also mentioning that a precautionary for government agencies was discussed at the recent ethics class. (end here,-strike out.) Director Groth said we should wait until we see what the 30-or-so changes will be, and when we get a copy, it should be distributed to the Directors for studying. Director Hallman wondered if we can receive copies of what other agencies are writing and Director Voegel said Carre Brown is getting together a request for a Local Hearing. General Manager Koehler will send a quick email to legal counsel advising that the Board will wait until the April Regular Meeting.

Minutes Corrected at Meeting 4/17/08: Strike out 2nd half of sentence in the middle of above paragraph.

MOTION: Send a letter to the State requesting a local workshop.

Voegel/Pool Discussion CARRIED

Ayes: Voegel, Pool, Hallman, Groth, Butow

Noes: None

Absent: None

Abstain: None

c) Consider modification of Resolution No. 03-03, per diem.

After some discussion it was decided to carry this topic to the April Regular meeting in order to allow the Directors to prepare for further discussion on this matter.

8. GENERAL MANAGER'S REPORT, MARCH 2008.

- a. Allocations.
- b. Casino Master Meter.
- c. Marina Drive Dam Site.
- d. Bill Neese Dam Site.

It was determined that the Neese property is not for sale; it is for lease. Director Groth commented that a few years ago when Mr. Neese approached the Board of Directors, the District hired Recovery Operations Specialty Services to research the area. That firm prepared a complete study, with pictures and evaluation. It was determined that Staff will do further research for locating this documentation. He further stated that when the Board of Directors learned then, that the property was offered for lease, not sale, the Board thanked Mr. Neese for his offer and told him they were not interested in leasing the property

- e. Load Bank for the Tomki Generator.
- f. Annual Production and Sale Comparison.
- g. Discussion of Impact of Lake Level Change.

Break: 8:43 p.m.
Reconvene: 9:01 p.m.

9. FINANCIAL REPORT.

- a. Discussion and possible action.
- b. Major budget items.

Director Groth reported that there is a surplus so far, on the budget and considering the conservation efforts of our customers, this is a quite acceptable figure for this time of year. General Manager Koehler offered to postpone purchasing some of the larger items already approved in the budget, if it becomes necessary or helpful.

10. LOCAL AGENCY FORMATION COMMISSION OF MENDOCINO COUNTY - LAFCO.

- a. Discussion and possible action on LAFCO topics.

Nothing new to report.

11. INLAND WATER & POWER COMMISSION.

- a. Report of attendance at IW&PC Meetings.
- b. Consider any correspondence concerning the IW&PC.
Discuss and consider approving 2008 annual dues to IW&PC.

MOTION: Approve payment of the \$2,000 annual membership dues.

Groth/Pool Discussion CARRIED
Ayes: Groth, Pool, Hallman, Voegel, Butow
Noes: None
Absent: None
Abstain: None

- c. Corps of Engineers feasibility study.
Discuss and consider third (3rd) Progress Payment for 1/5th share of Sponsor's Portion of feasibility study.

Director Voegel reported that Mike Dillabough of the Corps of Engineers, San Francisco office, was in attendance at the recent IW&PC meeting. Dillabough reported the overall picture of federal government procedures and classifications. He said Coyote Valley is a category 2 dam; and that there are many category 2 dams throughout the nation. Director Voegel concluded that the likelihood of the Fed's finding funds for Coyote Valley is slim and, as far as he is concerned, this is an exercise in futility.

Director Butow said the original mission statement of the IW&PC was to protect the diversion of the Eel River waters and to buy the power plant to keep the diversion open. Those things have gone by the wayside and although Janet Pauli has said that all four (4) of the agencies will participate, and those who pay to play will get their share, now it comes to pass that the diversions couldn't fill the "bowl". Director Butow said he told Janet that Redwood Valley supports this, but we are a small district with a lot of issues and limited funds.

MOTION: Do not pay Progress Payment No. 3 for 1/5th share of Sponsor's Portion of feasibility study.

Voege/Groth Discussion CARRIED
Ayes: Voege, Groth, Pool, Hallman, Butow
Noes: None
Absent: None
Abstain: None

General Manager Koehler will send a short statement to the IW&PC that the RVCWD will "decline at this time" or "decline to go forward at this time".

d. Discussion and possible action on IW&PC topics.

12. MENDOCINO COUNTY RUSSIAN RIVER FLOOD CONTROL & WATER CONSERVATION IMPROVEMENT DISTRICT.

- a. Report of attendance at MCRRFC&WCID meetings.
- b. Consider any correspondence concerning the MCRRFC&WCID.
- c. Discussion and possible action on Flood Control District topics.

General Manager Koehler reported there were three Trustee's in attendance at the Special Meeting. They extended Barbara Spazek's contract for three more months at 40 hours per week, \$100.00 per hour, with the intent for her to take the Application to license. We have requested to be on the list for receiving progress reports.

The Meeting of March 10th was attended by Directors Groth and Butow and General Manager Koehler. Director Groth asked them to correct their Minutes of February 11th which stated their only income was from taxes. Director Groth asked them to correct that information and to add the annual invoicing and monies received from Redwood Valley County Water District.

Member of the public, Will Carson added that there is a big issue with the City of Ukiah testing their power plant. When the turbines are fired-up, there is such a large amount of water released down the river, that the Sonoma County Water Agency and the towns downstream of the dam, protested further releases. Also, the hatches on the Ukiah power plant are leaking. It will be monitored and if it's getting worse, it will be shut down.

13. REPORT OF ATTENDANCE AT AGENCY MEETINGS, I.E. CITY OF UKIAH, COUNTY BOARD OF SUPERVISORS, OTHER SPECIAL DISTRICT'S, COUNTY OF MENDOCINO PLANNING TEAM/HOUSING ELEMENT, NOT LISTED SEPARATELY HEREIN. (Agenda Item No. 15)

The Planning Commission determined the property at East Road/School Way in Redwood Valley will be zoned Industrial/Commercial.

14. SONOMA COUNTY WATER AGENCY. (Agenda Item No. 16)

Nothing new to report.

15. STATE WATER RESOURCES CONTROL BOARD. (Agenda Item No. 17)

Nothing new to report.

16. STATUS REPORT OF WEST FORK PROJECT. (Agenda Item No. 18)

Nothing new to report.

17. STATUS REPORT OF PLACE OF USE ISSUES. (Agenda Item No. 19)

Nothing new to report.

18. STATUS REPORT OF 2800 ACRE-FEET STORAGE RIGHT. (Agenda Item No. 20)

Nothing new to report.

The Meeting ended at 9:45 p.m.

The next Regular Meeting is scheduled for 7:00 p.m. on Thursday, April 17, 2008 at the Water District Office, 2370 Webb Ranch Road, Redwood Valley, California.

APPROVED: As Corrected: Board of Directors

DATE: April 17, 2008

SIGNED: Linda Groth
Secretary, Board of Directors

4/17/08 Approved as Corrected: Page 3, Item b) Response to AB 2121:
Strike out 2nd half of sentence in middle of paragraph.