



## MINUTES

**REGULAR MEETING  
BOARD OF DIRECTORS  
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT**  
6425 Main Street, Georgetown, California 95634

**TUESDAY, November 15, 2022  
2:00 P.M.**

### **BOARD OF DIRECTORS**

Michael Saunders, President  
Mitch MacDonald, Vice President      Mike Thornbrough, Treasurer  
Donna Seaman, Director                  Gerry Stewart, Director

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### **MISSION STATEMENT**

It is the purpose of the Georgetown Divide Public Utility District to:

- Provide reliable water supplies
- Ensure high quality drinking water
- Promote stewardship to protect community resources, public health, and quality of life
- Provide excellent and responsive customer services through dedicated and valued staff
- Ensure fiscal responsibility and accountability are observed by balancing immediate and long-term needs.

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### **1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE**

President Saunders called the meeting to order at 2:01 PM.

#### **ROLL CALL:**

**DIRECTORS PRESENT: MacDonald, Seaman, Thornbrough, Stewart, Saunders**

Director Stewart led in the Pledge of Allegiance.

### **2. ADOPTION OF AGENDA**

**DIRECTOR STEWART MOTIONED TO APPROVE THE AGENDA. DIRECTOR MACDONALD SECONDED THE MOTION. PRESIDENT SAUNDERS CALLED FOR THE VOTE.**

**THE MOTION PASSED UNANIMOUSLY.**

### **3. PUBLIC FORUM (Only Items That Are Not On The Agenda)**

President Saunders read the Public Forum protocol pursuant to the Government Code Section 54954.3 (The Brown Act), then called for public comments.

#### **Public Comments:**

Cherie Carlyon commented that the Board policy limits comments to five minutes rather than three minutes. President Saunders said he will check on it.

Karen Bartholomew, who lives on Johntown Creek Road, commented there is a year-round creek in their area, however, in recent years the creek runs dry until the rainy season. She asked if there was any connection to the irrigation ditches. General Manager Nicholas Schneider said there was nothing he was aware of, but would look into it.

Dianna Daniels, who lives on Johntown Creek Road, commented she noticed the water drying up and no longer flows through the park through the summer. There seems to be water up stream, then gets lost, possibly going into an old mine shaft.

Bonnie Neely asked about an ad in the Gazette in which one line says, “simply follow these water saving requirements and help us avoid customer enforcement methods including warning letters, water audits or personal fines.” She stated she did not believe this was planned by the Board and is concerned expensive ads have incorrect information.

Mr. Schneider stated California law allows the District to impose a fine to those found to be willfully wasting water and that information can be placed into an ad.

Mae Harms asked if there is information on the definition of what “wasteful” water. Mr. Schneider stated issues would be addressed on a case-by-case basis; State law defines the parameters of the fine that would be imposed.

Director Thornbrough noted there are two separate things being considered: One, water conservation—use your water sparingly. The other is wasting water—running water down the street, etc.—that’s when fines are considered.

#### **4. CLOSED SESSION**

##### **A. Potential Litigation (if needed)**

The Board returned from closed session at 2:58 PM.

President Saunders reported out of closed session that the Board has directed General Counsel to pursue potential litigation relating to the Mosquito fire.

##### **5. CONSENT CALENDAR – Any member of the public may contact a Board member prior to the meeting to request an item be pulled from the Consent Calendar**

##### **A. Approval of Minutes —**

##### **B. Consider Authorizing the District to Conduct Meetings by Teleconferencing during the Period December 1 — December 31, 2022 as provided by Assembly Bill 361**

**Possible Action:** Approve Resolution 2022-XX Authorizing the District to continue Teleconferencing meetings during the period of December 1–December 31, 2022

**MOTIONED BY DIRECTOR MACDONALD TO APPROVE THE CONSENT CALENDAR.  
SECONDED BY DIRECTOR STEWART.**

**THE MOTION PASSED UNANIMOUSLY.**

#### **6. FINANCIAL REPORTS**

##### **A. Budget to Actuals Report**

##### **B. Pooled Cash Report**

##### **C. Monthly Check Report**

Jessica Buckle, Office Finance Manager, reported the financial reports are only from the previous month, rather than year-to-date, as discussed during the previous Board meeting. The Vendor Purchasing Report has also been included.

Mr. Schneider stated the District’s internal auditor is working through the accounts and has asked for clarification of some of the spending and back-up documentation. Staff is working with our CPA firm to ensure things have been recorded correctly.

##### **Public Comments:**

Cherie Carlyon asked about the \$39,071.40 that went into legal. Jessica Buckle replied it was “legal services” that were billed to “professional services.” The funds were moved from one item to another and recorded in the wrong fiscal year which resulted in a double entry that needed to

be corrected. Ms. Carlyon also questioned the Material and Supplies under Administration. Mr. Schneider replied she could get a breakdown of expenses. She further asked if the reports could include a description, which would eliminate a lot of questions. Ms. Buckle said she could check with Tyler, as these are automated reports.

Bonnie Neely questioned the use of the Tyler Technology software. Ms. Buckle responded that the Tyler Program is able to do the accounting the District requires. Staff is in the process of fixing the oversights done during implementation and correcting them.

Steve Proe asked about Check #33917. Mr. Schneider replied checks going to Ferguson refer to the automated meter reader program. The District pays for completed work monthly for both labor and supplies.

## **7. INFORMATIONAL ITEMS**

### **A. Board Reports**

Director Seaman reported she has attended Grange meetings, attended Founders Day in September, and recently attended the fire briefing in Georgetown.

Director Thornbrough reported the El Dorado County Water Agency (EDWA) had a meeting last week and are in the process of moving into the new facility in Diamond Springs. There was discussion on Assembly Bill 2449 which has to do with teleconference meetings in the future.

Director MacDonald reported he will attend a Joint Powers Insurance Agency (JPIA) conference in Palm Desert. He also had a chance to get out and speak with the public about community involvement in Board meetings. He reported he received good feedback about the District.

President Saunders thanked the Staff for all the work they are still doing on post-fire relief and recovery. He also thanked the office staff for being out in the community representing GDPUD. He then summarized his written report.

President Saunders noted that the Association of California Water Agencies (ACWA) Region 3 is meeting today and one of the issues to be discussed is the impact the Colorado River will have on California. We want to work with Southern California in investing in the headwaters.

### **B. Legislative Liaison Report**

President Saunders — Cal LAFCO update on the Lavine Act, which was amended to include all Board members who receive a contribution of \$250, must recuse themselves from any discussion regarding the contributor whether a person, permit or contract for your agency and any other agency you sit on.

Initiative #21-0042A1 — Ballot Initiative 21-0042A1 Limits Ability of Voters and State and Local Governments to Raise Revenues for Government Services. Initiative Constitutional Amendment. The Ballot Proposition is undergoing signature verification. The new deadline for counties to complete the initiative signature verification process is February 1, 2023.

**Public Comments:** None.

### **C. General Manager's Report**

Not on his written report in the Board packet is that he attended and presented at the Fire State Council. We gave a presentation regarding fire damages, response, and cleanup we are facing at the District.

### **D. Operation Manager's Report**

Operations Manager Adam Brown we had standard production and storage. Actual storage to date is 16,278; numbers will be updated for the next meeting.

In field activities for the month, outside normal we had a passive meter reading on about a third of the system—most of it is done by the automated system now.

Asset Management/Work Software is in the test phase.

Mr. Schneider noted regarding some projects scheduled were put on hold as we had to reallocated resources such as time and labor.

**Public Comments:**

Cherie Carlyon requested the Operations Manager include his name on his reports. She also had a question on her water meter reading. Adam Brown asked her to send an email, and noted they could look at it as a service call.

**E. Water Resources Report**

Water Resources Manager Alexis Elliott summarized her written report.

Regarding the Water Discharge Requirement (WFR) update, Ms. Elliott reported she met with Bennett Engineering and will schedule a second meeting. They are basically in the information gathering stage, and are planning an on-site walk through.

Director MacDonald stated one of our customers has been approached with a potential infraction due to a shed too close to in proximity to the well which has been there approximately 30 years. He asked if this would be “grandfathered” in.

Ms. Elliott said she believes this would be corrected in a transfer of ownership. She indicated the District is notifying customers so they will not get blindsided when they sell their house. We are trying to work with the Homeowners Design Committee to avoid direct violations on where homeowners place their outbuildings.

Steve Miller stated he was the customer notified about the shed. While the staff member who inspected the property was extremely polite and helpful, the letter he received from the District notifying him he had 30 days to take the shed down unnerved him, so he appreciates the explanation he received in this meeting.

**Public Comments:**

Bonnie Neeley inquired about the status of our water transfer agreement. Mr. Schneider said we have a balance of approximately 1,500-acre feet still due. The water is accounted for when both Folsom Lake and the Delta are in excess. We received a credit of approximately 473 acre-feet of water from 2021. We did not have a situation where both were in excess in 2022, so we did not pay any back. The water analysis shows it will likely get paid back this year. All the transfer money was paid up front. We are not releasing water directly into the system. Our water is accounted for based on when the system equalizes itself.

**F. Monthly Water Demand Assessment Report /22-23ter Year Projections**

Mr. Schneider reported this month’s report also includes the water year projection for 2022–2023. Water years in California run from October 1 to September 30.

Adam Brown noted there was average reduction in gross water and residential use. In September, our residential use went up based on customer use and the fire. We are still meeting our requirements for reduction set forth for a state local agency.

In summary, treated water and raw water deliveries decreased between 2020/2021 and 2021/2022 water year while the percent of water delivered that was put to beneficial use, treated and irrigation delivery, increased. The District saw an approximate 723 acre foot increase in water available for future use.

Mr. Schneider said we need to develop a resolution to claim any water conserved to remain part of our water right.

The seasonal precipitation is a 90-day outlook. Once we get closer to March or April, we will

have a better idea of the season precipitation. The projections look good for a normal year. President Saunders commented It looks like we can meet a “normal year plus one dry year,” and we still within the 20% reduction of the state’s mandate. The mantra is still the need for conservation. There currently is no action needed from the Board in terms of the water shortage contingency plan other than to continue with the communication outreach. The Irrigation Committee and Staff can track the rainy months the consider a possible shift in the irrigation season.

## **8. COMMITTEES**

### **A. Finance Committee – Steve Miller, Chair**

The Committee reviewed the Request for Proposal for a Financial Advisor. They also discussed the dwindling membership on the Finance Committee. President Saunders mentioned we will be considering applications from interested parties at the December meeting.

Mr. Schneider responded to a question from the public, that meetings are held in person in the Board room and via zoom. With an anticipated change in the law, a quorum must be present in person.

### **B. Irrigation Committee – Ray Griffiths, Chair**

The Committee is reviewing the Irrigation Ordinance. They will hold their last meeting for the season in November 17, then will meet in February in preparation for a new season.

### **C. Ad Hoc Grant Writing Committee – President Saunders**

The Committee met and reviewed the Grant writing service agreement and agreed with Staff’s recommendation for the grant writer. They looked at the possibility of funding from the Mosquito fire. They also looked at drought grant possibilities.

Mr. Schneider noted the costs associated with the grants are strictly approximations. We need an engineering report to determine how much funding we would go after. We have the opportunity to work with the Forest Resource Collaborative, a non-profit that has funding for resiliency projects.

We did receive a grant from Natural Resources Conservation (NRCS) Emergency Watershed Protection Program the Emergency Watershed Protection (EWP) Program. We are replacing a flume cover that was damaged by the fire with a metal cover. The grant is for 75% of the cost and we can potentially receive additional funding for the other 25%.

### **D. Ad Hoc Committee for Policy Manual – President Saunders and Director Seaman**

A meeting will be scheduled to review the current District policy manual.

### **E. Committee for the Audit Committee – President Saunders and Director Thornbrough.**

President Saunders indicated we are still waiting for the update on an external investigative audit. Mr. Schneider reported the annual audit is in the beginning stages and is ongoing.

### **F. Ad Hoc Labor Negotiation Committee – President Saunders, Director Thornbrough**

President Saunders reported there is no labor contract yet for the labor negotiations.

## **9. ACTION ITEMS**

### **A. Receive Update on Emergency Response, Post-Fire Recovery and Restoration, and Disaster Funding Application Process Related to the Mosquito Fire**

Adam Brown stated our focus was levy road repair, erosion control, some infrastructure repair and tree mitigation. The location was identified by the Watershed Emergency Response Team (WERT) as a value-at-risk (VAR). The project is in progress as the District

has entered into a funding agreement with the Natural Resources Conservation Service (NRCS) to cover the entire section and is scheduled to be completed in November. District staff has been working closely with the United States Forest Service (USFS) in order to protect infrastructure and advise on high-risk areas.

**Possible Action:** President Saunders said no action is required at this time; however, we need to consider things to as to our capital improvement projects (CIP) such as adding a drone into the CIP to allow observation in these areas without having to drive to the location.

**Public Comments:**

Cherie Carlyon asked about possible damage from the recent storm. Mr. Schneider said there was no damage, and we are putting inspection on hold depending on the rainy season.

**B. Review the District’s Investment Policy and Consider Authorizing the Issuance of a Request For Proposals for Financial Advisory Services**

Mr. Schneider summarized the documentation in the Board packet. The policy has not been updated on a regular basis. The Request for Proposal (RFP) for Financial Advisory Services includes recommendations for potential investments and a review and recommendation to the Board on a future investment policy. Much of the policy we currently work with is an adoption of a Special District association policy with caveats for the District. Any recommendations for investment will come before the Board for approval before any funds are invested.

President Saunders noted that for transparency, some accounts need renaming. For example, we have a fund called “ALT” which is for the Sweetwater Treatment Plant. Documentation needs to be clear that some funds are “unrestricted” but are limited and have requirements on how the funds can be spent.

Director Seaman asked if the Financial Advisor or the Policy Committee would review the District investment policy. Mr. Schneider stated it would be both, then recommendations would be given to the Board for approval in an open session so the public will be informed.

**Public Comments:**

Cherie Carlyon asked how the Financial Advisor would be paid. Mr. Schneider replied to it will be a flat rate. We will assess how their contract proposal comes in. With respect to a timeline, it would be March before any action could take place. Investing public funds have restrictions, requirements, and safeguards to adhere to.

**MOTIONED BY DIRECTOR MACDONALD TO ADOPT RESOLUTION 2022-XX APPROVING THE ISSUANCE OF A REQUEST FOR PROPOSAL FOR FINANCIAL ADVISORY SERVICES. DIRECTOR STEWART SECONDED THE MOTION.**

**THE MOTION PASSED UNANMOUSLY.**

**C. Receive Update on Outstanding Requests for Proposals/Qualifications**

**1. RFP for Human Resources Consultation Services to Conduct a Total Compensation and Staffing Level Study**

Mr. Schneider reported that one proposal was received from Sloan Sakai, Attorneys at Law (Management Strategies) to provide human resources consultation services for a Total Compensation and Staffing Level Study for an amount not to exceed \$19,375.

President Saunders noted the studies were put in place so that we have actual costs for water and actual staff compensation we need to be competitive to keep our employees. Director Thornbrough pointed out the need for this staff and salary study was included in the 2017 Grand Jury recommendations.

**Public Comments:**

Cherie Carlyon asked if would include time and motion studies since we are not reading meters there is less work. Mr. Schneider stated it is a comprehensive study where every position will be reviewed. It will not likely lead to less staff, but will lead to different allocation of resources.

**MOTIONED BY DIRECTOR SEAMAN TO ADOPT RESOLUTION 2022-XX AUTHORIZING THE GENERAL MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH SLOAN SAKAI (MANAGEMENT STRATEGIES) FOR HUMAN RESOURCES CONSULTING SERVICES. DIRECTOR MACDONALD SECONDED THE MOTION.**

**THE MOTION PASSED UNANIMOUSLY.**

**2. RFQ from Legal Firms to Provide General Counsel Legal Services for the District**

The General Manager reported the District received one proposal from White Brenner, LLP, and recommended that this RFQ be reissued through relevant outlets viewed by qualified legal firms. Justification in reissuing this RFP is that this was advertised through eBidboard, which is typically designed for construction bids. If approved staff will send out the RFQ to additional more appropriate bid boards and targeted submittals to public sector law firms.

Director Seaman inquired about conflict-of-interest statements from which every firm is selected. Barbara Brenner, Legal Counsel, stated the Request for Qualification should include a question to include any potential conflicts, and it should be part of the vetting process.

**MOTIONED BY DIRECTOR MACDONALD TO ADOPT RESOLUTION 2022-XX AUTHORIZING THE GENERAL MANAGER TO REISSUE THE REQUEST FOR QUALIFICATIONS FOR GENERAL COUNSEL LEGAL SERVICES TO MORE APPROPRIATE BID BOARDS AND TARGETED TO PUBLIC SECTOR LAW FIRMS. SECONDED BY DIRECTOR SEAMAN.**

**THE MOTION PASSED UNANIMOUSLY.**

**3. RFP from Qualified Independent Certified Public Accounts for an Investigative Review of the District's Finances**

Mr. Schneider stated this is the external investigative review of the District accounting from the transition to new accounting software. There were flaws in the building of the new (Tyler) software. The internal audit is allowing us to identify and fix the flaws. It is recommended the Board allow us to continue to work through the process with our CPA to make sure we can clear these issues within our accounting software. We can then assess whether an external audit would be a valued added to the District.

Director Seaman asked if the Board could have regular updates. Mr. Schneider suggested February approximately six months into the fiscal year, we will be in a better position to tell how the various funds are looking.

Director Thornbrough stated—going back several years—the purpose of the external audit was to make sure money was being charged correctly and that there was not comingling of funds. The transition to new accounting software delayed the audit.

**MOTIONED BY DIRECTOR THORNBROUGH THAT THE RFP BE REVIEWED BY THE BOARD AGAIN IN FEBRUARY 2023. DIRECTOR SEAMAN SECONDED THE MOTION.**

**THE MOTION PASSED UNANIMOUSLY.**

**D. Designate Voting Delegate for the ACWA General Session on December 1, 2022**

Mr. Schneider stated the District must submit a form to ACWA designating a voting delegate and alternate for the ACWA General Session.

**MOTIONED BY DIRECTOR THORNBROUGH TO DESIGNATE THE BOARD PRESIDENT AND GENERAL MANAGER AS DELEGATE AND ALTERNATE TO THE ACWA GENERAL SESSION. SECONDED BY DIRECTOR STEWART.**

**THE MOTION PASSED UNANIMOUSLY.**

**E. Consider Approving District Policy on the Board Standing Committees**

Mr. Schneider stated a policy on standing committees was drafted from comments from the committees and the Board. Staff offers the following provisions for the Board's consideration: 1) allowing committee members to serve as an alternate to other Board committees to ensure a quorum is achieved; (2) removal of members for a code of conduct violation to be voted on by the Board; and (3) removal of a committee member for lack of attendance at three consecutive meetings to be brought before the Board for removal.

Director Seaman added, "Public members are required to provide the Committee Clerk with 48-hour notice if they are unable to attend a committee meeting."

Concerns were raised regarding excused absences, written or verbal notification, and qualifications for serving as an alternate. President Saunders stated the recommended policy provide options that may or may not meet committee quorums,

**MOTIONED BY DIRECTOR THORNBROUGH TO ADOPT RESOLUTION 2022-XX APPROVING THE DISTRICT POLICY ON GENERAL RESPONSIBILITIES OF THE BOARD STANDING COMMITTEES. SECONDED BY DIRECTOR STEWART.**

**AYES: THORNBROUGH, STEWART, MACDONALD, AND SAUNDERS**

**NAYS: SEAMAN**

**THE MOTION PASSED WITH A 4-1 VOTE.**

**F. ACCEPT RESIGNATION OF A PUBLIC MEMBER FROM THE FINANCE COMMITTEE**

Mr. Schneider read the Board Proclamation acknowledging Robert Stoffregen's valued service.

**MOTION BY DIRECTOR MACDONALD TO ADOPT RESOLUTION 2022-XX ACCEPTING THE RESIGNATION OF ROBERT STOFFREGEN FROM THE FINANCE COMMITTEE. SECONDED BY DIRECTOR THORNBROUGH.**

**THE MOTION PASSED UNANIMOUSLY.**

**G. CONSIDER APPROVING THE JOB DESCRIPTION FOR EXECUTIVE ASSISTANT AND THE AMENDED ORGANIZATIONAL CHART**

Mr. Schneider explained a request was received from a representative of Public Employees Local 1 for a change in the job title from Administrative Assistant/Board Clerk to Executive Assistant, given the duties outlined in the job description. The position will still be the Board Clerk responsibilities, and reports directly to the General Manager. There is a slight increase in salary based on a study of comparable positions in other districts. Our starting salary is approximately 10% lower than the lowest salary we surveyed.

Director Thornbrough stated the organizational chart should not say "residents" but should read "customers."



Director Seaman commented this position will be included in the salary survey so the salary could change. Mr. Schneider stated a salary survey is not necessarily adjusting salaries, but salary ranges.

**Public Comments:**

Cherie Carlyon suggested the organizational chart could read "customers/voters."

**MOTIONED BY DIRECTOR THORNBROUGH TO ADOPT RESOLUTION 2022-xx APPROVING THE JOB DESCRIPTION FOR EXECUTIVE ASSISTANT, UPDATE THE ORGANIZATIONAL CHART TO READ "CUSTOMERS/RESIDENTS," AND ADVERTISE THE OPENING AS SOON AS POSSIBLE. SECONDED BY DIRECTOR MACDONALD**

**THE MOTION PASSED UNANIMOUSLY.**

**H. DISCUSS POLICY FOR THE ROTATION OF BOARD OFFICER POSITIONS AMONG THE DIRECTORS**

Director Stewart said, although it was never a written policy, this policy was practiced in previous years. It worked out very well. It increases the Directors involvement in how the District operates. It strengthens the Board.

Director Thornbrough does not agree it needs to be a policy. The Board holds elections every year, any rotation can be made at that time. Additionally, the proposed policy suggests you do not have to do this.

Mr. Schneider stated this is meant to codify the recommendation to future Boards. The intent is to allow each Board member to experience the different pieces of the Board. It also promotes transparency with the public, as it ensures a transition through the power base of different Board members.

**MOTIONED BY DIRECTOR STEWART TO ADOPT RESOLUTION 2022-xx APPROVING THE POLICY FOR THE ROTATION OF BOARD OFFICER POSITIONS AS A GUIDELINE FOR FUTURE BOARDS. SECONDED BY DIRECTOR SEAMAN**

**AYES: STEWART, MACDONALD, SEAMAN, SAUNDERS**

**NAYS: THORNBROUGH**

**THE MOTION PASSED WITH A 4-1 VOTE.**

**I. CONSIDER APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH ZANJERO INC. AS A CONTRACT GRANT WRITER**

Mr. Schneider noted an additional proposal came which rated very high. He recommended we maintain an open line of communication with GEI Consultants only in the instance we need to utilize them if Zanjero is unavailable.

**MOTIONED BY DIRECTOR MACDONALD TO ADOPT RESOLUTION 2022-xx, AUTHORIZING THE GENERAL MANAGER TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH ZANJERO INC. FOR GRANT WRITER SERVICES FOR AN AMOUNT NOT TO EXCEED \$100,000, WITH GEI AS BACKUP. DIRECTOR THORNBROUGH SECONDED THE MOTION.**

**THE MOTION PASSED UNANIMOUSLY.**

**J. DESIGNATE THE GDPUD BOARD NOMINATION TO MOUNTAIN COUNTIES WATER RESOURCE ASSOCIATION (MCWRA) BOARD**

Mr. Schneider stated Mountain Counties Water Resource Association is a local water association that we belong to. They are seeking interested Board members to be

nominated to the MCWRA Board.

Director Seaman indicated she is willing to represent GDPUD as a nominee.

**MOTIONED BY DIRECTOR THORNBROUGH TO NOMINATE DIRECTOR SEAMAN AS A CANDIDATE TO THE MOUNTAIN COUNTIES WATER RESOURCE ASSOCIATION (MCWRA) BOARD. SECONDED BY DIRECTOR STEWART.**

**THE MOTION PASSED UNANIMOUSLY.**

**K. Consider Adoption Of Line Extension Easement**

Adam Brown stated this easement is related to a line extension a contractor is proposing to add our system. In order for the District to take ownership of the line extension following completion, a record of easement will need to be executed.

**Public Comment:**

Cherie Carlyon noted the easement should be notarized in order to make it a legal document.

**DIRECTOR THORNBROUGH MOVED TO ACCEPT THE LINE EXTENSION EASEMENT. MOTION SECONDED BY DIRECTOR MACDONALD.**

**MOTION PASSED UNANIMOUSLY.**

**10. Public Hearing Of Ordinance 2022-02 Delinquency Rates And Related Fees, Replacing Ordinance 2011-22**

**Second Reading for the record:**

**ORDINANCE 2022-02  
AN ORDINANCE OF THE GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT  
REVISING DELINQUENCY RATES AND RELATED FEES**

**BE IT ACKNOWLEDGED** that the Georgetown Divide Public Utility District ("District") adopted Ordinance 2011-02 on May 10, 2011, establishing rates and fees on delinquent accounts;

**BE IT FURTHER ACKNOWLEDGED**, that the District desires to replace Ordinance 2011-02 with Ordinance 2022-02.

**BE IT ENACTED BY THE BOARD OF DIRECTORS OF THE GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT, COUNTY OF EL DORADO, STATE OF CALIFORNIA**, as follows:

**WHEREAS**, late fees and lock-offs will be imposed on accounts with a delinquent balance of more than Twenty-Five Dollars (\$25.00);

**WHEREAS**, a Ten Percent (10%) penalty fee on all delinquent account balances over Twenty-Five Dollars (\$25.00) will replace the previous flat delinquency fee of Twelve Dollar (\$12.00) for any utility that remains unpaid for more than thirty (30) days after the billing date and One Percent (1%) bimonthly, thereafter, of the unpaid balance;

**WHEREAS**, the service fee for immediate reactivation of water is increased from Fifty Dollars (\$50.00) to Seventy-Five dollars (\$75.00);

**WHEREAS**, the service fee for reactivating water at the district's convenience is increased to Twenty-Five dollars (\$25.00) from Twelve Dollars (\$12.00);

**WHEREAS**, District staff will not have the ability to receive district payments in the field is fees due to safety concerns;

**WHEREAS**, the District will charge a Twenty-Five Dollar (\$25.00) fee to customers whose payments are returned "not sufficient funds" by the District's financial institution;

**WHEREAS**, these fees were established to encourage timely payments and cover the estimated administrative burden to staff; and

**WHEREAS**, the administrative burden has been reestablished based on the current delinquency activity and the delinquency rates are hereby amended to be reasonable and reflect the cost to the District to administer delinquent accounts.

**NOW, THEREFORE**, the Board of Directors of the Georgetown Divide Public Utilities District does ordain as follows:

1. a balance of less-than or equal to Twenty-Five Dollars (\$25.00) is required on accounts to avoid late fees and lock-offs.
2. a Ten Percent (10%) penalty fee will be applied on all delinquent account balances over Twenty-Five dollars (\$25.00) on Day 30.
3. the service fee for immediate reactivation of water is Seventy-Five dollars (\$75.00).
4. the service fee for reactivating water at the district's convenience is Twenty-Five dollars (\$25.00).
5. District staff will not have the ability to receive district payments in the field due to safety concerns.
6. the District will charge a Twenty Five Dollar (\$25.00) fee to customers whose payments are returned for "not sufficient funds" by the District's financial institution

**PASSED AND ADOPTED** at a regular meeting of the Board of Directors of the GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT held on the eleventh day of October 2022, by the following vote:

#### **President Saunders Opened the Public Hearing**

President Saunders noted a correction under "District staff will not have the ability to receive district payments in the field is fees due to safety concerns;"— **is fees** should be removed. He stated comments on social media concerning no grace period to pay. Mr. Schneider reported there is actually a 60-day grace period plus 30 days before any lock off any one for 90 days.

#### **Public Comments:**

Cherie Carlyon noted the date adopted needs updating. She asked about the \$25 limit.

Jessica Buckle stated any bills of \$25 or less will not be assessed a late fee or be subject to lock off. Penalties start on the 30<sup>th</sup> day. This ordinance does not take effect for 30 days.

#### **President Saunders Closed the Public Hearing.**

**MOTIONED BY DIRECTOR THORNBROUGH TO ADOPT ORDINANCE 2022-02 AMENDING AND REPLACING ORDINANCE 2011-02. DIRECTOR SEAMAN SECONDED THE MOTION.**

#### **ROLL CALL VOTE:**

**AYES: MACDONALD, THORNBROUGH, SEAMAN, STEWART, SAUNDERS**

**NAYS: NONE**

**THE MOTION PASSED UNANIMOUSLY.**

#### **11. BOARD MEMBER REQUESTS FOR ADDITIONS TO FUTURE MEETING AGENDAS AND REQUESTS FOR INFORMATION OR RESEARCH TO BE COMPLETED BY STAFF**

President noted Director Stewart will retire from the Board at the next meeting and Thanked him for his willingness to serve..

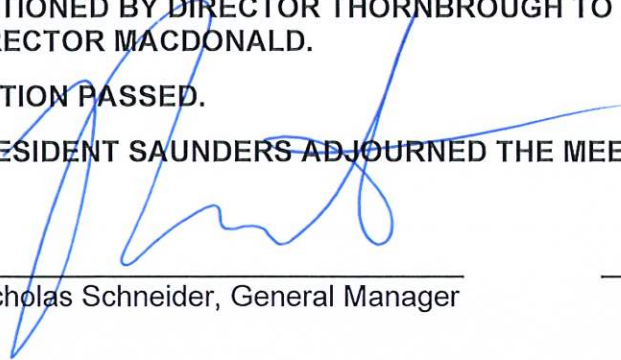
#### **12. NEXT MEETING DATE AND ADJOURNMENT**

The next Regular Meeting for Tuesday December 13, 2022, at 2:00 PM, at the Georgetown Divide Public Utility District, 6425 Main Street, Georgetown, California 95634.

MOTIONED BY DIRECTOR THORNBROUGH TO ADJOURN THE MEETING. SECONED BY  
DIRECTOR MACDONALD.

MOTION PASSED.

PRESIDENT SAUNDERS ADJOURNED THE MEETING AT 6:45 PM.



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Nicholas Schneider, General Manager



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Date