

**MINUTES**  
**REGULAR BOARD MEETING**  
**BOARD OF DIRECTORS**  
**Bear Valley Water District**  
**January 21, 2008**

**Time: 1:00p.m.**

The Regular meeting of the Board of Directors of the Bear Valley Water District was called to order by President Ritchie at 1:00p.m at the District office located at 441 Creekside Drive, Bear Valley, California, 95223

**ROLL CALL:** President Ritchie, Director Bissell, Director Davis, Director Orvis, Director Neth. District Employees Present, District Engineer, Mr. Neal Colwell, Field Manager, Mr. Wilbur Thiede, Office Manager, Mrs. Tia White.

**APPROVAL OF MINUTES:**

Corrections made to the minutes for December 17, 2007. Corrections were made to Silver Mt. Update under Engineers Reports & Comments, last sentence was deleted and corrected to say, Sand & Grease interceptor drain cannot be connected to Districts system, district cannot accept storm water. On motion by Director Davis and seconded by Director Neth the minutes after the corrections to December 17, 2007 were approved. All in Favor.

President Ritchie gave a list of corrections to the minutes for the Public Workshop held Saturday, December 29, 2007 at the Perry Walther Building in Bear Valley. President Ritchie provided Mrs. White with his notes to the corrections needed. On motion by Director Bissell and seconded by Director Davis the Minutes for the December 29, 2007 Public workshop were approved after rundown of corrections. All in Favor.

On motion By Director Bissell and seconded by Director Davis the Minutes for the Regular Board Meeting held December 17, 2007 were approved. All in Favor.

**PUBLIC COMMENTS:**

Eric Jung of Bear Valley Realty asked if the assessment payments were deductible on a property owners taxes as an improvement to a person's property. President Ritchie stated that the IRS code states that a capital improvement is not deductible. Eric asked if the district could put out an official statement from a Bond Counselor on the deductibility of assessments. President Ritchie stated that the district would not want to be put in the position of getting into a legal bind on tax issues. If customers have a question on tax issues they should contact a tax accountant or tax consultant.

**CORRESPONDENCE:** All correspondence is covered under individual titles.

**GUESTS:** Bear Valley Residents Suzie Lewis; Eric Jung, County Supervisor, Terry Woodrow. Jerry Breen of Clean Filtration Technologies, Inc. Associate of John Mallard. Bear Valley home owners, Shelley Mathews discussion on funding, Andrea Sullivan and Mr. Dave Fama Esquire of Jones Hall, Bond Counsel and Bond underwriter with Piper Jaffray, Mr. Dennis McGuire.

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**OFFICE MANAGER'S REPORT:**

**Review of Financial Activities for the Month of January, 2008-**

President Ritchie asked if the line item, Land Purchase under fixed assets in the amount of \$1,800.00 could be taken off the balance sheet since we have no plans to purchase any land. Mrs. White stated that it would be best to have Mrs. Mary Cummins of Johnson Accounting remove it since it would take a General Journal Entry.

**Request to Pay the Accounts Payable as presented in the amount of \$16,719.36**

On Motion by Director Davis and seconded by Director Bissell the Accounts Payable in the amount of \$16,719.36 were approved. Also the Directors received a list of pre-paid regular business items that were due January 01, 2008 which came in after the Board meeting of Dec. 17, 2007. All in Favor.

**Credit line Activity for January –**

Credit line Activity for January was \$43,115.00 to Ford Construction on payment request No. Five on the Outfall Project. Board members were provided with a report on a breakdown of the payments made from the credit line on the Outfall project.

**FIELD MANAGER'S REPORT:**

**Review of Plant Operations-**

Wilbur informed the Board that the flows are low at this time of year. That the flows from the Ski area and Lake Alpine Basin are lower compared to last year at this time. Most likely due to more snow than rain. With the repairs to leaks in the Lake Alpine Basin and the Mountain going to all low flow fixtures helped with lower flows.

**Update on Ski area-**

Director Davis stated that the problem to the ski area line seems to be working fine. The management at the ski area also stated that the repairs are working.

**ENGINEER'S REPORTS & COMMENTS:**

**Update on Silver Mt. Project, easement-**

Neal informed the Board that the process for this easement is in the county's hands at this time. Since the easement involves county property, time is needed to go through their process to bring an easement agreement to the District.

**Rossi sewer project-** District is still waiting to finish this item. Staff will follow up on this again before the next Board Meeting.

**ENGINEER'S REPORTS & COMMENTS: continued-**

**Lissen sewer project-** This item is on hold until spring-summer building start.

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**ENGINEER'S REPORTS & COMMENTS:**

**Review Regulatory Tasks and Schedules-**

The regulatory task of the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, Discussion and Recommended Action is discussed under New Business item No. 5.

**UNFINISHED BUSINESS:**

**Update on Assessment District and Discussion & Possible Board Action on Bond**

**Counsel-** Dave Fama and Dennis McGuire were present to discuss Bond and Bond underwriting procedures with the Board. Since the District anticipates that it will undertake proceedings to form an assessment district and issuance of tax-exempt municipal bonds for the purpose of constructing and acquiring capital improvements of benefit to the Water District and its customers, and possibly for other purposes allowed under the laws of the State of California. The Board found it necessary to require the advice and assistance of legal counsel with the expertise in the area of assessment law and tax exempt municipal finance. On motion by Director Bissell and Seconded by Director Orvis. The agreement with Jones Hall, Dave Fama & Timothy J. Hachman was approved. All in Favor.

Discussion on the Warming Hut not being within the District and Board requested staff to check into whether LAFCO would be involved with this item.

**Discussion and Possible Board Action Connection Credits for the Bear Valley Lodge & Commercial Center-**

The Board directed staff to remove this item from the Agenda. Measurements of square footage were provided from the commercial center to the district by Dave Pye, employee for the Bear Valley Lodge and will be kept on record. Other considerations for the Bear Valley Village will be how the parcels are identified and if there is a credit allowance.

**Discussion and Possible Board Action on Developer Deposits to the District for credits towards future connections-** The Board decided that this item will come off the Agenda.

**Discussion and Possible Board Action on Proposed Agreement with the Forest Service-** The Board was informed that this is still in the hands of legal counsel and will be carried over.

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**UNFINISHED BUSINESS: Continued-**

**Discussion and Possible Board Action on Project Manager and or District Manager-**

Board members received information prior to the Board meeting a proposal for initial Peer Review of Bear Valley Waste Water Alternatives; at the Public workshop attended by many homeowners in Bear Valley inquiries of getting second opinions were brought to the Board. Director Bissell contacted a Consulting Sanitary Engineer, Bonneau Dixon, P.E. Board members also received via e-mail a proposal for peer review of the Tertiary Treatment Facilities project. This item will be carried over to the next Board meeting. This item was also listed under new business.

**NEW BUSINESS:**

**Discussion and Possible Board Action on Comments made at Public Workshop-**

The Board received from staff a composition of frequently asked questions generated from the public workshop. Director Bissell had some requests on changes to the list and after changes this information will be posted to the project website ([BVWD@ecologic-eng.com](mailto:BVWD@ecologic-eng.com)) plus the new Bear Valley Water District website that Director Neth is working on [bearvalleywater.org](http://bearvalleywater.org).

**Discussion and Possible Board Action on Proposal by John Mallard on water filtration-**

After the Public Workshop the Board was approached by John Mallard of Clean Filtration Technologies, Inc. President Ritchie gave approval for Clean Filtration Tech. to take water samples to be used as to a second opinion of the filtration system being suggested by Eco-Logic for the Tertiary Treatment Facilities project. This item will be brought back to the Board.

**Discussion and Possible Board Action on funding for small rural water treatment facilities, with Shelly Mathews-**

Shelly Mathews (homeowner in Bear Valley) presented to the Board information on funding fairs, practical information for community water and wastewater systems and CRWA expo information which is California rural water associations. The Board requested that staff look into the information. The Board and staff discussed some of the companies the district has looked into for grants, state low interest loans etc. Staff will look into resources left by Ms. Mathews.

**Discussion and Possible Board Action on taking steps to comply with the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems-**

On May 02, 2006 the State Water Resources Control Board adopted Order No. 2006-003-DWQ general order for the regulation of publicly owned sanitary sewer systems. This order it titled the Statewide General Waste Discharge Requirement for Sanitary Sewer Systems (SSS). All public agencies such as the Bear Valley Water District that own and operate (SSS) must apply for coverage under the General Order and must prepare or complete certain plans or policies regarding (SSS) operations, maintenance, and

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**Discussion and Possible Board Action on taking steps to comply with the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems- Continued-**

management. This General Order also requires the electronic submittal of notices regarding sanitary sewer overflows. The District did file a Notice of Intent and paid for the permit and now is required to update and modify the designations for legally responsible officials, operations manager and registered data submitter. Also a list of plans & reports on development and schedules and goals will be due prior to May 02, 2008 deadline. On motion by Director Orvis and seconded by Director Neth all designated persons were assigned positions and the signed papers of designation will be sent back to the state water board. All in Favor.

**NEW BUSINESS: Continued-**

**Discussion and Possible Board Action on Contract Closeout with Ford Construction on the Bloods Creek Outfall Project-**

Neal Colwell informed the Board that there were just a few minor items that needed to be taken care of as far as completing the Outfall Project. Labeling and receiving manuals. He informed the Board that we would be receiving a credit towards what is left to be completed and will prepare documents to file a notice of completion. This item will be carried over to the next Board Meeting.

**BOARD MEMBERS REPORTS AND COMMENTS:**

The Board is looking into suggestions made by the public at the Public Workshop.

**ADJOURNMENT:**

Time 3:50p.m. On motion by Director Davis and Seconded by Director Bissell the Regular Board Meeting of January 21, was adjourned. All in Favor

**APPROVED BY:** \_\_\_\_\_  
Board Secretary

**Next Res.No. 460  
Next Ord. No. 69  
Next Board Meeting, February 18, 2008**