

REDWOOD VALLEY COUNTY WATER DISTRICT  
2370 Webb Ranch Road  
P. O. Box 399  
Redwood Valley, California 95470

MINUTES  
REGULAR MEETING  
BOARD OF DIRECTORS

May 20, 2010

DIRECTORS PRESENT: Donald Butow, Granville Pool, Hal Voege  
DIRECTORS ABSENT: Jeanette Hallman, Merle Reuser  
STAFF PRESENT: General Manager Bill Koehler  
Office Manager/Secretary to the Board of Directors Linda Groth  
GUESTS PRESENT: Roy Beck, Will Carson, Anon Forrest

CALLED TO ORDER: 7: 08 P.M.

1. ROLL CALL.

Hal Voege, Vice-President  
Granville Pool, Director  
Donald E. Butow, President

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

Will Carson of Millview CWD reported that Willow CWD can now divert supplemental water supplies from the Burke Hill location, and therefore they no longer need the Russian River Flood Control District to provide supplemental water for their District. The additional water has been offered to Millview. Mr. Carson also reported that a letter composed by Carter (attorney for Hill & Gomes) and Neary (attorney with several clients, including Millview CWD) was presented to Supervisor Pinches. Mr. Carson said he explained to the Flood Control District that Millview CWD had no knowledge of the letter and did not fund the research involved and does not support what was presented to Supervisor Pinches. He told General Manager Sean White that Millview was completely blind-sided by this, and that since Mr. White's arrival at the Flood Control District, there is hope they can get past this ancient history and can go forward for all concerned. So, Millview CWD sent a letter to Supervisor Pinches, County Counsel Nadel and General Manager Sean White at the Flood Control District to correct any misconceptions of Millview's knowledge and/or support of the letter. The Millview letter was also copied to Neary because Millview wanted him to know that Millview CWD did not support his actions. Mr. Carson said that Millview is now wondering about some of the legal fees to mitigate the pre-1914 disagreement, because Millview would be very unhappy if some of the legal fees they paid to Neary, actually went into this research. It was noted that Hill & Gomes have indicated in the past that they were willing to sue anybody who got in the way of their subdivision project. GM Koehler stated that this was also a topic at the Farm Bureau meeting held just two days ago.

The Board of Directors agreed to go into Closed Session at this time so that Legal Counsel Simonson could participate by phone from his office location, and would not be kept waiting until the latter part of this Meeting for the Closed Session.

Members of the Public left the office building at this time so that the Board of Directors could go into Closed Session.

7:15 P.M. - CLOSED SESSION

3. CLOSED SESSION (AGENDA ITEM NO. 20)

- d. Discussion referring to legal counsel re: Potential Litigation - Government Code Section 54956.9.
- e. Discussion to consider employment and performance of public employees. -- Government Code Section 54957.

7:35 P.M. - OPEN SESSION

Members of the public returned to the meeting room for the Open Session.

4. REPORT OF ACTION TAKEN IN CLOSED SESSION ITEM NO. 3. (AGENDA ITEM NO. 21)

- d. Potential Litigation.
- e. Public Employees.

President Butow reported the Board of Directors spoke with legal counsel regarding items d. and e. There was no action taken.

5. CONSIDER HEARING OF URGENT ITEMS RECEIVED SINCE THE AGENDA WAS POSTED. (AGENDA ITEM NO. 3)

Nothing submitted.

6. APPROVAL OF CONSENT CALENDAR. (AGENDA ITEM NO. 4)

- 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. District Activity.

The Consent Calendar was reviewed.

**MOTION: Accept the Consent Calendar as presented.**

Pool/Voege Discussion CARRIED

AYES: Pool, Voege, Butow

NOES: None

ABSENT: Hallman, Reuser

ABSTAIN: None

7. APPROVAL OF MINUTES AS PRESENTED. (AGENDA ITEM NO. 5)

The Minutes of the November 19, 2009 Regular Meeting were presented.

**MOTION: Approve Minutes of November 19, 2009.**

Pool/Voege Discussion CARRIED

AYES: Pool, Voege, Butow

NOES: None

ABSENT: Hallman, Reuser

ABSTAIN: None

The Minutes of the April 29, 2010 Special Meeting were presented.

**MOTION: Approve Minutes of the April 29, 2010 Special Meeting.**

Voege/Pool Discussion CARRIED

AYES: Voege, Pool, Butow

NOES: None

ABSENT: Hallman, Reuser

ABSTAIN: None

**8. DIRECTORS AND STAFF REPORTS AND DISCUSSION OF NON-ACTION TOPICS.  
(AGENDA ITEM NO. 6)**

- a. Director Voege reported that he was contacted by Supervisor Carre Brown to say she regrets she is not able to attend this Board Meeting due to a conflict in scheduling.
- b. GM Koehler reported that he has heard from the Ukiah Unified School District and he will have something for the next Board Meeting.
- c. GM Koehler reported that he has been working with Office Staff Paula Berezay in preparation for the end of the Fiscal Year. There is every expectation that the new Fiscal Year Budget will be prepared and presented to the Board of Directors "on-time".

**7. DIRECTORS AND STAFF REPORTS OTHER THAN THOSE LISTED IN GENERAL MANAGER'S REPORT. ACTION ITEMS.**

- a. Conservation, other than GM Report.

Nothing new to report at this time.

**8. GENERAL MANAGER'S REPORT AND ACTION ITEMS, MAY, 2010.**

**1. District Operations.**

Things are going well, no particular problems. The repair of the broken rake drive on the clarifier has been completed. On another topic, it is unfortunate that the water account billings/receivables clerk has had to be out of the office for extended periods of time. Our full time clerical staff, Paula Berezay, is to be commended for handling the increased work load during the coworker absence. Also, a temporary laborer was hired since we are down one person in the field. He understands this could be a very short term employment.

**2. Computers.**

Most of the five computers are starting to require repairs, with two of them requiring replacement soon. Our computer/network consultant has provided a quote of \$4000 for five computers, software and the labor to change over all the files. This amount is less than the General Manager spending authorization, but he is asking for approval to make this purchase.

The Board of Directors told the General Manager to proceed with placing an order for the five computers as quoted.

**3. SCWA.**

General Manager Koehler recently met with Pam Jeane at the Sonoma County Water Agency and she assured him that Redwood can still purchase water from SCWA as needed while they are finishing the new agreement. GM Koehler has reviewed the agreement with Todd Schram at SCWA and it is now going through the review process with legal counsel and when we receive a copy we will forward it to our legal counsel for review. It's likely that the agreement will again require that Redwood be a member in good standing with both the California Urban Water Conservation Council and the Agricultural Water Management Council.

RVCWD will purchase the 400 AF available for 2009 from Flood Control. After we finalize the water volume for Water Year ending in October, 2009 we will have about \$100,000 in the conservation fund. Pam Jeane has asked RVCWD to create a current list of conservation/habitat/recycling projects. GM Koehler did ask Ms. Jeane to consider the possibility of a real contract with RV as they go ahead with re-opening D1610. Our legal counsel has filed a Protest so that RVCWD can have standing during the discussions.

#### 4. Conservation.

The original list of items specified by the conservation committee are the stream gauge, the conversion back to the well at Lions Park, some minor items at the two public schools in RV and a catch-all water audit program.

To proceed aggressively with the conservation program as encouraged by SCWA we should plan on completing 1.5% of the private household system audits annually. This would involve about 20 houses per year for the next 10 years.

GM Koehler has asked Pam Jeane to release some of the conservation funds; we have \$2000 for the workshop, and there is another \$2000 for another workshop (topic to be determined- -perhaps for Pond Liners), it will get us started.

During the month of April 2010, we pumped our own water.

GM Koehler attended the Farm Bureau meeting two days ago. AWEP, in conjunction with the URSA-MRSA group and others, wants to do some site specific studies on tributaries.

A Water Rights Workshop/AB2121 will be held on May 25, 2010 from 8:00 A.M. to 1:30 P.M. at the Mendocino County Water Agency Conference Room. We will be posting the Notice.

#### 5. RCHDC Calpella.

Dave Redding, General Manager of the Calpella CWD has contacted GM Koehler to discuss the possibility of RVCWD wheeling Flood Control District water to a proposed RCHDC project in Calpella. This is being driven by RCHDC's desire to determine if this project is viable or if they should abandon this particular site. More information will follow when it is received.

#### 6. Weed Abatement.

The area inside the fenced compound at the water treatment plant is difficult to weed-eat. We have contracted with a pest control company to spray herbicide 5-7 times a year and this should be successful in controlling the weeds. There will be no spraying near the reservoir.

#### 7. Friends of the Eel River.

A reporter from Humboldt County participated in the Potter Valley Tour on April 22<sup>nd</sup> and her resulting article in the Redwood Times was very positive towards Mendocino County and the Eel River diversion. She also states that the Humboldt County Board of Supervisors supported the Friends of the Eel River request for a review of the PG&E licenses but did not recommend any action. It is good to hear that the Humboldt County BOS did not allow themselves to be stampeded by the hysteria of the Friends of the Eel River. The Mendocino County BOS letter is in draft form right now, but will be finalized soon.

#### 8. Stipulated Judgment.

In the past, the Board of Directors discussed changing some of the wording in the Stipulated Judgment. All of that has been cleared by our legal counsel. As long as both parties are in agreement with the changed terms we do not need any further legal action. A Resolution No.2010-1 has been prepared for Board consideration. This item is also on the Flood Control District agenda for their May 10<sup>th</sup> meeting. If Resolution No. 2010-1 is passed, it will authorize Board President Butow to enter into an agreement with the Flood Control District.

**MOTION: Approve Resolution No. 2010-1, Altering and Amending Stipulated Judgment 42059.**

Voege/Pool Discussion CARRIED

AYES: Voege, Pool, Butow

NOES: None

ABSENT: Hallman, Reuser

ABSTAIN: None

Member of the public, Will Carson left the Meeting at 8:45 P.M.

9. ERP.

GM Koehler has completed most of the Emergency Response Plan as required by the California Department of Public Health. It mostly details what the District would do in the event of an emergency such as fire, flood, earthquake or terrorist attack. The CDPH feels that the most likely scenario would be an earthquake that ruptured supply mains. In such a disaster the field staff would be busy shutting off the storage tanks to avoid losing the water they hold. The District is obligated to notify the community within four hours of loss of system integrity. The Directors would probably need to spend at least some time taking care of their own family affairs, but, would a point arrive whereby they could assist the District with communication to the customers? The Directors in attendance stated that once their own affairs were taken care of, they would be willing to help the District with customer communications. General Manager Koehler expressed his appreciation for the Board Members being willing to get involved with this Emergency Response Plan.

9. FINANCIAL REPORT.

The Directors reviewed the Financial Report as presented.

10. INLAND WATER & POWER COMMISSION. (Agenda Item No. 11)

a. Report of attendance at IW&PC Meetings.

President Butow said there wasn't much to report from the IW&PC meeting.

He and GM Koehler attended a meeting at the Corps of Engineers Office at the Lake. They are making the best of the high level of the lake; they are able to monitor certain gauges and equipment that have never been in use before because the lake hasn't been this high before.

General Manager Koehler said the AWEP funds for last year were expended. The funds for this year are already committed. The funds for next year are already committed. Devon Jones at the Farm Bureau is urging everybody to get their projects ready to go, in order to be eligible when the next round comes up.

GM Koehler will have Paula post the May 25, 2010 Meeting Notice on the office window tomorrow.

The Meeting ended at 9: 20 P.M.

The next Regular Meeting is scheduled for 7:00 P.M. on Thursday, June 17, 2010 at the Water District Office, 2370 Webb Ranch Road, Redwood Valley, California.

APPROVED: \_\_\_\_\_ Board of Directors

DATE APPROVED: August 19, 2010 \_\_\_\_\_

SIGNED: \_\_\_\_\_ Linda Groth  
Secretary, Board of Directors