

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

April 15, 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 9th 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, and Morrison. Director Dougherty was absent. Others present were:

Timothy R. Shaw	General Manager
Cindy Van Meter	District Clerk/Resource Coordinator
John Tillotson	Director of Public Works
Glen Phillips	Finance Manager
Karl Cozad	Operations Manager
Greg Axline	WWTF Chief Plant Operator
Wade Harrison	Fire Chief
Dustin Cooper	Legal Counsel

And other interested people.

RECOGNITION OF AUDIENCE

There was no response to President Morrison's invitation for comments from the audience.

CONSENT AGENDA

A MOTION WAS MADE BY DIRECTOR HOLLIS AND SECONDED BY DIRECTOR KING TO APPROVE ITEMS ON THE CONSENT AGENDA, INCLUDING: (a) APPROVE MINUTES OF FEBRUARY 18, 2010, REGULAR MEETING; (b) APPROVE CLAIMS FOR PAYMENTS FOR MARCH 2010, IN THE AMOUNT OF \$516,181.05; and (c) APPROVE MERIT INCREASE FOR NANCY

SAUCEDA, FIELD SERVICE TECHNICIAN,STEP 3 T STEP 4, EFFECTIVE APRIL 22, 2010. MOTION PASSED AS FOLLOWS:

AYES, AND IN FAVOR THEREOF: DIRECTOR PATTY, KING, HOLLIS,
AND MORRISON.

ABSENT : DIRECTOR DOUGHERTY.

DISTRICT DEVELOPMENT

Mr. Shaw clarified that the two Economic & Planning Systems (EPS) proposals before the Board tonight are annual renewals for administration of Plumas Lake Community Facilities District No. 2002-1 and 2005-1 for Fiscal Year 2010-11. Mr. Cooper added that his office has been working with EPS on updating their Standard Terms and Conditions for Consulting Services.

A MOTION WAS MADE BY DIRECTOR PATTY AND SECONDED BY DIRECTOR HOLLIS TO APPROVE PROPOSAL FROM EPS FOR PLUMAS LAKE COMMUNITY FACILITIES DISTRICT 2002-1 ADMINISTRATION FISCAL YEAR 2010-11 (EPS #20438), SUBJECT TO CONCURRENCE WITH LEGAL COUNSEL AND GENERAL MANAGER. MOTION PASSED AS FOLLOWS:

AYES, AND IN FAVOR THEREOF: DIRECTOR PATTY, KING, HOLLIS,
AND MORRISON.

ABSENT : DIRECTOR DOUGHERTY.

A MOTION WAS MADE BY DIRECTOR KING AND SECONDED BY DIRECTOR HOLLIS TO APPROVE PROPOSAL FROM EPS FOR PLUMAS LAKE COMMUNITY FACILITIES DISTRICT 2005-1 ADMINISTRATION FISCAL YEAR 2010-11 (EPS #20439), SUBJECT TO CONCURRENCE WITH LEGAL COUNSEL AND GENERAL MANAGER. MOTION PASSED AS FOLLOWS:

AYES, AND IN FAVOR THEREOF: DIRECTOR PATTY, KING, HOLLIS,
AND MORRISON.

ABSENT : DIRECTOR DOUGHERTY.

A MOTION WAS MADE BY DIRECTOR PATTY AND SECONDED BY DIRECTOR HOLLIS TO APPROVE RESOLUTION NO. 2219, A RESOLUTION OPPOSING CLOSURE OF THE POSTAL PROCESSING CENTER IN OLIVEHURST. MOTION PASSED AS FOLLOWS:

AYES, AND IN FAVOR THEREOF: DIRECTOR PATTY, KING, HOLLIS,
AND MORRISON.

ABSENT : DIRECTOR DOUGHERTY.

PUBLIC WORKS ENGINEER'S REPORT

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

A MOTION WAS MADE BY DIRECTOR PATTY AND SECONDED BY DIRECTOR KING TO APPROVE BID SPECIFICATIONS FOR WELL NO. 34 WATER TREATMENT PLANT, AND AUTHORIZE SOLICITATION OF BIDS. MOTION PASSED AS FOLLOWS:

AYES, AND IN FAVOR THEREOF: DIRECTOR PATTY, KING, HOLLIS,
AND MORRISON.

ABSENT : DIRECTOR DOUGHERTY.

Mr. Tillotson explained that the easement documents before the Board tonight are for the 1500 foot transmission line connecting Well 34 Water Treatment Plant to the water distribution system.

A MOTION WAS MADE BY DIRECTOR HOLLIS AND SECONDED BY DIRECTOR KING TO APPROVE THE EASEMENT DOCUMENTS FOR WELL NO. 34, 1500 FOOT TRANSMISSION LINE. MOTION PASSED AS FOLLOWS:

AYES, AND IN FAVOR THEREOF: DIRECTOR PATTY, KING, HOLLIS,
AND MORRISON.

ABSENT : DIRECTOR DOUGHERTY.

Mr. Shaw acknowledged that at the OPUD/Yuba County liaison committee meeting, the County requested review of the District water capacity fees on trail head parcels. These trail heads are more or less orphaned areas which were not addressed in County Service Area (CSA) 66 with regard to maintenance.

As part of the County's final map requirements for these parcels of land, the developers must put up a performance bond which they would now like to have released. The County realizes that these parcels will never be actual trail heads, so they are telling the developers to landscape it and then turn it over to the County to maintain.

During this process the County discovered that OPUD requires capacity fees for new services. The County is asking the District to either reduce or waive the capacity fees for these trail head parcels.

The Board instructed staff to obtain additionally information from the County regarding this matter.

Mr. Shaw asked that the Board add item 8(d) to the agenda regarding deferral of Impact Fees until Occupancy Permit. Mr. Shaw received a call regarding this matter from Yuba County after the agenda was posted.

A MOTION WAS MADE BY DIRECTOR PATTY AND SECONDED BY DIRECTOR KING TO ADD ITEM 8(d) TO THE AGENDA REGARDING REQUEST FROM YUBA COUNTY FOR DEFERRAL OF IMPACT FEES UNTIL OCCUPANCY PERMIT. MOTION PASSED AS FOLLOWS:

AYES, AND IN FAVOR THEREOF: DIRECTOR PATTY, KING, HOLLIS,
AND MORRISON.

ABSENT : DIRECTOR DOUGHERTY.

Mr. Shaw explained that Yuba County has requested deferral of Impact Fees for an additional two years until Occupancy Permit. Deferral of these fees has a minimum impact on the District.

A MOTION WAS MADE BY DIRECTOR KING AND SECONDED BY DIRECTOR HOLLIS TO DEFER IMPACT FEES UNTIL OCCUPANCY PERMIT FOR THE NEXT TWO YEARS. MOTION PASSED AS FOLLOWS:

AYES, AND IN FAVOR THEREOF: DIRECTOR PATTY, KING, HOLLIS,
AND MORRISON.

ABSENT : DIRECTOR DOUGHERTY.

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.

A MOTION WAS MADE BY DIRECTOR KING AND SECONDED BY DIRECTOR PATTY TO AUTHORIZE RESOLUTION NO. 2218, A RESOLUTION OF THE BOARD OF DIRECTORS OF OPUD CERTIFYING PARCELS WHEREIN THE PRESENCE OF

NOXIOUS WEEDS AND RUBBISH, OR OTHER LITTER, RENDER THEM A THREAT TO PUBLIC HEALTH AND SAFETY. MOTION PASSED AS FOLLOWS:

AYES, AND IN FAVOR THEREOF: DIRECTOR PATTY, KING, HOLLIS,
AND MORRISON.

ABSENT : DIRECTOR DOUGHERTY.

In the Board packet is the draft position description for the Intermittent/Seasonal Firefighter (Strike Team Firefighter) position. Legal counsel suggested some changes/additions to the “Special Requirements”.

A MOTION WAS MADE BY DIRECTOR PATTY AND SECONDED BY DIRECTOR HOLLIS TO APPROVE THE POSITION DESCRIPTION FOR INTERMITTENT/SEASONAL FIREFIGHTER POSITION (STRIKE TEAM FIREFIGHTER) WITH THE SUGGESTED CHANGES TO THE SPECIAL REQUIREMENTS. MOTION PASSED AS FOLLOWS:

AYES, AND IN FAVOR THEREOF: DIRECTOR PATTY, KING, HOLLIS,
AND MORRISON.

ABSENT : DIRECTOR DOUGHERTY.

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.

Ms. Van Meter opened the bids for the Wheeler Ranch Park D Project. The bids were as follows:

<u>Company</u>	<u>Amount</u>
Wayne Reedy	\$580,934.00
Hemington Landscape Service	\$511,764.00
Procida Landscape Incorporated	\$473,344.59

A MOTION WAS MADE BY DIRECTOR KING AND SECONDED BY DIRECTOR HOLLIS TO APPROVE THE APPARENT LOW BID FROM PROCIDA LANDSCAPE INCORPORATED FOR THE WHEELER RANCH UNIT 6 PARK D (2.1 ACRES) DEPENDENT UPON VERIFICATION BY PUBLIC WORKS DIRECTOR. MOTION PASSED AS FOLLOWS:

AYES, AND IN FAVOR THEREOF: DIRECTOR PATTY, KING, HOLLIS, AND MORRISON.

ABSENT : DIRECTOR DOUGHERTY.

A MOTION WAS MADE BY DIRECTOR PATTY AND SECONDED BY DIRECTOR KING TO NAME THE WHEELER RANCH UNIT 6 PARK D, THE LEILA SMITH MEMORIAL PARK. MOTION PASSED AS FOLLOWS:

AYES, AND IN FAVOR THEREOF: DIRECTOR PATTY, KING, HOLLIS, AND MORRISON.

ABSENT : DIRECTOR DOUGHERTY.

Mr. Shaw commented that staff began researching seasonal contracts for park maintenance after the recent discussions regarding unemployment insurance costs. Should the District used a contract service, there would still need to be at least two seasonal employees to pull weeds, empty trash cans, open bathrooms, etc.

A MOTION WAS MADE BY DIRECTOR KING AND SECONDED BY DIRECTOR PATTY TO APPROVE REQUEST FOR PROPOSALS FOR SEASONAL PARK TURF MAINTENANCE AND AUTHORIZE SOLICITATION OF BIDS. MOTION PASSED AS FOLLOWS:

AYES, AND IN FAVOR THEREOF: DIRECTOR PATTY, KING, HOLLIS, AND MORRISON.

ABSENT : DIRECTOR DOUGHERTY.

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.

A written committee report was submitted to the Board.

Mr. Tillotson and Mr. Shaw updated the Board on the status of Well No. 2.

BUSINESS OFFICE

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

A written report of the third quarter Budget to Actuals for all department was submitted to the Board.

A MOTION WAS MADE BY DIRECTOR KING AND SECONDED BY DIRECTOR HOLLIS TO AUTHORIZE FY 2009-10 BUDGET REVISION 9 (FIRE DEPARTMENT), BUDGET REVISION 10 (PARKS DEPARTMENT), BUDGET REVISION 11 (WATER DEPARTMENT), AND BUDGET REVISION 12 (SEWER DEPARTMENT). MOTION PASSED AS FOLLOWS:

AYES, AND IN FAVOR THEREOF: DIRECTOR PATTY, KING, HOLLIS,
AND MORRISON.

ABSENT : DIRECTOR DOUGHERTY.

RESOURCES COORDINATOR REPORT

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

AYES, AND IN FAVOR THEREOF: DIRECTOR PATTY, KING, HOLLIS,
AND MORRISON.

ABSENT : DIRECTOR DOUGHERTY.

A MOTION WAS MADE BY DIRECTOR KING AND SECONDED BY DIRECTOR HOLLIS TO AUTHORIZE THE GENERAL MANAGER TO ADVERTISE INTERNALLY FOR THE WASTEWATER COLLECTIONS SYSTEM OPERATOR I POSITION AND OFFER APPOINTMENT TO THE MOST QUALIFIED CANDIDATE IN ACCORDANCE WITH THE LATERAL TRANSFER/PROMOTION POLICY. MOTION PASSED AS FOLLOWS:

AYES, AND IN FAVOR THEREOF: DIRECTOR PATTY, KING, HOLLIS,
AND MORRISON.

ABSENT : DIRECTOR DOUGHERTY.

A MOTION WAS MADE BY DIRECTOR PATTY AND SECONDED BY DIRECTOR HOLLIS TO CERTIFY THE ELIGIBILITY LIST FOR THE INTERMITTENT/SEASONAL PARK MAINTENANCE WORKER POSITION, AS PRESENTED, AND AUTHORIZE THE GENERAL MANAGER TO HIRE FROM THE CERTIFIED LIST. MOTION PASSED AS FOLLOWS:

AYES, AND IN FAVOR THEREOF: DIRECTOR PATTY, KING, HOLLIS, AND MORRISON.

ABSENT : DIRECTOR DOUGHERTY.

A MOTION WAS MADE BY DIRECTOR PATTY AND SECONDED BY DIRECTOR KING TO CERTIFY THE ELIGIBILITY LIST FOR THE INTERMITTENT/SEASONAL POOL MANAGER POSITION, AS PRESENTED, AND AUTHORIZE THE GENERAL MANAGER TO HIRE FROM THE CERTIFIED LIST. MOTION PASSED AS FOLLOWS:

AYES, AND IN FAVOR THEREOF: DIRECTOR PATTY, KING, HOLLIS, AND MORRISON.

ABSENT : DIRECTOR DOUGHERTY.

Ms. Van Meter updated the Board on the status of the Business Office alarm system.

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

Parks & Recreation Committee Meeting – Monday, May 3, 2010 @ 2:00 pm

Fire Department Committee Meeting – Wednesday, May 5, 2010 @ 2:00 pm

Water/Sewer Committee Meeting – Friday, May 7, 2010 @ 2:00 pm

CORRESPONDENCE

Correspondence included letter from RD 784 to Yuba County Board of Supervisors regarding potential flood threat from the Yuba River.

GENERAL MANAGER'S REPORT

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

A written Yuba County/OPUD liaison committee report was submitted to the Board.

CLOSED SESSION

The Board adjourned to Closed Session at 8:25 p.m. to address the following:

- a) Closed Session. Government Code 54957. Public Employee Evaluation: General Manager.

MEETING RECONVENE

The meeting reconvened at 8:39 p.m. No action was taken.

ADJOURNMENT

As there was no further business to come before the Board at this time, the meeting was adjourned at 8:40 p.m.