

**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, February 12, 2010, at 8:30 a.m., District Board Room, 270 Alpine Meadows Road.

1 **1. CALL TO ORDER**

2 President Danz 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: Barbara Danz, President; Charles Nungester, Vice President; Janet S.
7 Grant; Jon Northrop; Virginia Quinan

8 Directors Absent: None.

9 Staff Present: John Collins, General Manager; Buz Bancroft, Operations & Maintenance;
10 Jancis Martin, Recording Secretary; Pam Zinn, Office Manager

11 Guests Present: Duane Whitelaw/NTFPD; Pat Dillon/NTFPD; Ferlyn Junio/Nimbus
12 Consulting Group, LLC (by telephone)

13 **2. PUBLIC PARTICIPATION**

14 None.

15 **The numbering of the following items matches the original order of the scheduled**
16 **items in the meeting agenda. However, to take best advantage of meeting**
17 **participants' time, the items were dealt with in a different order during today's**
18 **meeting, as seen below.**

19 **3. ITEMS FOR BOARD DISCUSSION & ACTION**

20 **A. Financial Reports:**

21 Mike Dobrowski, District CPA, was not able to participate in discussion of this
22 agenda item.

- 23 • The "Consultants-Misc." actual expense for January significantly exceeded
24 the budgeted amount because the Eco:Logic work occurred later than
25 originally planned (during the third, rather than the second, quarter). The
26 work is on budget.
- 27 • As expected, the District loaned 8% of its tax revenues to the State. Mike
28 recorded the loan as a current asset, but should perhaps have recorded it as
29 a long-term note receivable. He will consult with Manager Collins and David
30 Kasperik to determine the best way to account for the loan.
- 31 • The auditors' internal controls memorandum stated that Mike has not
32 followed District procedures for accounting for property tax revenues,
33 delinquent accounts and expense for the County to collect the revenues.
34 Accounting for property tax revenues affects how much the District owes
35 NTFPD. Manager Collins will speak with Mike and with David Kasperik
36 about how to post these transactions correctly, hopefully prior to receipt of
37 the District's April tax payment. Until the situation is better understood,
38 property tax revenues are probably not correctly stated.
- 39 i. **January Month-end Financial Statements:** Director Northrop made a
40 MOTION that the Board accept the January 31, 2010, month-end financial
41 reports. Director Quinan SECONDED the motion. Directors Grant, Northrop,
42 Nungester and Quinan being in favor, the motion was APPROVED.
- 43 ii. **January Expenses Paid & Payable:** The Directors reviewed the monthly
44 check register. Director Grant made a MOTION that the Board approve the
45 Expenses Paid & Payable (two direct debits for payroll and checks 24813
46 through 24870). Director Quinan SECONDED the motion. During
47 discussion, Director Quinan asked for clarification on the Webb Land
48 Surveying expense; Manager Collins explained that Webb is preparing
49 easement documents. Director Grant asked if the garbage contract payment
50 was for two months; President Danz said it was for three months. Directors
51 Grant, Northrop, Nungester and Quinan being in favor, the motion was
52 APPROVED.

53 **B. Approval of Minutes of Regular Board Meeting Held on January 8, 2010:**

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1 Director Quinan made a MOTION that the Board approve the minutes of the
2 January 8, 2010, Regular Board of Directors Meeting. Director Nungester
3 SECONDED the motion. Directors Grant, Northrop, Nungester and Quinan
4 being in favor, the motion was APPROVED.

5 **D. General Manager's Report:**

6 John Collins, General Manager, provided a written report on his activities during
7 the month of January, with brief discussion on the following topics:

- 8 • Sierra Nevada Conservancy Grant: David Jaramillo re-flagged the area to be
9 thinned, coordinated the project schedule with NTFPD, and is still working on
10 getting information from Lahontan Regional Water Quality Control Board
11 about its requirements for water sampling. Director Grant asked Manager
12 Collins when he wanted contributions from the homeowner associations;
13 Manager Collins said he would let them know.
- 14 • Bear Creek Embankment Reinforcement Project: Manager Collins spoke with
15 Eco:Logic personnel. They have received the initial report from the
16 geotechnologist, who has not yet decided if he needs to do any field work.
17 Eco:Logic plans to make a presentation to the Board next month.
- 18 • Vehicle Storage Building (VSB) Expansion: Manager Collins reported that the
19 building had been inspected and could now be occupied. He anticipates
20 asking the Board to approve a resolution next month, authorizing the notice
21 of completion to be filed with the County. The project should be finished in
22 March or April.
- 23 • Easements: Webb Land Surveying plans to revise some of the documents.
24 Manager Collins contacted Placer Title Company to get correct ownership
25 names to prepare the documents. About 50 to 60 easements will ultimately
26 require documentation; Webb is currently working on subdivision 4 which has
27 11 unrecorded easements.
- 28 • Snowmaking Wells Debt Payoff: Nothing new has occurred. Further
29 negotiations regarding a new contract with the ski area will not take place
30 until after the snowmaking season. Meanwhile, Manager Collins will obtain a
31 copy of TCPUD's contract with Homewood Mountain Resort, which is owned
32 JMA Ventures, the same firm that owns Alpine Meadows Ski Resort.

33 **C. Fire Department Report:**

34 Chief Whitelaw and Pat Dillon from NTFPD were in attendance and reported the
35 following:

- 36 • January Dispatch Report: There were 25 dispatches to the ski area. During
37 the ski season, about 20% of all NTFPD calls are to the ski area. Out of the
38 yearly total of approximately 1,800 calls, most dispatches occur from July
39 through Labor Day and during the winter.
- 40 • NTFPD staffed the Alpine Meadows fire station 21 days in January and in
41 December, for a total of 123 staffing days for the fiscal year to-date. They
42 continue to staff the station Friday through Sunday each week.
- 43 • Director Nungester said his understanding was that ASCWD had paid
44 NTFPD more than the amount NTFPD had budgeted, and asked if the
45 District could expect commensurately increased staffing of the Alpine
46 Meadows fire station. Chief Whitelaw said that, if ASCWD's payments
47 indeed are greater than budgeted by NTFPD, the answer was yes.

48 **I. Revisions to Contracts Regarding Addition to the Vehicle Storage Building:**

49 Manager Collins explained that Change Order 2 was required to increase the
50 door size opening. He said Staff recommended approval of the \$934.56; the
51 work has already been performed. Director Northrop made a MOTION that the
52 Board approve Change Order 2 to the contract with Michael Horn Company
53 regarding the Vehicle Storage Building. Director Quinan SECONDED the
54 motion. Directors Grant, Northrop, Nungester and Quinan being in favor, the

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1 motion was APPROVED. Chief Whitelaw asked if there was enough money in
2 the escrow account to make the payments; Manager Collins said yes and that he
3 will probably be returning about \$3,000 to NTFPD. The 10% retention will be
4 paid about 30 days after the notice of completion is recorded by the County
5 Recorder.

6 **E. Operations & Maintenance Department Report:**

7 Buz Bancroft presented a written report for the month of January that included
8 status updates on water, sewer, garbage and other services provided by the
9 District.

- 10 • All January water samples were absent coliform bacteria.
- 11 • The ski area made no snow during January, so the snowmaking wells were
12 not run.
- 13 • Maintenance: Staff removed snow (shop/office/fire hydrants); located the
14 sewer pump for 2042 John Scott Trail; repaired tire chains on the backhoe
15 (the purchase of new ones will probably be budgeted for next year);
16 performed maintenance on the chlorinator.
- 17 • Director Northrop suggested hard-facing the chains for longer wear.

18 **F. TTSA Report:**

19 Director Northrop provided a written report on items of interest to ASCWD from
20 the January 13 and February 10, 2010, TTSA Board meetings.

- 21 • The plant is operating normally and efficiently.
- 22 • All waste water discharge requirements are being met.
- 23 • Director Northrop attended an ethics seminar on March 4, given by the Town
24 of Truckee's legal counsel. He will provide copies of the presentation to
25 interested Board members.

26 The next TTSA Board meeting is scheduled for March 10.

27 **G. Revisions to Employee Handbook:**

28 The Board discussed proposed changes to the District's Employee Handbook.

- 29 • Manager Collins reported that District legal counsel prepared the changes
30 and Staff reviewed them. Staff expressed some concern about changing
31 "shall" to "may" on page 29, which could have the effect of relaxing the
32 requirement that the District provide annual salary increases based on the
33 consumer price index.
- 34 • President Danz expressed concern about the softening of language in
35 several places in the Handbook, for instance, regarding pay increases,
36 breaks and final paychecks. She would like to check with District counsel
37 about her concerns before the Board votes on the revisions. She asked the
38 Directors to provide any comments to Manager Collins so he can discuss
39 them with District counsel.
- 40 • Director Quinan asked about the change on page 8, where the requirement
41 to provide documentation of accusation of harassment was deleted.
42 Manager Collins said he did not know why each change was made and
43 would ask District counsel.
- 44 • Director Quinan asked about a change on page 30. President Danz replied
45 that the change was because the District's policy with respect to overtime is
46 more generous than Federal and state law.

47 **J. Sanitary Sewer Management Plan (SSMP):**

- 48 • Manager Collins said the Plan is a document required by the State of
49 California's Regional Water Quality Control Board which, in May 2006,
50 issued a general waste discharge requirement that said any utility with a
51 sewer system over a certain capacity must develop a plan to manage
52 overflows. The State provided the boilerplate for the Plan. Most overflows
53 are caused by fat, oil and grease (FOG). The District was supposed to have
54 adopted goals for managing its sewer system two years ago. Manager

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1 Collins said the District's schedule for approval of the Plan was: 1) notice a
2 public hearing, 2) hold the public hearing (after 30 days), 3) adopt the Plan
3 following the public hearing, and 4) report to the State that it did so by May 2,
4 2010.

- 5 • Director Quinan pointed out an inconsistency between the organization chart
6 on page 2-2 and the text on page 2-3.
- 7 • President Danz pointed out a typo on page 2-3 ("Alpine Springs" should
8 replace "Alpine Spring").
- 9 • President Danz said the Board would discuss the Plan again at the March
10 meeting and move forward at that time with scheduling the public hearing.
11 She requested that the Directors keep their copies of the Plan for next
12 month's meeting and that they send any comments to Manager Collins
13 before then.
- 14 • Director Quinan pointed out the District has not had a FOG incident in 10
15 years. Buz said the only FOG incident was at a residence, rather than a
16 commercial location.
- 17 • Appendices to the document are available in Pam's office. (Manager Collins
18 deemed them too bulky to include in the Board packets).

19 **K. Committee Reports:**

- 20 i. **Budget & Finance Committee:** President Danz presented a written report of
21 the Committee's February 11 meeting.
 - 22 a. **Non-standard Transactions:** None.
 - 23 b. **Investments/cash:** Per the Committee's recommendation, Director
24 Northrop made a MOTION that the Board approve the re-investment of
25 the two CDs maturing this month, one for \$95,000 and one for \$100,000,
26 into six-month CDs at the highest interest rate available. Director
27 Nungester SECONDED the motion. Directors Grant, Northrop,
28 Nungester and Quinan being in favor, the motion was APPROVED.
 - 29 c. **Changes to Policy 2.1.0, Bill Paying:** The Committee plans to discuss
30 proposed changes to this Policy at next month's meeting.
 - 31 d. **Proposal from Damore, Hamric & Schneider to perform 2010**
32 **Financial Audit:** The District auditors provided the same proposal as
33 last year, but the proposed fees increased to \$13,000 for the audit, an
34 increase of \$1,000, and \$750 to meet the requirements for calculation of
35 the Appropriations Limit. Per the Committee's recommendation,
36 Director Northrop made a MOTION that the Board accept the proposal
37 from Damore, Hamric & Schneider to perform the 2010 financial audit
38 and to meet the requirements for calculation of the Appropriations Limit.
39 Director Quinan SECONDED the motion. Directors Grant, Northrop,
40 Nungester and Quinan being in favor, the motion was APPROVED.
41 President Danz expressed her pleasure with the value of the auditors'
42 work. Manager Collins said his understanding is that other districts pay
43 greater fees for their audits.
 - 44 e. **Requests from Customers for Adjustments to their Bills:** None.
 - 45 f. **Requests for Unbudgeted Expenses:** None.
 - 46 g. **Next meeting:** Scheduled for Thursday, March 11, at 1:30 p.m.

47 **H. Proposal from Nimbus Consulting Group Regarding SB 90 State Mandated**
48 **Costs Reimbursement:**

49 Ferlyn Junio from Nimbus Consulting Group participated by telephone in the
50 Board's discussion of this agenda item. Nimbus made an unsolicited proposal to
51 the District to prepare forms to submit to the State for reimbursement to the
52 District of State-mandated costs. Pam Zinn participated in portions of the
53 discussion.

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- 1 • As background, President Danz reported that several years ago, Centration
2 proposed that the District pay them to prepare forms for reimbursement to
3 the District of State-mandated costs (such as the cost of complying with the
4 Brown Act). Checking the records, Staff determined that the District received
5 reimbursement for one year, after which the State suspended
6 reimbursements, so the District stopped paying Centration. The State is
7 apparently again paying the reimbursements.
- 8 • Ferlyn said the District can file for reimbursement of direct and indirect costs
9 incurred by certain mandated programs. Nimbus fills out the forms on behalf
10 of agencies. Its personnel would speak with District Staff to compile the
11 necessary information, would then format the data and submit the forms on
12 behalf of the District.
- 13 • President Danz asked Ferlyn whether she was sure the State would pay.
14 Ferlyn said Proposition 1A was passed in 2004 and included language that
15 the State had to repay these costs. The schedule is for claims filed by
16 February 15 of a given year to be paid October 15 of the same year or 60
17 days after the State budget passes. There is a separate filing date for
18 mandated costs incurred by complying with the Open Meetings Act, providing
19 that 1) claims filed by April 20, 2010, for open meetings occurring prior to this
20 fiscal year be paid by October 15, 2011, and 2) claims for open meetings
21 occurring this fiscal year filed by February 15, 2011, also be paid by October
22 15, 2011. Thereafter, claims will be paid six months after the claims are filed.
- 23 • President Danz asked if the State had indeed paid out such reimbursements.
24 Ferlyn said the State paid last October (2009) for claims filed by February 15,
25 2009 in arrears for 2007-2008.
- 26 • President Danz asked what sorts of costs were reimbursable. Ferlyn said
27 reimbursable costs were those incurred in preparing agendas for meetings
28 complying with the Open Meetings Act. She said reimbursement costs could
29 be determined by one of three methods: 1) fixed cost (\$154 per agenda), 2)
30 actual cost, and 3) blended cost for 30 minutes of time for each agenda item
31 (e.g., payroll cost for time spent by legal counsel, city clerk, etc.). For all
32 other Board commissions, the agency can claim reimbursement for 20
33 minutes of time for each agenda item. Nimbus determines the best rate to
34 use for each agency. Ferlyn said the State will not challenge the method
35 selected. She expected that, for ASCWD, Nimbus would try the blended cost
36 method first, and then compare its results with those yielded by application of
37 the flat rate method to determine the better method.
- 38 • President Danz asked Ferlyn if the reimbursement forms were available on
39 the internet. Ferlyn said yes, they were available on the State Controller's
40 website.
- 41 • Ferlyn thought that the District could possibly be looking at a reimbursement
42 of \$40,000 for the April 20 filing, based on the \$10,000 reimbursement for
43 fiscal year 2004-2005 and the number of meetings since that year.
- 44 • Director Nungester suggested that the Board request that the proposal be
45 worded such that Nimbus would be paid on a contingency basis.
- 46 • President Danz asked why the District should pay Nimbus upfront when it is
47 not certain the State will actually pay. Ferlyn replied that Nimbus is a small
48 company and cannot afford to wait until the State pays. She said the District
49 could delay paying Nimbus until after the claims are filed, but her firm would
50 not perform the work on a contingency basis.
- 51 • Ferlyn said she sent Pam information about the mandate reimbursement
52 program, a mandate that reimburses agencies for the cost of consulting fees
53 to file for reimbursement of State-mandated costs. The instructions for the
54 mandate reimbursement program will be released in October or November,

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1 after which the District could recoup the cost of the consulting fees.

2 Reimbursement of the consulting fees would be made along with the
3 reimbursement of claims in October 2011.

- 4 • Pam asked Ferlyn if the District could file for reimbursement of preparation of
5 the claims if it filed its own claims. Ferlyn said yes.
- 6 • President Danz thanked Ferlyn, who then ended her participation in the
7 agenda item. President Danz requested feedback from the other Directors.
8 There was discussion among the Directors aimed at trying to determine an
9 estimate for annual reimbursements.
- 10 • Director Nungester said he did not think Nimbus could obtain more for the
11 District than the \$3,000 it would cost to hire them.
- 12 • Director Grant said that the CSDA magazine had an article about the issue.
- 13 • President Danz asked Manager Collins to contact CSDA and also to check
14 the State Controller's website for the flat rate form, to see how easy it might
15 be for Staff to file for the reimbursable costs.

16 **[The Board took a break between 9:55 and 10:10.]**

- 17 • During the break, Manager Collins spoke with Andy Nichols, CSDA's
18 consultant who co-authored the CSDA article on State-mandated
19 reimbursements. Andy recommended that ASCWD use the flat rate method
20 and said the District would probably get about \$3,500 back per year. He
21 offered to file back claims for ASCWD for \$500 a year for five years and said
22 he would send a proposal Thursday. He will include filing for LAFCO
23 meetings as part of the same fee.
- 24 • Director Grant reminded Manager Collins that Andy Nichols might be able to
25 help the District file for reimbursement for his (Andy's) fees.

26 Director Quinan made a MOTION that the Board approve the proposal from
27 Nichols Consulting to file State-mandated reimbursable costs for the District at a
28 cost of \$500 per year, pending Manager Collins' approval of the proposal.
29 Director Northrop SECONDED the motion. Directors Grant, Northrop, Nungester
30 and Quinan being in favor, the motion was APPROVED. Manager Collins will
31 notify Ferlyn about the Board's action.

32 **K. Committee Reports (continued):**

33 ii. **Administration & Personnel Committee:** Director Nungester presented a
34 written report of the Committee's January 26 meeting.

35 **a. Document Retention Procedures:**

- 36 • The Committee looked into the issue of establishing a records
37 retention policy for the District. To that end, they evaluated a 35-
38 page document from Best, Best & Krieger (District counsel) that
39 listed the minimum legal retention period for every kind of record
40 used by special districts. The Committee recommended adopting
41 District counsel's document as the District's records retention policy.
42 Director Nungester said it would take a few years to completely
43 implement the policy, but the Committee was ready to begin
44 implementation if the Board agreed.
- 45 • President Danz said she thought the document from District counsel
46 was cumbersome and unusable. Both Manager Collins and Director
47 Nungester said they did not know what certain kinds of records listed
48 on the document were. Manager Collins spoke in favor of a more
49 inclusive document, rather than less inclusive.
- 50 • President Danz said 75% of the document did not apply to the
51 District. She recommended condensing and simplifying the
52 document, for instance, grouping types of records and choosing the
53 maximum retention period for everything in the group. She charged
54 the Committee with going back through the document, trimming it

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- 1 down to only those items that apply to the District, and considering
2 which records should have longer retention periods.
3 • Director Nungester said that the Board should go through the
4 guidelines and that the Committee could not make those kinds of
5 recommendations.
6 • Since Director Nungester expressed discomfort at performing this
7 task, President Danz volunteered to consolidate the document and
8 forward it to the Board for consideration. Manager Collins will
9 provide her with the electronic version.
10 **b. Revisions to Policies 4.8.0 and 4.9.0:** Manager Collins explained to the
11 Committee that, based on the records retention guidelines from legal
12 counsel, several policies might have to be changed.
13 **c. Implementation:** It will take years. The Board will have to approve
14 Resolutions to destroy old records.
15 iii. **Park, Recreation & Greenbelt Committee:** There was no meeting.
16 iv. **Long Range Planning Committee:** There was no meeting.

17 **L. Open Items:**

18 President Danz said the Committee assignments would remain the same for
19 another year.

20 **M. Correspondence to the Board:**

21 None.

22 **4. DIRECTORS' COMMENTS**

- 23 • The March Board meeting will be held at its normally scheduled date and time: March
24 12, 2010, at 8:30 a.m.
25 • President Danz said that the Park Committee needs to meet this month, because the
26 March Newsletter will need to have Park information in it, including this year's fee
27 schedule. Since Director Quinan and Director Grant could not find a convenient date
28 for a committee meeting, Director Quinan recommended that the Park fees not be
29 increased. President Danz will place an item on the March Board meeting agenda to
30 vote on the Park fees. If needed, the Park Committee can meet in March or April to
31 discuss any future changes to the Park rules and fee structure.

32 **5. CLOSED SESSION**

33 None.

34 **6. ADJOURNMENT**

35 There being no further business before the Board, the meeting was adjourned at 10:45
36 a.m.

37
38 Respectfully Submitted,

Approved with one change 3/12/10

39
40
41 Jancis Martin
42 Recording Secretary
43