

**MINUTES OF THE
REGULAR BOARD MEETING
OF THE
BROWNS VALLEY IRRIGATION DISTRICT
DECEMBER 10, 2009**

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

1. Closed Session: Conference with real property negotiators involving lease of BVID's Pre-1914 water rights supplies to YCWA for power generation purposes. Any action taken will be reported in Open Session.

2. Open Session: No action taken.

3. Minutes: The Minutes of the November 12, 2009 Regular Board Meeting were approved on a motion by Director Bordsen, seconded by Director Lowe. All ayes, motion passed.

4. Public Forum: None.

5. Delivery of Water to the Miller Parcel: No action taken.

6. Finance Committee Report: Directors Wheeler and Winchester reported that they had reviewed the November financial records and found everything to be in order. Director Wheeler, seconded by Director Woods, moved to approve the November Financial Report. All ayes, motion passed.

7. Collins Lake Drought Update: No action taken.

8. Manager's Report:

Collins Lake:

Current elevation is 1,137.4 ft, which is 45.6 ft below spill. This amounts to 27% of storage with 13,350 Acre Feet of usable supplies. The Generator is off with releases of 1.02 cfs. Last year on this date the elevation was 1,127.5 ft, which is 55.5 ft below spill (16% or 8,000 Acre Feet). The Generator was off with releases of 1.02 cfs.

Staff Activities:

On December 2, 2009 the District's 2007 pickup truck #4 was hit by another driver. There were no injuries to District staff but the pickup is in the body shop for a complete evaluation of the cost to repair.

Financial Activities:

On December 12th the CD at Republic Bank in the amount of \$52,000 matured. \$53,000 has been rolled into the Franklin Adjustable US Government Securities Fund that is currently earning 2.5%.

Dump Truck:

A “used” 2009 Kenworth dump truck has been located in southern California. It has 45,000 miles on it, includes a 15 yard box, 10-speed transmission, 450 hp Cummins engine, dual locking rear ends and a particulate filter. The price has been reduced to \$90,000 (plus tax & license). The price for this truck, if purchased new is \$130,000.

Further investigation is showing that we will be required to install an approved particulate trap on the District dump truck before 2012. The quote to add the required particulate filter to the 1991 dump truck is \$42,700.

2010 Water Transfers:

The State Water Contractors have put out a term sheet for 2010 water transfers with a price \$225 per Acre Foot. This is in line with the numbers that I was hearing at the ACWA Conference.

5370 Marysville Road:

Since escrow closed, we have insulated the many hose bibs, removed the arena and begun general cleanup of the property.

Meetings:

Past:

- 11-13-09 I met with Joan Maher (Santa Clara VWD) in Davis concerning future water transfers.
- 11-13-09 I attended the NCWA Communications Committee meeting in Richvale.
- 11-16-09 The History Committee (Directors Woods and Bordsen) met with Sue Cejner-Moyers concerning documenting the District’s history.
- 11-17-09 I attended the SWRCB hearing concerning the approval of the Prop 204 Grant funding for the Dry Creek Recapture Project.
- 11-18-09 Director Winchester and I attended the YCWA Member Unit meeting in Marysville.
- 11-18-09 I attended the Yuba IRWMP meeting in Marysville.
- 11-18-09 Director Winchester attended the NCWA Board of Directors meeting at YCWA.
- 11-18-09 I met with Mike Filice and Kate Campbell (Ag Alert) concerning the Yuba River Accord.
- 11-19-09 The New Property Ad Hoc Committee (Directors Winchester and Bordsen) met to tour and discuss options for the 5370 Marysville Road Property.
- 11-20-09 I met with Curt Aikens and Tib Belza at YCWA concerning the ACWA Board actions.

- 11-30-09 I attended the ACWA JPIA Board meeting in San Diego.
- 12-01-09 thru 12-04-09 Director Winchester and I attended the Fall ACWA Conference in San Diego.
- 12-02-09 Director Winchester and I attended the NCWA Dinner in San Diego.
- 12-07-09 Director Bordsen and I met with Yuba County's Tony Cantalupo (Building), Kevin Perkins (Planning) and Jodi Bird (Environmental Health) concerning future uses of the 5370 Marysville Road property.
- 12-10-09 The Finance Committee (Directors Wheeler and Winchester) met to review the November bills.

Future:

- 12-17-09 Meeting with Joan Maher (Santa Clara Valley WD) in Sacramento concerning a possible 2010 water transfer.
- 12-18-09 YCWA Member Unit meeting in Marysville.

Projects:

Past:

1. Installed a network cable to the new laser printer.
2. Installed spill locks on the Arnold and Olive Hill ditches.
3. Finished the Peoria Phase 2 pipeline, including seeding of the work areas. Total footage was 8,075'.
4. Replaced the engine belts on the 1 ton truck and repaired the heating and cooling system on the Cat 307 excavator.
5. Sprayed half of the new property.
6. Repaired two leaks on the Hill road pipeline, one leak on the Rancho Loma Rica pipeline, and a broken air vent on the Peoria pipeline.
7. Removed a ditch service from the Arnold ditch. No water bought from this service.
8. Installed the buoys at Collins Lake.

Future:

1. Repair the break on the Upper Main pipeline.
2. Begin replacing the pipe at the head of the Sicard ditch.
3. Return to the Hill Road pipeline for more auditing.
4. Spot spray weather permitting.

9. Goals for the 5370 Marysville Road Property- Discussion only, no action taken.

10. Resolution Approving & Adopting a CEQA Mitigated Negative Declaration for the Dry Creek Recapture Project: Director Winchester, seconded by Director Woods moved to adopt Resolution 9-12-10-01 approving & Adopting a CEQA Mitigated

Negative Declaration for the Dry Creek Recapture Project. President Winchester polled the Board:

AYES: Directors Winchester, Lowe, Bordsen, Woods & Wheeler

NOES: None.

ABSTAIN: None

ABSENT: None

Resolution 9-12-10-01 adopted.

11. Resolution Approving & Adopting a CEQA Environmental Impact Report for the Temporary Water Transfers Project: Director Bordsen, seconded by Director Wheeler, moved to adopt Resolution 9-12-10-02 approving & Adopting a CEQA Environmental Impact Report for the Temporary Water Transfers Project. President Winchester polled the Board:

AYES: Directors Winchester, Lowe, Bordsen, Woods & Wheeler

NOES: None.

ABSTAIN: None

ABSENT: None

Resolution 9-12-10-02 adopted.

12. Proposed NCWA Bylaws Amendments: Director Winchester, seconded by Director Bordsen, moved to approve the proposed NCWA Bylaws Amendments. All ayes, motion passed.

13. Correspondence:

- o Email from Attorney Horowitz regarding the Miller property.
- o Letter from Manager Cotter to ACWA regarding ACWA's support for the Delta Legislative package.
- o Letter from NCWA regarding bylaws.
- o Letter from NCWA regarding dues increase.

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