

Ponderosa Community Services District

RESPONSIBLY PROVIDING PURE MOUNTAIN WATER AND EFFECTIVE SNOW REMOVAL

Minutes of meeting

November 10, 2022

Present:

Directors: W. Dolmovic, B. Benton, J. Gordon (via zoom)

Staff: T. Griesbach (zoom), J Robertson (zoom), J. Landers (zoom), K. Klemcke, R. Cope

Guests: C. Marchaunt, B. Arnold, J. Parminter, Diane Ayers, Dana Stewart, Gabby O'Neill

The meeting was called to order at 12:41 by Mr. Dolmovic, followed by the flag salute.

President comments

Introduced board members and guests. Welcomed directors appointed in lieu of election Marchaunt and O'Neill. They will join the PCSD board in December 2022.

Comments from the Public

D. Stewart – Thank you to all board members who have served, are serving, or will serve.

Minutes from October 13, 2022, regular meeting.

Having reviewed the draft minutes, Gordon moved to accept the October 13, 2022, regular meeting minutes as presented. Dolmovic seconded, and the motion carried unanimously.

Communications:

Staff Reports

General Manager - Griesbach

- The regular monthly federal labor information was reported.
- Began the lead education program
- Reviewed information regarding lead line inventory that will be required in the future. The law requires PCSD to check 2 places on the customer side of the connection to determine if there are lead water lines. It was suggested that this item be calendared to next year.
- Regular communications with staff/board/Cope
- Contact the city of Tulare to discuss development fees and nexus to raise those fees
Griesbach determined that currently there are 4 wells with 146 connections. That equates to approx. 36 connections/well. Therefore 36 new connections require a new well. Costs to be used to calculate a facility development increase are property acquisition, drill new well, well house and electrical, total to be divided by 36. It was mentioned there is an existing well on the Kramer property that could possibly be added to the PCSD system.

Secretary:

- Update website – included winterization procedures and link to pdf flyer
- Responded to communications as necessary
- Received scan of annual operating permit. Copies need to be placed at each wellsite and summit, and a copy in the PCSD office
- Reviewed agenda policy and contacted attorney

Question – legally, can changes be made to an already posted agenda? i.e.: agenda item description changed.

Answer: *Yes and No. If the agenda is posted before the 72-hour minimum required, it can be altered and then reposted as an AMENDED agenda. However, if the 72-hour deadline has passed – NO CHANGES CAN BE MADE.*

Furthermore, while there is no legal requirement to submit draft agenda for approval prior to posting, the attorney suggested (since this has become an issue) that the current policy be revised to include a specific deadline for a draft agenda AND a specific deadline for directors to submit items for the agenda/request alterations etc. She suggested no further changes after Friday before the meeting.

Additionally, directors need to understand that their requested agenda item descriptions may need to be altered in order to conform to the standards set in the Brown Act: Ch IV, section 1. Regular meetings, subsection A. Agenda requirement (pgs 16-17):

The purpose of the brief general description is to inform interested members of the public about the subject matter under consideration so that they can determine whether to monitor or participate in the meeting of the body.

However, the Legislature in section 54954.2 placed an important gloss on the requirement to provide a brief general description. That section expressly provides that **the brief general description generally need not exceed 20 words in length**. Thus, absent special circumstances, the legislative body may use a short description of less than 20 words to provide essential information about the item to members of the public. Where necessary, legislative bodies are free to provide a more detailed description, but as a general rule, they need not feel any obligation to do so

Changes to Brown Act (teleconferencing) Signed in September 2022, goes into effect Jan 2023.

Key Points

- AB 2449 provides complex and restrictive alternative teleconference procedures:
 - At least a quorum of the members of the legislative body must participate in person from a singular physical location identified on the agenda, which location will be open to the public and within the boundaries of the local agency;
 - A member may only teleconference for publicly disclosed "just cause" or in "emergency circumstances" approved by the legislative body; and
 - A member may only teleconference for a limited number of meetings.

In addition to the above prerequisites, AB 2449 also contains a number of provisions that may make the ability to participate remotely difficult for many public officials. The new provisions only allow a member of the legislative body to participate remotely if one of the following are met:

1. the member notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for "just cause" (as defined by AB 2449), including a general description of the circumstances relating to their need to appear remotely at the given meeting; or
2. the member requests the legislative body to allow them to participate in the meeting remotely due to "emergency circumstances" and the legislative body takes action to approve the request. The legislative body must request a general description (generally not exceeding 20 words) of the circumstances relating to their need to appear remotely at the given meeting.

The bill defines "just cause" and "emergency circumstances" for the purposes of teleconferencing. "Just cause" is limited to one or more of the following: (i) a childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely; (ii) a contagious illness that prevents a member from attending in person; (iii) a need related to a physical or mental disability as defined by statute; or (iv) travel while on official business of the legislative body or another state or local agency. "Emergency circumstances" means a physical or family medical emergency that prevents a member from attending in person.

Contracted Water Operator – K. Klemcke

Regular water sample passed. After passing testing, the new tank at Holby was filled and put into service.

Water Foreman: Cope

Mr. Cope reported: From 10/13 to 11/10/2022

| | | |
|------------------------|----------------------------|---|
| Lake pumped | 11,000 gallons | broken meter |
| Fawn pumped | 155,600 gallons | |
| Holby 2 pumped | 158,000 gallons | production up to 15 g/min from 8-11 g/min |
| Holby 1 | 0 gallons | ready to pump |
| Transferred to Summit | 139,000 gallons | |
| Total usage for system | 11,000 gallons approx./day | |

Holby site, the new tank is plumbed, and electrical conduit in. County and Fire inspected and signed off. Electrician may need to install a new panel if switches to coordinate with the current panel cannot be found.

No leaks, no breaks. All generators are ready to go if needed.

Snow Removal foreman – Cope

Ponderosa received 18-19 inches of snow. The roads are open and passable. In process of widening and cleaning berms. All equipment is running well.

Snow Removal coordinator: nothing to add to snow report.

Financial Report

Treasurer – Landers

The electric bill for the water pumps was an unexpected \$5000, an increase from \$600 to \$1200 is normal and expected.

Cope thinks the low water levels due to drought caused the pumps to work longer than normal. There is also a heater in each well house.

Snow Removal liability insurance was paid, \$6000.

The Holby project accounting was sent to Benton as requested.

The county has not been correctly accounting Cope's monthly pay to water and snow removal since July. The treasurer is working on getting county to correct past accounting.

Status on general fund: \$199,936 (still within budget) Snow: \$94,905, 735 Fund \$23,047

The road paving was paid out of 735.

Gordon noted the changes to format on financial summary are good.

Gordon moved to accept the treasurer's report as presented, second by Benton. The motion carried with none opposed.

Additional Reports

- PPOA/PCSD Liaison – no meetings recently
- US Forest Service Liaison – Dolmovic mentioned the Divide Highway (M107) had been plowed for emergency use only. The County did one lane. There are not currently plans to keep it open as a backway down for Ponderosa. Access is gated and bermed. The County only has 1 driver for the entire mountain.

Director Comments – none**Status Update on Holby tank replacement project**

- Discussion and possible action to accept bid for electrical work at Holby project site. No discussion, bids were not received.

Unfinished Business

- Discussion and possible action on invoices received from Del White – *carried forward*
Rental on Skid Steer for back fill during water line replacement –
6 dates \$65/hour no minimum charge and no mobilization fees
- Discussion, review of suggested additions, and possible acceptance of water service/snow removal foreman job description.
There was a brief discussion as to whether the suggested changes had been incorporated into the job description and Mr. Cope made aware of them. The general manager affirmed he had reviewed everything with Mr. Cope. Therefore, Gordon moved to accept the water service foreman job description as presented. Benton seconded, and the motion carried unanimously.

Ongoing items: *These will be completed as weather allows.*

Gates or access barriers on Holby foot bridge, and access road to Holby well site

New Business

Discussion regarding Kramer well.

Diane (Kramer) Ayers contacted Director Benton to see if the PCSD is interested in adding a well from the Kramer property to the PCSD water system. Discussion of whether to commit district funds for surveying the well and testing it to determine viability as a water source. Possible action to commit funds, continue discussion, or decline offer.

The conversation began with noting there is a well on Kramer property that is not being used. It might be a viable option for the PCSD to connect to a new water supply. This well sits at the flow of Kramer meadow. It was originally used in the 1940s for a lumber mill. Parminter noted it was to top producing well on the mountain “in the day”. The well would need to be tested to see if it is still producing and still usable.

Ayers was asked if her family would allow PCSD to drill a new well if needed. She answered, Yes, **but** there will need to be a conversation first; can a well be connected to the system from that location, are easements required. Dolmovic suggested the PCSD contact a well drilling company to learn costs for inspection and checking for viability. Doug Elliot can eyeball the location and make recommendations. Benton will coordinate with Elliot. The board will need to discuss and set a budget for this project. Ayers is planning to have land survey work to develop the property. This item will be carried forward to Spring.

Benton will investigate grant opportunities for well reconditioning/new well development.

Adjourn – moved by Benton, seconded by Gordon, hearing none opposed, meeting adjourned at 2 pm.

The next regular meeting will be held Thursday December 8, 2022, at 12:30 pm in the district building.

Please Note: The December meeting was canceled due to illness creating lack of quorum. The next regular meeting was scheduled for January 12, 2023. The January meeting was postponed due to weather and travel conditions. The next regular meeting is February 2, 2023.

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Minutes prepared by Jennifer Robertson/Board Secretary