

# MeadowCreek Mutual Water Company

## MINUTES

### Board of Directors' Meeting - Thursday, April 22, 2021, 6:00 pm Via Zoom

- I. The meeting was called to order at 6:01 pm.

Present at the meeting were: Ken Toy, David Hite, Jeff Ahlstrom, Terry Walker, Grae Briggs, Dave Baumwohl and Dave Tanksley. Susan Distal will not be present.

- II. The Minutes from the February 18, 2021, meeting were received; there being no corrections or additions, were approved as submitted.

- III. PRESIDENT'S REPORT

- a. Board Vacancy. (This item was not on the agenda as it came in after the agenda was posted.) Susan has submitted her resignation due to a personal situation. Dave Baumwohl advised we should add an emergency item to the agenda that there is a vacancy and make a motion -- that her resignation came in after the agenda was made public.

Jeff Ahlstrom made a motion to add to the agenda item as an emergency item declaring the vacancy of Susan Distal on the basis that she submitted her resignation and there was no time to put it on the agenda and the Board will need to fill the vacancy by appointment. Dave Hite seconded. The motion unanimously carries 4-0.

Dave Hite then made a motion to fill the vacancy term, which is expiring in October of 2021, by Board appointment. Jeff Ahlstrom seconded, and the motion carried 4-0.

Ken Toy next stated he has not officially resigned, but his intention is to not run for re-election that he will be re-located in Georgia by then. He stated he would resign prior to the annual meeting; he will work out the term.

- b. AB 54 State mandated required training. There was an opportunity to take the training through Inyo Mono but late notice was provided. The next training provided by Cal Rural is June 14.

Terry had contacted CalMutal re training. If we are a member, they offer training via online webinar to members free of charge. Jeff Ahlstrom made a motion to authorize Terry to take the step to becoming a member, with a not-to-exceed for membership of \$350. Dave Hite seconded, and the motion carried 4-0.

(Jeff asked if we could hear Item 7 because he needed to leave early – the Board agreed)

Item 7 of the agenda - Termination policy. Jeff inquired if we had any operational manual - we do not currently have one in place. Ken said the current termination policy will be sent to Jeff and a policy on cross-connection. Those are the only two operational things we have. David Baumwohl has stated that Rules and Regs should be developed; it is an important document to have. Ken will send information to the Board.

Dave Tanksley cautioned the Board re following the City of Bishop's policy because we are a different entity. We have more leeway as a mutual water company – the basis of shutting someone off is through water regs. If someone doesn't pay, give them a warning. It's the length of time you choose. Jeff said that guidelines are spelled out in the State of California Code of Regulations - that's what we will follow. We currently have eleven commercial accounts and 288 residential customers.

(Jeff had to leave the meeting at 6:25 pm.)

c. Member Guard Insurance Renewal – The cost is \$3600 this year.

#### IV. LEGAL

a. Bar M Easement Agreement Update. Ken gave the following summary: We've been working on it a long time. On April 8, Mr. Langley and Ken went to Inyo Mono Title and signed the agreement. It's now with Title to do a search and make sure no cloud on Title and once satisfied, they'll submit for recording and send copies to all involved. As agreed to, we paid the costs for correcting the easement. Escrow will cost \$500 and there will be a small additional fee for recording. Inyo Mono will pay the fees and submit a bill to us for reimbursement. So that is done.

(At 6:30 pm, JoAnn joined the meeting.)

#### V. FINANCIAL REPORT –

- a. Review of fund balances. JoAnn provided the following account balances:
- i. Union Bank \$439,722.26
  - ii. Eastern Sierra Reserve \$267,921.50
  - iii. Union operation reserve \$163,067.79
  - iv. The AR balance is negative because members pay in advance.
  - v. Update on the taxes. The tax file has been handed Don Porter, who is currently out of town. An extension to file the corporate return has been filed (they were due 4/15). The non-profit status was effective 11/10/20. All taxes are paid for the final corporation. An estimate of \$38,000 for 2020 was paid in January; that should be gone in 2021.
  - vi. A breakdown of the costs for the Bar M renovations was included in the packet - that is being segregated - \$61,589.42 is the amount of current payments made. JoAnn will design a report with percentages for the next meeting. Everything is being paid timely.
- b. Follow-up on IRS 2020 Tax filing –
- i. Don Porter and JoAnn are coordinating. Books have been audited and Porter will do the 2020 filing and the exempt/non-profit return.

- c. Replacement computer. We may have received a bill for CBT of a \$514.60 charge for a refurbished computer. We will need the computer information to make sure it's listed as part of the inventory. Terry will contact CBT.
- d. Online payments. (This item is not on the agenda as it was brought to the Board after the agenda was printed). Grae and Ken discussed this after agenda was produced. Grae gave a presentation regarding the programs, which is endorsed by Cal Rural Water Association. Customers will be allowed to pay online with a credit card, debit card, ACH, e-check or virtual terminal by phone. There are two options: Online portal to a current website or a virtual terminal. This service will not be mandatory, but will be offered as a payment option for members who choose to use it.

It is \$199 for the set up and anyone who wants to may take the webinar/course. This system has total security. We will have a representative if there are any problems. Customer pays the service fee: A small fee per transaction will be assessed by the vendor to use the service (debit card fee of \$1.75 per transaction or a credit card fee of 3%). It can be automatically set up for auto pay or quarterly. Customers can choose their options. People can choose to continue to pay by check. The decision will be placed on the June meeting agenda. It takes 2-3 weeks to set up. We will try to have it up and going for the July billing.

## VI. OPERATIONS REPORT

- a. Bar M renovation – Dave Tanksley. In January we signed the agreement to do the Bar M project. Materials that we expected to be delivered in two weeks, took a month to receive. A request for a two-week extension will be sent due to the unforeseen delays. We are done with phase one. Wells 4 and 6 are running. Boach was slated to do the well abandonment, but at the end of February the owner closed shop and the main guy could not perform work. We called other contractors to no avail. We are supposed to be there Tuesday to start again, but we can't do phase 2 until the abandonment is done.

SCE sent the new electric panel, but they sent the wrong one. The whole thing is to make sure the wells stay running. As soon as we get the panel, we can tie in and put power to the panel, and then we will move forward. We are in a waiting game. Nothing has been going on there since Wednesday. I'd like it to go faster, but it's next to impossible.

Ken stated there's a delay in the supply change due to the pandemic.

Dave continued that we committed to purchase the piping from Western Nevada – there will be a 30 to 50% price increase prior to March 1 across the board. We will be billing for the second phase piping.

- b. Emergency Generator Update - Dave Hite has nothing to report at this time.
- c. IRWMP Membership – Do we want to join? Open up ability to apply for grants for state money and other sources. Ken thinks we should consider joining. Review the MOU. It

doesn't cost anything, and we can withdraw at any time. One more tool. They provide assistance with grants and technical assistance system management and sponsoring and AB54 training. Terry Walker made a motion to join and sign the MOU. The motion carried 3-0.

- d. Site Plans. Emergency generators. Tim Rudolph sent a proposal to develop site plans to install generators at the well sites. Having those plans in place and ready to go when we're trying to submit grant applications for work we will need to do anyway. And the plans won't be dated if they sit on a shelf. Minor technical changes may be necessary, but the physical site won't change. Mr. Rudolph also provided an O'Rilley well site plan 2020 to install an LPG tank that would be large enough to supply a future generator to run the well pumps at capacity. The plans have been preliminarily approved by the fire chief. We paid Rudolph for preparing the plan – we will put it on the agenda for June to approve the plan and putting the tank in.

The Cross Connection Device for Rousek Toy was installed within the MMWC O'Rilley well site. This appliance will need to be relocated to Rousek Toy property to accommodate the proposed LPG tank. Installing emergency generators at well sites is part of our long-term plan due to the public safety power shutoff issue, and to insure MMWC can provide adequate fire flow.

Tim also sent a proposal for similar plans for the other well sites. This will be put on the June agenda, for time to start working on those sites too.

- e. Contact from SWRCB, Drinking Water Division. – Mr. Amad called and talked to Ken – gist of the conversation regarding R and V Water Company on Sioux Circle joining our water company. We've told them they needed to submit a request in writing. They made an application for assistance – the state is interested in consolidating water companies. The State wants large water companies to deal with. The State is able to provide funding for consolidation projects. Funding may not necessarily be linked to consolidation. The membership must approve. We are waiting to hear back from him. One of R & V Company's wells failed. Dave Hite asked if there's an upside, but there is none we are aware of. There are only five or six houses. Dave Tanksley said consolidation can be good, if there is financing is available, but we need an evaluation of what they have.

VII. TERMINATION POLICY

- a. Jeff – (\*see above).

- VIII. Website -posting bylaws. Our web page is not current, some things are not posted, and it is not easy to use. We need to decide what documents should we have on the web page. Ken suggested there be one point of contact with CBT so there's no conflicting direction; each of us would be able to contact, but for updating, it should be one person doing that. CBT currently has web design in house – we need to determine if CBT has any objection to using a different company to design our web. Dave Hite will contact CBT. David Baumwohl

suggested we have a member only password protected section for accessing documents such as the governing documents, Rules and Regs, et cetera.

(JoAnn left the meeting at 7:45)

- IX. Future Items
  - a. Establish Fee schedule
  - b. Update on cross connection policy
  - c. Capital Improvement Plan (COLA)
  - d. Electronic Payments
  - e. O'Rielly LPG tank
  - f. Rudolph site plan proposal.
  - g. Extension of Tanksley contract.

The next meeting is June 17, 2021, at 6:00 pm via Zoom.

There being no further business, the meeting adjourned at 7:58 pm.

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