

**Minutes of the Public Hearing & Special Meeting of the Alleghany County Water District Board of Directors Tuesday, March 22<sup>nd</sup>, 2016 Alleghany Firehouse, 105 Plaza Court Alleghany**

**Call to Order:** 6:10 pm

**SCANNED**

**Quorum Established:** Present were directors Rae Bell, Madeleine Hamb, and Robbin DeWeese. Secretary Leslie Baker was present and took the minutes. ACWD staff present: Water Treatment Operator Bruce Coons, Water Distribution Assistant Eddy Snyder, Bookkeeper Edda Snyder and Meter Reader Bob Hale. Public present: Ernest & Nancy Finney, Faris Dolgoff, Bernice McLeod, Oregon Burns Tenney IV, Oregon Burns Tenney V, Kari Tenney, Tobyn Mehrmann, Carolyn Shultz, Rebecca Wilkerson, Venus Adams, Larry Vieira and Sierra County District Attorney Larry Allen.

**The Public Hearing was opened at 6:13 p.m. by President Rae Bell**

A letter written by Rebecca Wilkerson requesting the Board hold off on moving forward with the proposed rate change was read by Secretary Baker. The letter is attached to these minutes. After the letter was read, the President asked the Board if they wished to make a motion to postpone. **No motion made.** Two (2) questions on the letter were addressed as follows: #3 Yes, the three properties which are not part of the CRWA recommendation will be raised to \$40.00 a month. #4 No, multi-family residences will not be charged \$80 per month the rates are per meter or water service.

Rae Bell presented a rate projection using the new rates for three types of customers based on actual water usage over a period of 12 months. It showed that the average monthly rate increase would range from \$5.26 for low water users to \$15.58 for very high users. She mentioned that anybody could still withdraw their protest letter if they wished, nobody did.

While the protest letters were being tallied, questions were posed to the Board including:

A question about how leaks would affect billing: the answer was yes, leaks would result in a higher water bill. It was pointed out that the board is looking at adopting a water leak adjustment policy in conformance with how it has been done in the past. Another question was about the increase in a resident's water bill and how they would know that it would be consistent for the sake of budgeting. The answer was that the bill would not be exactly the same every month but based on their typical usage, their bill would go up approximately \$5 a month.

A question was posed considering multi-owner properties, and if the vote would be split if they disagreed. The answer was yes, there is one vote per service and it can be split between the two owners.

A question about the amount of rate increase was asked: right now I pay \$36 dollars for 12,000 gallons, how much would I pay for it with the rate increase? The answer was \$58.00.

Protest letters for the proposed rate change were tallied by Secretary Baker and Nancy Finney. The total tally of letters was 24, which was not enough to overturn the proposed rate change (31 were needed).

Robbin made a Motion to accept the official count of protest letters, Madeleine second: **eyes unanimous.**

**The Public Hearing was brought to a close at 6:40 p.m., and the Special Meeting started at the same time.**

**New Business:**

Applications for appointment to the two vacant Board seats were considered from two applicants: Oregon Burns Tenney V & Tobyn Mehrmann. Their statements of qualification were considered and the Board voted unanimously to affirm their appointment. They were sworn in by District Attorney Larry Allen.

**Old Business:**

Policy #4 conflict of interest item was addressed. Kari Tenney requested an update on the status of the conflict of interest accusation made on January 26<sup>th</sup>. Rae Bell reported that she will be requesting a formal opinion from the Fair Political Practices commission. Kari also asked if Rae Bell owned stock in the Sixteen-to-One Mine and Rae confirmed that she and her husband do own approximately 13,000 shares although the value is difficult to determine. There was also a question about the annual filing of the form 700's and it was explained that they are due on April 1<sup>st</sup> of each year for the previous calendar year. They are submitted to the county annually.

A motion was made by Robbin, seconded by Madeleine to accept the updated conflict of interest code. **Ayes: Arbogast, DeWeese, Hamb Naves: Mehrmann, Tenney 0 Absent, 0 Abstain, 0 Vacant. Motion passed.**

**Next Regular meeting:** Tuesday, April 12<sup>th</sup>, 2016 at 6:00 p.m.

**Items for next agenda:**

Planning Project Q & A

**The meeting was Adjourned at:** 7:00 p.m.

Minutes respectfully submitted by Leslie D. Baker III Leslie D. Baker III

<b>Usage in Gallons</b>	<b>Current Rate proposal</b>
zero	\$ 40.00
500	\$ 40.50
1,000	\$ 41.00
2,000	\$ 42.00
3,000	\$ 43.00
4,000	\$ 44.00
5,000	\$ 45.00
6,000	\$ 46.00
6,500	\$ 47.00
7,000	\$ 48.00
8,000	\$ 50.00
9,000	\$ 52.00
10,000	\$ 54.00
11,000	\$ 56.00
12,000	\$ 58.00
12,500	\$ 59.50
13,000	\$ 61.00
14,000	\$ 64.00
15,000	\$ 67.00
20,000	\$ 82.00
30,000	\$ 112.00

(bold underline indicates rate tier)

**Details:**

\$40 flat rate does not include usage. Usage billed at the following rates: 0 to 6,000 Gallons = 1.00 per 1,000 gallons, 6,001 to 12,000 = \$2.00 per thousand, 12,001 and up \$3.00 per thousand. Tiers are fixed (charges do not change based on usage).

## **Alleghany County Water District (ACWD) Policies & Procedures**

### **Policy #3 Alleghany County Water District Conflict of Interest Code**

The Political Reform Act, Government Code Section 81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with attached Appendix A in which members of the Board of Directors and employees are designated, and in which disclosure categories are set forth, constitute the Conflict of Interest Code of the Alleghany County Water District.

Each action taken by a Board member and/or employee in the course of their duties will be motivated by the District's best interests and will be free of outside influence and self interests. In addition, board members shall not in any way directly or indirectly financially benefit from any aspect of the district's operations.

In accordance with this policy, Board and employees shall comply with the following:

1. Board members must abstain from voting on any action in which they have a financial interest.
2. No board member shall accept any remuneration in money or services from the district, except as allowed for by Government Code Section 30507.
3. Board members and employees, as described in Appendix A of the Alleghany County Water District conflict of interest code shall file a Statement of Economic Interests, Form 700 annually by April 1<sup>st</sup> with the Clerk of the County of Sierra who shall retain copies and make the statements available for public inspection and reproduction. (Gov. Code section 81008).

**Appendix A Disclosure categories.** Category 1 shall disclose all information as required on Form 700.

Category 1: Alleghany County Water District Board of Directors.

2<sup>nd</sup> Revision adopted 3/22/16 by the following vote:  
(date)

Ayes: Arbogast, DeWeese, Hamb Nays: Mehrmann, Tenney Absent: 0 Vacant: 0 Abstain: 0

Submitted to the Sierra County Board of Supervisors for approval 3/25/16  
(date)

Approved by the Sierra County Board of Supervisors: \_\_\_\_\_  
(date)

# Alleghany County Water District

P.O. Box 860, Alleghany, CA 95910 ~ alleghanywater@gmail.com ~ Phone 530-287-3204

~ Established March 8, 1939 ~

## CERTIFICATE OF POSTING

I, Rae Bell Arbogast certify that the following document was posted on behalf of Alleghany County Water District, Sierra County California:

Notice of Public Hearing, Meeting Date 3/22/16

In the following location(s):

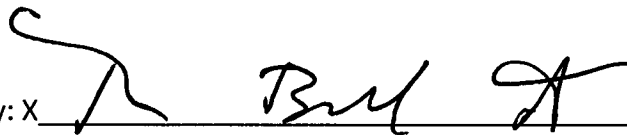
Alleghany Post Office Bulletin Board on 3/19/16.

On the door of the Alleghany Firehouse (meeting location) 3/19/16

Casey's Place 3/19/16

A copy of which is attached hereto and by reference made a part herof.

Signed under penalty of perjury: X

 3/21/16

Rae Bell Arbogast

# NOTICE

## OF PUBLIC HEARING & SPECIAL MEETING OF THE BOARD OF DIRECTORS

### ALLEGHANY COUNTY WATER DISTRICT

**Tuesday March 22, 2016 6 pm**  
**Alleghany Firehouse 105 Plaza Court Alleghany**

#### **Agenda for Public Hearing**

1. Call to Order
2. Proposed rate change: tally protest letters, document results
3. Close Public Hearing

#### **Agenda for Special Meeting to begin immediately following close of Public Hearing.**

This agenda has been prepared and posted at least 48 hours prior to the special meeting of the Board of Directors in accordance with the Ralph M. Brown Act. Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order. Details and supporting materials concerning agenda items are available for public reference by calling 530-287-3204 or email: [alleghanywater@gmail.com](mailto:alleghanywater@gmail.com)

1. Call to Order, Establish a Quorum
2. New Business (Action Items):
  - a) Consider applications for board vacancy, vote to appoint
3. Old Business
  - a) Update conflict of interest code (missed at the regular meeting held on March 8<sup>th</sup>)
4. Next regular meeting date: April 12, 2016
5. Adjourn

(Amended agenda reposted 3/19/16)

The public may address any agenda item at a Special Meetings of the Board as defined by the Brown the Act

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**ACWD MEMO**

**Date: 3/22/16**

**To: Alleghany Water Customers**

**From: Rae Bell Arbogast  
President**

**RE: New rate proposal**

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**Attached to this memo are three comparisons based on actual usage data comparing the new rate proposal to the current rates. All comparisons are based on the \$36 residential rate.**

**Actual usage figures are rounded UP for the purposes of this comparison AND I used the previous fiscal year's data which had higher average water use than this year.**

**To summarize the results:**

**1 adult with a small garden: average monthly increase in water bill \$ 5.26**

**2 adults with a small garden: average monthly increase \$ 9.42**

**Family of four with large garden: average monthly increase \$15.58**

Billed	Actual Usage	rounded	New rate
06/03/2015	5160	5000	\$45.00
05/03/2015	4180	4000	\$44.00
04/03/2015	4920	5000	\$45.00
03/03/2015	3240	3000	\$43.00
02/03/2015	3610	4000	\$44.00
01/03/2015	3150	3000	\$43.00
12/03/2014	3510	4000	\$44.00
11/03/2014	5030	5000	\$45.00
10/01/2014	5560	6000	\$46.00
09/01/2014	6560	7000	\$48.00
08/03/2014	7750	7000	\$48.00
07/03/2014	7770	8000	\$50.00
<b>Total usage</b>	<b>60440</b>	<b>61000</b>	
	Proposed Rate annual bill		\$545.00
	Current rate annual bill		\$432.00
	annual increase		\$113.00
monthly average increase over old rate			\$9.42



Notes: Re: protest letters.

Many of the letters are dated prior to the Feb 1st mailing ~~indicated~~ indicating that they are in fact in response to the rate proposal's notice mailed on 12/21/15. Since there were not enough letters anyway it is a mute point.

number of services	street Number	Street Name	Account #	For no letter = For	Against	Reason if given: examples: cost, rate structure
1	700	KANAKA CREEK RD	8			
2	701 ✓	KANAKA CREEK RD	6		✓	
3	703 ✓	KANAKA CREEK RD	7		✓	
4	100	MAIN ST	45			
5	101 ✓	MAIN ST	46		✓	
6	102 ✓	MAIN ST	47		✓	
7	105 ✓	MAIN ST	48		✓	
8	107 ✓	MAIN ST	49		✓	
9	108 ✓	MAIN ST	50		✓	
10	110 ✓	MAIN ST	51		✓	
11	112	MAIN ST	52			
12	115	MAIN ST	54			
13	116	MAIN ST	53			
14	118	MAIN ST	55			
15	119	MAIN ST	56			
16	123 ✓	MAIN ST	60		✓	
17	126 ✓	MAIN ST	58		✓	
18	128 ✓	MAIN ST	59		✓	
19	221 ✓	MAIN ST	61		✓	
20	225 ✓	MAIN ST	27		✓	
21	229 ✓	MAIN ST	25		✓	
22	232	MAIN ST	23			
23	234	MAIN ST	22			
24	234 ✓	MAIN ST	24		✓	
25	243	MAIN ST	21			
26	246	MAIN ST	20			
27	347	MAIN ST	14			
28	352	MAIN ST	11			
29	353	MAIN ST	13			
30	354	MAIN ST	10			
31	355 ✓	MAIN ST	12		✓	
32	356	MAIN ST	9			
33	359 ✓	MAIN ST	5		✓	
34	361	MAIN ST	4			
35	363	MAIN ST	3			
36	604	MAMMOTH SPGS	2			
37	503	MINERS ST	44			
38	505	MINERS ST	43			
39	509	MINERS ST	42			
40	511 ✓	MINERS ST	41		✓	
41	514	MINERS ST	40			
42	516 ✓	MINERS ST	38		✓	
43	518 ✓	MINERS ST	39		✓	
44	519	MINERS ST	64			
45	520	MINERS ST	66			
46	521 ✓	MINERS ST	37		✓	
47	522	MINERS ST	62			
48	524 ✓	MINERS ST	36		✓	
49	525	MINERS ST	34			
50	527	MINERS ST	32			
51	528	MINERS ST	31			
52	529	MINERS ST	30			
53	530	MINERS ST	29			
54	101 ✓	PLAZA CT	92		✓	
55	102 ✓	PLAZA CT	18		✓	
56	103	PLAZA CT	17			
57	104	PLAZA CT	16			