

**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, September 14, 2012, at 8:30 a.m., District Board Room, 270 Alpine Meadows Road.

1 **1. CALL TO ORDER**

2 Vice President Nungester 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: Charles Nungester, Vice President; Jon Northrop; Don Priest;
7 Virginia Quinan.

8 Directors Absent: Janet S. Grant.

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

11 Guest Present: Tim Alameda/NTFPD; Troy Caldwell/resident

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

16 **2. SWEARING IN CEREMONY OF DON PRIEST**

17 Manager Collins administered the oath of office to Don Priest, whom the Board
18 appointed at the August 29 Special Meeting to fill the remaining term of the
19 position vacated by Barbara Danz's resignation.

20 **3. PUBLIC PARTICIPATION**

21 None.

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

23 **K. Committee Reports:**

- 24 i. **Budget & Finance Committee:** Vice President Nungester presented
25 a written report of yesterday's Committee meeting.
26 a. **Non-standard Transactions:** About \$17,000 of "Other Revenue"
27 funds was due to penalties.
28 b. **Investments/cash:** Per the Committee's recommendation,
29 Director Northrop made a MOTION that the Board authorize
30 Manager Collins to move \$400,000 from checking as follows:
31 \$100,000 for a new CD at next Tuesday's rate, \$200,000 to LAIF
32 and \$100,000 to the District account with Placer County. Director
33 Priest SECONDED the motion. Directors Northrop, Priest and
34 Quinan being in favor, the motion was APPROVED. Manager
35 Collins said that, at the District's spending rate of about \$80K per
36 month, there would be enough funds left in the checking account
37 to last until December when the District's next tax revenues
38 payment was due from Placer County.
39 c. **Requests from Customers for Adjustments to their Bills:**
40 There were four letters from customers regarding billing issues.
41 The Committee recommended that two of the requests be
42 honored for refunds of \$116.00 and \$172.00 in penalties (both
43 were instances of the District's late fee statements and the
44 customers' payments crossing in the mail), and that the other two
45 requests be denied.
46 d. **Requests for Unbudgeted Expenses:** None.
47 e. **Next meeting:** Thursday, October 11, at 1:00 p.m.
48 ii. **Administration & Personnel Committee:** There was no meeting.
49 iii. **Park, Recreation & Greenbelt Committee:** There was no meeting.

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- 1 iv. **Long Range Planning Committee:** There was no meeting.
- 2 **A. Financial Reports:**
- 3 Mike Dobrowski, District CPA, was not present to participate in discussion
- 4 of this agenda item.
- 5 i. **August Expenses Paid & Payable:** The Directors reviewed the
- 6 monthly check register. Director Quinan made a MOTION that the
- 7 Board approve the Expenses Paid & Payable (the debits for payroll
- 8 and checks 26412 through 26471). Director Northrop SECONDED
- 9 the motion. In discussion, Director Quinan asked about the Bear
- 10 Creek Association (BCA) overpayment. Manager Collins explained
- 11 that the District had reduced the BCA meter from 1.5" to 0.75" at
- 12 BCA's request but then mistakenly billed them at the higher 1.5" meter
- 13 rate. Directors Northrop, Priest and Quinan being in favor, the motion
- 14 was APPROVED.
- 15 ii. **August Month-end Financial Statements:** Director Northrop made a
- 16 MOTION that the Board accept the August 30, 2012 month-end
- 17 financial reports. Director Priest SECONDED the motion. In
- 18 discussion, Director Priest asked about the overage in "Salaries and
- 19 Wages – O&M". Manager Collins explained it was because he
- 20 mistakenly budgeted August as a two pay-period month, rather than a
- 21 three pay-period month. He added that next month the budget would
- 22 show an under-run in the same category, as he had mistakenly
- 23 budgeted September as a three pay-period month instead of a two
- 24 pay-period month. Directors Northrop, Priest and Quinan being in
- 25 favor, the motion was APPROVED.
- 26 **B. Approval of Minutes:**
- 27 Director Northrop made a MOTION that the Board approve the minutes of
- 28 the August 10, 2012, Regular Board of Directors Meeting and those of the
- 29 August 29, 2012, Special Board of Directors Meeting. Director Quinan
- 30 SECONDED the motion. Directors Northrop, Priest and Quinan being in
- 31 favor, the motion was APPROVED.
- 32 **C. Fire Department Report:**
- 33 Tim Alameda from NTFPD was in attendance and reported the following:
- 34 • August Dispatch Report: There were four calls to dispatch, all for EMS
- 35 services.
- 36 • NTFPD business in the valley:
- 37 ○ They responded to a request for assistance from a resident on
- 38 Trapper John to look at her LPG and some trees.
- 39 ○ They inspected a house under construction on Mineral Springs
- 40 that they are keeping their eye on; since it has a history of bear
- 41 break-ins, NTFPD asked the owner to make sure the building is
- 42 closed up tightly.
- 43 ○ They reviewed three construction plans for the valley.
- 44 ○ They responded to a call from a hiker who saw evidence of
- 45 burning along a trail; it turned out to be the remains of legitimate
- 46 burn piles.
- 47 • Fire Prevention Week: In October, NTFPD will be educating the public
- 48 on this year's theme, "Two Ways Out". They will talk to the ASCWD

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1 Board about it next month, are having posters made, and have
2 children's activities planned.

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

4 John Collins, General Manager, provided a written report on his activities
5 during the month of August, with discussion on the following topics:

- 6 • Sierra Nevada Conservancy (SNC) Grant: Manager Collins received
7 the final report and forwarded it to SNC. They received it, said it
8 looked fine, and that they appreciated working with the District.
9 Manager Collins submitted the final invoice to SNC. Next he will
10 prepare paperwork to reclaim the balance of the 10% retention SNC is
11 holding.
- 12 • Alpine Meadows Bridge: Manager Collins forwarded the draft
13 Cooperative Agreement between the District and Placer County to
14 District counsel for review and coordinated with the County regarding
15 revisions to the Agreement. The Board of Supervisors approved the
16 Agreement Tuesday this week.
- 17 • Alpine Sierra Subdivision: There was no activity in August.
- 18 • Alpine Meadows Road Pipeline Project: Manager Collins obtained a
19 bid proposal from Longo Construction to install the 8" pipeline and
20 reducing station (see agenda item 4F).
- 21 • AME Well Re-drill: Manager Collins is awaiting a water permit
22 amendment with the California State Department of Public Health.
23 Last week he spoke with them by phone to get a status update; the
24 engineer handling the project said he had reviewed the paperwork
25 and is now awaiting his supervisor's approval.
- 26 • Marten Barry's Property: The Parcel and Easement Exchange is
27 completed and recorded.
- 28 • Sewer Easement for 1783 Deer Park Drive: Manager Collins received
29 the signed grant of easement and will submit it to the County
30 Recorder.
- 31 • New Utility Rate: Manager Collins drafted a schedule of dates for a
32 Public Hearing to adopt utility rates for FY 2013/2014. He will provide
33 it to the Board for approval next month.
- 34 • Snow Crest Sewer Line Relocation: Stantec completed two
35 preliminary design options to relocate the sewer line crossing the
36 Henry parcel. Manager Collins met with Mr. Henry and his contractor.
37 Manager Collins told him it would be less expensive and more
38 expeditious for Mr. Henry to have the work done, rather than having
39 the District do it. They are currently obtaining bids. After the sewer
40 line relocation is complete, the District will formally abandon its
41 interest in the old easement. This will be worked with Placer County,
42 as the easement belongs to the County.

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

44 Buz presented a written report for the month of August that included
45 status updates on water, sewer, garbage and other services provided by
46 the District.

- 47 • Staff work: Performed Park maintenance; replaced damaged yokes
48 found while updating remote read water meters; reinstalled the Tank 1
49 Clay valve and made it operational after its vault was rebuilt;

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1 inspected and put back into service the Spring 1 meter after its vault
2 was replaced.

- 3 • As of today, the District has installed 164 meters and 55 retrofit meter
4 heads for the remote-read meter project.
- 5 • All routine water samples and quarterly spring samples were absent
6 coliform bacteria.
- 7 • Staff completed lead and copper sampling required by the State
8 Health Department, and now await the results.

9 **F. Construction Contract with Longo:**

10 The Board reviewed the contract with Longo for construction of the Alpine
11 Meadows Road Water Line Project (600 feet of pipeline and pressure
12 reduction valve, referred to below as “the Project”). Troy Caldwell was
13 present to participate in the discussion. Director Northrop made a
14 MOTION that the Board approve the Construction Contract with Longo,
15 Inc. in the amount of \$192,590 for construction of the Alpine Meadows
16 Road Water Line Project, and authorize Manager Collins to sign related
17 construction documents. Director Priest SECONDED the motion.

18 The following were discussion points:

- 19 • Director Northrop pointed out that the Project Identification (Bid Form,
20 Page 1) should say Alpine Meadows Road, not Alpine Meadows
21 Drive.
- 22 • Manager Collins said Troy was present today because he built an 8”
23 water line from Chalet Road to Alpine Meadows Road, down Alpine
24 Meadows Road, across it, and up to his property. Troy put in the line
25 at his own expense, and had the expectation that at such time as he
26 requested service at his property, he would be given credit for the
27 expense of installing the line. However, there is no documented
28 agreement between Troy and ASCWD in the District files. Manager
29 Collins recommended to the Board that the District formalize the
30 understanding that since Troy paid to install the line, and since it is
31 larger than is needed for his residence, that at such future time as he
32 requested further service from the line (for instance, for other
33 residences), he should be given credit in dollars or capacity, and that
34 the line should be dedicated to the District. Troy’s attorney is
35 preparing a draft agreement.
- 36 • Troy is also involved in an easement issue impacting the Project.
37 Troy said he dedicated an easement to the County for roadway
38 purposes only (i.e., granting the County the right to encroach on the
39 top three inches of the roadway), and that if the County used it for any
40 other purpose, they would be in violation. Manager Collins said the
41 County was adamant that this is not the case, and that they have a
42 utility easement in addition to a roadway easement. The County
43 therefore issued an encroachment permit to ASCWD for the purposes
44 of the Project. Troy said his attorney was looking into the matter and
45 that his understanding was another easement would have to be
46 dedicated for utility access. The easement in question would be from
47 about the Longo property up to the ski area.
- 48 • Also potentially impacting the Project is Troy’s desire to retain the
49 ability to negotiate with the power company regarding the dedication

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- 1 of an easement for their purposes. The power company's interest is
2 along the same side of the road as the Project.
- 3 • Additional points made by Troy: 1) In 1961 Southern Pacific deeded
4 the original easement for construction of the road to the ski area – it is
5 an unusual case where the road is privately owned, rather than being
6 owned by the County; 2) the 8" line was installed for private use, not
7 with the intention of serving a development; and 3) his attorney is
8 working on a "Will Serve" letter to the District to preserve his water
9 capacity.
 - 10 • Extensive discussion ensued on the impact of the easement
11 controversy on the Project, including the following points:
 - 12 ○ There are potential liability issues with proceeding with the Project
13 before the easement issue is cleared up.
 - 14 ○ It would be imprudent to start the Project and then have to stop if it
15 were determined that the District did not have the right to proceed.
 - 16 ○ If the Project does not get underway by October 15, the work will
17 have to be put off until next year and then re-bid (Longo's bid only
18 lasts 60 days).
 - 19 ○ Director Priest inquired as to the time criticality of the Project.
20 Manager Collins said it has been on the District's capital
21 improvement list for as long as he has worked here. Director
22 Priest said that indicated there was some flexibility and said he felt
23 the Project should not proceed without District counsel sorting out
24 the issue, or at least obtaining an opinion from the County
25 attorney's office regarding the legality of the encroachment permit.
26 Manager Collins said he had already communicated with the
27 County, but could try again. Director Northrop suggested that
28 Manager Collins request that the County expedite the issue, since
29 there were potential time and cost impacts to the District.
 - 30 ○ Regarding cost impact to the District, Vice President Nungester
31 and Director Northrop were concerned the cost of the Project
32 would rise substantially if it had to be re-bid next year, while
33 Director Priest felt any such cost increase would be minimal. At
34 any rate, the work itself cannot be completed this year, even if
35 started prior to October 15, as the valve parts are at least 45 days
36 out.
 - 37 ○ Director Priest suggested that the Board deal separately with the
38 two issues (ownership of Troy's line and the Project easement
39 issue). Manager Collins agreed.
 - 40 ○ Troy said the District might have to redesign the Project to keep
41 the pipeline on the east side of the road. Manager Collins said
42 that wasn't possible, that the pipeline has to cross the road.
43 Manager Collins indicated his concern that the Project was
44 potentially going to be held up because Troy might withhold
45 approval of the requisite encroachment permit simply because he,
46 as a developer, had not made up his mind how his own
47 development was going to proceed.
 - 48 ○ The Board discussed the idea of approving the contract with the
49 caveat that the encroachment issue first be cleared up. Troy said

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1 he would work with his attorney and explain the issue was time-
2 sensitive. Vice President Nungester pointed out that agenda
3 items 4F, 4G and 4H all have to do with the Project, and that if the
4 contract under discussion were approved with conditions, the
5 same conditions would have to be added to the approval of the
6 other affected agenda items. Manager Collins said he could
7 advise the Directors of what he learns about the legal status of the
8 encroachment permit prior to next month's meeting, if they
9 conditionally approve the contract(s) this month. He added that
10 the agreements with Stantec and with Holdrege and Kull do not
11 stipulate time constraints as Longo's contract does.

12 Director Northrop modified his MOTION to append the words "subject to
13 Placer County's clarification that they have the authority to issue the
14 District an encroachment permit". Director Priest **SECONDED** the
15 amended motion. Directors Northrop, Priest and Quinan being in favor,
16 the amended motion was **APPROVED**.

17 **G. Professional Services Agreement with Stantec Consulting Services:**

18 Director Northrop made a MOTION that the Board approve the
19 Professional Services Agreement with Stantec Consulting Services, Inc.
20 for construction inspection services on a time and material basis not to
21 exceed \$12,788, and authorize Manager Collins to sign related
22 documents, subject to Placer County's clarification that they have the
23 authority to issue the District an encroachment permit. Director Quinan
24 **SECONDED** the motion. Directors Northrop, Priest and Quinan being in
25 favor, the motion was **APPROVED**.

26 **H. Professional Services Agreement with Holdrege & Kull:**

27 Director Priest made a MOTION that the Board approve the Professional
28 Services Agreement with Holdrege & Kull, Inc. for construction materials
29 testing services on a time and material basis not to exceed \$5,850, and
30 authorize Manager Collins to sign related documents, subject to Placer
31 County's clarification that they have the authority to issue the District an
32 encroachment permit. Director Northrop **SECONDED** the motion.
33 Directors Northrop, Priest and Quinan being in favor, the motion was
34 **APPROVED**.

35 **I. Cooperative Agreement with Placer County:**

36 The Board reviewed the agreement with Placer County for water line
37 utility relocations due to the Alpine Meadows Road Bridge Replacement
38 project.

- 39 • Vice President Nungester explained that the District asked Placer
40 County to do the design and work, because it would be perceived to
41 be cheaper if it were done with the rest of the County work on the
42 bridge.
- 43 • Director Quinan asked about the sewer line. Manager Collins said it
44 ran under the river, not on the bridge.
- 45 • Manager Collins said that District counsel approved the agreement
46 with requested revisions, that the County incorporated all the
47 requested revisions into the agreement, and that the Placer County
48 Board of Supervisors approved the agreement with the requested
49 changes.

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1 Director Northrop made a MOTION that the Board approve the
2 Cooperative Agreement with Placer County for water line utility
3 relocations due to the Alpine Meadows Road Bridge Replacement
4 project, on a time and material basis not to exceed \$37,000 for design
5 services and \$133,239 for construction services, and authorize Manager
6 Collins to sign related documents. Director Priest SECONDED the
7 motion. Directors Northrop, Priest and Quinan being in favor, the motion
8 was APPROVED.

9 **J. TTSA Report:**

10 Director Northrop provided a written report on items of interest to ASCWD
11 from the September 12, TTSA Board meeting.

- 12 • The plant is operating normally and efficiently.
 - 13 • All waste water discharge requirements are being met.
- 14 The next TTSA Board meeting is scheduled for October 10.

15 **L. Appointment of a Second Director to the Budget & Finance**
16 **Committee:**

17 Vice President Nungester said Barbara Danz's resignation left him as the
18 only Director on the Budget & Finance Committee. Board policy requires
19 that two Directors serve as Committee members. Therefore, as acting
20 President of the Board, he needs to appoint a second Director to that
21 Committee. Since District checks must be signed by two Directors, one
22 of whom must be a member of the Budget & Finance Committee, it is
23 important that the new member of the Budget & Finance Committee be
24 readily available to sign checks. Director Grant sent Manager Collins a
25 letter stating that she wished to be considered for the position. However,
26 she is frequently gone, while Director Quinan is usually available.
27 Therefore, Vice President Nungester is appointing Director Quinan to the
28 Committee. The appointment will be in effect until December, when the
29 Board holds elections for next year. At that time, the new President can
30 modify Committee personnel.

31 **M. Open Items:**

- 32 • The next regular Board meeting will be held at its normal time and
33 date: Friday, October 12, at 8:30 a.m.

34 **N. Resolution 6-2012: Honoring Barbara Danz:**

35 Per direction of the Board at the August Regular Meeting, Manager
36 Collins drafted a resolution honoring Barbara Danz's service to the
37 District. Director Northrop made a MOTION that the Board adopt
38 Resolution 6-2012, Honoring Barbara Danz, with two typos corrected
39 (changing "detail" to "attention" and "personnel" to "personal" in the fifth
40 WHEREAS). Directory Quinan SECONDED the motion. Director Grant
41 asked to be included as an "Aye" vote. Roll was called to approve the
42 Resolution. Ayes: Directors Grant (by letter), Northrop, Nungester, Priest
43 and Quinan. Noes: none. The Resolution was APPROVED.

44 **O. Correspondence to the Board: None.**

45 **5. DIRECTORS' COMMENTS**

- 46 ▪ Director Quinan said Director Grant gave the District report at the Valley-
47 Wide meeting. Vice President Nungester thanked Manager Collins for his
48 assistance in providing Director Grant with information for the report.

