

# *Ponderosa Community Services District*

RESPONSIBLY PROVIDING PURE MOUNTAIN WATER AND EFFECTIVE SNOW REMOVAL

Minutes of meeting

December 13, 2018

Present:

Directors: D. Doty, B. P. Cohen (via telephone), B. Arnold (outgoing), R. Cope (incoming),

L. Gray (incoming)

Staff: T. Griesbach, J. Robertson, J. Landers, K. Klemcke, T. Harness

Guest: A. Bozanich, D. Stewart, B. Dolmovic, M Goldsmith

The meeting was called to order at 12:30, followed by the flag salute.

## **President Comments**

Following the flag salute Mr. Doty welcomed the guests, and welcomed new directors, Mr. Cope and Mr. Gray. Thank you to Ms. Arnold for her service as director for the last few months, following the resignation of Mr. Moroney.

## **New Business**

Mr. Cope was already sworn in at the county when he filed for candidacy. Mr. Gray received his oath of office from the Board of Supervisors office and was duly sworn in by Mr. Doty. The board now has four active directors and one vacancy.

It is the time for the annual determination of board positions.

The following slate of offices was suggested

Board President – Dale Doty

Vice President – Paul Cohen

Water Coordinator – Robert Cope

Financial Coordinator – Larry Gray

Snow Coordinator/Monitor – Dale Doty

It was moved, seconded and passed unanimously to accept the slate of offices as listed.

Mr. Gray asked if it was possible for the board to appoint a fifth director. It was explained that depending on the situation, yes the PCSD board can make the appointment. However, there are time constraints once there is a vacancy and we have gone past the allotted time for a local appointment. Since Mrs. Bozanich has indicated a willingness to serve on the board, she needs to fill out an application for appointment, the board must consider her application as an agenda item, and if accepted by the board, the request for appointment must be sent to the County Board of Supervisors.

Mr. Gray requested that such an agenda item be placed on the January agenda.

## **Comments from the Public**

None

## **Minutes from November 8, 2018 regular meeting.**

It was moved by D. Doty to accept the November 8, 2018 regular meeting minutes as written. The motion was seconded and passed unanimously.

## **Water Manager**

T. Harness reported Lake well is back online. It started back in service on Nov. 19.

All bleeder valves are on as of Nov. 27.

November monthly water usage. Daily average 9,305 gallons  
Lake 24,780 gallons  
Fawn 164,200 gallons  
Transfer 136,782 gallons

Holby 1 pumped a small amount of water. Mr. Harness was directed to ask Doug Elliot to recalibrate that well.

### **Communications**

Corpro – asking if we want them to inspect Summit tank  
Phone call from Doug Elliot regarding Lake well.

### **Staff Reports:**

#### **Secretary:**

Agenda posted to website.  
No written report

#### **General Manager**

GM is looking for a model of a maintenances plan, still looking for tank options, and still waiting to hear from the self-help group.

#### **Water Coordinator's Report**

K. Klemcke completed the final quarter for TCP123 and we have results from Fruit Growers. All quarters showed 'no detection'; hopefully the State Water Board will reduce or drop that testing requirement for PCSD. Water Board almost has our new permit to operate completed, however they will not grant us non community status, so we will still have certain testing requirements. Asbestos testing has been reduced to every 9 years.

#### **Snow Coordinator/Monitor:**

There have been 4 storms for a total of 33 inches. High Sierra has billed for removal of 31.5 inches. Invoices total \$11,067.50 to date.

Regarding discussion of possible increase in snow removal rates – Mr. Doty proposed taking this item off the agenda for at least a year. Hearing no objections, this issue will be tabled.

#### **Financial Coordinator**

Mr. Gray will meet with the treasurer in order to review financial files and procedures with her.

#### **Treasurer's Report:**

The invoice for the new security doors has been paid, \$2330.00. Expenses reimbursed to secretary and treasurer for attending the CSDA training seminar.  
CPA Dennis Hylton will charge \$6500.00 for his services this year.  
California Special District Association (CSDA) dues are \$1059.00

The treasurer requested a resolution to transfer monies within the 740 water budget. She would like to move \$1500 from line item 7043 professional and special expense into line item 7024 maintenance.

It was moved by L. Gray to accept resolution 2018-165-A authorizing the treasurer to submit a request to the County of Tulare for the 2018-2019 fiscal year budget for line item 740/7024 Maintenance in object 2020 Water to be increased by \$1500. Furthermore this increase shall

be funded by a transfer in the amount of \$1500 from line 740/7432 Contingencies in object 2020 Water. The motion was seconded and following a brief discussion for clarification, the motion passed by the following roll call vote.

D. Doty – aye, P. Cohen – aye, L. Gray – aye, R. Cope – aye

The treasurer asked for a resolution in order to pay an invoice from Doug Elliot through the 735 capital improvement fund.

\$3322.77 Elliot Pump inv. 11477 Work on Lake Well

It was moved by L. Gray to accept resolution 2018-166-A authorizing payment, of the above reference invoice, through 735 capital improvement fund. The motion was seconded and passed by the following roll call vote.

D. Doty – aye, L. Gray – aye, R. Cope – aye, P. Cohen – aye

It was moved by D. Doty to accept the treasurer’s report, seconded, hearing no objections the motion carried.

**PPOA Liaison** – There is a Christmas Lights contest this year. Christmas party at the Lodge on Dec 22.

**Forest Service** – nothing to report

**Director’s Comments:**

Supervisor Townsend letter – carry forward

Do write a letter to RMA, Jonny Wong, thanking him for keeping the Divide Hwy open this winter. We appreciate the effort and commitment to the citizens of Ponderosa community. This alternate access is very important to the mountain communities due to treacherous road conditions on Hwy 190 caused by storms in the burn scar areas.

**Unfinished Business**

Ongoing items

- Well houses
- Finish interior of PCSD building

The next regular meeting will be on Thursday January 10 at 12:30 pm in the district building.

Adjournment 2:30 pm

Minutes prepared by Jennifer Robertson/Board Secretary

# *Ponderosa Community Services District*

RESPONSIBLY PROVIDING PURE MOUNTAIN WATER AND EFFECTIVE SNOW REMOVAL

Minutes of Special Meeting

December 22, 2018

Present:

Directors: D. Doty, R. Cope, L. Gray and P. Cohen (via telephone conference call)

Staff: T. Griesbach, J. Robertson

Guest: A. Bozanich, B. Dolmovic

The meeting was called to order at 11:00, followed by the flag salute.

## **President Comments**

Mr. Doty thanked everyone for being here today.

This special meeting is to address one specific action item. No other district business will be discussed or acted upon during this meeting.

## **Comments from the Public**

None

## **Business**

Due to a miscommunication, the final snow removal contract terms were not agreed to by both the contractor and the board of directors. At this time, there is not a valid contract in place for the current snow removal season. However, High Sierra snow removal has already cleared snow.

The General Manager, Mr. Griesbach negotiated the contract terms with Mr. Dolmovic. Mr. Griesbach said he could defend Mr. Dolmovic's request for an annual 3% increase in his contract amount as very reasonable. Mr. Griesbach bases this on his own business experience and does not believe it puts the PCSD snow reserves in jeopardy.

At the November meeting, Mr. Griesbach brought the negotiated terms to the board. The November minutes reflect that the board wanted to have a 2 year contract with an optional 3 year to be continued at the same rates. That change to Mr. Dolmovic's original proposal for 3 years did not go back to him for his approval. When Mr. Dolmovic was finally sent a revised copy, it included his signature from his original proposal. He was not given the opportunity to review the revised contract and agree to its terms. There were other clerical mistakes in the final version of the contract, which along with contract term discrepancy, rendered the contract void.

Mr. Dolmovic presented his original proposal, to which he believed the board had agreed. The principle points of contention are item #7 the length of the contract term (2 years versus 3 years) and the possible amendment of terms with the district being able to cancel the contract if no agreement it reached; And item #9 the annual 3% increase to total cost of snow removal.

The board wants an annual review of the actual increase, not have it be an automatic amount. Mr. Dolmovic clarified that the increase is based on the total amount of actual snow removal costs. For instance, if the total snow removal costs for a season were \$58,000.00, then 3% would be an additional \$1,740.00 – for a total bill of \$59,740.00.

After much debate between directors and the contractor about costs versus income, actual snowfall amounts, average snowfall amounts versus abundant snowfall, and actual totals billed for snow removal, the following terms were suggested.

Item 7 will read as follows: This Agreement may be modified or amended at any time by the express written consent of both parties. The parties further agree that although the term of the contract is for 3 years, the cost items will be reviewed annually by the parties and are subject to re-negotiation.

Item 9 will read as follows: It is mutually agreed that the District shall pay Contractor a minimum payment of thirty-five thousand dollars 35,000.00 base for each 2018-2019, 2019-2020, and 2020-2021 snow season. After the first year of the contract, a base increase of +/- 3% will be added to the total actual cost of snow removal; subject to review and agreement of both parties. A twenty thousand (\$20,000.00) working capital draw shall be provided by the District prior to October 1<sup>st</sup> of each year.

The contract will be for 3 years: 2018-19 season, 2019-20 season, and 2020-21 season, ending in May 2021. The guaranteed minimum for each season is \$35,000. High Sierra Snow Removal will get a \$20,000 draw at the beginning of each snow season. Snow removal invoices will be billed against this draw until \$20,000 is reached, then invoices will be paid as presented and approved.

Snow removal on Ponderosa community roadways will be done to the standards stipulate in Exhibit A of this contract.

The hourly cost of snow removal equipment will be as follows:

For 0 to 13 feet of snow: \$190.00/equipment hour, regardless of equipment used

For all snow over 13 feet: \$160/equipment hour, regardless of equipment used.

\$65.00 per hour for miscellaneous labor (ex. Cutting trees out of road ways)

*\*As stated in item 9 of the contract, following the 2018-2019 snow season, a base increase of +/- 3% will be added to the total actual cost of snow removal; subject to review and agreement of both parties.*

It was moved by D. Doty to accept the snow removal contract as amended, negotiated, and clarified. The motion was seconded. As there was no further discussion, the motion carried by the following vote.

Aye – 3, Nay – 0, Abstain - 1

The final contract will be created and email to Mr. Dolmovic for his review prior to signing. The secretary was also directed to write Mr. Dolmovic a formal apology letter,

Adjourn 12:30 pm

The next regular meeting will be Thursday January 10, 2019 at 12:30 pm in the district building.

Minutes prepared by  
Jennifer Robertson  
Board Secretary