

**MINUTES OF THE BOARD OF DIRECTORS OF CRESTLINE
VILLAGE WATER DISTRICT**

November 16, 2021

The Board conducted the meeting virtually by videoconference (via Zoom) and teleconference (via Zoom phone) in compliance with the Governor's Executive Order N-29-20 in response to the COVID-19 pandemic.

CALL TO ORDER AND FLAG SALUTE: President Steven Farrell called the Regular Meeting of the Board of Directors of Crestline Village Water District to order at 3:02 pm, on Tuesday, November 16, 2021.

ROLL CALL: Present were President Steven Farrell, Vice President Cory Hubbell, Directors William Barrera, Leslie Brister and Kenneth Stone.

Staff members present were Attorney Ronald Van Blarcom, Office Manager Jeanene Weiss, Field Supervisor Steve Wood, and District Accountant Nathan Statham.

Public in attendance was Sherri Fairbanks

MINUTES OF PREVIOUS MEETINGS: The Board reviewed the minutes of the October 19, 2021 Regular Board Meeting. On a motion by Director Stone and a second by Director Hubbell, the Board approved the minutes as submitted with the following roll call vote:

AYES: Directors Farrell, Brister, Hubbell, Stone and Barrera.

NOES: None.

ABSENT: None.

ABSTAINED: None.

CASH DISBURSEMENTS: The Board reviewed and discussed the cash disbursements for the month of October 2021. Director Barrera raised concern about two checks written to ACWA JPIA in the amounts of \$31,336.26 and \$46,418.88. Manager Weiss explained that the smaller payment was for monthly employee and retiree Health Benefits and the larger payment was for the District's Auto and General Liability Insurance policy. The liability insurance bill increased by approximately \$11,000 from last year due to multiple claims. On a motion by Director Hubbell and a second by Director Stone, the cash disbursements for the month of October 2021 were approved with the following roll call vote:

AYES: Directors Brister, Farrell, Hubbell, Stone and Barrera.

NOES: None.

ABSENT: None.

ABSTAINED: None.

PUBLIC COMMENTS: Sherri Fairbanks who is on the Board for Crestline Sanitation commented on the Federal Infrastructure Bill and the recycling of water.

CONSIDER CUSTOMER DISPUTE FOR LATE FEES; ZIA FARUQUI: The customer was not present for the meeting and Staff was unable to make contact with the customer after several attempts. The Board requested this customer be removed from future Board agendas until they contact us to be added to it again.

PRESENTATION OF THE ANNUAL AUDIT REPORT, FISCAL YEAR 2020-2021: The District's Auditor Brad A. Welebir of Rogers, Anderson, Malody & Scott, LLP, Certified Public Accounts (RAMS), presented the audit report for the fiscal year ending April 30, 2021. Auditor Welebir explained the purpose of the annual audit and noted that the audit was completed later than usual due to staffing turnover both at RAMS and at the District.

Auditor Welebir noted the audit was conducted remotely and that there were no significant changes in financial reporting from the prior year. There were no new accounting policies adopted during the year. He explained for the Fiscal Year 2022 GASB87 Leases is something the District should be aware of.

The District's rate increase made operating revenues compared to operating expenses closer than in previous years. Auditor Welebir stated there were not any problems working with District Staff and that the results of the audit were good and there was nothing to report. After general discussion regarding the audit, on a motion by Director Hubbell and a second by Director Stone, the Board unanimously approved to receive and file the Audit for the Fiscal Year 2020-2021.

AYES: Directors Barrera, Brister, Farrell, Hubbell, and Stone.

NOES: None.

ABSENT: None.

ABSTAINED: None.

REVIEW AGREEMENT WITH RON VAN BLARCOM FOR GENERAL COUNSEL SERVICES: Attorney Van Blarcom has served as the District's General Counsel for approximately 30 years. For the last 12 years, the month of November has been the time that the Board reviews his legal services agreement. Attorney Van Blarcom proposed a new Engagement Agreement effective December 1, 2021 which included a rate increase and a change in the billing arrangement from payment in advance to payment in arrears. Attorney Van Blarcom noted that working with the District has been a highlight of his career. On a motion by Director Stone and a second by Director Hubbell, the Board unanimously approved to renew the District's contract with Attorney Van Blarcom.

AYES: Directors Barrera, Brister, Farrell, Hubbell, and Stone.

NOES: None.

ABSENT: None.

ABSTAINED: None.

REVIEW PAST DUE PENALTY POLICY AND COVID-19 CUSTOMER ARREARAGES:

Due to the Covid-19 Pandemic, the District has customer accounts that have accrued large past due balances including penalties. District Staff have been working with customers to set up payment arrangements and a letter with assistance information was mailed last August to customers including landlords of tenant's with past due balances. The State Water Resource Control Board (SWRCB) Arrearage Fund Program awarded the District the amount of \$61,017.76 to apply to 95 customer accounts. It was unfortunate that the information for these accounts was submitted to SWRCB by former management without the Board having the opportunity to review it first. The Program will only consider past due account balances for the time period of March 4, 2020 through June 15, 2021. Some Directors and Staff raised concern about the perception of fairness to customers who paid their water bills during that time period. A stipulation to receiving these funds is not allowing the funds to be applied to late fees. As a result, the District would be required to remove approximately \$24,000 in penalties for those 95 accounts. District Accountant Statham would oversee the application of these funds to stay in compliance with the stipulations given by SWRCB.

The motion made by Director Stone with a second by Director Barrera to send back the grant money to SWRCB and uphold the District's past due penalty policy failed with the following roll call vote:

AYES: Directors Barrera and Stone.

NOES: Directors Brister, Farrell and Hubbell.

ABSENT: None.

ABSTAINED: None.

On a motion by Director Hubbell and a second by Director Brister the Board approved the acceptance of the one-time funds with the SWRCB conditions including the reversal of the \$24,000 in penalties with the following roll call vote:

AYES: Directors Brister, Farrell, and Hubbell.

NOES: Directors Barrera and Stone.

ABSENT: None.

ABSTAINED: None.

REVIEW AND ADOPT RESOLUTION NO. 485, PERSONNEL MANUAL

UPDATES: Manager Weiss informed the Board that previous management had given District Staff the Martin Luther King Jr. Day off with holiday pay in 2021 without prior Board approval. In order to avoid Staff disappointment in not having the Holiday recognized in 2022, Manager Weiss brought the issue to the attention of the Board. The Board reviewed Personnel Manual updates which included the addition of Martin Luther King Jr. Day as a permanent paid District Holiday. On a motion by Director Stone and a second by Director Hubbell, the Board approved all changes to the Personnel Manual with Resolution No. 485 with the following roll call vote:

AYES: Directors Brister, Farrell, Hubbell, Stone and Barrera.

NOES: None.

ABSENT: None.

ABSTAINED: None.

CONSIDER THE ACLARA ONE SERVER UPGRADE: After general discussion, the Board agreed to table this item until the board meeting with the condition that the sales representative, Dave LaJeunesse from Aclara would be able to attend that meeting to answer their questions and would also honor the quotation pricing for the server upgrade. If this was not possible, then a December meeting or Special meeting would have to be scheduled accordingly.

DISCUSSION ON THE DISTRICT'S EMERGENCY RESPONSE PLAN: Manager Weiss informed the Board of the District's need to comply with the America's Water Infrastructure Act (AWIA) and update the Risk and Resiliency Assessment (RRA) along with the Emergency Response Plan (ERP) despite the U.S. Environmental Protection Agency (EPA) having record of former management's certification of these plans. Manager Weiss contacted District Engineers Albert A. Webb Associates and received an estimate of \$27,900 for their assistance in updating both District documents. President Farrell sent thanks to Webb Associates for making themselves available to work on both documents commencing in December on such short notice. On a motion by Director Stone and a second by Director Hubbell, the Board approved using Webb Associates for the RRA and ERP with the following roll call vote:

AYES: Directors Barrera, Brister, Farrell, Hubbell and Stone.

NOES: None.

ABSENT: None.

ABSTAINED: None.

CONSIDER CONTINUING TO MEET VIA TELECONFERENCING: With the continuation of the Covid-19 Pandemic, the Brown Act has been modified to allow for the future use of Teleconferencing if the following findings have been voted on every 30 days. These findings include: The Board of Directors has reconsidered the circumstances of the state of emergency; AND the state of emergency continues to directly impact the ability to meet safely; OR State or local officials continue to impose or recommend social distancing. In order to continue with meeting via Zoom, a motion to adopt these required findings will need to take place. Majority vote by the Board is required.

On a motion by Director Hubbell and a second by Director Barrera, the Board approve the continued use of Zoom for Teleconferencing for board meetings with the following roll call vote:

AYES: Directors Barrera, Brister, Farrell and Hubbell.

NOES: Director Stone.

ABSENT: None.

ABSTAINED: None.

MANAGER'S REPORT:

1. Manager's Update on District Task List:

Manager Weiss informed the Board she has received her Umpqua Bank credit card however, Supervisor Wood's card had been lost in the mail. Umpqua Bank issued a

replacement card and it should arrive no later than November 19, 2021.

The new security cameras have been installed by District staff and provide a significant upgrade from the old system. Supervisor Wood would like to get a quote to install cameras at all tank sites for added security.

Since making the initial deposit with Seeley's Heating and Air, they have made measurements for the server room air conditioning unit and will install the unit well before it is needed in the summer months.

Manager Weiss confirmed with Wienhoff Drug Testing of the District's Federal Motor Carrier Safety Administration (FMCSA) compliancy. All Drug and Alcohol Clearinghouse database queries have been run on District drivers. Wienhoff Drug Testing will run these annually on behalf of the District in order to maintain compliancy.

Since hiring Computer Options, they have been working onsite and remotely to get District equipment up to date and secure. They continue to work with the office staff on any issues that may come up on a day to day basis. President Farrell was concerned about the District's website security. This has been brought to the attention of Computer Options and they are working on the issue.

The Electra Well finishing stages are coming to an end. It successfully pumped water and could bring in an estimated 30 gallons per minute.

President Farrell has had access to the Districts' new website under construction as he was working on this with former management. It was discussed that the project may have to be placed on hold until a General Manager is hired due the amount of time it requires.

Former General Manager Karl Drew was unable to extract the necessary data from the District's former billing software system. Staff reached out to the software maker and was able to get a temporary software license to assist with the issue.

All District Staff were certified in both CPR and first aid on November 9, 2021.

2. Monthly Financial and Investment Reports:

There were not any questions or concerns from the Board.

3. Monthly Water Production Reports:

Supervisor Wood informed the Board about different leaks within the District. President Farrell questioned if there is a plan in place in the event that state water is unable to reach the District due to increased conservation needs. It was also discussed that a System and Conservation report be included at the next board meeting.

DIRECTOR'S REPORTS:

1. General Manager Recruitment Subcommittee Report:

The General Manager recruitment process has been at a stand-still. Director Farrell and Director Stone had not met since the last board meeting however stated that they would post an ad for the vacancy with a deadline at the end of January. With this deadline the directors are hoping to have a General Manager hired by the end of February. Disappointment was expressed by both the Board and Staff regarding the 9 weeks that has passed since the departure of General Manager Dietz and there hasn't been any progress made in finding a replacement. There was concern expressed about the amount of work being placed on Manager Weiss.

2. Director's Reports:

Director Hubbell voiced his appreciation to District Staff and the amount of extra work they are all putting in to help in run the office.

3. Request for Future Agenda Items:

The Board would like to follow up on the Aclara One server upgrade. Manager Weiss will contact sales representative Dave LaJeunesse, to confirm his availability for the January meeting as well as ensure that the quotation pricing will be honored by Aclara. The Board also requested updates on the status of the water shut off moratorium.

With no further business to discuss, the meeting was adjourned at 6:16 pm.

The next scheduled meeting will be held on Tuesday, January 18, 2021 at 3:00 pm. This meeting will be held in person as well as simultaneously via videoconference (Zoom).