

**AMADOR WATER AGENCY
Board of Directors
Regular Meeting**

June 11, 2009

MINUTES

Directors Present: Terence W. Moore, President
Bill Condrashoff, Vice President
Debbie Dunn
Gary Thomas
Don Cooper

Directors Absent: None

Staff Present: Jim Abercrombie, General Manager
Michael Lee, Financial Services Manager
Barry Birge, Construction Superintendent
Chris McKeage, Operations Manager
Stephen A. Kronick, Agency Counsel
Cris Thompson, Clerk of the Board
Karen L. Gish, Acting Clerk of the Board (1:30 p.m.)

CALL TO ORDER – President Moore called the meeting to order at 9:00a.m.

ADDITIONS TO THE AGENDA – There were no additions to the agenda.

(RM-A 0:45- 1:18) Strategic Planning discussion has been moved to the first meeting in July at the request of Director Dunn.

STAFF REPORTS – (RM-A 1:43-21:44) Financial Services Manager Lee, Construction Superintendent Birge and Operations Manager McKeage updated the Board on the various activities they have been involved in within their respective areas of responsibility and answered any questions from the Board and public for clarification.

PUBLIC COMMENT FOR MATTERS NOT ON THE AGENDA (RM-A 21:45- 29:31)

Mr. Wendell Peart
Ms. Katharine Evatt
Mr. Ed McCracken

CONSENT AGENDA (RM-A 29:31-30:01)

MOTION: It was moved by Director Thomas, seconded by Director Cooper and unanimously carried to approve the consent agenda.

MOTION CARRIED

AMADOR WATER SYSTEM

Amador Transmission Pipeline Project

Presentation and request by David Evitt to consider release of water down New York Ranch Reservoir Gulch to provide water to the Alder trees on Russ Evitt's Property- (RM-A 30:07- 89:54)

RECESS was called at 10:34 a.m. **SESSION RESUMED** at 10:46 a.m.

AGENCY GENERAL

PGandE Non-Disclosure Agreement (RM-B 0:01- 26:45)

Authorize General Manager to enter into a revised Non-Disclosure agreement with PG&E

MOTION: (RM-B 26:46-26:52) It was moved by Director Dunn, seconded by Director Cooper, and unanimously carried to authorize the General Manager to enter into the revised PG&E Non-Disclosure agreement subject to changing paragraph C on page 3 by deleting the words "or thereafter"

MOTION CARRIED

(RM-B 27:08- 49:07)

Grants and Loans

Gravity Supply Line Project

General discussion and public notice of intent to file an application for a USDA Rural Development loan or grant for the Gravity Supply Line Project

MOTION: (RM-B 49:08-54:48) It was moved by Director Dunn seconded by Director Cooper and unanimously carried to recognize the Public Meeting has been held, and to authorize staff to file an application for a USDA Rural Development loan or grant for the Gravity Supply Line Project.

MOTION CARRIED

Buckhorn Disinfection Byproducts Compliance Project

General discussion and public notice of intent to file an application for a USDA Rural Development loan or grant for the Buckhorn Disinfection Byproducts Compliance Project (RM-B 54:50- 59:32)

MOTION: (RM-B 59:33-59:55) It was moved by Director Dunn, seconded by Director Condrashoff and unanimously carried to recognize the Public Meeting has been held and to authorize staff to file an application for a USDA Rural Development loan or grant for the Buckhorn Disinfection Byproducts Compliance Project.

MOTION CARRIED

Water Improvement District No. 7 (Lake Camanche) (RM-B 59:56- 70:38)

General discussion and public notice of intent to file an application for a USDA Rural Development loan or grant for the Lake Camanche Water Quality/ Disinfection compliance project

MOTION: (RM-B 70:40-71:00) It was moved by Director Thomas, seconded by Director Cooper and unanimously carried to recognize the Public Meeting has been held and to authorize staff to file an application for a USDA Rural Development loan or grant for the Lake Camanche Water Quality/ Disinfection compliance project.

MOTION CARRIED

(RM-B 71:08-71:15) Director Condrashoff declared conflict of interest and excused himself from the meeting.

Untreated Raw Ditch Conveyance to Treated Water Conversion Project

General discussion and public notice of intent to file an application for a USDA Rural Development loan or grant for the untreated raw ditch conveyance to treated water conversion project (RM-B 71:16 - 99:19)

Public Comments

David Evitt

Carole Marz

Cathy Vandeford

Ed McCracken

MOTION: (RM-C 99:20-99:59) It was moved by Director Dunn, seconded by Director Thomas to recognize the Public Meeting has been held and to authorize staff to file an application for a USDA Rural Development loan or grant for the Untreated Raw Ditch Conveyance to Treated Water Conversion Project as an option, that this is not currently an Agency project.

Ayes- Directors Moore, Dunn, Cooper and Thomas

Noes-

Abstain-

Absent-(recused) Director Condrashoff

Regular Board Meeting

June 11, 2009

Page 3

MOTION CARRIED

RECESS was called at 12:32 p.m. **SESSION RESUMED** at 1:32 p.m.

Note: There is no recording for the remainder of the meeting, due to a mechanical issue.

Integrated Regional Conjunctive Use Project

Discussion and authorization to enter into a four way Inter-Regional Water Supply Agreement to study the IRCUP+ as potential future water supply alternatives

Power point presentation by Manager Abercrombie

Public Comments received by:

Mr. Pete Bell

After discussion the following direction was given:

The Board directed Agency Counsel and Staff to bring the four way Inter-Regional Water Supply Agreement back following further discussions with all interested parties.

RECESS at 3:55 p.m.; **RESUMED** at 4:00 p.m.

Amador County General Plan Update

Discussion and direction regarding water element in the Amador County General Plan Update – Manager Abercrombie stated that he requested John Griffin, Supervising Engineer, cross reference the Agency's, Calaveras' and California's plans with a track changes to show the differences and provide the document to President Moore's and Director Dunn's review on Monday, June 15, 2009 with Board discussion on June 25, 2009, review by the Joint Water Committee meeting on June 29, 2009 and submitted to the Amador County Board of Supervisors on July 8, 2009.

Proposition 218 Process

Discussion of Proposition 218 procedures by Agency Counsel Steve Kronick – Counsel Kronick educated the Board on the areas of Proposition 218 that the Board needs to be aware of and understand for tonight's public hearing on ID #12 Wastewater service rates. The Board gave direction to have additional education on the Proposition 218 process on a future agenda.

Strategic Plan 2009-2014

Review and possible approval of updated Strategic Plan- This item has been rescheduled to July 9, 2009.

Future Agenda Items

Review of updated future agenda items list – This item has been rescheduled to July 9, 2009.

AGENCY COUNSEL REPORT

This item has been rescheduled to July 9, 2009.

FUTURE AGENDA TOPICS- This item has been rescheduled for July 9, 2009.

CLOSED SESSION was called at 4:40 p.m. to discuss the following matters:

Conference with Legal Counsel Pursuant to Government Code Section 54956.9(a) – Existing litigation-Bruce A. Roen and Debra J. Roen vs. Amador Water Agency, et al. (Amador Superior Court Case No. 07-CV4727)

Conference with Legal Counsel Pursuant to Government Code Section 54956.9(a) – North San Joaquin Water Conservation District petitions for change respecting water right permit 10477 before the State Water Resources Control Board

Director Bill Condrashoff declared a conflict of interest and left the Board room for the following item:

Conference with Legal Counsel Pursuant to Government Code Section 54956.9(a) – Existing litigation-Ken Berry vs. Amador Water Agency (Amador County Superior Court Case No. 08-CV-5592)

OPEN SESSION RESUMED at 4:55 p.m. with direction given to staff.

ADJOURNMENT – President Moore adjourned the meeting at 4:58 p.m. to be reconvened at 6:00 p.m. for the Public Hearing on proposed rate increases for Wastewater ID#12 Martell

President Moore convened the meeting at 6:00 p.m. and explained the process to the public. Public hearing was opened at 6:02 p.m.

IMPROVEMENT DISTRICTS – WASTEWATER IMPROVEMENT DISTRICT NO. 12 (Martell area)

Public Hearing on proposed rate increases for Wastewater ID #12 (Martell) –

Mr. Bob Reed provided a PowerPoint presentation with a brief overview of the analysis and data/financial plan results. He explained that the wastewater fees comprise of wastewater collection as well as treatment disposal, which is provided by the City of Sutter Creek through an agreement.

Public Comments by:

Mr. Paul Salinas of Jim Boys Taco

Ms. Sharon Cassella of Strings

Mr. Walter Wiseman of Round Table Pizza

Mr. Kevin McCann of Hoot n Annie's

MOTION: It was moved by Director Thomas, seconded by Director Dunn, and unanimously carried to close the public hearing.

Operations Manager McKeage gave a brief overview of the collection process and

Regular Board Meeting

June 11, 2009

Page 5

contract limits with the City of Sutter Creek. He also shared measures that staff has implemented to try and reduce the impacts on the system.

Discussion and possible adoption of Resolution No. 2009-14 Adopting Revised Wastewater Service Rates

After discussion, the Board directed Manager Abercrombie to prepare a one-page comparison between AWA and City of Sutter Creek rates. Manager Abercrombie stated we received 27 protest letters versus 125 customers, the 50% plus 1 is not exceeded.

The Board discussed whether to adopt Resolution 2009-14 or reopen the public hearing and hold it over to a determined date. After discussion the following motion was made:

MOTION: It was moved by Director Thomas to enact the rates depicted in the 2009 rate study by The Reed Group with no implementation until the 2009/2010 budget is adopted, hopefully with lower rates, and that staff research the City of Sutter Creek charges, motion was seconded by Direct Cooper and carried by the following vote:

Ayes: Directors Don Cooper, Gary Thomas, Terence Moore, and Bill Condrashoff
Noes: Director Debbie Dunn
Abstain: None
Absent: None

MOTION CARRIED

President Moore adjourned the meeting at 8:23 p.m.



Cris L. Thompson
Clerk of the Board of Directors



Karen L. Gish
Acting Clerk of the Board

Approved: 10/18/09 _____