

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, April 17, 2008

CALL TO ORDER: 7:02 P.M.

Directors Present: Donald E. Butow, John W. Groth, Jeanette Hallman
Granville Pool arrived at 7:09 p.m., Hal Voege arrived at 7:11 p.m.

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

Members of the Public: Will Carson, Roy Beck, and an unnamed member of the public

1. ROLL CALL.

Jeanette Hallman, Director
John W. Groth, Vice-President, Board of Directors
Donald E. Butow, President, Board of Directors

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

Member of the public, Roy Beck, offered comments about his participation in the recent Pillsbury/Potter Valley Tour; also participating were a couple of supervisors, (Start Correction Here): Kathy Kelly, representative from office of (End Correction Here) Senator Wiggins, General Manager Bill Koehler and several others.

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

Nothing submitted.

4. APPROVAL OF CONSENT CALENDAR.

The Consent Calendar was presented for Board consideration.

- 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.

MOTION: Approve the Consent Calendar as presented.

Groth/Hallman Discussion CARRIED

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

Director Pool arrived at 7:09 p.m.

5. APPROVAL OF MINUTES AS PRESENTED.

The Minutes of March 20, 2008 were presented for Board consideration.

Director Voege arrived at 7:11 p.m.

Director Pool questioned a sentence referring to his comment on page 3, item b, Response to AB2121. It was decided to strike-out the last half of the sentence, so that the complete sentence says: Director Pool offered to assist in research.

MOTION: Approve the Minutes of March 20, 2008 with correction.

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

6. STATUS REPORT BY LEGISLATIVE CONSULTANT.

Director Butow said he spoke with Consultant Nick Tibbetts by phone just before this meeting, and the good news is that the Bill has passed from the Senate and is going to the House of Representatives. Mr. Tibbetts will continue to keep the Board of Directors and General Manager informed as the Bill progresses.

7. DIRECTOR AND STAFF REPORTS. ACTION TOPICS.

a) West Fork Application.

The State Water Resources Control Board has cancelled the District's application for West Fork water. General Manager Koehler reported that Attorney Minasian has stated that an Argument in Superior Court has perhaps a 5% chance of success and might cost \$25,000. The District would have to prove that the SWRCB has been capricious, creating chaos with their reorganization and changes. Attorney Minasian further offered that the District doesn't have grounds to prove that; in fact, the District has not completed some of SWRCB requirements for this application. General Manager Koehler continued, stating that Roland Sanford feels the application was poorly crafted in the beginning.

Director Groth added that there were very few restrictions at the time the application was created and submitted. At that time the Corps of Engineers had given a verbal offer of cooperation (Start Correction Here): for storage of water within Lake Mendocino (End Correction Here) and Sonoma County Water Agency had given a verbal "no-argument". When the SWRCB reorganization occurred, numerous additional fees were created and the pre-existing fees were increased. Director Groth recommends that the District not fight this.

Director Butow led a discussion of additional background information for the benefit of Directors who were not serving on the Board at the time of the filing.

MOTION: Do not protest the SWRCB Cancellation of the West Fork Application.

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

b) New Connection Fee.

General Manager Koehler stated that the existing connection fee amount, \$1700.00, is extremely low and needs to be reviewed. The usual formula is to take the auditors value and divide that by the number of meters being served. Director Groth will meet with General Manager Koehler to review the figures and bring the matter back to the Board of Directors.

c) Hardship Hookup.

Director Hallman reported that the application for a hardship hookup on School Way has been previously approved by the Board of Directors. The well has been contaminated with cancerous benzene compounds for years, because of the underground fuel tanks of a neighboring property. The California Department of Public Health has asked the District to collect further data. A solution not involving the District is that the owner would service the filtration system of the contaminated well several times per year, forever. This is a great expense and is only one component of such a solution. After further discussion it was agreed that the qualifications are met, and awarding the applicant a hardship service-connection opportunity is valid and appropriate.

MOTION: Proceed with taking steps necessary with the State and with the customer, to go forward with this hardship service application. Provide cost estimate figures to the customer and if they agree and pay the fees, the service will be installed.

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

An unnamed member of the public stated that he is a substitute representative of the applicant and he will let the applicant know that the Board has approved going forward with this application. General Manager Koehler clarified the basis for some of the fees that will be required. That member of the public left the Meeting at 8:05 p.m.

d) Lake Level.

General Manager Koehler said that Sonoma County Water Agency and the SWRCB are meeting in Sacramento on May 6th. He said the meeting will be strictly scripted and will be over within 45 minutes. County Supervisor Pinches, MCWA General Manager Roland Sanford, possibly County Counsel J. Nadel are planning to attend and General Manager Koehler is considering going also.

There are 14 steps of the Best Management Practices that are required of those contracting with Sonoma County Water Agency. Many of these are expensive, tedious and might even require some engineering. The District did send out conservation kits to all its customers and also has installed radio-read meters on just about one-half of its services. It would take two full-time people to proceed with water auditing of each individual service.

It is expected that we will be alerting our customers to implement conservation measures in the near future.

e) Committee Appointments.

This topic is carried forward to a future meeting.

Break: 8:33 p.m.

Reconvene: 8:55 p.m.

f) Payment for attending Meetings and Consider modifying title of Resolution No. 03-03, per diem.

Director Groth offered that a 5-year review of payments for attending Meetings, is warranted. However, after some discussion it was agreed to table this matter for the present time.

g) Consider opinion letter from member of the public, Rosalind Peterson, discussing water that has not been contracted for by those who reside in the Russian River Flood Control District.

A letter was received from member of the public, Rosalind Peterson requesting the RVCWD Board act as quickly as possible to secure a long-lasting contract with the Russian River Flood Control District for the acre-feet of water not yet contracted for by residents within the RRFCD.

After discussion, it was agreed that General Manager Koehler will mail a response to Ms. Peterson explaining the District's efforts in the past. He will enclose copies of Redwood's December 2005 request for a firm contract and the FCD's June 2006 letter of refusal of that request based upon insufficient water. At that time the FCD suggested the creation of an ad-hoc committee to pursue meaningful discussions toward resolution of Redwood's water supply problems. That ad-hoc committee was formed and did meet in the past; however it was eventually agreed that there would be no more ad-hoc committee meetings until the Flood Control District is granted the additional 6,000 acre-feet of water they applied for with the SWRCB. That's where we stand at the present time. General Manager Koehler will reiterate that the District takes this matter very seriously.

8. GENERAL MANAGER'S REPORT, APRIL 2008.

a. Plant Operations.

Since the software is no longer supported by the company, we will probably have to purchase a new hard-drive.

b. Master Meter at Coyote Valley.

c. Well.

d. Water Right 17593.

e. County Counsel.

General Manager Koehler was asked to approach County Counsel regarding the Brown Act and conflict of interest guidelines. Director Butow commented that the District's water rights attorney, Paul Minasian, is known as being one of the finest water rights attorneys in the State.

f. Request for Records.

9. FINANCIAL REPORT.

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

Director Groth reported everything between expenditures and income looks good.

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

- a. Discussion and possible action on LAFCO topics.

LAFCO's proposed budget has been received and will be distributed to the Directors.

11. INLAND WATER & POWER COMMISSION.

- a. Report of attendance at IW&PC Meetings.
- b. Consider any correspondence concerning the IW&PC.
- c. Discussion and possible action on IW&PC topics.

Director Butow said Supervisor John Pinches spoke at length about a location between Ukiah and Willits that would be a perfect site for a "bowl" for water storage. General Manager Koehler said he told Mr. Pinches that cost of pipe, etc. going south would be prohibitive for Redwood Valley, but he did encourage Mr. Pinches to continue looking for water for Redwood Valley.

Also during the IW&PC meeting, there was acknowledgment of the letter from Redwood Valley declining financial participation in the Feasibility Study to Raise Coyote Dam at this time, followed by conversation about the remaining four members sharing the balance due.

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 and Director Voegel attended the Meeting. There was discussion about the problem the FCD is having in reading the users meters, which are sometimes pulled-out/removed before they are read.

Also, General Manager Koehler will follow-up on Lee Howard's suggestion that RV take a look at the old well at the Bel Arbres subdivision.

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)

Director Voegel reported on his participation of the Potter Valley/Eel River tour. He said the perspective one gets with the diversion is eye-opening; 3% of the entire Eel River watershed comes through Potter Valley. General Manager Koehler added that among others in attendance, there were three people from Sonoma County Water Agency, and that the Supervisors that participated were Wattenburger and Pinches.

Director Voegel said he has been encouraging Roland Sanford of the Mendocino County Water Agency to contact Brock Dolan, (Start Correction Here): Dolman (End Correction Here) the

water conservation specialist, to give a talk. He asked Mr. Sanford to hold the meeting some time other than the middle of the day and to invite other water agencies, the Board of Supervisors and BOS candidates.

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

General Manager Koehler made an initial attempt to contact Chris Murray at the end of the rainy season. He will attempt again after the Sacramento meeting on May 6th.

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)

Discussed earlier in this Meeting. This topic will be removed from the Agenda.

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 10:10 p.m.

The next Regular Meeting is scheduled for 7:00 p.m. on Thursday, May 15, 2008 at the Water District Office, 2370 Webb Ranch Road, Redwood Valley, California.

APPROVED: As Corrected: Board of Directors

DATE: May 15, 2008

SIGNED: Linda Groth
Secretary, Board of Directors

Corrections: Agenda Item #2: (INSERT) Kathy Kelly, representative from office of
Agenda Item #7.a., 2nd paragraph: (INSERT) for storage of water within Lake Mendocino
Agenda Item #13., 2nd paragraph: (NAME CORRECTION) Dolman