

# MINUTES OF PONDEROSA BASIN MUTUAL WATER COMPANY REGULAR MEETING OF SHAREHOLDERS/MEMBERS

December 13<sup>th</sup>, 2017

Meeting was called to order by Aleardo "Tuffy" Donati, President of Board of Directors at 6:03 PM at the Ponderosa Basin Mutual Water Office, Mariposa, CA

**BOARD MEMBERS PRESENT:** Tuffy Donati, Larry Jones, Troy Newlon and Daniel Robarge; Teleconference Attendee: Gilbert Bustos, President BofD

**STAFF PRESENT:** Aleardo (Tuffy) Donati, Water Operations Supervisor; Art Leuchner, Water Operator; Alana Leuchner, Office Assistant

**GUESTS:** Approximately 8

First item addressed: Teleconferencing

Agenda item was teleconferencing ability by phone for Board members who can't be present for the meeting with the empowerment to vote at the meeting as outlined and allowed by AB240-by speaker, voice only or a combination of monitor and voice. Larry Jones made the motion to do so; seconded by Troy Newlon-unanimous. **MSC**

Financial Report: Gil Bustos asked if the board had any questions pertaining to the financial report that was passed out. None. Gil stated since there were none, to move on. Tuffy reiterated-asking if there were any questions; with no response, the meeting moved on to the Water Operator's Report. Samples for November were all good; however, Well #12 has hole in pipe, so well is off presently. One of the twin tanks was repaired on 12/11/17 by Liqui-Vision who stated that there was a bullet hole in it. Tuffy stated that both he and Art Leuchner had completed continuing education hours on a refresher course on water sampling through Moore-Twining; he further stated that both Daniel Robarge and Troy Newlon had completed AB54 seminar. Gil stated that every Director on the Board has a copy of completion in the office. Tuffy affirmed that a member of the State Water Board and our Auditor have been invited to our Budgetary Meeting in late January; he also stated that the State Water Board said we need to adopt a water ordinance order pertaining to watering days and the fines that would be allotted for failure to comply (non-compliance) – as well as information regarding cross connection survey to be done. He also addressed the corrections to the various wells that have been made as well as the disconnection on Well #5 (this well has NOT been abandoned. Gil Bustos interjected that after speaking with Water Board inspection officials that they conveyed that they have concluded there are no problems with the Water System and that in talking with the District Attorney's office and answering their questions that he (Gil) and Arthur Godwin, the attorney, felt the meeting went well and that the D.A. was satisfied (this after having received an anonymous complaint regarding AB240). Gil then asked if there were any questions pertaining to the meeting. With no response, Tuffy went on about everything being winterized, and he also stated that Firesafe Council will help with felling trees.

There was a question concerning who the elected board member officers were.

Discussion followed. The matter will be tabled until the January meeting.

**NEXT ITEM of BUSINESS:** Mobile phone stipend. Prior employees were supplied with cell phones for business and personal use. Suggested \$35.00 to both Tuffy Donati and

Art Leuchner as a monthly stipend on their personal mobile phones. No questions – Troy made motion for the \$35 stipend; 2<sup>nd</sup> by Gil Bustos **MSC**

NEXT ITEM: Water Conservation Plan as requested by State Water Board—regarding the limitation of watering days and fines for violations. Tuffy had a copy of the proposed ordinance and stated that we are required by a mandatory regulation. Dates this would be implemented: April 1<sup>st</sup> – October 31<sup>st</sup>. From November 1<sup>st</sup> through March 31<sup>st</sup> would not be enforced. Watering days will be Tuesday, Thursday, Saturday and Sunday; and there is no watering between 11:00 AM – 4:00 PM. There is to be NO watering on Monday, Wednesday, and Friday—as well as extended power outages because we're on generator power at that time. The state has told us to execute fines, and upon checking with Merced, Fresno, and Clovis, the following was agreed upon.

1<sup>st</sup> offence: A verbal and written warning with no fine.

2<sup>nd</sup> offence: A formal written warning with certified letter sent out return receipt requested

3<sup>rd</sup> offence: \$25.00 fine to be paid within 30 days

4<sup>th</sup> offence: \$50.00 fine to be paid within 30 days

5<sup>th</sup> offence: \$100.00 fine to be paid within 30 days

After a 5<sup>th</sup> offence a meeting with the shareholder and the Board of Directors in order to come to an arbitrary understanding on how to fix problem. Discussion on shareholders vs renter's responsibilities. This is not a by-laws amendment, but rather a company policy regarding the Water Conservation ordinance – to be presented at the January Budgetary meeting.

LAST ITEM: Backflow/cross connections. We have been informed by the state to get the backflow control survey done—we will have to hire a company to do that by putting it out to bid. Further discussion.

Gil opened the floor to any in attendance for comment. One shareholder apologized for information he had put out in reference to teleconferencing listed on the agenda. Howard Skinner volunteered to broadcast the board meeting live on FaceBook. Gil asked Mr. Skinner if he would follow through with that on his forum page. Discussion ensued on forum and shareholders.

Gil opened the floor to other comments. There being none, he asked for a motion to adjourn and go into Executive Session Troy Newlon so moved; 2<sup>nd</sup> by Larry Jones **MSC**

There being no further business, Gil Bustos entertained a motion that the meeting be adjourned by Troy Newlo. 2<sup>nd</sup>: Larry Jones **MSC** (Motion, 2<sup>nd</sup>, Carried) Adjourned after 1 hour, 5 minutes.

Respectfully transcribed by:

Bobbie Hensley

Office Manager