

FORESTHILL PUBLIC UTILITY DISTRICT

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BOARD OF DIRECTORS

Gregory L. Wells
Duane L. Frink
William L. Sadler, Jr.
Brett C. Grant
George S. Shaw

Kurt W. Reed, General Manager
Paul Chamberlain, District Counsel

OFFICIAL MINUTES REGULAR MEETING OF THE BOARD OF DIRECTORS FORESTHILL PUBLIC UTILITY DISTRICT HELD SEPTEMBER 10, 2008

A. CALL TO ORDER AND ROLL CALL

The regular meeting of the Board of Directors was called to order at 7:01 p.m. by Vice President Duane L. Frink.

ROLL CALL:

Present

Duane L. Frink, Vice President
William L. Sadler, Jr., Treasurer
Brett C. Grant, Director
George S. Shaw, Director

Absent

Gregory L. Wells, President

Also present:

FPUD Staff: Kurt Reed, General Manager; Pat Pappas, Business Manager.

Members of the Public: Chad Odell; Salvador Mercado, Jr.; Roy West, Foresthill Public Utility District Board Candidate; John Laster; Tyler Harkness, Foresthill Fire District Board Candidate; Ben Mavy, Placer County Water Agency Board Candidate; Patty Wade; Rose Hoepfer; Peggy Wilson; Gerry La Budde, Eco:Logic Engineering; David McMurchie, District Counsel.

B. INTRODUCTIONS AND PRESENTATIONS

Those who wished introduced themselves.

ACTION: Vice President Duane Frink motioned for an Agenda change - to move H. Closed Door Session before C. Public Comment. Motion seconded by Treasurer William Sadler, Jr..

PASSED UNANIMOUSLY.

CLOSED DOOR SESSION

Vice President Closed Regular Session at 7:05 p.m. Meeting room was vacated by all except PUD Staff, Gerry La Budde and David McMurchie.

Vice President called Closed Door Session to order at 7:06 p.m..

At 8:07 p.m. Vice President adjourned Closed Door Session and reconvened Regular Meeting at 8:08 p.m.. Council David McMurchie exited the meeting.

CLOSED DOOR ANNOUNCEMENT: NO ACTION TAKEN.

Upon reconvening public members Salvador Mercado, Jr.; Patty Wade; Rose Hoepfer and Peggy Wilson were not in attendance.

C. PUBLIC COMMENT

Any member of the public may address the Board on any matter within the jurisdictional authority of the District, or any item on this agenda before or during the Board's consideration of that item. Such testimony shall be limited to three minutes per person, or such other time limit as may be imposed by the President in order to enable the Board to complete its agenda within a reasonable period of time.

Public Comment Read By Vice President.

Roy West: Announced that he has given a DVD of the District's Workshop held for the benefit of the Foresthill Chamber of Commerce Board August 21, 2008 to the Placer County Board of Supervisors.
Ben Mavy: Passed out information cards to all present stating one of his main objectives if elected is to see the revenues from the Middle Fork Project dedicated to water, water quality and energy infrastructure projects rather than going into general fund.

D. COMMITTEE REPORTS

1. Finance Committee – Meeting scheduled for September 16, 2008.
2. Planning Committee – Met September 2, 2008 – See Minutes Under G. Consent Calendar.

E. DIRECTOR'S COMMENTS

1. Duane Frink: August 14, 2008 attended American California Water Association Health Benefit Authority Committee meeting held in Sacramento – rate changes were discussed – the average increase will be 6% In the afternoon attended Drought Task Force brainstorming session.
August 28, 2008 participated in Drought Task Force conference call – discussed the importance of early input - a letter will be drafted to California Governor.
No Local Agency Formation Commission meeting this month due to lack of issues.

F. CORRESPONDENCE / AGENDA CHANGES AND REVIEW

1. Letter from Foresthill Residents for Responsible Growth, Inc.

G. CONSENT CALENDAR

All items listed under the Consent Calendar are considered to be routine and will be approved by one motion. There will be no separate discussion of these items unless a member of the Board, Audience, or Staff requests a specific item be removed from the Consent Calendar for separate action. Any item removed will be considered after the motion to approve the Consent Calendar.

1. Approve Minutes of Regular Board of Directors Meeting Held August 13, 2008.
2. Approve Minutes of Special Meeting and Workshop Held August 21, 2008.
3. Approve Minutes of Planning Committee Meeting Held September 2, 2008.
4. Approve July 2008 Financial Report from LAIF.
5. Approve Balance Sheet, Revenue/Expense Report August 31, 2008.
6. Approve September 2008 A/P warrants for payment.

ACTION: Director Brett Grant motioned to approve Consent Calendar as presented. Director George Shaw seconded the motion.

PASSED UNANIMOUSLY.

H. CLOSED DOOR SESSION

“Government Code Section 54956.9(a) Discussion With Legal Counsel Regarding Pending Litigation *Don Ryan vs. Foresthill Public Utility District and Board of Directors of Foresthill Public Utility District* Placer County Superior Court Case No. SCV 22459”

Closed door session previously addressed – moved to just before Item C.
NO ACTION TAKEN in Closed Door.

I. GENERAL ITEMS

1. New Business

a. Action Item: Approve Request from Robert Shanley for Waiver of Late Fees.

Business Manager proposed to Board that if a customer initiates the payment through their bank’s system prior to the District’s penalty date but District does not receive payment resulting in the customer receiving a penalty then staff will contact this customer and, as a one time only courtesy, reverse the penalty and explain to the customer they need to initiate the payment at least 7 business days prior to the District’s penalty date to allow for delays in mailing, etc.. And, if approved, this become a standard of operating procedure from this date forward.

ACTION: Director Brett Grant motioned to waive Mr. Shanley’s late fee and approve the proposed procedure as presented. Director George Shaw seconded the motion.
PASSED UNANIMOUSLY.

b. Action Item: Approve Ordinance No. 08-07, Amending And Modifying Portions Of Ordinance No. 64 And 03-01 Applicable To Deposit Requirements for Fire Hydrant Meters.

This proposed changes increase the deposit required from \$750.00 to \$1200.00 due to increased costs to the District.

ACTION: Director George Shaw motioned to approve Ordinance No. 08-07 as presented. Vice President Duane Frink seconded the motion.
PASSED UNANIMOUSLY.

c. Action Item: Approve Committee Participation for Various Committees of California Special District Association.

NO ACTION.

d. Review Proposal form Ferguson Enterprises on Radio Read Meter System Enhancements.

General Manager discussed with Board proposal to upgrade to Super Raptor Radio system (\$14,886.30) – an add on to the existing system that promises the capability to read meters as employee drives at normal speeds down the street. General Manager suggested Board not upgrade at this time – the existing system has yet to function smoothly resulting in the District not yet reaping a return on its investment after three years. He suggests to consider the upgrade once the current system’s problems are corrected.

2. Old Business

a. Action Item: Approve Invoice #'s 433 and 981 from Eco:Logic Engineers for Final Payment on District 2008 Master Plan.

Gerry La Budde from Eco:Logic discussed with Board the overrun costs (\$25,818.11) and his offering to discount this amount to \$16,372.61.

ACTION: Director Brett Grant motioned to approve final payment in the amount of \$16,372.61. Treasurer William Sadler, Jr. seconded the motion.
PASSED UNANIMOUSLY.

Gerry La Budde thanked the Board and exited the meeting

b. Action Item: Approve Modification and Amendment to District Policy No. 2150
“Compensation”

Discussion ensued regarding several points of the modifications of this policy. Some directors suggested new changes and deletions - some approved of what was presented as been discussed at previous meeting.

ACTION: Vice President Duane Frink motioned to table this item until the next regular meeting with the suggestion that directors submit to staff any changes they would like to see. Director Brett Grant seconded the motion.

AYES: D. Frink; B. Grant; G. Shaw.

NAY: W. Sadler, Jr.

MOTION PASSED

J. REPORTS BY DIRECTORS, LEGAL COUNSEL AND GENERAL MANAGER

1. Planning Committee agreed to meet either September 16, 2008 or September 23, 2008 – will check schedules and let G.M. know.

2. General Manager announced Placer County Board of Supervisors will be addressing the Community Plan update at their October 7, 2008 meeting.

K. ADJOURNMENT

Next Regular Meeting Date: Wednesday, October 8, 2008 at 7:00 p.m. in the District Office, 24540 Main Street, Foresthill, California 95631.

ACTION: There being no further business, at 9:04 p.m. Treasurer William Sadler, Jr. motioned the meeting be adjourned. Motion seconded by Director George Shaw.
PASSED UNANIMOUSLY.

ATTEST:

Duane L. Frink
Vice President, Board of Directors

Kurt W. Reed
Clerk Thereof