

Omochumne-Hartnell Water District

P. O. Box 211

Wilton, CA 95693

916 682-5958

Special Board Meeting – Minutes, May 21, 2012 @ 10 AM

7513 Sloughhouse Road

Elk Grove, CA 95624

Call to Order:

1. The special meeting was called to order at 10:00 AM by Chairman of the Board, Director Ron Lowry. A quorum was present and included Board Members Lowry, Leland Schneider, Robert Mahon, Thomas Young, General Manager Michael Wackman, and Secretary Cindy Luellen. Also present were Ms Rebecca Anderson, legal counsel for OHWD, Dr. Satya Gala from RBI, and Mr. Herb Garms. Arriving after the meeting was called to order were Board Member Kurt Kautz and Mr. Jay Schneider during invoice discussion.

Public Comments:

1. Public comments were held until after the Action/Discussion Items were addressed.

Action/Discussion Items:

1. The agenda was reviewed and the motion to accept was presented by Director Mahon and seconded by Director Young and passed 5/0/0.
2. General Manager Wackman passed out the revised 2012/2013 budget and it was discussed. The estimate for the Rooney Dam repair on the report has been budgeted. The motion to adopt the budget was presented by Director Mahon and seconded by Director Schneider. It passed 4/0/0.
3. The invoice from RBI (it was not received at the regular meeting) was discussed and Director Schneider made the motion to pass, it was seconded by Director Mahon and passed 5/0/0.
4. Under Dam Repair Projects, the Directors discussed putting in the dams this year very soon, as soon as the gauge at Michigan Bar reads less than 75 CSF. Director Young will be in charge of the dams and will keep in touch with the installer.
5. Under the Dam Repair Project and appeal of the reimbursement of the costs involved, Ms Rebecca Anderson, the attorney from Kevin O'Brien's office and Downey, Brand, Seymour & Rohwer, representing OHWD discussed the "soft costs" billed to this issue by FEMA after the mistakes had been made and passage of time and those associated with the original approval. The costs associated with an appeal will be roughly \$20,000 in attorney fees to hopefully recover at least ½ of the original amount approved. The motion to appeal the FEMA/OES ruling of denying full funding for the repair of the dams from 2006 flood damage was made by Director Schneider and seconded by Director Mahon. The motion passed 5/0/0.
6. Under Item 5 – Review of the JPA reorganization, Ms Anderson talked of the legal concerns with the reorganization of the SSCAWA and conflict of interest by board members serving on both public boards. Ms Anderson stated

that there is not any conflict of interest by serving on both boards and the elected officials and staff are able to do so without having a conflict of interest. And Ms Anderson discussed the ground water management plans (defined by basins) versus JPAs and members and what happens within ground water management plans if they join or leave. The Board members and council also discussed the legality of OHWD leaving the Central Basin JPA.

7. Under the RWA Grant –Recharge Project, General Manager Wackman discussed nothing new had happen since the regular meeting, and more percolation tests need to be performed. And Ed Hendrick will be added to the regular July Meeting to add more information regarding the land's strata.

Directors Comments:

1. Director Schneider stated that OHWD needs to do more percolation and geotech. Tests for information on the sites and for the landowner's support. Director Schneider suggested Jeremy Wire from Geoconsultants Inc., be asked to give presentation at regular July meeting.
2. Director Kautz also suggested that both percolation and geo tech tests might be worthwhile simultaneously.

Adjourn Meeting:

1. The motion to adjourn was made by Director Kautz, Seconded by Director Mahon and passed 5/5/0 at 11:30 AM.

Next regular board meeting to be held July 12, 2012 at 10 AM

Submitted by Cindy Luellen, Secretary

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- May 21, 2012