

**ALPINE SPRINGS COUNTY WATER DISTRICT
MINUTES OF THE REGULAR BOARD OF DIRECTORS MEETING**

Pursuant to notice given, the regular meeting of the Board of Directors, Alpine Springs County Water District, was held Friday, November 12, 2004 at 8:30 a.m., District Board Room, 270 Alpine Meadows Road.

1 **1. CALL TO ORDER**

2 President Bass called the meeting to order at 8:30 a.m.

3 **PLEDGE OF ALLEGIANCE**

4 Those attending joined in reciting the Pledge of Allegiance.

5 **ROLL CALL**

6 Directors Present: Tom Bass, President; Barbara Danz, Vice President; Janet S.
7 Grant; Jon Northrop; Tony Stefani

8 Directors Absent: None

9 Staff Present: John Shaw, P.E. of John Shaw Consulting, LLC, District General
10 Manager; Buz Bancroft, Maintenance Supervisor; Jancis Martin, Recording
11 Secretary

12 Guests Present: Virginia Quinan/Resident; Peter Graf/Resident; David
13 Lake/PCLAFCO; Lowell Northrop/Resident; John Poulos/Resident;
14 Duane Whitelaw/North Tahoe Fire Protection District

15 **2. PUBLIC PARTICIPATION**

16 None.

17 **3. CLOSED SESSION**

18 **A. Real Property Negotiations**

- 19 1. SBC Easement Request
- 20 2. Request for Easement Abandonment

21 **B. Labor Negotiations**

- 22 1. Alpine Meadows Fire Department

23 The Board met in closed session between 8:32 and 9:20 a.m. The only action
24 taken was that President Bass appointed a subcommittee of Directors Stefani
25 and Danz to help Manager Shaw negotiate an easement with SBC.

26 **4. ITEMS FOR BOARD DISCUSSION & ACTION**

27 **L. Discussion with Dave Lake, Director, PC LAFCO:**

- 28 • This agenda item was dealt with out of order to take advantage of the
29 presence of Dave Lake, a Special Districts Commissioner of Placer
30 LAFCO. He discussed the history of Placer LAFCO and his own
31 background (currently runs a nursery business, retired fire chief,
32 school board member, fire district board).
- 33 • He and John Moberly (the other LAFCO Special Districts
34 Commissioner) look out for the interests of local districts like ASCWD.
35 Much of LAFCO's business involves individual requests for parcels to
36 be annexed to local districts for sewer or water services; these are
37 usually not controversial. Some issues are more controversial, such
38 as the dissolution and annexation (the combined process referred to
39 as "reorganization" by LAFCO) of multiple districts. Such a
40 reorganization has taken place near Roseville and another near
41 Penryn.
- 42 • LAFCO reviews a proposal for annexation to see if the types of
43 services provided to the annexed area are best served by the former
44 district or by the annexing district. The controversy isn't usually over
45 who can best provide the services, but whether the reorganization
46 should take place at all (often contested by outside groups like the
47 Sierra Club, etc.).
- 48 • About four years ago, the State legislature, concerned about
49 publicized improprieties in cities and districts, mandated that cities

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1 and districts be evaluated on a regular basis, called Municipal Service
2 Reviews (MSRs). Before any city or special district can change its
3 sphere of influence, the district involved must have a current (within
4 five years) MSR. All MSRs must be completed within five years of the
5 legislation, comply with the guidelines set out by the State and be
6 updated every five years.

- 7 • LAFCO was designated as the agency to supervise the MSRs (since
8 it has oversight of changes in spheres of influence). The guidelines
9 were only recently completed (took 30 months). Every county is
10 taking a different approach toward the performance of MSRs. Placer
11 County decided to divide its county into five areas and assigned
12 priorities to each area, depending on the amount of activity. The
13 eastern area, which includes ASCWD, was given top priority. Placer
14 LAFCO hired a consultant to perform the MSR. The consultant
15 gathered information, produced a preliminary report and has held
16 public reviews of the MSR.
- 17 • The first Placer County MSR covered all special districts in the
18 eastern area, including - among others - water, fire, recreation,
19 cemetery, park and hospital districts. This turns out not to have been
20 very practical, so for the other four areas, there will be separate MSRs
21 for each type of district.
- 22 • Dave said it was the consultant's opinion that services in Alpine
23 Meadows would be improved by consolidation of ASCWD with Squaw
24 Valley Public Service District, but also said that the consultant's
25 opinions have no particular weight or power. LAFCO has no interest
26 at this time in taking action on the consultant's recommendations. If
27 ASCWD and/or SVPSD were interested in consolidation, there would
28 be an in-depth study of the implications of the consolidation. Dave
29 doesn't think LAFCO would look favorably on such a proposal unless
30 both districts were in agreement or unless one of the districts were
31 insolvent or unable to provide services. If there were any controversy,
32 there would be an election to obtain approval from the property
33 owners involved.
- 34 • Dave Lake assured the Board that he looks at issues that would have
35 an effect on special districts, will bring to our attention any issues that
36 affect us and will be our advocate at LAFCO. He provided ASCWD
37 Directors with contact information.
- 38 • Peter Graf asked if Valley residents should be taking any action at this
39 time to fend off consolidation, or should just maintain vigilance. Dave
40 replied that there was no action needed at this point. He reiterated
41 that the consultant's opinion is just that - opinion - and has no weight,
42 legally or politically. Virginia Quinan asked for further clarification as
43 to whether LAFCO could take action itself to initiate a reorganization.
44 Dave said LAFCO has the legal authority but it isn't likely to take such
45 action.

46 **A. Fire Department Report:** Chief Whitelaw reported on the following
47 topics:

- 48 • AM Fire Department contract amendment: The NTFPD Board will
49 meet on Wednesday, November 17, and review the proposed

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- 1 amendment. Conceptually, the amendment reflects the discussions
2 held with the ASCWD Board. Highlights of the contract amendment
3 include: comprehensive management of the AM fire department; Chief
4 Whitelaw to continue to report to the ASCWD Board monthly; other
5 members of NTFPD to be involved as needed for prevention, training,
6 etc.; NTFPD's insurance carrier to cover Alpine Meadows firehouse
7 and its engine. Chief Whitelaw will forward a final copy of the contract
8 amendment to Manager Shaw when it is available.
- 9 • Annexation of the Alpine Meadows Fire Department by NTFPD: A
10 meeting of representatives from the ASCWD and NTFPD Boards is
11 scheduled for Wednesday, November 17, at noon, to discuss the
12 topic.
 - 13 • Community Fire Plan: The early snow in the Valley has prevented the
14 consultant from being able to finish "ground-truthing" the aerial
15 photography taken previously. The consultant will work on community
16 fire plans within the Lake Tahoe basin for now, and will return to the
17 Valley in the late spring. There will be public meetings and input
18 gathered from concerned individuals and organizations and public
19 agencies. The end product will be a community fire plan for the
20 Alpine Meadows area, establishing its eligibility for monies from the
21 Healthy Forest Restoration Act.
 - 22 • Director Danz asked if there was a date by which community groups
23 should submit projects to be included in the community fire plan.
24 Chief Whitelaw responded that projects should probably be submitted
25 by April or May.
 - 26 • Defensible Space: Legislation will go into effect on January 1, 2005, to
27 require defensible space clearance around homes to extend to 100
28 feet (currently 30 feet) in areas of high hazard severity. "Clearance"
29 means a break in the continuity of vegetation to slow the spread of
30 fire. Trees in these areas will need to have limbs removed up to 10 or
31 12 feet. Peter Graf asked what areas are affected by the new
32 legislation. Chief Whitelaw replied that the California Department of
33 Forestry has made a state hazard severity zone map. Alpine
34 Meadows falls in a high hazard severity zone so residents in the
35 Valley will have to increase their clearances, pursuant to the new
36 legislation.
 - 37 • Winter Hazard Response: Chief Whitelaw will coordinate with the
38 agencies involved with last year's meeting about road closures, to
39 make sure everyone is aware of the plan for dealing with road
40 closures occasioned by winter hazards.
 - 41 • Director Stefani asked whether NTFPD was making any progress in
42 the recovery of monies from Placer County (i.e., property taxes
43 collected by the county for fire prevention without such services
44 actually being provided by the county). Chief Whitelaw said NTFPD
45 wrote a letter to the county but that that first request was turned down.
46 Chief Whitelaw then wrote a letter to the County Administrative
47 Officer. The CAO will schedule a meeting with NTFPD and other
48 representatives around the first of the month. Chief Whitelaw is
49 keeping our Supervisor-Elect apprised of the progress of the effort.

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- B. O&M Department Report:**
 - Buz Bancroft presented the O&M Department Report (printed report was distributed).
 - The new regulatory liaison (Jose Alacorn) is coming to the Valley on November 18 to inspect the District water system.
 - Director Stefani asked about chlorination. Buz said that as long as the ski resort is making snow, District staff will continue chlorinating. Efforts will continue in the search to identify the source(s) of contamination. Staff will perform further coliform testing when they have access to spring heads again but there is too much snow now.
 - Director Grant asked about the lowered production of water last month. Buz responded that staff lowered water production from horizontal wells 2 and 4 to raise the level of water backed up behind the spring heads, so that when staff is ready to perform their micro-particulate analysis, they will first raise the water pressure higher and possibly catch samples of particles that lie above the regular water level behind the spring heads.

- C. Financial Report:**
 - i. **Expenses Paid & Payable – November 9, 2004:** Director Danz made a MOTION that the Board approve the Expenses Paid & Payable, checks 2597 through 2668, with the exception of checks 2609, 2658 and 2636. All Directors being in favor, the motion was APPROVED.
 - ii. **Financial Statement – October 31, 2004:** Director President Bass asked Manager Shaw to check into the reason for the District received property tax revenue in the month of October.
 - iii. **Investment Report – October 31, 2004:** No discussion.

- D. Approval of Minutes for October 8, 2004 Regular Board Meeting:** Director Danz made a MOTION that the Board approve the minutes for the October 8, 2004 Regular Board Meeting. Director Northrop SECONDED the motion. Director Grant abstained from voting (was absent from the October meeting). All other Directors being in favor, the motion was APPROVED.

- E. Chlorination/Disinfection:** Discussed during the O&M Department Report.

- F. Placer County LAFCO Municipal Service Review (MSR):** Discussed during Dave Lake's presentation.

- G. Resolution 7-2004: Conflict of Interest Code:** The District's legal counsel drafted the resolution which is required by the State, according to legal counsel; the deadline for filing is sometime in November. Director Danz said that the material was too complex to review in a short timeframe. In particular, she said that:
 - the specified posting of information about the Resolution had not occurred;
 - the repeal of the Board's current Conflict of Interest Policy (specified in item 1 under "Now, therefore, be it resolved") seemed inappropriate;
 - the appendix was incomplete (e.g., committees listed in Exhibit "A");

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- 1 • the disclosure categories in Exhibit "B" (e.g., Category 4), seemed
2 overbroad;
- 3 • there was confusing wording in the first paragraph of Exhibit "A".
4 Manager Shaw said he would ask legal counsel to attend the next
5 meeting by telephone to explain the necessity for some of the items.
6 Director Danz summarized her concerns saying that the Resolution
7 should be clear as to who is covered by the Code and who must make
8 specific disclosures.
- 9 **H. PCWA Grant & InterFlow Hydrology Proposal (attached):**
- 10 • Last year, Manager Shaw applied for a grant of \$35,000 from PCWA
11 for a District watershed management plan. PCWA granted \$5,700
12 toward the plan. Manager Shaw asked PCWA if the District could use
13 the grant money to get started on the plan and PCWA agreed.
14 Manager Shaw wants to start with the horizontal wells, which is what
15 this proposal addresses.
- 16 • Director Northrop questioned the qualifications of the contractor.
17 Manager Shaw said he could put out a request for qualifications,
18 rather than soliciting a proposal, as was done in this case. President
19 Bass said he felt InterFlow Hydrology, Inc. had the necessary
20 experience for the job. Director Stefani agreed. Director Grant was
21 concerned that soliciting statements of qualifications would slow the
22 project and provide no particular benefit.
- 23 • Director Danz asked if, when Manager Shaw submitted the grant
24 application to PCWA, he included a detailed plan for implementation
25 of the watershed management plan. Manager Shaw said he provided
26 a general implementation plan, but not a lot of detail and that PCWA
27 has reviewed the attached proposal and is fine with it. Director Danz
28 also questioned the applicability of the third and fourth bullets in the
29 proposal. Director Danz asked what the end product of the proposal
30 would be; Manager Shaw said it would be a letter report. Director
31 Danz asked if the \$5,700 included expenses; Manager Shaw said
32 yes. She asked that the wording be modified accordingly. Director
33 Danz questioned the professional fee schedule; Manager Shaw said it
34 would be modified to address her concerns. Director Danz asked how
35 the work described in the proposal would get done before spring.
36 Manager Shaw said it probably wouldn't get done before spring but
37 that the grant won't run out before then.
- 38 • Director Stefani made a MOTION that the Board approve the proposal
39 based on the revisions proposed by Director Danz. Director Grant
40 SECONDED the motion. All Directors being in favor, the motion was
41 APPROVED.
- 42 **J. Request for Abandonment of Easement (see Manager's Report):** This
43 agenda item was dealt with out of order to take advantage of the
44 presence of John Poulos, the resident requesting the abandonment of the
45 District easement. Manager Shaw stated that the Poulos family is having
46 work done on their home, including an expanded garage to provide room
47 for a wheelchair-accessible path for Mrs. Poulos. Director Danz made a
48 MOTION that the Board permit an encroachment on the easement held
49 by the Water District at the location of 1552 Mineral Springs Trail, Lot

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1 162, as specified in the drawings provided to the Board in the Board
2 packet, on the condition that District staff evaluates the potential future
3 cost of the encroachment, negotiates the encroachment agreement with
4 the owner and brings it back to the Board for review. Director Northrop
5 **SECONDED** the motion. John Poulos was present and participated in
6 discussion about the easement. All Directors being in favor, the motion
7 was **APPROVED**.

- 8 **I. Engineering Services for Snowmaking Well Modifications (see**
9 **Manager's Report):** At last month's Board meeting, Manager Shaw was
10 directed to obtain other bids for this project. He learned that he is unable
11 to do so (by State law) without putting out a request for qualifications.
12 Manager Shaw requested direction from the Board as to whether to send
13 out a request for qualifications or to accept the proposal already received
14 from V-Point. He suggested that, when future projects are proposed, that
15 staff be directed as to whether to send out a request for qualifications, or
16 solicit a proposal. The District has a Consultant and Contractor Selection
17 Policy that governs this topic. Director Stefani said he'd prefer that this
18 project proceed with a request for qualifications, rather than just going
19 with V-Point. There will need to be a subcommittee to review the
20 proposals submitted in response to the request for qualifications.
21 Directors Northrop and Stefani volunteered to be on the subcommittee.
22 Manager Shaw will send out the request for qualifications next week and
23 will coordinate the meeting of the subcommittee as needed.

24 **K. SBC Easement Request:** Discussed during closed session.

25 **M. Committee/Department Reports**

- 26 i. **Administrative Committee:** Had no meeting.
27 ii. **Budget & Finance Committee:** Director Danz presented a written
28 report of the Committee's actions with detailed descriptions of the
29 following items:
30 a. **October 2004 Financial Reports:** Discussed earlier in the
31 Board meeting.
32 b. **Planned Increase to Rates for FY 04/05:** The Committee will
33 be recommending a rate increase in a few months. Data are
34 still being gathered.
35 c. **Financial Audit:** Director Danz reported that the audit is
36 complete and the auditors have submitted a preliminary report.
37 The auditors appear to have given the District a clean opinion.
38 The Committee will review the report at its next Committee
39 meeting.
40 d. **Treasurer's Report:** No discussion by the Board.
41 e. **Capital Reserves Policy:** Treasurer Murray proposed some
42 changes to the Policy. Manager Shaw will prepare a revised
43 Policy for review at the next Committee meeting.
44 f. **Letters from Customers Regarding Billing Issues:** There
45 were four requests for adjustments. All were declined by the
46 Committee.
47 g. **Unbudgeted Expenses:** The Committee reviewed requests
48 for two unbudgeted expenses:

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6. ADJOURNMENT

There being no further business before the Board, the meeting was adjourned at 11:40 a.m.

Respectfully Submitted,

Jancis Martin
Recording Secretary