

**UNION PUBLIC UTILITY DISTRICT
339 MAIN STREET
MURPHYS, CA 95247**

MINUTES OF October 20, 2021 REGULAR MEETING

The Board of Directors of the Union Public Utility District met in Regular Session at the UPUD Office in Murphys, California, at approximately 7:00 PM.

Directors Present:	ERIC BOTTOMLEY	President
	GREG RASMUSSEN	Vice President
	TOM QUINCY	Secretary
	BRUCE TALLAKSON	Treasurer
Directors Absent:	RALPH CHICK	Director
Also Present:	BILL ELTRINGHAM	District Manager
	ELAINE URRUTY	Office Manager
	MATT OSPITAL	District Engineer
	JOEL METZGER	UWPA General Manager
	PUBLIC AT LARGE	

1. PLEDGE OF ALLEGIANCE. The Pledge was given.
2. APPROVAL OF AGENDA.

Motion:	Director Rasmussen
Second:	Director Tallakson
Ayes:	Directors Bottomley, Rasmussen, Quincy, and Tallakson
Nays:	None
Absent:	Director Chick
Abstain:	None

MINUTE ENTRY. MOTION TO APPROVE THE AGENDA AS PRESENTED.

3. PUBLIC COMMENT. There was no Public Comment.

CONSENT AGENDA

4. APPROVAL OF MINUTES:
 - a. September 22, 2021 - Regular Meeting – Tabled to the November meeting.
5. APPROVAL OF EXPENDITURES:
 - a. September 2021 Expenditures. Elaine noted that the Expenditures were low and due to the September 2021 expenditures being processed 1st week of October due to office staff absences due to deaths in family and COVID quarantine for testing. The September expenditures will show on the October expenditure listing. It was the Board's consensus to table the September 2021 expenditures to the November meeting.

REGULAR AGENDA

RECURRING BUSINESS:

- 6.a CASH RECEIPTS REPORT. The Cash Receipts report for the month of September 2021 was included in the agenda packets for review. Elaine reviewed the cash receipts reports with the Board. Elaine reported that there were no payments for domestic connections in September, but there have been a few that will be reported in October. Elaine noted that the outstanding delinquent receivables continue to increase, but hopefully some of these debts will be paid through the COVID arrearages application for reimbursement to the SWRCB.
- 6.b BALANCE OF FUNDS REPORT. The Balance of Funds report for the month of September 2021 was included in the agenda packet for review. Elaine Urruty reported no changes to the Fund Balance report for September and 1st quarter transfers will show on the October report. The current LAIF balance as of September 30, 2021 is \$1,772,711.22.
- 6.c BALANCE SHEET & INCOME STATEMENT. The September 2021 Balance Sheet & Income Statement were included in the agenda packet for review. Elaine Urruty reviewed the reports and reported the year to-date net income as of September 30, 2021 is \$267,234.35. Elaine reported that the net difference of our cash and reserve accounts to our long-term debt, which is now zero, as of September 30, 2021 is a positive \$2,512,331.18.

OLD BUSINESS:

- 7.a REVIEW OF POSSIBLE LACK OF EASEMENT ON PARCELS AT GOLDEN CREEK DRIVE & HWY 4 (APN#057-016-001 – REEVES & APN #057-012-006 – SWISS RANCH INC./TODESCHINI); DISCUSSION/POSSIBLE ACTION Bill Eltringham reported District Counsel, Ken Airola, could not be here as he is out of the office due to medical issues. Bill said that through our document search, we cannot find where the original easements were ever recorded. Staff did locate copies of the easements surveyed by Lee Nordahl in 1998. Bill said there are a couple avenues we could pursue; either a possible prescriptive easement or compensate the new owners for the value of the easement. Bill said he discussed with Matt Ospital, District Engineer, and that it gets complicated trying to figure out the property value for the easements for that small portion of land. Bill recommended giving each property ½ the value of the current domestic connection fee (\$14,000), or \$7,000 towards their domestic connection fees for each parcel with the District covering the costs of stubbing out and constructing the services, once the easements are agreed to and recorded. Bill said he felt this was a fair agreement. Director Quincy and Director Rasmussen said this sounded fair, but asked the applicants their feelings. Kirby Reeves & Bob Todeschini said they want to be customers, but as they have expressed before, they would like the full domestic connection for each parcel waived. Lengthy discussion ensued regarding the location of the water line and the costs of connection and easement agreements. The Board and Bill confirmed with the property owners that the location of the easement will work for both of them and that they realize there is a 15 foot setback. Bill reviewed with the property owners that the connection fee is not for the cost of the meter & installing the meter, it is for the cost of maintaining the water system and providing water to the customer. Matt noted that there are building setbacks

to be adhered to also. Bill reminded the Board that they will be setting a precedent for future easements. Bill also reviewed the history of the line that was originally installed in 1960x as a 2" line and upgraded to a 4" in the late 1980's. Bob Todeschini noted that when he purchased the property there was no indication or notation of any granted easement on the property and that he may not have purchased had he known this. Bob said his feeling is that the District is not giving away an easement for few, you are getting an easement in return. Director Bottomley recommended providing two domestic connections and the property owners pay the cost of connection with district staff installing. Bill estimated the cost of installation at \$2,500 for both meters, which could be high, & Matt Ospital agreed. Bob Todeschini said he is in agreement; however, he has some issues with wording in the old easement document. Director Bottomley said that the District will have a new document written up for review and agreement. Discussion ensued regarding wording issues and Matt Ospital will work on having resurveyed new easements written up. Also, District Counsel will need to review, before signing.

Motion: Director Bottomley
Second: Director Quincy
Ayes: Directors Bottomley, Rasmussen, and Quincy
Nays: Director Tallakson
Absent: Director Chick
Abstain: None

MINUTE ENTRY. MOTION TO APPROVE A DOMESTIC CONNECTION FEE EACH TO KIRBY REEVES (APN #057-016-001) & SWISS RANCH INC/TODESCHINI (APN #057-012-006) WITH PROPERTY OWNERS PAYING CONSTRUCTION COSTS TO INSTALL, NOT TO EXCEED \$2,000 COMBINED, UPON FILLING OF AGREED TO EASEMENTS. UPUD WILL PAY THE COST OF SURVEYING AND RECORDING OF THE EASEMENTS.

- 7.b REQUEST FOR EMERGENCY OUT OF AREA SERVICE AGREEMENT FROM JONATHAN TAL, LADY BUG VENTURES, LLC – ANGELS CAMP RV & CAMPING RESORT, 3069 HWY 49, ANGELS CAMP – APN #064-007-072; DISCUSSION/POSSIBLE ACTION Director Bottomley asked for this item to be tabled to the next meeting. Discussion ensued regarding needing to have a written request for Jonathan Tal as to what is asking for and concern with serving through a third party and legal responsibility. Item tabled to November meeting.
- 7.c REQUEST FOR TRANSFER & RELOCATION OF ONE DOMESTIC & ONE IRRIGATION SERVICE BY OWNERS BRAD & MARK SUTTON, SUTTON ENTERPRISES, DBA: CARSON HILL ROCK FROM CURRENT APNs #064-013-038 & APN #064-016-002 – 4795 HWY 49, CARSON HILL TO APN #064-014-024 – VACANT LAND, CARSON HILL; DISCUSSION/POSSIBLE ACTION Bill Eltringham reported after the last meeting Brad requested a letter from Carson Hill Mining relinquishing the rights to the two meters he is asking to transfer. Carson Hill Mining then called Bill asking for a meeting to review what exact services are located on the property. Therefore, Bill & Director Bottomley met with Carson Hill Mining representatives and their attorney to review services connected to this property – 2 domestic & one 3" irrigation service. Bill also reviewed the Peirano agreement the Suttons have with Peiranos to buy water in the off season to fill the Stevenot reservoir, which is the main water they use. Carson Hill Mining told Bill and Director Bottomley that they were not aware and did not want to relinquish these services. Bill did inform Carson Hill

Mining that they need to contact our office to complete the application forms to transfer the domestic and request transfer of the irrigation service. Brad Sutton later called and told Bill that Carson Hill Mining told him they would not relinquish these services to him. Discussion ensued regarding these services and the Peirano agreement with Suttons. Mike Peirano said that he understood that escrow they were trying to close escrow on this property this week. Bill said he is not sure if the 3" irrigation will be enough for their business, as the District has no idea what their plans for the property are. Director Bottomley also noted that there was some confusion with Carson Hill Mining thinking we were talking water rights vs water service connections and this had to be explained. It was the Board's consensus to deny transfer of the water services and inform Brad Sutton that he can apply for new service at his new property.

Motion: Director Bottomley
Second: Director Tallakson
Ayes: Directors Bottomley, Rasmussen, Quincy and Tallakson
Nays: None
Absent: Director Chick
Abstain: None

MINUTE ENTRY. MOTION TO DENY TRANSFER OF WATER SERVICES REQUESTED BY BRAD & MARK SUTTON/SUTTON ENTERPRISES, DBA: CARSON HILL ROCK.

- 7.d UPUD ORGANIZATIONAL CHART REVIEW & HIRING OF NEW DISTRICT MANAGER; DISCUSSION/POSSIBLE ACTION Director Tallakson reported that per discussion in last meetings closed session and report after the closed session to move forward with hiring of the General Manager. Because the notice refers to the General Manager job description, the Board needs to approve the new General Manager job description and the proposed Organizational Chart. Elaine provided copies of both the proposed General Manager job description and the Draft Organizational Chart, noting that one minor change was made to the job description to change PTO to Vacation and Sick Leave per our employee policies and verified that the General Manager position will be Exempt. Elaine informed the Board that all job descriptions and the organizational chart have always need Board approval since they are a part of our Employee Handbook. Discussion ensued and it was decided to approve the job description as presented with corrections and to correct the District Manager position title to General Manager and the Field Manager position title to District Manager on the organizational chart, since Bill Eltringham will operate under the District Manager job description until his retirement. The organizational chart can be updated when a new job description is developed for a Field Manager position.

Motion: Director Tallakson
Second: Director Quincy
Ayes: Directors Bottomley, Rasmussen, Quincy, and Tallakson
Nays: None
Absent: Director Chick
Abstain: None

MINUTE ENTRY. MOTION TO APPROVE THE GENERAL MANAGER JOB DESCRIPTION AS PRESENTED AND THE ORGANIZATIONAL CHART WITH CHANGES

TO POSITION TITLES OF DISTRICT MANAGER TO GENERAL MANAGER AND FIELD MANAGER TO DISTRICT MANAGER.

- 7.e UWPA FUTURE FUNDING; DISCUSSION/POSSIBLE ACTION Director Quincy recommended removing this item from the agenda until needed to be reviewed at a later date. The Board instructed Elaine to remove this item from future agendas until requested again.
- 7.f UPUD PREPARATION FOR DROUGHT IMPACTS & CONSERVATION PLANNING; DISCUSSION/POSSIBLE ACTION Director Bottomley noted that the District is still at the Voluntary 15% reduction. Both Elaine and Bill noted that our customers have not met the 15% reduction. There was no new action on this item at this time.

NEW BUSINESS:

- 8.a REQUEST FOR TRANSFER OF APPROVED UNPAID IRRIGATION SERVICE FOR PURCHASE OF PROPERTY FROM THOMAS & ALISON HEERMANCE, 3625 HWY 4, VALLECITO (APN #066-017-001) TO ED & CARLEY SCHWARTZ, RETROACTIVE TO OCTOBER 18, 2021; DISCUSSION/POSSIBLE ACTION Bill Eltringham reviewed with the Board that Tom Heermance had applied for irrigation service and the application had been approved by the Board; however, the service has not yet been paid for or installed. Bill said the only concern he has is that this service will be coming off a 2" service line going to Gordon Sadler's service. Bill said that since the new owners are only planning on putting in a 5/8" meter, we should be able to serve them, so Bill recommended approval of transferring the service approval. Bill did note that we may need to put in a larger service line down the road, but we should be fine for now.

Motion: Director Quincy
Second: Director Rasmussen
Ayes: Directors Bottomley, Rasmussen, Quincy, and Tallakson
Nays: None
Absent: Director Chick
Abstain: None

MINUTE ENTRY. MOTION TO APPROVE TRANSFER OF APPROVAL OF APPLICATION FOR UNPAID IRRIGATION SERVICE FROM THOMAS & ALISON HEERMANCE, 3625 HWY 4, VALLECITO (APN #066-017-001) TO ED & CARLEY SCHWARTZ, RETROACTIVE TO SALE OF PROPERTY ON OCTOBER 18, 2021.

- 8.b APPROVAL OF COVID-19 STATE OF EMERGENCY AUTHORIZING REMOTE TELECONFERENCE MEETINGS; DISCUSSION/POSSIBLE ACTION.....RES NO. 2021-06 Elaine reviewed the resolution required every 30 days per AB 361 to continue allowing local agencies to meet via teleconference (remotely) during a state of emergency so long as the agency follows the guidelines set out in Government Code § 54953.

Motion: Director Bottomley
Second: Director Tallakson
Ayes: Directors Bottomley, Rasmussen, Quincy, and Tallakson
Nays: None
Absent: Director Chick
Abstain: None

RES. NO 2021-06. MOTION TO APPROVE RES. NO 2021-06 PROCLAMATION THAT A LOCAL EMERGENCY PERSISTS, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF UNION PUBLIC UTILITY DISTRICT BOARD FOR THE PERIOD OF OCTOBER 20, 2021 TO NOVEMBER 20, 2021

- 8.e APPROVAL OF UWPA PAYMENT OF \$10,000 FOR WATER CONTRACT, 2nd QUARTER FY 2021-2022; DISCUSSION/POSSIBLE ACTION. A copy of UWPA invoice #21-93 was included in the agenda packet for review.

Motion: Director Rasmussen
Second: Director Quincy
Ayes: Directors Bottomley, Rasmussen, Quincy and Tallakson
Nays: None
Absent: Director Chick
Abstain: None

MINUTE ENTRY. TO APPROVE PAYMENT OF THE \$10,000 WATER CONTRACT PAYMENT FOR 2nd QUARTER OF FY 2021-2022.

- 8.f APPROVAL OF UWPA PAYMENT OF \$104,250 CONTRIBUTION FOR 2nd QUARTER FY 2021-2022; DISCUSSION/POSSIBLE ACTION A copy of UWPA invoice #21-95 was included in the agenda packet for review. It was the Board's consensus to use the LAIF UWPA reserve funds to cover the costs until reimbursed by rate payer receipts once the 2ND quarter transfers are complete.

Motion: Director Quincy
Second: Director Rasmussen
Ayes: Directors Bottomley, Rasmussen, Quincy and Tallakson
Nays: None
Absent: Director Chick
Abstain: None

MINUTE ENTRY. TO APPROVE PAYMENT OF THE \$104,250 CONTRIBUTION PAYMENT FOR 2nd QUARTER OF FY 2021-2022.

REPORTS:

- 9.a HWY 4 CORRIDOR ADHOC COMMITTEE REPORT. There was nothing to report at this time.

Hwy 4 Corridor, (AKA; Stanislaus River Association (SRA), plan to meet quarterly on the first Friday, of the 3rd month, in each quarter. The Stanislaus River Association (SRA) meetings have been cancelled due to COVID-19 until further notice.

- 9.b UWPA REPORT. Director Rasmussen reported that they went on the UWPA tour on October 13th and it was very nice and thanked Joel Metzger. Joel Metzger reported that the UWPA is going into a maintenance outage for the month of November so the creek flow will be down except for on weekends when they fill the reservoirs up. Joel said that he and Bill have been in communication regarding whether they will need any type of conservation and we should be okay depending on how much people are using and how much we have to do water shots to fill Cademartori. Joel reported that we are getting closer to the ReMAT commercial operation date, so we are still targeting December 1st to enter the ReMAT program. Joel said that there is a laundry list of about 50 things that they need to get between now and then, but they have worked through most of it already, so he does not see anything stopping us at this point, but you never know with PG&E.

Elaine reported that UPUD and UWPA had met with consultants via teleconference and phone to review the joint handbook contract proposals. Joel reported that we are still collecting bids from the consultant agencies and once all bids are collected he will copy Elaine for her review. Discussion ensued regarding time involved with meetings and time needed from our staff. Director Rasmussen asked if Carley could assist with the UPUD handbook. Joel said yes, but each agency can work at their own rate and Elaine noted that our staff should be involved in our handbook updates.

Next UWPA meeting is scheduled for Tuesday, October 26, 2021, at 5:30 PM at the UWPA office in Angels Camp.

- 9.c LAFCO REPORT. Director Quincy reported that there was nothing new to report. Elaine said she has not worked on LAFCO this month.

The next LAFCO meeting is scheduled for Monday, November 15, 2021 at 6:00 PM at the Calaveras County Board of Supervisors Chambers in San Andreas.

- 9.d DISTRICT MANAGER'S REPORT. Bill Eltringham reported that our TTHM's were down again, so the aeration and mixers are still working good at the plant. Bill said that they still do not have the power upgrade yet, but it may be a blessing in disguise, as we have not had to run all the mixers at the same time, which is saving power and money. Bill said we will keep rotating mixers as long as this works for the TTHMs. Bill said this will also help bumping our chlorine, because he has been worried about getting a positive test on our chloroform with our chlorine so low. Bill said it will be a juggling act, but this project has worked good for us so far. Bill said we have not heard from PG&E yet for the engineering on the electrical, but they did say it would be a long process. Bill reported that Bill Airola called him and they had a major leak at the Association Reservoir above the shutoff valve and unfortunately there is not a valve on the inside of the reservoir, it rotted off long before Bill started here. Bill said that in order to repair, they had to lower the Association reservoir way down & tell all the customers not to use water while they repaired. Bill said this is going to need attention, as it is 70 years old. Matt is looking at this valve and designing it and they will need to line the existing line that goes in and put an existing slide gate and shut off on the inside. Bill said this will be an expensive project

and needs to be done soon and coordinate an outage during the repair. Bill also said that the outage should not affect us and he is coordinating with Joel.

- 9.e OFFICE MANAGER'S REPORT. Elaine Urruty reported that she and Lisa have basically been catching up on the office workload as they were both out of the office the majority of the month of September due to both of their father's passing away and COVID testing and quarantining. Elaine said the September bills were completed the first week of October and the statements did not go out until October 13th. Elaine said she is working on the October AP and account changes. The GM notice was put out on our website and she has gotten prices from ACWA & AWWA and still needs pricing on the other water agency sites and newspapers. Elaine said she contacted both CCWD HR and CPUD Management to review who they use for hiring and was given information and names of consultants, which ranged in price from \$17,000 to \$24,500 depending of services requested. Elaine said she also got information from Joel at UWPA regarding where they advertised for their GM position. Elaine said she needed further direction, as at the last meeting the Board has said they wanted to hire a consultant to do our FM recruiting. Elaine reviewed what CPU and CCWD have done and asked for direction from the Board on whether she should continue with the advertising in-house. Bill asked if UWPA hired a recruited and Director Rasmussen said yes. Discussion ensued regarding the GM recruiting and directed Elaine to continue with the GM position advertising. Elaine said she has also been working with UWPA on the employee handbook meetings with consultants. Elaine said she will have LAIF quarterly transfers and quarterly payroll transfers this month and still needs to work on the budget. Elaine said she has also been having many teleconferences with Comcast Business and Springbrook setting up schedule for the migration. Elaine asked Matt if anything else was needed other than the Springbrook data for the 218 rate study and Matt said that this data is the last thing needed and Mark is willing to work direct with Springbrook. Elaine said she has a call into Springbrook and they are calling back in the morning to review the data needed and she will check with them on working with Matt. Elaine said she has received the credit card from Union Bank and is now working on our equipment order for Springbrook also. Elaine also reported that she has ordered a new printer for the office since the old printer's lease was up and it is cheaper to get a new copier with lease than to keep the old copier. Elaine said she completed the second arrearage survey for SWRCB and as soon as she gets the notice she will need to complete the final application. Director Bottomley asked if the Budget committee can have a copy of the last year's budget for review.
- 9.f IRRIGATION COMMITTEE. There was nothing to report.
- 9.g PERSONNEL COMMITTEE. Director Quincy recommended that the Personnel Committee meet with Bill to review possible raises.
- 9.h BUDGET/FINANCE COMMITTEE. There was nothing more to report.
- 9.i LONG RANGE PLANNING COMMITTEE. There was nothing to report.
10. DIRECTORS COMMENTS. Director Rasmussen asked how we were doing on the 218 rate study and Matt informed him that this Mark Hildebrand has been working on the study and is asking to meet with Springbrook to see if he can pull data.

11. NEXT MEETING: The next regular meeting is scheduled for Wednesday, November 17, 2021, at 7:00 PM.
12. ADJOURNMENT. The meeting was adjourned with no further business at 8:07 PM.

Submitted by: Thomas E. Quincy
Thomas E. Quincy, Secretary

Date: 11-17-21

ATTEST:

Elaine M. Urruty
Elaine M. Urruty
Clerk to the UPUD Board of Directors