

**MINUTES OF THE REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
OLIVEHURST PUBLIC UTILITY DISTRICT**

March 18, 2010

President Morrison called the regular meeting of the Board of Directors of the Olivehurst Public Utility District (OPUD) to order at 7:00 p.m., at 1970 9<sup>th</sup> Avenue, Olivehurst.

**PLEDGE OF ALLEGIANCE**

Everyone was asked to stand and give the Pledge of Allegiance to the Flag of the United States of America.

**ROLL CALL**

Responding to roll call was: Director Patty, King, Hollis, Dougherty, and Morrison.  
Others present were:

Timothy R. Shaw	General Manager
Cindy Van Meter	District Clerk/Resource Coordinator
John Tillotson	Director of Public Works
Glen Phillips	Accountant/Officer Manager
Karl Cozad	Operations Manager
Greg Axline	WWTF Chief Plant Operator
Wade Harrison	Fire Chief
Jeff Meith	Legal Counsel
Greg Forest	Bear River Project
Donald Rae	Plumas Lake Resident
Ben van der Meer	Appeal Democrat

And other interested people.

**RECOGNITION OF AUDIENCE**

In response to President Morrison's invitation for comments from the audience, Donald Rae (Plumas Lake Resident) asked that the Board place on an agenda, sometime in the near future, a letter to the Three Rivers Levee Improvement Authority and the Yuba County Board of Supervisors asking that immediate action be taken to provide for the public safety of the residents within OPUD's sphere of influence and protection of capital assets. Mr. Rae referred to a letter sent by Reclamation District #784 to the Yuba County Board of Supervisors regarding potential flood threat from the Yuba River.

## **CONSENT AGENDA**

A MOTION WAS MADE BY DIRECTOR HOLLIS, SECONDED BY DIRECTOR KING, AND PASSED UNANIMOUSLY TO APPROVE ITEMS ON THE CONSENT AGENDA, INCLUDING: (a) APPROVE MINUTES OF JANUARY 8, 2010, SPECIAL MEETING; (b) APPROVE MINUTES OF JANUARY 21, 2010, REGULAR MEETING; and (c) APPROVE CLAIMS FOR PAYMENTS FOR FEBRUARY 2010 IN THE AMOUNT OF \$280,273.45.

## **DISTRICT DEVELOPMENT**

Mr. Shaw stated that at the Water/Sewer Committee Meeting , staff and committee members discussed the Dana 550/Bear River Project. Greg Forest (Bear River Project) is requesting OPUD's review of their "large lot" final map with 30 parcels, to assure that all the District's requirements have been met. The property has been annexed into the District.

Mr. Shaw explained that if the District should provide clearance for the "large lot" final map, it will be conditional. For example, developer would have to fund the Parks Master Plan revision prior to "small lot" final map approval. The developer is not building anything at this time, but trying to obtain as many entitlements as possible in order to sell the project at a later date. The conditional letter should "boldly" state that the project is not ready to be served by the District until specific conditions are met.

Mr. Forest added that the County approved this project in December 2008 and the main entitlement that they granted was a tentative subdivision map, which also has conditions of approval that the developer has to satisfy.

Mr. Shaw's recommendation is to authorize staff to send a letter to the County addressing the specific conditions for the "small lot" final map approval.

A MOTION WAS MADE BY DIRECTOR PATTY, SECONDED BY DIRECTOR DOUGHERTY, AND PASSED UNANIMOUSLY TO AUTHORIZE STAFF TO RESPOND TO YUBA COUNTY'S CLEARANCE REQUEST ADVISING THAT OPUD HAS NO OBJECTION TO RECORDATION OF THE LARGE LOT MAP FOR THE DANA 550/BEAR RIVER PROJECT. OPUD IS NOT ABLE TO CONFIRM THAT PARK SITE REQUIREMENTS HAVE BEEN MET UNTIL THE OPUD PARK MASTER PLAN IS UPDATED AND SPECIFIC DEDICATION OF PARKS IS OFFERED. PARK SITE REQUIREMENT WILL BE EVALUATED UPON COMPLETION OF UPDATE AND REVIEW OF SMALL LOT MAPS.

As the staff report reflects the District does have the funds to reimburse Water Capacity Fees to Marysville Joint Unified School District (MJUSD) for the installation of the 18

inch water line from Plumas Arboga Road and Arboga Road to Arboga School (1,480 linear feet).

A MOTION WAS MADE BY DIRECTOR PATTY, SECONDED BY DIRECTOR HOLLIS, AND PASSED UNANIMOUSLY TO REIMBURSE MJUSD/ARBOGA SCHOOL FROM WATER CAPACITY FEES IN THE AMOUNT OF \$136,919.26 PER THEIR FEE CREDIT AND REIMBURSEMENT AGREEMENT.

Mr. Shaw explained that the Feather Glen project began in the early days of the Plumas Lake area development but the developer ran into some financial obstacles during the course of development. The developer did build a lift station and attempted to dedicate it the District. The Board actually passed a resolution to accept the lift station with the condition of a clean title. That condition was never met and the development has since been taken over by Lewis Latimer. The title issues have now been addressed and the new property owner is dedicating the lift station to OPUD.

A MOTION WAS MADE BY DIRECTOR DOUGHERTY, SECONDED BY DIRECTOR KING, AND PASSED UNANIMOUSLY TO APPROVE RESOLUTION NO. 2217, A RESOLUTION ACCEPTING THE GRANT DEED FOR THE FEATHER GLEN LIFT STATION.

### **PUBLIC WORKS ENGINEER'S REPORT**

Mr. Meith requested that item 8(d) be added to the agenda regarding a Change Order for the WWTF roofing project from All Rite Roofing. This item came up after the agenda was prepared and cannot wait until the next board meeting.

A MOTION WAS MADE BY DIRECTOR PATTY, SECONDED BY DIRECTOR KING, AND PASSED UNANIMOUSLY TO ADD ITEM 8(d) TO THE AGENDA, CHANGE ORDER FOR ALL RITE ROOFING FOR THE WWTF ROOFING PROJECT.

A written report on the status of development and other District projects was submitted to the Board.

Mr. Shaw explained that staff had intended to have a work plan in place for Well No. 2 prior to tonight's meeting, for Board authorization. Unfortunately the work plan was only published today and staff has not had the opportunity to look it over. This work plan would most likely need to be addressed at a Special Meeting in the near future.

Mr. Shaw and Mr. Tillotson then went over some of the issues with regard to Well No. 2, including an explanation of the internal video stills of Well No. 2 in the board packet.

Per the staff report, the change order request from All Rite Roofing is to cover the cost for prevailing wage.

A MOTION WAS MADE BY DIRECTOR PATTY, SECONDED BY DIRECTOR KING, AND PASSED UNANIMOUSLY TO APPROVE ALL RITE ROOFING CHANGE ORDER REQUEST FOR WWTF ROOFING IN THE AMOUNT OF \$600.00.

### **FIRE DEPARTMENT**

A written report on the status of the Fire Department was submitted to the Board.

A written District Safety Report was submitted to the Board.

Mr. Shaw explained that the Intermittent/Seasonal Engineer position was approved a last month's board meeting.

A MOTION WAS MADE BY DIRECTOR KING, SECONDED BY DIRECTOR HOLLIS, AND PASSED UNANIMOUSLY TO AUTHORIZE ADVERTISEMENT AND ESTABLISHMENT OF AN ELIGIBILITY LIST FOR THE INTERMITTENT/SEASONAL ENGINEER POSITION,

The proposed Intermittent/Seasonal Fire Fighter position description was brought before the Board. Director King had some suggestions regarding the Special Requirements.

The proposed Intermittent/Seasonal Fire Fighter position description was sent back to committee for additional review.

Mr. Shaw discussed with the Board establishing a procedure/policy for re-appointment of Intermittent/Seasonal Fire Department position(s). Mr. Shaw suggested establishing an eligibility list annually. No action was taken on this item.

A written committee report was submitted to the Board.

### **WASTEWATER COLLECTION AND TREATMENT FACILITIES**

A written report on the status of the WWTF was submitted to the Board.

A written committee report was submitted to the Board.

## **PARKS AND PUBLIC FACILITIES**

A written report on the status of the parks and district facilities was submitted to the Board.

A MOTION WAS MADE BY DIRECTOR HOLLIS, SECONDED BY DIRECTOR KING, AND PASSED UNANIMOUSLY TO APPROVE THE BID SPECIFICATION FOR WHEELER RANCH UNIT 6 PARK D (2.1 ACRES), LINKS PARKWAY AT ENTRANCE TO SUBDIVISION, AND AUTHORIZE SOLICITATION OF BIDS.

Ms. Van Meter opened the bids for the Tennis Court Rehabilitation Project. The bids were as follows:

<u>Company</u>	<u>Amount</u>
Lamon Construction	\$48,500.00
H&H Trenching	\$45,512.50

A MOTION WAS MADE BY DIRECTOR PATY, SECONDED BY DIRECTOR HOLLIS, AND PASSED UNANIMOUSLY TO ACCEPT AND AWARD APPARENT LOWEST QUALIFIED BID FOR THE TENNIS COURT REHABILITATION PROJECT SUBJECT TO REVIEW BY PUBLIC WORKS ENGINEER.

Mr. Shaw stated that one of the items on the Yuba County/OPUD liaison committee was a request by the County to review and confirm the OPUD Community Park Site objectives. The current OPUD Community Park site objectives are spelled out in the District's Park Master Plan and they mirror the objectives in the Plumas Lake Specific Plan. The OPUD Park Master Plan calls for two Community Park sites, one in the northern half of the Plumas Lake Specific Plan and one in the southern half.

The County is asking if the Board would be happy with one large Community Park site instead of two smaller ones. Some of the elements associated with change from the existing specific plan could be possible environmental review and traffic patterns.

Mr. Meith commented that considering the potential impact associated with a change from the existing specific plan, it should be on the condition that the County is the lead agency, with regard to environmental review and traffic patterns.

A MOTION WAS MADE BY DIRECTOR DOUGHERTY, SECONDED BY DIRECTOR KING, AND PASSED UNANIMOUSLY TO AUTHORIZE STAFF TO RESPOND TO THE LIAISON COMMITTEES REQUEST FOR OPUD'S COMMUNITY PARK SITE OBJECTIVES.

A written committee report was submitted to the Board.

## **OPERATIONS AND MAINTENANCE DEPARTMENT**

A written report was submitted to the Board concerning the activities in the Operations Department.

Item 12(b) was addressed in the Business Office Staff Report. No action was taken on this item.

A MOTION WAS MADE BY DIRECTOR PATTY, SECONDED BY DIRECTOR KING, AND PASSED UNANIMOUSLY TO ADJUST PAY FOR THE INTERMITTENT/SEASONAL LABORER'S POSITION FROM \$8.50 PER HOUR TO \$9.50 PER HOUR.

A written committee report was submitted to the Board.

## **BUSINESS OFFICE**

A written report was submitted to the Board concerning the activities in the Business Office.

A MOTION WAS MADE BY DIRECTOR HOLLIS, SECONDED BY DIRECTOR KING, AND PASSED UNANIMOUSLY TO APPROVE PROPOSAL FROM FECHTER & COMPANY TO PERFORM THE FISCAL YEAR 2008-09 DISTRICT AUDIT AND AUTHORIZE STAFF TO BEGIN ENGAGEMENT.

## **RESOURCES COORDINATOR REPORT**

Mr. Shaw explained that the District pays for unemployment on a reimbursable basis rather than the tax rate method. The reimbursement method is offered to non-profits, Indian tribes, and public agencies. All others must pay according to the tax rate method.

Staff reported that the District's unemployment cost for last year was \$51,000. Twenty-two thousand dollars of that is in the parks department due to the use of intermittent/seasonal employees. A possible solution to this could be outsourcing the park maintenance, although not all of the park maintenance can be outsourced.

The District could switch to the tax based method for unemployment. The worst case scenario for last year based on this method would have cost the District \$23,000. The down side is, the District would still be liable for the next three years for any employees who file for unemployment under the reimbursement based method period. If this year is similar to last year the District could pay \$23,000 in unemployment flat rate tax plus \$51,000 for reimbursable unemployment. Within five years, the District would start seeing a savings.

The item was tabled for additional research/discussion.

A MOTION WAS MADE BY DIRECTOR PATTY, SECONDED BY DIRECTOR KING, AND PASSED UNANIMOUSLY TO APPROVE THE FEBRUARY 2010 OVERTIME REPORT, AS PRESENTED.

The Board established the dates and times for the February committee meetings as follows:

Water/Sewer Committee Meeting – Wednesday, March 31, 2010 @ 10:00 am  
Fire Department Committee Meeting – Wednesday, March 31, 2010 @ 2:00 pm  
Parks & Recreation Committee Meeting – Wednesday, March 31, 2010 @ 4:00 pm

### **CORRESPONDENCE**

Correspondence included letter from Yuba County regarding storm water drainage management.

### **GENERAL MANAGER'S REPORT**

Mr. Shaw updated the Board on the status of the District drinking water system fluoridation.

Mr. Shaw and Board members discussed procedures for his upcoming performance evaluation.

Mr. Meith will not be attending next month's board meeting. His associate Dustin Cooper will be sitting in for him.

Mr. Shaw stated that the Liaison Committee minutes are not yet available.

### **ADJOURNMENT**

As there was no further business to come before the Board at this time, the meeting was adjourned at 9:22 p.m. in memory of Jamie Hurtado.