

MINUTES
BOARD MEETING OF THE BOARD OF DIRECTORS OF THE
NORTH YUBA WATER DISTRICT
Held at the District Office – Through Zoom
8691 LaPorte Road, Brownsville
Friday, January 28, 2022

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH EXECUTIVE ORDER N-29-20, ISSUED BY CALIFORNIA GOVERNOR GAVIN NEWSOM ON MARCH 17, 2020, THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT. THIS MEETING WILL NOT BE PHYSICALLY OPEN TO THE PUBLIC. ALL MEMBERS OF THE PUBLIC MAY PARTICIPATE IN THE MEETING VIA VIDEO CONFERENCE AT Join Zoom

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AND WILL BE GIVEN THE OPPORTUNITY TO PROVIDE PUBLIC COMMENT.

A. ROLL CALL

President Gary Hawthorne called the meeting to order at 3:33 PM at the District Office in Brownsville, CA.

NAME	PRESENT	ABSENT	VISITORS INCLUDING:
PRESIDENT	Gary Hawthorne		Dr. Flohr, Charles Sharp, Donna Carson, Marieke Furner, Dr. Rulik Perla, Jackie Berg, Larry Badger, Cara Mockish, A. Ackerman, Don Mooney, Maria Davari
VICE PRESIDENT	Doug Neilson		
DIRECTORS	Ginger Hughes Donald Forguson John Brueggeman		
GENERAL MANAGER ATTORNEY	Jeff Maupin Michael Vergara. Penny		

B. PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Director Forguson.

ACTION ITEMS

C. PUBLIC COMMENT: President Hawthorne read the rules of public comment.

Opportunity for public comment on any item on the agenda or any other items within the jurisdiction of the district board. However, no action may be taken by the Board on topics or matters presented during this **PUBLIC INPUT** agenda.

PUBLIC COMMENT:

Members of the public commented on CEQA documents from Forbstown Tank documents, North Yuba Water District limited discussion during public comment, 2021 water calculation, study of the Forbstown Tank and one-million-dollar loan, public outreach and legal costs, South Feather bill for 2012 season, irrigation seasons cut short due to cost, General Manager’s salary hidden.

D. ELECTION OF BOARD OF DIRECTORS

Director Forguson made a motion to nominate Gary Hawthorne for president. Director Hughes seconded the motion.

The motion carried with a majority vote with President Hawthorne abstaining.

Director Hughes made a motion to nominate Doug Neilson for Vice President. President Hawthorne seconded the motion.

The motion carried with a majority vote with Vice President Neilson abstaining.

E. CONSENT ITEMS:

1. Approval of Minutes for Regular Board Meeting of October 22, 2021
2. Approval of Minutes for the Special Board Meeting of November 22, 2021
3. Approval of Minutes for the Special Board Meeting of December 21, 2021
4. Approval of Payroll for the Month of October 2021: \$ 36,546.98
5. Approval of Payroll for the Month of November 2021: \$ 37,938.61
6. Approval of Payroll for the Month of December 2021: \$ 59,785.69
7. Approval of Bills for the Month of October 2021: \$ 166,075.93
8. Approval of Bills for the Month of November 2021: \$ 187,996.25
9. Approval of Bills for the Month of December 2021: \$ 433,399.98

Vice President Neilson made a motion to accept items 1-9 of the consent items. Director Hughes seconded the motion.

Director Forguson asked that his name be corrected on all the minutes and President Hawthorne asked for his title to be corrected.

The motion passed with a unanimous vote with suggested corrections.

F. FINANCIAL MANAGER'S REPORT

1. Review of Cash on Hand and Income Statements for the period ending December 31, 2021

In the absence of the Financial Manager, the Administrative Assistant read the report. Cash on hand and income statements for the period ending December 31, 2021. Total cash in all accounts including reserves was \$4,015,350.86. Total income to date was \$929, 859.34 Total expenses were \$1,007,675.80. leaving a net loss of \$77,816.46. Fiscal Year to date expenses out of reserves total \$583,216.04.

Director Forguson made a motion to accept the Financial Managers report. President Hawthorne seconded the motion.

The motion passed with a unanimous vote.

G. SIERRA MUZZLE LOADERS: Proposal to lease portion of New York Flat Property for use as a shooting range.

President Hawthorne welcomed members of the Sierra Muzzle Loaders which included Erin Hess, Ann Tatum, Jackie Berg and Larry Badger. The visitors presented the wants of the club to the board regarding the property of the Water District on New York Flat Rd., President Neilson asked the General Manager about the proposal received from the Sierra Muzzle Loaders. General Manager Maupin replied that the contract with the club and Sopher Wheeler had been given to District Counsel for review. Mr. Vergara reported that the draft was not complete but could be given to the Sierra Muzzle Loaders in a short time for review. The contract could then be brought back to the Board for review. in February.

Vice President Neilson made a motion to have Mr. Vergara, District Counsel proceed with the production of the draft and bring back to the board for review. President Hawthorne seconded the motion.

Director Forguson asked why the club left the property in the past. It was explained that Sopher Wheeler offered the club a larger amount of property. Director Forguson expressed concern using the property that was obtained from private citizens for a dam that was never built. There was also discussion regarding the amount of liability insurance needed. Director Brueggeman discussed 'clause for recreation' and being liable for more monies in case of being sued. Director Brueggeman stated that he did not feel it was the appropriate use of water district land. Vice President Neilson explained that D3 Gun Club was turned down in 2017 to use the land for the same purpose. Vice President Neilson continued to explain that we were created as a County Water District. Under the County Water District recreation is considered a beneficial use. as is power, irrigation and domestic. Discussion continued regarding maintaining trails, 6 acres in use now, reducing fuel loads, days present, the amount of people during rondo views, access to property and noise. Director Forguson asked what kind of guns are used. Mr. Badger explained only flint locks and cap locks are used. Director Brueggeman asked District Counsel to investigate a term other than three years, returning the property back to as is, and the ability to review any modifications to the property. Vice President Hawthorne also asked District Counsel for additional liability coverage.

The motion did not pass.

DISCUSSION/REPORTS

H. GENERAL MANAGERS REPORT

1. Operations Memorandum
2. JPIA 'President' Special Recognition Award
3. Irrigation

No discussion

I. DIRECTORS INPUT

Directors may make brief announcements or reports for the purpose of providing information to the public or staff, or to schedule a matter for a future meeting. The Board cannot take action on any matter not on the agenda and will refrain from entering into discussion that would constitute action, direction or policy, until the matter is placed on the agenda of a properly publicized and convened board meeting.

Vice President Nielson discussed his findings regarding the information found on the history of irrigation and domestic water in response to public comment. President Hawthorn mentioned the JPIA President Special Recognition Award received by the district for being safe and no injuries. Director Brueggeman asked the General Manager if there is a mechanism in place to recover damages caused by the January 25th main line water leak by PGE. General Manager Maupin stated that there is recourse once all the facts are in. Director Forguson asked about the Irrigation Policy. General Manager Maupin stated that it is a work in progress with no definitive date.

J. ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, then please contact North Yuba Water District office staff at 530-675-2567 or fax 530-675- 0462. Requests must be made as early as possible and at least one-full business day before the start of the meeting.

The meeting was adjourned at 4:29 P.M

Respectfully Submitted,


Catherine L. Fonseca, Recording Secretary

January 28, 2022, Board Meeting Minutes