

**DEER CREEK IRRIGATION DISTRICT
MINUTES OF THE JANUARY 10, 2021
BOARD OF DIRECTORS MEETING**

TIME: 5:00 P.M.

PLACE: Vina Elementary School auditorium, 4790 D Street, Vina, CA 96092

DIRECTORS PRESENT: Sue Knox; Linda Pitter; Doug Amato; Jeff Rabo; Jake Thompson

The meeting was called to order by Board President Jeff Rabo at 5:10 pm.

I. Call to Order

- a) The meeting was called to order by Board President Jeff Rabo at 5:10 pm. Directors present were Linda Pitter, Sue Knox, Jeff Rabo, Doug Amato, and Jake Thompson.

II. Agenda Approval

- a) With no corrections to be made to the agenda, Director Knox moved that the agenda be approved as is. Director Pitter seconded and the vote was unanimous to approve the agenda.

III. Consent Agenda

- a) Director Pitter presented the December 13, 2021 meeting minutes. Without a request for the minutes to be read aloud, Director Knox moved that the minutes be accepted as presented. Director Pitter seconded and the vote was unanimous to approve the minutes.
- b) District Treasurer Ellen Stephens presented two invoices that were previously authorized for payment. One invoice from Alleivity for payroll, and another from Downey Brand for legal services.

IV. Reports

- a) Treasurer: Ellen Stephens reported on her progress regarding the transfer of District bank account contact information on file with Tri-Counties Bank out of previous Treasurer Susan Edson's name, and establishing online banking that can allow the Board members to view the account balance. The checking account was also modified to require two signatures on each check written by the District. The newly appointed check signatories are Directors Pitter and Amato. The District incurred a \$34.00 stop payment charge for an unauthorized check written to Vina Orchards and prepared by previous District Treasurer Susan Edson.
- b) Tax Collector and Assessor: Jessica Pitter was not in attendance. On Jessica's behalf, Director Pitter reported on the status of irrigation taxes received for the 2022 irrigation season. It was reported that the overall tax collection is anticipated to be approximately \$99,000.00, which is down from last year due to the transfer of orchard acreage owned by Vina Orchards from User to Non-User.
- c) By-Laws Committee: Director Pitter, chair of the committee, reported that no meetings had been held this month.
- d) Ditch Tender: Melvin Quezada reported that the data loggers at all of the measuring stations are not working correctly and are consistently recording erroneous data. The Board was reminded that the pipe delivering water to Gene Amato adjacent to the Deer

Creek levee is plugged and needs to be repaired. All attempts to manually clear the blockage have been unsuccessful.

V. Old Business

- a) Director Knox provided copies of 700 reporting forms to all of the Directors and informed all that they needed to be filled out and submitted to Tehama County Elections office in March.
- b) Director Pitter and Treasurer Ellen Stephens went to the Tehama County Auditors office and picked up all of the District records that were delivered to the County by the previous Treasurer and Secretary Susan Edson. The County auditor, Leroy Anderson, had performed a cursory review of all the documents and prepared a summary list of received documents. The list was reviewed and certified with a signature attesting to the accuracy by Director Pitter in the presence of the County auditor. All records were turned over to Director Pitter, and she is currently in possession of all received records. District legal counsel Austin Cho suggested that the Board adopt a records retention policy. It was noted that Keith Bentz is in possession of the District safe, which also contains District records.
- c) Director Pitter picked up new District post office box keys. One key will be kept by Director Pitter and the other by District Treasurer Ellen Stephens. Currently Director collects the mail from the post office box and delivers it to Director Rabo for initial review.
- d) District legal counsel Austin Cho negotiated a settlement price of \$900.00 with Ryan Edson for equipment storage on Vina Orchards Inc. property. Per the negotiated agreement, all of the equipment was removed from the property on Saturday, December 18th. All equipment and materials were relocated to Director Rabo's property. It was recommended by counsel that the stop payment charge incurred by the District for an unauthorized check written to Vina Orchards Inc. not be pursued for reimbursement. The Board agreed not to pursue reimbursement for the charges and to proceed with payment of the storage fee invoice in the amount of \$900.00.
- e) District Treasurer Ellen Stephens reported that the newly authorized bank account check signatories are Directors Amato and Pitter. Ellen also created a new email address specific to the Treasurer and would begin utilizing it for all correspondence related to the position of Treasurer. The new email address is dcidtreasurer@gmail.com.
- f) Grant Leininger's attorney, Alexis Stevens, joined the meeting via phone conference, to discuss the detachment of Grant's approximately 39 acres from the District. She provided background information regarding the establishment of Grant's water right, and how his lands are currently served with irrigation water. She requested a map or legal description for the District Boundary in order to identify whether or not Grant's irrigated acreage is within the District boundary. The Board will begin reviewing the historical records in order to locate the metes and bounds description for the District boundary, and provide a copy to Alexis Stevens.
- g) Director Pitter received the names of a two possible points of contact that provide secretarial services. The Board discussed the possibility of partitioning the responsibilities into two or more positions so that potential costs of hired personnel may be lowered.
- h) Discussion was had regarding the current inventory of District owned hand tools. The Board, with input from Ditch Tender Melvin Quezada, assembled a list of hand tools that need to be purchased. All new and existing hand tools and power tools owned by

the District can be stored in a utility shed on Director Rabo's property. Directors Amato and Thompson will accompany Melvin on a trip to Los Molinos Hardware in order to purchase needed tools. Additionally the Board discussed the purchase of a pitch fork and spade shovel to replace those owned by Bob Viets that were damaged or broken while being used by the District. A motion to purchase the new and replacement hand tools was made by Director Knox and seconded by Director Pitter. The vote was unanimous.

- i) A discussion was had by the Board regarding D.C.I.D.'s cost obligations to the proposed Automated Head Gates Project. Director Rabo provided a project background summary as well as information gathered from email and phone correspondence with Ben Cook and Matt Clifford of Trout Unlimited. It was recommended that the Board contact Reclamation District 108 to ask them about their automated gate systems, and follow up with Trout Unlimited regarding draft agreement language.

VI. New Business

- a) A discussion was had regarding the received Public Records Act request from Ryan Edson. It was agreed that Director Rabo will prepare a response and send a draft to the Board and District legal counsel Austin Cho for review.
- b) A discussion was had regarding the State Water Resources Board's invitation to a collaboration meeting to discuss comprehensive interim and long-term solutions to support fisheries and other beneficial uses of water. A tentative meeting was scheduled for January 13, 2022. The Board agreed that the District should participate and hear what may be presented.
- c) The Board discussed and reviewed the delivery location for an existing stock water right to serve property owned by Darrel and Callie Wood. The property to be served is located adjacent to the south boundary of the District, between Highway 99 and Leininger Road. The current point of diversion for the water right is an existing concrete turnout structure located on the south side of John and Linda Pitter's property. The stock water right is separate from that of the Sheep Camp Ditch water right. The Board agreed that further investigation regarding ownership and accountability of the stock water delivery will need to be performed.
- d) The Board discussed data logger malfunction issues and the increasing amount of time associated with the maintenance and data review. The data logger installed at the Sheep Camp diversion is a different model than all the other data loggers owned by the District, and an additional piece of hardware and software would need to be purchased in order to access the data on the logger. A motion was made by Director Pitter to remove the data loggers from the Sheep Camp diversion, Upper and Lower Watchman Flumes, and the Wye, download all recorded data and not reinstall the data loggers. The motion was seconded by Director Knox and the vote was unanimous.
- e) Director Rabo provided a review of the current By-Laws committee origins and changes to the committee chairs. With recent changes to the Board, it was agreed that the Board should establish new committee chairs and accept new volunteers to assist the committee with research. Director Knox moved to establish a new AD-HOC By-Laws Committee to be chaired by Directors Pitter and Rabo. The motion was seconded by Director Amato and the vote was unanimous. Ellen Stephens volunteered to continue assisting the committee with research and preparation of a By-Laws document.

- f) A discussion was had regarding selection of a consultant to perform an audit of District finances. Director Pitter volunteered to research and perform investigatory outreach to qualified consultants and report back to the Board with possible candidates.
- g) A discussion was had regarding selection of a consultant to prepare and submit the District's Annual Supplemental Statement of Water Diversion. The annual report is due at the beginning of April. Director Rabo volunteered to research and perform investigatory outreach to qualified consultants and report back to the Board with possible candidates and cost proposals.
- h) The Board discussed changing the existing D.C.I.D. meeting schedule from once a month to twice a month. The proposal to increase the number of monthly meetings to two would allow for more focused discussions on items like budgets, repair projects, and by-laws while hopefully reducing the overall length of each meeting. A motion to establish the first and third Mondays of each month as the regularly scheduled meeting days was made by Director Knox and seconded by Director Pitter. The time and location of District Board meetings shall remain the same. The vote was unanimous.
- i) The Board reviewed and discussed future attendance of Board meetings by the District's legal counsel Downey Brand. In an effort to reduce costs, it was proposed that counsel no longer be in attendance at the meetings, and instead be available via phone conferencing during future meetings should the need for counsel guidance be needed. Counsel would still be available to attend either in person or via web conferencing for closed session agenda items.
- j) Director Pitter presented a draft budget proposal for review and discussion. Director Rabo requested that the Board members review the draft budget proposal and be prepared to have an in depth discussion of the budget at the next meeting.

II. Public Comments

There were no public comments

There being no further business, the meeting was adjourned at 10:10 pm.