

**MINUTES OF THE
REGULAR BOARD MEETING
OF THE
BROWNS VALLEY IRRIGATION DISTRICT
SEPTEMBER 9, 2010**

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

1. Minutes: The Minutes of the August 26, 2010 Regular Board Meeting were approved on a motion by Director Wheeler, seconded by Director Lowe. All ayes, motion passed.

2. Public Forum: None.

3. Finance Committee Report: The Finance Committee reported that they had reviewed the financial records for the month of August and found everything to be in order. Director Wheeler, seconded by Director Lowe, moved to approve the financial records for the month of August, All ayes, motion passed. Discussion about the 2010 Budget was tabled for a later meeting.

4. Manager's Report:

Collins Lake:

Current elevation is 1,161.8 ft, which is 21.2 ft below spill. This amounts to 61.7% of storage with 30,560 Acre Feet of usable supplies remaining. The Generator is running at 475 Kw with releases of 78.9 cfs. Last year on this date the elevation was 1,146.0 ft, which is 37.0 ft below spill (38.0% or 18,800 Acre Feet). The Generator was running at 450 Kw with releases of 86.2 cfs.

Staff Activities:

The crewmember that had been off since March due to a non work related medical issue has returned to work with no restrictions.

Ellis Pipeline:

We completed a great deal of clean up on this project. We rerouted the end of the Ellis Ditch and exposed many phone line locations and pipelines that are still in use near the end of the Ellis Ditch so we can dig under them. Since the last Board meeting, the crew has installed 772' of 18" and 6" pipe. We have now installed 5,392' of the 8,825' for this phase.

Biennial Report of Conflict of Interest Code:

The political Reform Act requires that we review our Conflict of Interest Code every two years and report to the County Board of Supervisors whether or not an amendment is necessary. The District's Conflict of Interest Code has been reviewed

by counsel and is current. A notice of currency will be sent to the Yuba County Board of Supervisors.

Ethics Training:

AB 1234 requires that all local agencies that provide compensation, salary, or stipend to, or reimburses the expenses of, members of a legislative body must provide ethics training to local agency officials by January 1, 2007, and every two years thereafter. To that end, Yuba County LAFCO will be providing Ethics Training on October 18th at 6:00pm at the County Center.

2009-2010 Legislation:

August 31st marked the end of the regular legislative session and with it, the failure of the three (3) bills that were of great concern;

1) SB 565 (Pavley) would have allowed the State Water Board to order water users to conduct very expensive technical studies and would have allowed the Board to set penalties for violations of water-right permits.

2) AB 2092 (Huffman), would have required the Delta Stewardship Council to prepare, by 2013, a financing plan that considered fees and would have made impacts to the Delta watershed -- outside of the Delta -- a basis for potentially charging fees to water users.

3) AB 2776 (Huffman), would have involved DWR and the State Water Board in evaluating the social and economic impacts of water transfers with terms over 20 years.

Meetings:

Past:

- 08-30-10 I attended the NCWA Bay-Delta Task Force meeting in Sacramento.
- 09-01-10 Director Bordsen and I attended the PG&E/YCWA Power Purchase negotiation at YCWA.
- 09-01-10 I attended the Yuba County LAFCO Commissioners meeting in Marysville.
- 09-02-10 I met with Kathy Salter (Jay Ray) concerning future annexation.
- 09-02-10 I met with Debbie Byrne (Yuba Fish & Game Commission) concerning BVID's interests in the upcoming FERC Relicensing of the Yuba Project.
- 09-03-10 I participated in the NCWA Communications Committee conference call.
- 09-07-10 Vacation day.
- 09-08-10 Director Winchester and I attended the YCWA Accord meeting at YCWA.
- 09-08-10 Mark Sayers (GIS/Planner) attended the Nor Cal GIS Users Group meeting in Sacramento.
- 09-08-10 The Executive Committee (Directors Winchester and Woods) met to discuss District issues.

- 09-08-10 The Water Sale Committee (Directors Winchester and Woods) met to discuss a possible long term transfer.
- 09-08-10 Director Winchester and I attended the Yuba County 2030 General Plan workshop in Marysville.
- 09-09-10 The Finance Committee (Directors Winchester and Wheeler) met to review the August bills.

Future Meetings:

- 09-10-10 NCWA Communication Committee conference call.
- 09-16-10 FERC inspection of Virginia Ranch Dam.
- 09-22-10 Meeting with Leah Parker (PG&E) concerning changes to pricing plans.
- 09-23-10 YCWA Member Unit meeting at YCWA.

Projects:

Past:

1. Hauled dirt to Dick Springsteen's to fill in where the soil over the pipeline had sunk.
2. Repaired a washed area where the Peoria pipeline had broken earlier in the year.
3. Repaired a break on the Wades Way pipeline.
4. Cut and chipped the path in front of the Ellis pipeline.
5. Cleaned a large section of the Olive Hill Ditch.

Future:

1. Finish the last concrete pour in the new large shop.
2. Continue work on the Ellis pipeline.

5. Executive Committee Report:

- Revisions to District Rules & Regulations: Director Winchester, seconded by Director Lowe, moved to make a correction to the Rules & Regulations regarding Sec. 3.3.3 which outlines the resale of water. Correction will read *“Water Users are prohibited from reselling any water delivered by the District for any purpose or use; provided, however, that any Water User that buys water at wholesale and that is a state-permitted purveyor of water may resell water purchased from the District to any retail customer of the purveyor within its authorized service area.”* All ayes, motion passed.
- Modification to a delivery ditch: Director Bordsen, seconded by Director Wheeler, moved to deny the request to modify a delivery ditch at 12220 Fargo Way. All ayes, motion passed.

6. Water Sale Committee Report: No action.

7. Director's Comments and Reports:

- Director Winchester discussed the Yuba County 2030 General Plan; no action.
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8. Correspondence:

- Ditch alteration request from Ken & Sharron Freeman at 12220 Fargo Way.
- Letter from Manager Cotter to Dan Cucchi regarding Yuba County 2030 General Plan Update.

9. Adjournment: There being no further business before the Board, President Woods adjourned the meeting.