

**LAKE OROVILLE AREA PUBLIC UTILITY DISTRICT  
BOARD OF DIRECTORS REGULAR MEETING  
FEBRUARY 12, 2008**

**SALUTE TO THE FLAG**

President Kiely asked Director Fraser to open the meeting with the salute to the flag.

**MOMENT OF SILENCE**

The Board observed a moment of silence for fellow Board Director "Bob" Simpson.

**CALL TO ORDER**

President Kiely called the meeting to order at 2:00 P.M. Directors present were Ball, Fraser and Dennis. Representing the District were Manager Brown, Foreman Sanders, Clerk Rustenhoven and Engineer Knibb of Sauers Engineering. Director Simpson was absent from the Meeting.

**BOARD MEETING MINUTES**

The Board reviewed the minutes of the Regular Board Meeting of January 8, 2008. After discussion, it was moved by Director Dennis and seconded by Director Ball that the minutes of the Regular Board Meeting of January 8, 2008 be approved as submitted. The motion passed with a majority affirmative vote. The results were as follows:

AYES: Director Ball, Dennis, Fraser, and Kiely  
ABSENT: Director Simpson

**FINANCIAL REPORT AND AUTHORIZATION OF WARRANTS**

The Board reviewed the Financial Report for the month of January 2008. After discussion it was moved by Director Ball and seconded by Director Fraser that the Financial Report ending January 31, 2008 be approved and that Warrants No. 10432 through 10515, as well as bank transfers No. 33632 and 33107, (Account #11697-80000) including Warrant #10424 which was voided, totaling \$226,200.96 and Warrants No. 567 through No. 567 (Account #11694-80238) totaling \$1654.44 and Warrants No. 5051 in the amount of \$25.00 (Account #11692-80239) and Warrant No. 3009 (Account #11699-80240) totaling \$93,911.99 be approved for payment. The motion passed with a majority affirmative vote. The results were as follows:

AYES: Director Ball, Dennis, Fraser and Kiely  
ABSENT: Director Simpson

**RESIGNATION OF DIRECTOR ROBERT U. SIMPSON**

Manager Brown reported Director Simpson submitted his resignation from the District Board due to health issues; his resignation letter was included in last month's Board Packet. Manager Brown added the effective date is February 29, 2008.

After discussion, it was moved by Director Dennis and seconded by Director Fraser to Accept the Resignation of Director Robert U. Simpson effective February 29, 2008. The motion passed with a majority affirmative vote. The results were as follows:

AYES: Director Ball, Dennis, Fraser and Kiely  
ABSENT: Director Simpson

## **APPOINTMENT OF BOARD MEMBER TO FILL THE VACANCY**

Manager Brown reported after consulting District Legal Counsel, he provided a brief synopsis of the procedure the District must follow in order to fill the Director Vacancy according to the Section 1780 of the Government Code.

After discussion, it was moved by Director Dennis and seconded by Director Ball to Approve the Notice of Vacancy on Board of Directors and Intent to Fill by Appointment with a deadline of March 5, 2008 at 5:00 P.M. to submit their name and contact information to the District office. The motion passed with a majority affirmative vote. The results were as follows:

AYES: Director Ball, Dennis, Fraser and Kiely  
 ABSENT: Director Simpson

## **POSTING NOTICE OF VACANCY**

Manager Brown defined the procedural steps necessary for Posting the Notice of Vacancy. Many comments and questions were discussed; with the conclusion the Manager will instruct the Secretary to the Board of Directors to post the Notice of Vacancy in various locations as outlined by Legal Counsel for a minimum of 15 days.

After discussion, it was moved by Director Fraser and seconded by Director Dennis to Authorize the Secretary to the Board of Directors to post the Notice of Vacancy on the Board of Directors and Intent to Fill by Appointment with a deadline of March 5, 2008 at 5:00P.M. and notify the Butte County Registrar of Voters of the vacancy. The motion passed with a majority affirmative vote. President Kiely requested a roll call. The results were as follows:

AYES: Director Ball, Dennis, Fraser and Kiely  
 ABSENT: Director Simpson

## **APPROVAL TO CHANGE BOARD MEETING DATES**

Manager Brown stated that two Regularly Scheduled Board Meetings are in conflict with two observed Holidays during the upcoming year. Therefore he is proposing the dates for the September 9, 2008 and the November 11, 2008 Regularly Scheduled Board Meetings be changed.

After discussion, it was moved by Director Fraser and seconded by Director Dennis to change the Regularly Scheduled Board Meeting of September 9, 2008 to Wednesday, September 10, 2008 and Change the Regularly Scheduled Board Meeting of November 11, 2008 to Wednesday, November 12, 2008. The motion passed with a majority affirmative vote. The results were as follows:

AYES: Director Ball, Dennis, Fraser and Kiely  
 ABSENT: Director Simpson

## **AFLAC PLAN**

Clerk Rustenhoven reported it is open enrollment for the Flexible Spending Account administered by AFLAC. The District currently contributes \$100 monthly to each Director's FSA and individually anyone can elect to increase their contribution up to an additional \$200 per monthly. Clerk Rustenhoven stated that if anyone would like to change their annual election now is the time to do so, and please see her at the conclusion of today's meeting to facilitate any changes.

## **DEVELOPMENT AGREEMENT – FEATHER FALLS CASINO SS RELOCATION**

Manager Brown stated that Feather Falls Casino will be relocating a Sewer Line in order to build a parking structure. Manager Brown anticipates presenting the Board with a Development Agreement at next month's meeting.

#### **NOTICE OF EASEMENTS ACCEPTED**

Manager Brown reported that included in today's packet was a list of easements, which had been accepted by the Clerk of the Board on the behalf of the District for the month of January 2008.

<u>Assessor's Parcel Number</u>	<u>Owner's Name</u>
079-310-005	James R. and Vicki Kopp
079-300-010	George H. and Mary N. Kuntze
079-310-013	Christopher Alan Boone
079-300-042	Scott R. and Tammy J. Echols
079-310-025	Judith A. Sutherland
079-310-009	Eula M. Howard
079-300-052	Donald B. and Marilyn Joan St. Clair
079-310-014	Dennis L. and Judyth M. Madewell

#### **STATELINE REHAB PHASE I PROJECT - 11 MONTH INSPECTION**

Engineer Knibb reported that the 11 month inspection for the Stateline Rehab Phase 1 project was completed in January. This final meeting serves as the Rural Development closeout process for the project; there were no outstanding issues or warranty problems to discuss. Manager Brown stated working with the Rural Development staff was a pleasure.

#### **LAS PLUMAS STUDY AREA - MASTER ENVIRONMENTAL ASSESSMENT**

Manager Brown reported Butte County Department of Developmental Services is preparing a Master Environmental Assessment for the Las Plumas Study Area. Engineer Knibb further detailed this Assessment document provides a "data base" for all the environmental work which will be required for this area, in an effort to streamline the review process for all of the participating projects. Manager Brown added he anticipates the MEA to be completed this July.

#### **NEW BOARD MEMBER ORIENTATION - DRAFT**

Manager Brown reported he had been working on an orientation binder for the Board Member coming aboard; adding it is available for review/comments if anyone was interested.

#### **VISION ACCOUNT SUMMARY**

Manager Brown stated an individual Vision Account Balance Update was included in the packet for reference, noting that the annual District contribution is scheduled to be made on April 1, 2008. Manager Brown also emphasized that an individual can only accumulate up to \$1,000.00 in their account.

#### **L.A.I.F. REPORT**

Manager Brown referenced the LAIF report was included in today's packet. This will be presented to the Board on a semi-annual basis.

#### **ROYAL OAKS PUMP STATION UPGRADES**

Manager Brown reported the field crew finished the standby generator slab last week and poured the slab walls this week. F.O.S. Magliocca remarked the field crew did an excellent job while he was away on vacation.

#### **AB1234 ETHICS TRAINING**

Manager Brown reported with the creation of Assembly Bill 1234 elected officials are required to complete two hours of Ethics Training every two years. Manager Brown presented several options to the Board to obtain the necessary training which must be completed by the end of the year.

#### **PALERMO SEWER**

Director Dennis noted that according to the local newspaper, Butte County is studying the Palermo Sewer issue.

#### **SC-OR COMMISSIONER'S REPORT**

Director Dennis reported that a new representative from T.I.D. came on board the Commission; Stan Huston replaced Ernie Reynolds as the SC-OR Commissioner for Thermalito Irrigation District.

#### **BCSDA REPRESENTATIVES' AND LAFCO REPORT**

Manager Brown that there was nothing to report on BCSDA; the next scheduled meeting is April 1, 2008. Manager Brown stated the State of California Recreation Area Annexation is due to record as soon as the District receives the necessary funds.

#### **DISTRICT WEBSITE**

Manager Brown announced that the District's website is up and running, adding that the website address is [www.loapud.com](http://www.loapud.com). Manger Brown elaborated on a few website features for the Board. Director Dennis expressed interest in knowing the amount of hits the website received and asked if that was something we could track.

#### **BOARD MEMBER'S, MANAGER AND STAFF COMMENTS**

Manager Brown reported the District incurred a small spill on Sunday February 10, 2008 at the Vista Del Cerro Pump Station, adding that staff has been involved the last few days with reporting the incidence under the newer guidelines via online reporting.

#### **ADJOURNMENT**

There being no further business to come before the Board the meeting was adjourned at 2:40 P.M.

Respectfully submitted,

Janette Rustenhoven,  
Clerk of the Board