

Minutes of the Regular Board Meeting

Thermalito Water and Sewer District
Minutes of the Regular Board Meeting
May 18, 2021 – 2:00 pm

1. CALL TO ORDER

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

1.1 Flag Salute

Director Latulippe led the flag salute

1.2 Roll Call

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

2. PERSONS DESIRING TO ADDRESS THE BOARD

None

At this point, Manager Boucher introduced to the Board, Clinton Johnston. Clinton was hired on April 26th as Utility Worker I. Clinton's previous place of employment was Richvale Irrigation District. Clinton was introduced to each of the Board members who welcomed him to TWSD.

3. CONSENT AGENDA

3.1 Minutes of the Regular Board Meeting held on April 20, 2021

3.2 Financial Statement – April 2021

3.3 Water Warrants – Check Number 18695-18758 Total \$252,716.34

Water LAIF Deposit - \$57,290.17

Sewer Warrants – Check Number 7287-7292 Total \$28,892.19

Sewer LAIF Deposit - \$22,709.83

Health Reimb Account – Check Number 2849-2851 Total \$485.34

3.4 Superintendent's Monthly Report of Maintenance and Operations and Solar Power Generation for April 2021

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

4. ITEMS REMOVED FROM CONSENT AGENDA

None

At this point, it was suggested by President Hatley to move the Closed Session items forward in the agenda.

At 2:05 pm, the meeting recessed to go into Closed Session and reconvened at 3:20 pm.

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13. CLOSED SESSION

13.1 Heard from the General Manager on personnel matters; no action was taken.

13.2 Heard from Legal Counsel on facts and circumstances that could lead to potential litigation against the District; no action was taken.

13.3 The Board discussed property negotiations for real property. Motion was made by Director Taggart; seconded by Director Wristen and unanimously carried to authorize staff to negotiate and sign on behalf of the Board for the transfer of water to the Santa Clara Valley Water District and to approve the tentative terms of that as set forth in the Purchase Agreement and in the Petition for Change involving Water Transfers. Roll call was taken.

5. GENERAL ADMINISTRATION BUSINESS

5.1 Amendments to the Employee Handbook

Manager Boucher and Attorney Carter have reviewed and amended Section 2.440 - Grievance Procedure. It has been amended to read that “Should a grievance involve the acts or omissions of an employee’s supervisor or the Manager, the employee should feel free, and is encouraged, to discuss the matter with his or her supervisor or with the Manager, whichever the case may be. The District intends that this procedure shall be fairly and objectively applied and shall not accept or tolerate any unfairness and/or retaliation directed at the employee by the supervisor or by the Manager. In no event should the employee submit or direct his or her grievances to a member or members of the Board of Directors of the District unless otherwise allowed under Steps 3 and 4 hereof. Directors are responsible for adoption and oversight of District policies and not for the day to day conduct of the District’s business and operations. Any employee directing his or her grievance to a Director or to Directors of the District will be reminded by them to instead address it to his or her supervisor or to the Manager, whichever the case may be.” Attorney Carter mentioned that Directors are protected from personal liability as long as they remain Directors and do not engage in managing the day to day business of the District. He stated that when a Director engages in activities of managing the day to day business of the District, they lose their shield against personal liability and become a potential person liable for a claim. Motion made by Director Hatley; seconded by Director Taggart and unanimously carried to approve the amendments to the employee handbook; subject to the approval of the District employees after they meet and confer.

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5.2 Rescind Policy 2820 – Grievance Procedure

Manager Boucher asked for Board discussion and consideration of possibly rescinding Policy Number 2820 – Grievance Procedure. He explained that this policy is covered in the Employee Handbook. Motion was made by Director Hatley, seconded by Director Latulippe and unanimously carried to Rescind Policy 2820 – Grievance Procedure.

5.3 Review of Fiscal Year 2021/22 Draft Budget

Office Manager Padilla submitted for Board review a revised draft Budget for FY 2021/22 estimating:

Water Revenues - \$3,567,700
Water Expenses - \$2,022,601
Water Capital Expenditures - \$1,305,981

Sewer Revenues - \$1,872,594
Sewer Expenses - \$1,348,994
Sewer Capital Expenditures - \$306,781

Office Manager Padilla reviewed over the Water Operating Revenues stating that the District is estimating 70-1” water connections, 3-2” water connections and 3-4” water connections. She reviewed over some of the changes in the water expense accounts which are, Utility Account under Treatment went from \$1,500 last year to \$40,250 due to the PG&E true-up cost. She explained that all three departments will be looking to hire new employees next year and that Distribution will be sending out two of its employees to become certified backflow operators. In reviewing over the Sewer Operating Revenues, she mentioned that the District is estimating 115-sewer connections. Manager Boucher reviewed over the Capital Items that totaled \$1,305,981 for the Water Budget and \$306,781 for the Sewer Budget. Final recommendations would be submitted at the June Board meeting. No action was taken.

5.4 Surplus of the 1985 Case 580 Super E Loader Backhoe

Manager Boucher mentioned that the District is looking to sell the 1985 Case 580 Super E Loader Backhoe. He mentioned that he has acquired seven quotes with price ranging from \$9,600 to \$12,500. Motion made by Director Taggart; seconded by Director Wristen and unanimously carried to approve the sale of the 1985 Case 580 Super E Loader Backhoe, as is, for no less than \$11,000.00.

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6. WATER BUSINESS

6.1 Lake Concow Campground

Manager Boucher and the Administration Committee met with Jenny Lowrey to go over some ideas up at the campground. Jenny forwarded a copy of their Commercial General Liability Coverage but after reviewing the coverage, it appears that the coverage is for swimming pool coverage for homeowners. After a conversation with ACWA/JPIA regarding liability coverage, it was recommended that Lake Concow Campground would need to have liability coverage of no less than 10M and there would need to be a strong Facilities Use Agreement written between the campground and TWSD. He mentioned that he has a meeting on June 22nd with the General Manager of Paradise Irrigation District to discuss options offered by Paradise Recreation and Park District. Manager Boucher has requested to postpone any further decisions with Jenny until the meeting with Paradise Irrigation District. Consensus of the Board is to not move forward on anything until the meeting with Paradise Irrigation District.

7. ATTORNEY REPORT

None

8. SEWER BUSINESS

8.1 SC-OR Report

Commissioner Hatley reviewed over the April 28, 2021 Regular Meeting of the Sewerage Commission – Oroville Region.

9. WYANDOTTE CREEK GSA

9.1 Wyandotte Creek GSA Report

Director Wristen reviewed over the April 22, 2021 Regular Meeting of the Wyandotte Creek GSA.

10. MANAGER REPORT

- Staff is requesting to have the June 2021 Board meeting moved from Tuesday, June 15th to Wednesday, June 23rd so that all Capital Improvement Projects can be completed in this fiscal year. Consensus of the Board is to move the June's Board meeting to June 23rd at 2:00 pm.
- Manager Boucher will be on vacation from May 19th to May 24th and June 3rd to June 11th.

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- Brenda Rightmyer is in grant mode and looking to submit (3) large projects to help continue future work in the Concow/Yankee Hill and Cherokee communities. She has requested that the District submit (3) Letters of Support for each project. Total Match Contribution will be \$8,000 per project. Consensus of the Board is to have Manager Boucher move ahead and sign all (3) letters.
- Engineer Heindell reported that we have received the approved encroachment permit from DWR and the project is underway. There was a change that is being made to the plans based upon comments from DWR.

11. HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

None

12. BOARD COMMENTS

Happy Birthday to Director Hatley and Director Taggart
Happy Anniversary to Director Wristen


13. CLOSED SESSION

This item was moved forward in the agenda and has already been discussed.

14. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 4:33 pm.


Secretary of the Board


President of the Board