**Westport County Water District (“District” or “WCWD”)**

**Board of Directors**

**Minutes of Regular Meeting – Thursday, April 14, 2022**

The regular meeting of the Westport County Water District Board of Directors convened at 7:00 pm via Zoom videoconference. Notice was previously properly issued, a Board quorum was present, and it was confirmed that each Director was able to hear and be heard by the other Directors.

1. **Roll Call at Inception**

Present Board Members: Mr. Lee Tepper, Mr. Ryan Grossman and Mr. Gary Weiss

Not able to attend: Mr. David Brothers

Present Staff: Operations Manager and Chief Plant Operator Mr. John Morrill, and Administrator Ms. Kayla Cooper

Present Members of the public: Ms. Melinda McLaughlin, Ms. Dorine Real (portion of the meeting), Ms. Carla Thomas (portion of the meeting) and Mr. Robert Finnell (portion of the meeting, commencing 7:36 pm).

1. **Consent Agenda**
2. **Draft Board Meeting Minutes:** The draft minutes of the Regular Board meetings of February 10, 2022 and March 10, 2022 were provided in advance of the meeting and were before the Board for approval. Upon motion duly made (Mr. Tepper) and seconded (Mr. Weiss), the Board unanimously approved the February 10, 2022 Board Minutes and the March 10, 2022 Board Minutes with instructions to have the applicable meeting secretary sign the minutes and place with the District records.
3. **Correspondence:** There was no new correspondence presented for discussion.
4. **Public Comment**

Director Tepper provided an opportunity for general public comment. The attending members of the public were polled for possible comment. Ms. Mclaughlin stated that she had received the notice of rate increase that had been included with the April 2022 WCWD invoice and that she liked the way the notice was written -- with one exception: the notice invited comments to be directed to Ms. Cooper rather than the Board. Ms. McLaughlin stated that because the Board had decided to implement the rate increase as part of the WCWD’s 5-year budget, the Board should be responsible for responding to public comment. Director Tepper agreed. Mr. Morrill suggested that it was appropriate for Ms. Cooper to field such calls in the first instance and then refer them to the Board for further discussion. Ms. Cooper agreed, reported that she has received only 2 complaints over rate increases during the past 3 years and that she is comfortable responding to these complaints in the first instance by suggesting the individual should attend the next Board meeting to discuss his/her concerns and questions.

1. **Staff Reports**
2. **Administrator’s Report**

Ms. Kayla Cooper led the discussion regarding review of the monthly Financial Report for March, directing attention to the written report issued to the Board in advance of the Meeting. (See attached report for more detail.) Questions were asked and answered by both Ms. Cooper and Mr. Morrill regarding the Redwood Coast Fuel and AT&T charges. Mr. Morrill noted that the invoice of $342.21 from Redwood Coast Fuels had likely been initiated by the Westport Volunteer Fire Department and that responsibility for paying it should be split between the WCWD and the Fire Department; Mr. Morrill stated that he will follow up on that. Ms. Cooper reported that the AT&T charge of $225.61 appears to be a mistake caused by the fact that AT&T was treating the WCWD as a new account rather than a renewal. Ms. Cooper said she would follow up with AT&T to make clear that our account is a renewal and entitled to a discount. Director Tepper inquired about possibly converting to an internet-based phone system, but other members of the Board noted that local internet services are too often out of service to permit such an option and the Board settled on sticking with AT&T for the time being.

Mr. Morrill suggested, and Ms. Cooper agreed, that going forward, the two will meet once a month to review bills in order to catch issues as they arise.

1. **Operator’s Report (7:30 pm)**

Mr. John Morrill led a discussion of the WCWD Operator Report dated April 14, 2022. (See attached Report for more detail.) Some of the more important discussion points were the following:

1. Drought: Mr. Morrill reported that because Westport has received a good deal of rainfall in the past several weeks (1.75 inches in March and more than that amount in early April), Wages Creek flow rates remain at a healthy level of more than 10 cubic feet per second, and that with more rain expected in April, he is confident flow rates will remain adequate for continued normal service until at least November. In addition, Mr. Morrill noted that the town is using less water than in prior years.
2. Consumer Confidence Report: Mr. Morrill reported that the 2021 Consumer Confidence Report dated February 2, 2022 had gone out with the April 2022 invoice. While all contaminants measured were well below maximum allowable levels, Mr. Morrill again noted that the aluminum levels were higher than measured during the previous year. He believes this is the result of a testing error, but will retest in August to confirm. Ms. Thomas inquired about testing sooner, but Mr. Morrill expressed confidence that August testing was appropriate, given the likelihood that the results were caused by testing errors and were well within allowable limits in any event.
3. Mr. Morrill reported that he had received a request from a former customer to restart service on 2 lots of property the customer owns in Westport. Water and sewer services for this customer had been shut off many years ago. Mr. Morrill informed the individual that there may be a re-start fee amounting to 6 months of WCWD fees. There was discussion among Chairman Tepper, Ms. Thomas and Mr. Morrill as to whether this re-start fee was set forth in the operations manual or in the draft bylaws for the WCWD, but Chairman Tepper stated that the reason for the rule was to discourage customers from repeatedly shutting services off when absent from the property and then turning them back on when they returned. Questions were asked and answered. The Board agreed to table consideration of the former customer’s request and the decision re any imposition of fees until the next WCWD Board meeting.
4. The repair work on the radiator for the original generator for the WCWD is complete and the radiator will be picked up during the week of April 18.
5. Mr. Morrill reported that Liquivision will clean our tanks and perform an inspection in late April or early May.
6. **Old Business**
7. The Board next discussed the recently sent notice of rate increase and inquired whether Ms. Cooper had received any comments from customers. Ms. Cooper reported that she has not received any comments to this date.
8. Ms. Cooper reported that although she is not able to add aging summaries to the invoices on the QuickBooks platform, she can provide detailed statements to those customers who request them. Director Grossman suggested that Ms. Cooper add that information to the website, and Ms. Cooper stated she will do so.
9. Wages Creek Timber Harvest Plan: At approximately 8:18 pm, the Board discussed the status of the Wages Creek Timber Harvest Plan (“Wages 160 THP” or “THP”). Director Weiss reported that, in light of the fact that the Redwood Lyme Timber Company had never responded substantively to the WCWD’s December 15, 2021 letter requesting information on the THP’s status and expressing the WCWD Board’s concerns about it, he had in late March reached out directly to CalFire, which we understand will be taking the lead on evaluating the Wages 160 THP. Director Weiss reported on his March 30, 2022 phone conversation with CalFire Inspector Brian VItorelo, who said he expects to be the lead inspector on this THP. Director Weiss learned that Redwood Lyme had submitted the THP on March 7, but that it had been returned to the company for corrections and revisions before resubmission. Thus, the formal substantive review of the THP by the responsible agencies had not yet begun. Director Weiss resubmitted the WCWD Board’s December 15, 2021 letter to CalFire so that it could be considered “public comment.” This is significant, because, according to Inspector Vitorelo, this means CalFire and other responsible agencies are now duty-bound to respond to and address the WCWD’s concerns as they consider and request modifications of the THP. Inspector Vitorelo assured Director Weiss in the phone call that CalFIre would do so, and that concerns of the WCWD about potability of its water were “very valid” and worthy of consideration as part of the overall evaluation of the THP.
10. Board Member Search: The Board continues to search for potential candidates to fill two WCWD Board vacancies. Ms. McLaughlin reported that the candidate she had spoken with about potentially joining the Board had decided against joining at the present time. Ms. Thomas, however, expressed interest in potentially joining the Board, and all Board members expressed approval of her doing so.
11. Delinquent Accounts: At approximately 8:30 pm, the Board next discussed the process for handling delinquent accounts and potential penalties that should be imposed. The Board agreed that allowing delinquent accounts to remain unpaid without imposing penalties tacitly encourages delinquency and is unfair to the majority of WCWD customers who pay on a timely basis. The Board discussed imposing a 10% penalty for accounts more than 90 days past due. The Board also discussed imposing a lien on delinquent account holders’ applicable real estate property in the District. Director Grossman expressed concern with imposing liens where the delinquent account is one in which the customer is a renter rather than an owner. Ms. Cooper reported that there were currently no such accounts. Questions were asked and answered. Ms. Cooper and Mr. Morrill stated that they would discuss with Mr. Darin McCosker and Mr. Donny Breedlove from the Cal Rural Water Association when they meet with them during the week of April 18 what other water districts are doing to handle delinquent accounts, including shutting off delinquent customers’ water, and what process they follow. The Board will evaluate and choose among alternatives at the next Board meeting.
12. **New Business**
13. Budget Planning: The budget planning process for the WCWD will begin in July 2022, as previously scheduled by the Board. Ms. Cooper and Mr. Morrill will seek guidance and sample budgets from other water districts when they meet with Mr. Darin McCosker and Mr. Donny Breedlove from the California Rural Water Association during the week of April 18, and will report on the same during the next Board meeting.
14. Website: The Board discussed the website and the process for posting prior approved minutes and agendas. Ms. Cooper requested original signed minutes; she will post copies and retain a hard copy as well. Director Weiss offered to bring original signed hard copy minutes each month to Ms. Cooper after they are finalized.
15. Brown Act: Continued Authorization to Conduct WCWD Board Meetings Via Zoom/Digital/Virtual Technologies. Chairman Tepper raised the topic of whether continued digital and virtual public meetings of the WCWD is appropriate. Director Weiss pointed out that Mendocino County Health Officer Dr. Andy Coren had issued a March 9, 2022 Order directing the continued conduct of public meetings through zoom and other virtual technologies. After further discussion and upon motion duly made (Mr. Weiss) and seconded (Mr. Grossman), the Board unanimously approved the resolution to continue holding WCWD Board meetings virtually/digitally via Zoom or other similar technologies, pursuant to County Health Department advice and guidance.
16. **Adjournment:** Upon motion made and seconded, the Regular Board Meeting of the WCWD adjourned at 8:48 pm.

Respectfully submitted,

Gary Weiss

Temporary Secretary for the April 14, 2022 WCWD Board Meeting