

MINUTES OF THE REGULAR MEETING OF THE
ALLEGHANY COUNTY WATER DISTRICT

This meeting was called to order by Chairman Buell at 10:31 A.M.

Present were Directors Buell, Davis, and Criswell. Absent were Director Howard.

The minutes for the regular meeting of September and the special meeting were read and approved.

Correspondance: Letter from the Dept. of Finance, State of Calif. regarding forms to be filled for special districts.

Letters read from 2 applicants interested in the vacancy on the ACWD Board of Directors. A legal opinion was to be asked on residency requirements.

Letter from CETA office regarding the position of maintenance man for the ACWD. CETA is to be contaced on 2 programs, 2 laborers for Approximately three months or 1 maintenance man full time.

Old Business: There was a report on the tank progress. The tank is now complete and in the curing stage. The contractor working on the tank has reported vandalism. Gas and thinners have been tampered with. There is an inspector from Cranmer Engineering is checking the tank site every day.

Vandalism: The new pump house lock has been tampered with. The Sheriff has been called. The Board is very disgusted with all the vandalism going on. Types of signs were discussed. Three signs were needed, 2 for the pump houses and 1 for the tank site. Metal signs are preferable. Director Criswell is to check in Sacramento on the price and report back to the board. The secretary is to check with PG&E about having a street light installed outside the pump house.

Insurance: Allstate will not handle any commercial insurance. Burt Whittaker from Loyaltan will come before the board with an insurance package.

Chairman Buell restates the information and reasons for hiring an attorney for the board. Director Criswell is to write to Joan Briody, Attorney for the ACWD about legality of additional funding. He would like the opinion in writing.

Water Bill Problems: Letter from Mr. Rowden regarding the water hookup at his home. He has decided to stay on the old system that Mr. Peterson is operating. Letter from Mrs. Giles to the board requesting her water bill to be forwarded to Mr. and Mrs. Cook. Mrs. Cook places a phone call to board member Criswell during the meeting asking the same thing. A discussion was held on billing the tenents instead of the owners. The board is to request a legal form from our attorney, so we can do this.

New Business: There was a discussion on tools and dies that are needed for the water district. The board has purchased the necessary items.

MINUTES OF THE REGULAR MEETING OF THE

ALLEGHANY COUNTY WATER DISTRICT (CONT'D)

There was a discussion on the wages of the ACWD secretary. The secretary has asked the board to consider bringing her wages up to the amount set up when she assumed the job as ACWD Secretary and Billing Clerk. There was a motion by Director Davis to begin paying the secretary a flat rate of 150.00 a month, starting with last months claim. Director Criswell seconds. Ayes, unanimous.

The special meeting to appoint a director for the boards vacancy will be held Sunday, Oct. 15, 1978 at 10:00A.M.

There was a discussion on changing the meeting times back to the original time. Director Davis motions to pass Ordinance #4, changing the meeting time back to the first Thursday of every month, at 7:30 P.M. The meeting place to remain the same. Director Criswell seconds. Ayes, unanimous.

There was a discussion on collection of water bills, since the Secretary will no longer be at the Alleghany Supply Co., where many people came in to pay their bill in person. It was decided to wait and see if people had any comments or complaints.

Director Criswell moved to adjourn at 12:26 P.M.

Sept. 28, 1978

~~MINUTES~~ OF THE SPECIAL MEETING OF THE
ALLEGHANY COUNTY WATER DISTRICT

This meeting was called to order by Chairman Buell at 7:40 P.M.

Present were Directors Howard, Davis, Buell. Absent were Director Criswell. Also present were Eng. Keith Saur, Fred Wilson, Darlene Messner, Randy Russell, Jessie Buell, and Secretary Donna Hauck.

This special meeting was called to consider 4 points

1. Consideration of funding resolution #43. Discussion held and legal opinion given from Joan Briody that resolution is legal. Director Davis makes a motion to pass resolution #43. Director Howard Seconds. Ayes-unanimous. Motion carried.

2. Bonding and Insurance. Discussion held on insurance and bonding from Burt Whillerker in Loyaltown. All six board members can be bonded for 100.00, just the secretary for 25.00

3. Legal Opinions. The bills that are being paid under protest must be deposited to our account, but a record of who paid and who much must be kept. Director Davis and Chairman Buell must stand for reelection in 1979. The payment of the FHA loan that is due in December will be billed to us by FHA. It was felt by attorney Joan Briody that we should handle the problem of a shortage of funds at that time.

There were 3 attorneys contacted for fee schedule. Joan Briody-60 dollars per hour. 350.00 if she has to travel for us. It was felt by Mrs. Briody that the majority of our legal problems could be handled by phone and mail. Manisian and Manisien-50 dollars per hour. But the fee was going up to 65.00 per hour in Oct. They would require a 200.00 retainer fee first, which would be credited to our legal services as needed. Jim Young, County Counsel, declined to state a figure. He requested to approach the board first. A discussion was held on the different attorneys. Director Davis motions for the Alleghany County Water Dist. to retain Joan Briody to handle all our legal problems in the future. Director Howard seconds. Ayes unanimous. the secretary is to send a letter to Mrs. Joan Briody.

Insurance agents were discussed. It was suggested by Darlene Messner to contact Gold Cities and Allstate.

There was a discussion held on the notice of vacancy. There is 15 days needed to post before a meeting to appoint a new Director to fill the term of Jan Mueller. There will be a special meeting called for Oct. 15, 1978 10.00 A.M. to appoint a Director to the vacancy of the ACWD.

4. Water Bill problems. Article # 2 of the rate ordinance was read. Forms on Small Claims Court will be sent first to those not paying their water bill. Director Howard motions to send these forms the first billing date after construction is completed. Director Davis seconds. Ayes Unanimous

Eng. Keith Saur reads a letter regarding the absestor pipe for water systems. There were two wage claims for labor for the ACWD presented for Ernie Locatelli and Randy Russell, for a total of 28½ hours.

Chairman Buell Adjourned the meeting at 8:50 P.M.

September 10, 1978

MINUTES OF THE PUBLIC HEARING

The Public Hearing was called to order at 10.22 A.M. The notice of Public Hearing was read by Chairman Buell to the citizens present. The purpose of the public hearing was to discuss resolution #43.

It was noted that Attorney Joan Briody was not present.

Director Criswell, with the support of a few citizens present, questions the legality of obtaining additional funds for the water project. Director Criswell wants the record to show that some people do not want the additional indeptaness for fall on them. Director Criswell is to contact the Attorney General about this question of legality, on behalf of some citizens and himself.

Director Buell gave a report on the budget hearings with the Board of Supervisors for special districts, and the revenue that is expected from the new tax base because of Prop. 13.

The record is to show that on July 31, 1978 Attorney Joan Briody recommends a Public Hearing on resolution #43. She also wants to know if Enviioramental impact studies have been met, and Eng. Keith Saur's states they have.

There was a lengthy discussion held on the new water system. There were complaints and applause from many members of the community. After everyone had a chance to voice their opinion, Eng. Keith Saur's recommends the board take action to close the public hearing.

The Public Hearing was closed by Chairman Buell at 11:20 A.M., and a short break was called before re-opening the regular meeting.

Sept. 10, 1978

MINUTES OF THE REGULAR MEETING OF THE

ALLEGHANY COUNTY WATER DISTRICT

This meeting was called to order at 10:10 A.M. by Chairman Buell. Present were Directors Buell, Criswell, And Davis. Absent were Director Howard. Also present were Sec. Donna Hauck, Eng. Keith Saur, Cont. Art King, and many members of the community.

The minutes of the last meeting were read and approved with 1 correction.

The first order of business was the resignation of Director Jan Mueller, effective on Sept. 5, 1978, the date of her letter to the board.

This meeting was temporarily adjourned at 10:22 A.M. in order to conduct a public hearing on the adoption of Resolution #43. The regular meeting of the SCWD was reconvened at 11:27 A.M. Director Davis motions to adopt Resolution#43, the resolution on additional funding loan with FHA. The motion dies for lack of a second.

Correspondence: There was a letter from Cranmer Eng. to Carroll Hayes, Building Inspector for Sierra County. There was a letter from the Dept. of Finance, S^tate of California, regarding Prop. #13 and how they intend to help special districts. There were letters read from the citizens of Alleghany about the water bills. It was brought to the boards attention that the Bucket Club has had no water for the month of July, therefore they are refusing to pay the water bill for that month. Mr. Hauck requests the hiring of a maintainance man to handle repairs as necessary. There was a letter from Paul Criswell, to the board regarding his fire hydrant problem. Contractor Art King, was asked about cost estimates for building a retaining wall by the Criswell property. A discussion followed on the placement of the fire hydrant by the Criswell property. Director Criswell wants the record to show that there are no comments being made from him because he has a conflict of interest. Director Buell asks Director Criswell for the length of the retaining wall required and Director Criswell asks for a letter from the Board about this.

Unfinished Business: There is still a problem with vandalism on the new tank. A cyclone fence is needed around the tank but the board is not financialy able to do this at this time.

There was a discussion about the complaints that Director Criswell says are being forwarded to him by the citizens of Alleghany. It was decided to seek an legal opinion on how to handle them, because the majority of the board feels the complaining party should approach the whole board if there are complaints. Director Buell wants the record to show that its his opinion that the job of Director for ACWD is a pain in the ass, and that the whole board is doing their best for the better of the town, but noone on the board is an expert in this field.

It was brought to the boards attention that Mr. Criswell has received some complaints regarding the secretary"s appointment to the job of ACWD Secretary and Billing Clerk. There was a discussion regarding the appointment and her duties and her salary.

There was a discussion about insurance for the ACWD. We will need fire, theft, liability, and vandalism. The board is to check on the costs. It was decided to invite Mr. Bud Whittaker, from Loyalton, to the next board meeting for a presentation of a complete insurance package, including bonding for the board and secretary.

There was a discussion held on the problems with the water bills. The board has 2 options available regarding overdue accounts. 1. To shut off the water or 2. take the party to small claims court. After some discussion the majority of the board present felt they did not want to shut off peoples water but they would rather send out a form threatening action in small claims court for non-payment of bills. Director Criswell is abstaining on any comment regarding the billing. It was decided to call a special meeting to take care of billing problems.

There was a discussion held on obtaining legal counsel. Three firms were to be contacted regarding their fees. Manisian and Manisian, from Oroville, Jim Young, County Counsel, from Downieville, and Joan Briody from San Mateo. NO decision was made at this time.

There was a discussion and report on the tank progress. There have been problem with the tank coating and painting job. Art King reports to the board that another crew is to be in to redo the job. The board has the authority to access the contractor for any loses due to the length of time, after completion date in our contract, that is taking for the job to be finished. The problem of the ladder and safety at the new tank was brought up. The board is to post a sign saying no trespassing, authorized personnel only, in the hopes that this will discourage some of the vandalism.

The contractor is to install snow pole brackets at each fire hydrant. The secretary to contact Georgie Peterman for bonding procedures.

There was a report on our bank balance. Balance in the construction account is 19,592.69. Collections to date on the water bills are 1,360.00.

There was a letter read that was written to the Mountain Messenger from Director Paul Criswell regarding the use of absestos pipe used in our water system. It was pointed out that Director Criswell was acting on his own and not at the request of the Board. There was a discussion held and the board is waiting for replys on the letter.

There is now a vacancy on the ACWD Board of Directors. A question was brought up about the expiration dates of Directors Buell and Davis. The record is to be checked for these dates.

It was brought to the boards attention that it might be possible to obtain a CETA position for a Maintenance Man for the ACWD. This would relieve the board from having to pay for this job. The board was to check on this.

Claims were submitted to the board for payment. A claim for use of their garage for storage was submitted by Iris Davis. The board would not approve this claim but the contractor said he would pay it. Director Davis motions to pay all other claims before the board. Director Criswell Seconds. Ayes-unanimous.

Chairman Buell adjourns the meeting at 2:00 P.M.