

Minutes of the Regular Board Meeting

Thermalito Water and Sewer District
Minutes of the Regular Board Meeting
March 15, 2022 – 2:00 pm

1. CALL TO ORDER

The meeting was called to order by President Wristen at 2:00 pm

1.1 Flag Salute

Attorney Carter led the flag salute

1.2 Roll Call

Present were President Wristen, Vice President Taggart, Director Latulippe and Director Hatley. Also present were Attorney Carter, Office Manager Padilla, Engineer Heindell and Manager Boucher. Director Reynolds was absent.

2. PERSONS DESIRING TO ADDRESS THE BOARD

None

3. CONSENT AGENDA

3.1 Minutes of the Regular Board Meeting held on February 15, 2022 and Minutes of the Special Board Meeting held on March 3, 2022.

3.2 Financial Statement – January and February 2022

3.3 Water Warrants – Check Number 19299-19350 Total \$277,915.69
Water LAIF Deposit - \$6,000.00

Sewer Warrants – Check Number 7333-7337 Total \$48,657.92
Sewer LAIF Deposit - \$21,000.00

Health Reimb Account – Check Number 2884-2888 Total \$1,060.70

3.4 Superintendent's Monthly Report of Maintenance and Operations and Solar Power Generation for February 2022

It was moved by Director Hatley, seconded by Director Taggart to approve Consent Agenda Items 3.1 - 3.4. Motion carried.

4. ITEMS REMOVED FROM CONSENT AGENDA

None

5. GENERAL ADMINISTRATION BUSINESS

5.1 Vacant Directorship of Division 5

President Wristen reminded the Board that at its Special Board meeting that was held on March 3, 2022, the Board passed Resolution 02-22 – Declaring the Directorship of Division 5 Vacant. He mentioned that based on information that was given at that time regarding Director Reynolds fulfilling his duties as a Director, a vote was taken and that vote was to remove Director Reynolds from his position as Director of Division 5. Since that time, the District received a letter advising of Brown Act Violations and a demand to rescind Resolution 02-22.

Minutes of the Regular Board Meeting

Thermalito Water and Sewer District
Minutes of the Regular Board Meeting
March 15, 2022 – 2:00 pm

Manager Boucher informed the Board that on March 7, 2022, a copy of Resolution 02-22 along with a letter signed by President Wristen was mailed to Director Reynolds informing him that he has been removed from the Board effective March 3, 2022 due to failure to discharge the duties of the office for a period of three or more consecutive months. He mentioned that on March 14th, three letters, addressed to President Wristen, Attorney Carter and Manager Boucher were hand delivered by Chuck Reynolds in response to the March 7th letter from the District. In the letter, there are some allegations made regarding the Brown Act violations; non-posting of the agenda on the Districts website and incorrect government codes.

Director Hatley asked that since the agenda was not posted properly and there were other issues, is there a way to rescind the actions that were taken at the March 3rd Board meeting. Attorney Carter responded by stating that the prior action that was voted on at the March 3rd Special Board Meeting could be rescinded. He mentioned that there are two ways to rescind the prior actions; 1) not to take action at this meeting but to schedule a special meeting and do it then; 2) the Board has learned after the posting of the March Agenda of a matter that requires action to be taken before the next Board meeting in April. The reason is that the demand letter is dated March 11th and action would need to be taken within 30 days.

Director Hatley mentioned that he had a discussion with Chuck Reynolds and was aware that a letter had been dropped off at the District requesting to have the action rescinded. He mentioned that it was told to him that if the action was rescinded and Director Reynolds placed back on the Board, that the District would be receiving a letter of resignation from Director Reynolds. He mentioned that he would be in favor of rescinding the actions that were taken at the Special Board meeting and to see if the word holds true in getting a letter of resignation from Director Reynolds. President Wristen agreed to rescinding the actions that were taken against Director Reynolds at the March 3rd Board Meeting. He mentioned that he will follow-up with a letter to Director Reynolds informing him that the action has been rescinded and that the District shall be in receipt of a letter of resignation before the next board meeting. Director Taggart mentioned that he too is in agreement with President Wristen. The Board agreed that Director Reynolds needs to go out with dignity and his head held high.

Thermalito Water and Sewer District
Minutes of the Regular Board Meeting
March 15, 2022 – 2:00 pm

Motion made by Director Hatley; seconded by Director Taggart and unanimously carried to take action on a matter that has come to the Boards attention after the posting of the agenda that requires immediate attention. The reason being is that the demand letter is dated March 11th and action would need to be taken within 30 days. Roll call taken.

Motion made by Director Hatley; seconded by Director Taggart and unanimously carried to rescind Resolution 02-22 without prejudice. Roll call taken.

5.2 Revised Employee Handbook

Manager Boucher mentioned that he met with staff to review over the changes that will be taking place in the employee handbook. The changes will be that all job descriptions will no longer be a policy but will be placed inside the Employee Handbook following Section 2.210 Job Classifications. He mentioned that a section regarding the On-Call Staff has been added on Page 69 and on Page 89, under Manager Discretion, “the Manager may take or refrain from taking such action or make or refrain from making such decision in its sole discretion on any of the items in the Employee Handbook. Manager Boucher mentioned that he also met with the Administration Group to review over the changes. Motion made by Director Hatley; seconded by Director Latulippe and unanimously carried to approve the revisions to the Employee Handbook.

5.3 Rescind Job Description Policies

Manager Boucher mentioned that the Job Descriptions are now a part of the Employee Handbook and that the following policies will need to be rescinded. The Board rescinded the following polices: Policy 2856 – General Foreman of Operations and Maintenance; Policy 2852 – Manager of Business and Information Systems; Policy 2854 – Customer Service Representative I; Policy 2853 – Sr. Customer Service Rep./Accounting Assistant; Policy 2862 – Compliance Supervisor/Special Programs Coordinator; Policy 2859 – Utility Worker I; Policy 2860 – Utility Worker II; Policy 2869 – District Engineer; Policy 2865 - Laborer; Policy 2866 - Operation Maintenance Worker; Policy 2867 – Leadworker; Policy 2857 – Water Treatment Plant – Chief Plant Operator; Policy 2.610.7.1 – Water Treatment Plant - Operator I; Policy 2855 – Operator-in-Training. Motion made by Director Hatley; seconded by Director Taggart and unanimously carried to rescind the job description policies.

Thermalito Water and Sewer District
Minutes of the Regular Board Meeting
March 15, 2022 – 2:00 pm

5.4 TWSD Easement Quitclaim Deed – Oroville Heights; APN: 030-212-041

Engineer Heindell reported that the District has a blanket easement over the entire property located at the corner of Oro Dam Blvd. W and 14th Street where the Oroville Heights Apartments are being built. The owners of the Oroville Heights Apartments would like to know if TWSD would be interested in quit claiming it to them. The District purchased the 4-acre parcel back in 1947 for a sum of \$2,000.00. The District does not have any services or mains and does not have any use for the property. Motion made by Director Taggart; seconded by Director Hatley and unanimously carried to approve Manager Boucher executing the Termination of Easement/Quitclaim Deed for the 4-acre parcel located on Oro Dam Blvd. West at 14th Street, APN: 030-212-041 as the District does not have a need for that easement.

5.5 100 Year Anniversary for Thermalito Water & Sewer District

Manager Boucher mentioned that 2022 marks the 100th year that the District has been serving the community of Thermalito as TID was formed back in 1922. He suggested that in honor of the 100-year celebration, the District could put together a timeline of the District showing from start to present. It was also suggested that since the District has been around for 100 years, the District could celebrate by applying a \$100 credit to each customer's account. A discussion ensued and it was determined that staff would check to see how it would affect the District's revenues should the District decide to give the credit. Consensus of the Board is to allow staff to do a cost analysis and to bring this item back to the April Board meeting.

6. WATER BUSINESS – OPEN PUBLIC HEARING

6.1 Urban Water Management Plan

Engineer Heindell reported that it was brought to his attention that prior to adopting the Urban Water Management Plan, it might be in the best interest of the District to run the public notice in both Hispanic and Hmong languages as there is a population of more than 5% in our service area. He mentioned that it would be ran in the Oroville Mercury in both languages as well as English, two consecutive notices and can then be brought back to the April Board meeting for adoption.

At this time being that there was no one in the audience, President Wristen closed the Public Hearing.

7. **ATTORNEY REPORT**

None

8. **SEWER BUSINESS**

8.1 **SC-OR Report**

Commissioner Hatley reviewed over the February 23, 2022 Regular Meeting of the Sewerage Commission – Oroville Region.

- **Monthly Meeting Schedule Options:** It was approved to change the regular monthly meetings from the 4th Wednesday of each month to the 4th Tuesday of each month starting in March 2022 with the exception of November and December.
- **Contract for Integration of the Control System for the New Influent Pump Station:** Jacobs Engineering was awarded the contract for Integration of the Control System for the New Influent Pump Station in an amount not to exceed \$156,500.
- **Repayment of Funds Expended from the Capital Overlay Reserve for the Construction of the Solar Array:** SC-OR borrowed \$2,000,000 from itself back in 2003 to build the solar array. They just paid themselves back with the final payment of \$108,791.

9. **WYANDOTTE CREEK GSA**

9.1 **Wyandotte Creek GSA Report**

Engineer Heindell mentioned that there was nothing to report as the Wyandotte Creek GSA did not have a meeting. Next meeting will be held in April.

10. **MANAGER REPORT**

Winter Party Reminder: Just a reminder that the Winter Party will be held on March 25th at 6:00pm at the Feather Falls Casino.

Form 700: Just a reminder that Form 700 is due by April 1, 2022.

Table Mountain & County Center Pipeline Replacement Project: Engineer Heindell reported that the Table Mountain & County Center Pipeline Replacement Project is about 90% complete. We are just waiting for an answer from PG&E regarding a gas line.

Possible Sale of Groundwater: Received a phone call from the Regional Water Quality Control Board in regards to having an approved legal pump station for the District to sell groundwater to people whose wells have gone dry. Information has been requested from the State.

Minutes of the Regular Board Meeting

Thermalito Water and Sewer District
Minutes of the Regular Board Meeting
March 15, 2022 – 2:00 pm

11. HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS


None

12. BOARD COMMENTS

None

13. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 3:30 pm.


Secretary of the Board


President of the Board