

**MINUTES OF THE
BOARD MEETING
OF THE
BROWNS VALLEY IRRIGATION DISTRICT
MARCH 12, 2009**

President Winchester called the regular meeting of the Board of Directors of the Browns Valley Irrigation District to order. Other Directors present were Lowe, Bordsen, Wheeler, and Woods. Also in attendance was Manager Cotter. Clerk Powell was absent.

Minutes: The minutes of the February 26, 2009 Regular Board Meeting were approved on a motion by Director Wheeler, seconded by Director Lowe. All ayes, motion passed.

Public Forum: Terry Flanagan thanked Directors Bordsen and Lowe for their efforts on the YubaFoothills.com BVID discussion pages. No action taken.

Collins Lake Drought Update: Manger Cotter reported the Lake was 15.3' below spill and that the Lake was 0.7' ahead of last year at this date. President Winchester directed the Drought Committee (Directors Wheeler and Lowe) to work on a water budget for the upcoming water year.

Finance Committee Report:

- Directors Wheeler & Winchester reported that they had reviewed the February financial records and found them to be in order. Director Wheeler, seconded by Director Woods, moved to approve the December financial records. All ayes, motion passed.
- After discussion, Director Bordsen, seconded by Director Lowe moved to leave the 2009 water rates at the 2008 levels, except that a 10% discount will be offered for the Miners Inch rate to the water users in the Collins Lake service area. Three ayes (Directors Lowe, Bordsen & Woods), two noes (Directors Winchester & Wheeler), motion passed.

Manager's Report:

Collins Lake:

Current elevation is 1,167.7 ft, which is 15.3 ft below spill. The Generator is off with releases of 1.0 cfs. This amounts to 72% of storage with 35,600 Acre Feet of usable supplies. Last year on this date the elevation was 1,165.4 ft, which is 17.6 ft below spill. The Generator was off with releases of 1.02 cfs.

Staff Activities:

Leroy Mossi's revaluation for his shoulder has been pushed to the end of March.

Ken Hugg returned to duty on 3/9/2009 after recovering from surgery.

Financial Activities:

On January 16th the National Bank of Commerce (Illinois) was closed and received buy FDIC. The District's CD at National in the amount of \$44,000 @ 4.0% can either be left in place (at a reduced rate of 1.55%) or be redeemed. I have elected to redeem this CD and add the funds in the Franklin US Government Securities Fund. This will bring that investment up to a total of \$92,000.

The CD's at Privatebank & Trust (\$45,000) and GMAC Bank (\$35,000) are maturing today and Friday. I will be placing those funds in a CD at Umpqua Bank for 12 months at 2.5%.

Our auditor, Michael Hinz recommends that the District open a separate checking account to act as a trust account for the Yuba River Accord Pumping Program. In this manner, the funds received on behalf of the landowners can be kept apart from the District's revenues and expenses. Payments for the District's well will be treated in the same manner as the other pumpers. A separate payment will also be made to the District for the 10% retention.

Conserved Water Transfer:

The Governor's Emergency Drought Proclamation on February 27th appears to set aside CEQA for water transfers for this year. Paul Bartkiewicz is seeking confirmation and is reviewing the draft contract with Santa Clara Valley W D.

Quagga/Zebra Mussels:

California Department of Fish & Game (DFG) is requiring agencies that operate water supply systems to cooperate with DFG to implement measures either to avoid infestation by these mussels or to control or eradicate any infestation that may occur. Our local DFG contact has offered to do the required monitoring program and to assist in the public outreach that is also required.

Meetings:

Past:

- 03-02-09 I escorted Scott Matyac (YCWA) to one of the Staudenraus wells to photo document the diesel to electric conversion.
- 03-03-09 I met with Gary Good and Steve Toff (Manuhui Partnership) to discuss Accord pumping.
- 03-03-09 Director Winchester and I met with Paul Bartkiewicz to discuss conflict of interest issues.
- 03-04-09 I participated in the ACWA Region 2 Legislative sub Committee conference call.
- 03-05-09 I escorted the JPIA insurance representative (Chub Insurance) to the powerhouse for an inspection.
- 03-09-09 The Finance Committee (Directors Wheeler & Winchester) met to review the February bills, discuss the 2009 Budget and 2009 water rates.

- 03-10-09 I attended the YCWA Member Unit Executive Committee meeting in Marysville.
- 03-11-09 Director Winchester attended the NCWA Legislative Luncheon in Sacramento.
- 03-12-09 The Finance Committee (Directors Wheeler & Winchester) met to discuss the 2009 Budget.

Future Meetings:

- 03-16-09 YCWA Member Unit meeting in Marysville.
- 03-17-09 ACWA Energy Committee meeting in Sacramento.
- 03-17-09 NCWA Strategic Communications Committee meeting in Marysville.
- May 19th through 22nd ACWA Conference in Sacramento

Projects:

Past:

1. Finished cleaning the R-Line ditch at Saddleback Ranch.
2. Sprayed the services on the Pumpline canal.
3. Installed two services on the Mahle pipeline.
4. Repaired main line breaks on the Rancho Loma Rica pipeline, and the Mahle pipeline.
5. Removed a large pine tree from the District yard.
6. Rocked a section of road for the new Saddleback Lift Station to improve access.
7. Began the installation of a new canal gate at the DD service on the Pumpline canal.
8. Mark Sayers is in the middle of converting the Excel spreadsheet District Database into a proper Access Database.

Future:

1. Rebuild another crossing over a side spill on the Sicard ditch.
2. Continue the Valley of Eagles/Monument Trail intertie conditions permitting.
3. Rebuild the DD service on the Pumpline Canal.
4. Install the new lift station at Saddleback Ranch.

Request for dues payment to the Ag Water Management Council: After discussion, Director Lowe, seconded by Director Wheeler, moved to not offer to pay dues at this time, but to monitor the efforts by the Ag Water Management Council and possibly reconsider at a later date. All ayes, motion passed.

Correspondence:

- Letter form the Ag Water Management Council requesting voluntary dues payments.
- Letter from the State Water Resources Control Board concerning an increase in Dam fees.
- Summary of Drought Proclamation from Bartkiewicz office.
- Memo from Edward Jones concerning National Bank going into receivership.
- Memo from Carey Powell concerning a request to waive fees.
- Letter from Cordua ID to Yuba County Water Agency concerning a water transfer.
- Letter from the State Water Resources Control Board concerning a possible lack of water.

Closed Session: President Winchester announced that the meeting would go into Closed Session to have a conference call with legal counsel regarding existing litigation and to conference with District real property negotiators involving negotiation of easements to benefit parcels owned by Erik and Pamela Johnson. Any action taken in Closed Session would be reported when the meeting reconvened into Open Session.

Open Session: President Winchester reconvened the meeting into Open Session and reported that there was no action was taken Closed Session.

Adjournment: There being no further business before the Board, President Winchester adjourned the meeting