FORESTHILL PUBLIC UTILITY DISTRICT
MINUTES
Regular Business Meeting of the
FORESTHILL PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS
Foresthill Elementary School, 24750 Main Street, Foresthill, CA 95631
www.foresthillpud.com

Wednesday	April 8, 2026	6:00 P.M.

Any person may access and comment during the meeting by doing the following:

Join Zoom Meeting: https://us06web.zoom.us/j/82837681166 Meeting ID: 828 3768 1166

1. CALL TO ORDER: 6 P.M. by President Dowling

2. ROLL CALL

_______President Chase Dowling	Present
_______Vice President Mark Bell	Present
_______Treasurer Ron Thompson	Present
_______Director Roger Pruett	Present
_______Director Dianne Foster	Present

General Manager White was in attendance. Attorney Eric Robinson in attendance.

3. PLEDGE OF ALLEGIANCE *President Dowling led the Pledge of Allegiance.*

4. ADJUSTMENTS TO THE AGENDA WITHIN CATEGORIES:
Director Foster request to comment: She questioned why her agenda items were left off the agenda. President Dowling suggested we wait until #13 on the agenda under DIRECTORS ITEMS/INFORMATIONAL ONLY. Director Foster would like to state board policy #5025 is convoluted. She interprets the policy as not having the ability to place something on the current agenda and pushing it to the following month, and she objects. Chase stated the Board Policies are a living document and can be addressed and changed.

5. PUBLIC COMMENT:

- Members of the public may provide comments to the Board on items that are not on the agenda. We welcome and encourage your comments as the Board takes them into consideration in our deliberations.
- Speakers are limited to a maximum of three minutes.
- The Board may not respond to, discuss, or engage in any type of dialog regarding any public comment; however, the President may direct questions to staff for a later response or future consideration by the Board.

- Appropriate and respectful language and behavior is vital to the functioning of a public meeting. We ask the Board, staff, and members of the public to speak courteously and respectfully. Therefore, the Board prohibits disruptive behavior.

Public Comment: None given

6. CONSENT AGENDA: All items listed under the Consent Agenda are routine in nature and may be approved in one motion:

6.1 Approval of March 11, 2026, Regular Board Meeting minute.
6.2 Receive and file combined financial reports for February 2026.

Board Action: Vice President Bell made a motion to approve the agenda. The motion was seconded by Director Roger Pruett. The motion passed unanimously (5-0).

7. OPERATIONS ACTION ITEMS:

7.1. Approve Resolution 2026-02 – Declaring an election be held in Foresthill Public Utility District's jurisdiction, requesting the Board of Supervisors to consolidate this election with any other elections conducted on said date, and requesting election services by the County Clerk.
Recommended Action: Approve Resolution 2026-02.

Discussion: GM White stated there's an election coming up in November. Placer County has offered to add us to their ballots. The district has always consolidated their elections with the County. They require some documents and it would cost $5-$6,000.

Public Comment: None given.

Board Action: V.P. Bell made a motion to approve Resolution 2026-02. Director Pruitt seconded the motion. The motion passed unanimously (5-0).

7.2. Local Agency Formation Commission Special District Board Member ballot.
Recommended Action: Cast ballot for one candidate and direct President to sign and submit.

Discussion: GM White explained that LAFCO is seeking members for their commission. The Board has the option to nominate one candidate. Judy Friedman is already on the Board and works for the Tahoe Public Utility District. The other option is not to vote.

Public Comment: None Given.

Board Action: V.P. Bell made a motion to cast a ballot for Judy Freidman. President Dowling seconded the motion. The motion passed unanimously (5-0).

8. BOARD MEMBER ACTIONS ITEMS:

8.1. Submitted by Chase Dowling.
8.1.1 Category: Board member action item.
8.1.2 Title: Consider Selection of Independent Legal Counsel for Review of General Manager 2024 Employment Agreement Process.
8.1.3 A three to five sentence description: Pursuant to prior Board direction, the ad hoc committee has identified and evaluated qualified independent legal counsel to perform a process-based assessment of the negotiation and implementation of the General Manager's 2014 employment agreement. The committee will present its recommendations for Board consideration, including proposed scope of work and cost.
<u>8.1.4 Requested outcome:</u> Approve selection of independent legal counsel, authorize execution of an agreement for services, and approve a non-to-exceed amount for the engagement .
8.1.5 Supporting documentation: Enclosed.

<u>Discussion:</u> Director Foster liked Attorney Kyler Rayden. He has a background in open government ethics among other areas of expertise. Chase thought Attorney's Gary Bell or Colantuono from Highsmith & Whatley were also very qualified. Director Pruett felt the assessment a waste of time.

<u>Public Comment</u>: Patty Wade asked the cost of the assessment, and herself, as well as others think it a waste of time.

<u>Board Action:</u> Director Foster made a motion to hire Attorney Kyler Rayden from BBK to provide an assessment on legitimacy of negotiation committee and to interpret AB 2449 & CA code #5490 for an assessment regarding the GM's contract. Second my President Dowling. Motion carries (3-2) with Directors Pruett and Bell voting no.

<u>Board Action:</u> President Dowling <u>made a motion</u> to have Director Foster contact legal counsel Kyler Rayden to notify him the Board has requested his services and to write up a contract for the Board to go over at next general meeting. Treasurer Thompson second the motion. *Motion* passed (3-2) with Directors Pruett and V.P. Bell voting no.

<u>Board Action:</u> President Dowling <u>made a motion</u> "for the Board to approve the scope of work for independent legal counsel conduct a process-based assessment of the negotiation of the GM's 2024 employment agreement. The scope shall include evaluation of whether the process followed and were consistent with the applicable law, including the Ralph M. Brown Act, State Code 54950-54963, AB 2302 & 2449, District policies, and accepted public agency government practices, and to provide recommendations for future compliance, transparency. Independent counsel is authorized to request information from individuals, staff and counsel as needed to complete this assessment. All communications and materials provided to counsel shall be documented and preserved as part of an official record of the engagement. Directors shall limit communication with counsel to factual information and documentation relevant to the scope of work and shall not engage in deliberation outside of the duly noticed

public meeting consistent with the Brown Act." Director Foster seconded the motion, *Motion* passed (3-2) with Directors Pruett and V.P. Bell voting no.

Board Action: President Dowling made a motion for review by independent counsel not to exceed $5,000. Director Foster seconded the motion. Motion carries (3-2) with Directors Pruett and Bell voting no.

Board Action: President Dowling make a motion for Director Foster to contact Attorney Rayden to notify him the Board has requested his services and to write up a contract the Board can see at the next Board meeting. Seconded by Treasurer Thompson. *Motion* passed (3-2) with Directors Pruett and V.P. Bell voting no.

8.2. Submitted by Dianne Foster
8.2.1 Category: Not Provided
8.2.2 Title: Not Provided
8.2.3 A three to five sentence description: Hire an in-house Finance Manager – FPUD has been without an in-house Finance Manager for three years this April. Board Policies 2300 and 2305 was written specifically to apply for a finance manager who is physically working in the office. The current remote finance company charges nearly $100,000 more than an in-house contracted manager would cost per year. The Board must continue posting the position as long as it takes to hire a qualified person to fill the Finance Manager position.
8.2.4 Requested Outcome: I am requesting the Board vote to continue posting an RF for an in-house finance manager position at the CSDA, Indeed, Placer Job Network, Gold Country Media as well as other suggested areas.
8.2.5. Supporting documentation: Not Provided.
Recommended Action: Publish a RFP (aka Request For Proposal) in search of a new Attorney firm to represent the FPUD.
Supporting documentation: Attached.

Discussion: Director Foster feels there is a need for an in-house accountant. If her proposal doesn't pass, she will propose a reduction in ratepayers bills, if there is a perception that the FPUD is so wealthy. Board policies (i.e. Finance Manager job description) infer there should be an in-house finance manager. LSL is not a finance manager. LSL takes twice as long to manage FPUD finances than did our part time Finance Manager Roger Carrolll (CPA). Kelly Teleford, representing LSL, admits that her company does not verify charges internally. Kelly also admits the auditing firm only does random checks on the internal process. Dianne states currently a clerk with no financial background manages some of the FPUD finances.
Director Pruett and V.P. Bell suggest we stay with the firm. And V.P Bell sees no benefits in having an in-house finance manager.
V.P. Bell -- states LSL has proved themselves. He disagrees that our Board Policies support the position that an in-house Finance Manager is a requirement to the FPUD. He provided a chart describing LSL's costs per month, and states yearly costs are reduced. He sees no advantage to an in-house finance manager. He has had no problem receiving financial date he requests and has received it in one day.

Treasurer Thompson sees value in having an in-house accountant. He says the accountant LSL can't verify anything. They can only verify what is given to them. He has seen only a couple of bank statements in the 3 years he has been here. He has requested credit card statements and bank statements and has received them very small and hard to read. These things lead t not being forthcoming. He believes we need an in-house finance manager. Lori Stringer was qualified, and lets hire her and give 6 months to try her out—giver her a chance. President Dowling-- There are sequences of events that must happen before invoices or anything are paid. There are multiple steps in verification. We can go to the office and overlook checks and other finances. General Manager White-- An Audit is done every year. They look at everything we process. Based on audit information, it shows our system is sold, it's working. Independent audit says we are doing great; books are great and they have no suggestions.

Public Comment: Patty Wade wants to know the background on the statement made by Ron "money is flowing out of this place!" She believes the public utility is a good company and any figures anybody needs to know can come in the office and look at. She supports LSL CPA for Finance Manager.

Public Comment from Owl: Sue Kiesling would like to remind everyone that you have to abide by GAAP rules and rules of separation. LSL goes by information Hank gives them. Hank has a degree in Argriculture. Hank is in charge of vendors, paying them, approving credit cards, signing of coding. We need a Finance Manager...who is educated in these things. LSL and auditor have a disclaimer for working off information Hank gives them. Everything is under control of one person...danger to have one sole person in charge of absolutely everything – going against GAAP…

Board Action: V.P. Bell made a motion to suspend all further discussion by Board of Directors for hiring a finance manager for the next three years. Seconded by Director Pruett. Motion failed (3-2) with Directors Dowling, Foster and Thompson voting no.

Board Action: President Dowling made a motion to suspend all further discussion of hiring finance manager by Board of Directors for next 6 months. V.P Bell seconded the motion. Motion passed (3-2) with Treasurer Thompson and Director Foster voting no.

9. BOARD MEMBER POLICY ACTIONS ITEMS:

9.1 Consider revised job description for the Treatment Plant/Distribution Operator III position.

Recommended action: Approve revised job description.

Discussion: Director Foster asls how many treatment operators are employed now? GM responded 4.

Public Comment: None Given.

Board Action: *V.P. Bell made a motion to approve the revised job description for Operator III. President Dowling seconded the motion. The motion passed unanimously (5-0).*

10: DISCUSSION ITEMS: NONE.

11.1 FUTURE AGENDA ITEMS – Future agenda items are to help the General Manager and Board President craft the next month's agenda. Unless otherwise voted upon, the future agenda will comprise of no more than one new board member action item and no more than one new policy action item. Now is the time to discuss which items the board would like to see first to help prioritize efficiency.

11.1.1_Submitted by: Dianne Foster

11.1.1.1 Category: Future Board Member Action Items

11.1.1.2 Title: Not provided

11.1.1.3 A three to five sentence description: The Board Explore hiring another Attorney Firm. The time has come to consider hiring a different Attorney firm to represent the FPUD. The current firm has been the FPUD counsel for approximately 15 years. During this time, there have been some costly decisions made which was against the financial well-being of the FPUD and the ratepayers. The District would benefit in seeking another attorney firm with a new and fresh perspective on legal matters and advice.

11.1.1.4 Requested outcome: I am requesting that the Board vote to initiate an RFP to replace the current firm with a new Attorney firm.

11.1.1.5 Supporting documentation: Not provided

Board Action: President Dowling motioned to move to next month's agenda. Director Foster seconded the motion. The motion passed (3-2) with Directors Pruett and Bell voting no.

11.2 FUTURE POLICY ACTION ITEMS: None

11.3 FUTURE DISCUSSION ITEMS: *None*

12. *GENERAL MANAGERS REPORT:*

GM White gave a report on 1) Safety meeting update, 2) SCADA update, 3) Vehicle #7 back into service, 4) Finance Manager Report – Feb. 2026 (LSL, CPA). Details can be found in the April Agenda packet found at website.

Director Foster asked if SCADA phase 6 has been implemented? GM reported, "we pay as work is completed."

Director Foster asked if we have bought a generator? GM reported, "yes, in Dec. 2025"

Director Foster asked who is installing the generator? GM reported, "Bids will go out in next 6 months. Advertised in Sacramento Builders Exchange. We select lowest responsible bid. Board authorized $140,000 to purchase generator."

13. DIRECTOR'S ITEMS/INFORMATION ONLY

THE MEETING MET ITS 2 HOUR LIMIT, AND PRESIDENT DOWLING MADE A MOTION TO CONTINUE THE MEETING WITH A 5 MINUTE RECESS. SECONDED BY V.P. BELL AND MOTION PASSED UNANIMOUSLY (5-0).

DIRECTOR THOMPSON LEFT THE MEETING OVER PROTEST THAT A VOTE WAS TAKEN TO ACCEPT OR REMOVE DIRECTOR FOSTER'S 'FUTURE AGENDA' ITEM TO BE HEARD IN MAY BOARD MEETING.

14. CLOSED SESSION

Conference with real property negotiators (Gov't Code Section 54956.8). Property: Up to 2,000 acre feet of stored Sugar Pine Reservoir water; District Negotiators: Chase Dowling and Henry N. White; Negotiating Parties: Prospective water users in the American River Basin, Central Valley or elsewhere in the federal Central Valley Project or State Water Project service areas, including but not limited to; U.S. Bureau of Reclamation, City of Folsom, City of Sacramento Suburban Water District, San Luis and Delta-Mendota Water Authority and member agencies (e.g. Westlands Water District), State Water Contractors and member agencies (e.g. Santa Clara Valley Water District); Under Negotiation: Price and terms of payment for the sale of surplus stored water from Sugar Pine Reservoir.

15. REPORT OUT OF CLOSED SESSION – Attorney Eric Robinson reporting out of closed session.
Board Action: The board has decided to let negotiators pursue the transfer of 2000 acre-feet of water on 2026.

Public Comment: None Given.

16. ADJOURNMENT: Motion to adjourn by President Chase Dowling at 8:47 p.m.

In accordance with Government Code Section 54954.2(a) this notice and agenda were posted in the district front window at the Foresthill Public Utility District office, 24540 Main Street, Foresthill, CA 95631 on or before 4:30 PM, April 2, 226.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the General Manager at (530 367-2511. Notification 48 hours prior to the meeting will enable the district to make reasonable arrangements to insure accessibility to the meeting.

Minutes submitted by Board Secretary Sally Hicks

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_______________________________________ Board President Chase Dowling

[redacted]