

FORESTHILL PUBLIC UTILITY DISTRICT

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BOARD OF DIRECTORS

Adam W. Larsen
Bradley D. Reeves
William L. Angerer
Brett C. Grant
Vacant

Glenn Carnahan, Interim General Manager

Jeffrey L. Massey, District Counsel
Eric N. Robinson, District Counsel
Kronick, Moskovitz, Tiedemann & Girard

DRAFT

OFFICIAL MINUTES BOARD OF DIRECTORS FORESTHILL PUBLIC UTILITY DISTRICT

Wednesday, April 13, 2011
7:00 p.m., Regular Meeting

Foresthill Fire Protection District
Conference Room
24320 Main Street, Foresthill, CA 95631

Members of the Board of Directors:

Adam W. Larsen, President

Bradley D. Reeves, Vice President
Brett C. Grant, Director

William L. Angerer, Treasurer
Vacant



A. CALL TO ORDER AND ROLL CALL

1. Roll Call

Meeting called to order at 7:02 p.m. by President Larsen

PRESENT

Adam W. Larsen
William L. Angerer
Brett C. Grant

ABSENT

Bradley D. Reeves

Staff: Glenn Carnahan, Interim General Manager, Jo Ann Glover, Business Manager, Chad Odell, Lead Distribution Operator and Ron Mills, Utility Operator.
Approximately 35 members of the public were in attendance.

2. Pledge of Allegiance

Led by Treasurer Angerer.

3. Correspondence

None.

4. Introductions & Presentations

None.

B. AGENDA CHANGES AND REVIEW

The Business Manager asked for the minutes of March 24, 2011 be added under E. Consent Calendar Item 11. President Larsen requested that under F. General Items, 1. New Business, background checks be added to the sentence on Item 8.

C. **PUBLIC COMMENT:** This is the time for any member of the public to address the Board of Directors on any matter not on the agenda that is within the subject matter jurisdiction of the District. Directors and staff are limited by law to brief responses and clarifying questions to such comments and Directors may request staff to report back to the Board concerning such matter and direct staff to put the matter on a future agenda. Any item that is on this agenda may be addressed by the public during the Board's consideration of that item. Comments shall be limited to **five minutes** per person, or such other time limit as may be imposed by the Chair, in order to enable the Board to complete its agenda within a reasonable period of time.

Mr. Kurt Reed asked if the District has filed for bankruptcy. Interim G.M. responded by saying no.

Sherry Wicks read a letter that she presented to the board, stating the following: hire a full time General Manager sooner than later, as the District is in crises; a probationary period should be included in the General Manager's contract, and she asked to be told the status of PCWA's review of the FPUD's Master Plan. Interim GM stated that the Master Plan was given as a courtesy and PCWA was not reviewing it. Mr. Reed stated that PCWA was given a copy when it was completed.

Mr. Duane Frink stated more copies of the agendas and the board packets should be made available to the public.

Mr. Roy West asked President Larsen if he was a member of a union. President Larsen stated he has never been a member of any union, and the District he currently works for is non union.

President Larsen stated that he appointed former General Manager Kurt Reed to the Ad-Hoc General Manager Selection Committee because he has 25 years of experience with the District and would be knowledgeable with the needs of the District. Treasurer Angerer agreed.

Mr. Frink stated it is traditional to provide expertise during the selection process.

President Larsen stated he would encourage anyone to call him or email him with any questions.

Questions regarding the Interim GM's salary and contract were discussed.

Tamra West suggested an amendment to the current Interim GM's contract for clarification of benefits.

D. **STAFF REPORTS**

1. Financials.

2. Blue Line Report – March 31, 2011.

3. Blue Line Report – Forecast June 30, 2011.

Interim General Manager Glenn Carnahan presented updated financial reports, providing operational detail, as well as financial projections for the remainder of the fiscal year. Questions on actual amounts spent versus the budget were discussed and clarified.

4. Salary and Benefit Report.

Interim GM reported on surrounding area agency salary and benefits. Director Grant requested staff add some additional information to the report for a more complete comparison. Information will be presented at the next Planning Committee meeting.

E. **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 so removed will be taken up following the motion to approve the consent calendar.

1. Approve minutes of special meeting held March 9, 2011.

2. Approve minutes of regular meeting held March 9, 2011.

3. Approve minutes of special meeting held March 14, 2011.

4. Approve minutes of regular meeting (replacing March 9) held March 14, 2011.

5. Approve minutes of special meeting held March 17, 2011.

6. Approve minutes of Ad-Hoc Committee/General Manager Interview Selection meeting held March 21, 2011.
7. Approve minutes of Finance Committee meeting held March 21, 2011.
8. Approve minutes of special meeting held March 28, 2011.
9. Approve minutes of special meeting held April 1, 2011.
10. Approve March 2011 financial reports.
11. Approve minutes of special meeting held March 24, 2011.

Director Grant motioned to pull Items 1,2,4,7 for edits but to approve the remaining items. Seconded by Treasurer Angerer.

PASSED UNANIMOUSLY.

There was discussion on changes for Items 1,2,4,7. After edits were made to those items, Director Grant motioned to approve as amended and was seconded by Treasurer Angerer.

PASSED UNANIMOUSLY.

F. GENERAL ITEMS

1. New Business

1. Action Item: Approve request for single residential rate as opposed to current triple service by Mr. Norman Bratton.

After discussion, Treasurer Angerer motioned to deny this item and was seconded by Treasurer Grant.

ACTION TO DENY UNANIMOUS.

2. Action Item: Select nomination for open position on ACWA HBA Board of Directors.

No action taken.

3. Action Item: Approve Resolution 11-02 requesting collection of delinquent charges on tax roll 2011-2012 by Placer County.

After clarification, Director Grant motioned to approve and was seconded by Treasurer Angerer.

PASSED UNANIMOUSLY.

4. Action item: Approve Resolution 11-03 requesting collection of Assessment District No. 2 (708) on tax roll 2011-2012 by Placer County.

Director Grant motioned to approve and was seconded by Treasurer Angerer.

PASSED UNANIMOUSLY.

5. Action Item: Approve vendor bid for Treatment Plant roof repair.

After discussion, Director Grant motioned to table this item and directed staff to contact the District insurance company to see if the repair is covered. Additionally, staff was directed to get a scope of work for competitive bidding. Motion to table seconded by Treasurer Angerer.

ACTION ITEM TABLED BY UNANIMOUS VOTE.

6. Action Item: Approve vendor bid for Treatment Plant mold remediation.

Director Grant motioned to table this item and was seconded by Treasurer Angerer.

PASSED UNANIMOUSLY.

7. Action Item: Consider funding the District's Other Post-Employment Benefits (OPEB) obligation with the CalPERS funding trust (CERBT). CERBT account needs to be established by June 1, 2011 in order to fund by June 30, 2011, as required by GASB 45.

After discussion, Treasurer Angerer motioned to approve funding and was seconded by Director Grant.

PASSED UNANIMOUSLY.

8. Discuss implementing drug testing policy for all employees and board members (as well as background checks).

Mr. Reed reminded the board to be careful of individual rights. Treasurer Angerer stated the board should have the same policies as personnel. Mr. George Shaw stated you can't require

government workers to have drug tests. Treasurer Angerer suggested volunteering. Mr. West asked if the results could be made public. Director Grant directed staff to have counsel prepare a memo on what can and cannot be done and present that information to the board.

2. Old Business

1. Discuss implementing prior Planning Committee's recommendation for future hires to be offered CalPers 2.5% @ 60 retirement plan and that those employees pay the full employee contribution amount (currently at 8% of compensation).

President Larsen stated this must be acted on before a permanent GM is hired. The Planning Committee will review this item at their next meeting. The date of that meeting to be determined.

- G. REPORTS BY DIRECTORS: In accordance with Government Code § 54954.2(a), Directors may make brief announcements or brief reports on their own activities. They may ask questions for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda.

None.

- H. REPORTS BY LEGAL COUNSEL

None.

- I. MANAGEMENT DISCUSSION

1. General Manager Management Discussion Memo.

Interim GM reported that Clifford Lander gave notice and his last day with the District is 4/21/11. Additional items reported on: Water rights discussion and strategy, filing for grant funds with PCWA, possible water marketing, piezometer flushing and budget preparation.

- J. COMMITTEE REPORTS

1. Ad-Hoc Committee – See minutes E.6.

Committee Chairman Larsen provided a brief summary of the March 21 meeting.

2. Finance Committee – See minutes E.7.

Treasurer Angerer referred to the minutes.

- K. CLOSED DOOR SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Subdivision (a) of Section 54956.9)

Name of Case: Public Employment Relations Board, International Union of Operating Engineers, Stationary Engineers, Local 39, AFL-CIO, Case No. SA-PC-16-M.

At 8:59 p.m., Director Grant motioned to adjourn regular meeting and open closed door session. Seconded by Treasurer Angerer. PASSED UNANIMOUSLY.

No action taken.

At 9:15p.m., Director Grant motioned to adjourn the closed door session and reopen the regular meeting. Seconded by Treasurer Angerer.

PASSED UNANIMOUSLY.

- L. ADJOURNMENT

There being no further business, Director Grant motioned to adjourn the meeting at 9:16p.m. and was seconded by Treasurer Angerer.

PASSED UNANIMOUSLY.

ATTEST:

Adam W. Larsen
President, Board of Directors

Glenn Carnahan
Interim General Manager

THE NEXT RESOLUTION NUMBER IS 11-04

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the District at (530) 367-2511. Notification by Monday noon preceding the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting. (29 CFR 35. 102-35. 104 ADA Title II)

In accordance with Government Code Section 54954.2(a) this notice and agenda were posted in the District's front window at the Foresthill Public Utility District office, 24540 Main Street, Foresthill, CA 95631 on or before April 13, 2011.

Any writing that is a public record under the Public Records Act that relates to an agenda item for an open session of the Board meeting that is distributed less than 72 hours prior to the meeting will be made available for public inspection at the time the writing is distributed to any Board members. Also, any such writing will be available for public inspection at the District's office located at 24540 Main Street, Foresthill, during normal business hours.

Schedule of Upcoming Board Meetings

- **Wednesday, May 11, 2011, 7:00 p.m.** – Regular Board of Directors meeting at the Foresthill Fire Protection District, 24320 Main Street, Foresthill, California.