Musick Meadows Mutual Water Co. #1

General Stockholders Meeting Minutes

 June 16, 2018 at 11:00 – Yakligian’s

Call to Order :

Introduction of Board Members:

\_\_Debra Yakligian, President

\_\_Mike Ansolabehere, Secretary - absent

\_\_Anna Marie DiFalco, Water Director

\_\_Harris Hays, Water Assistant

\_\_Jeff Boatman, Treasurer - absent

\_\_Pete Filippi, Board Member

\_\_Pete Moe, interim board member (Jim P – resigned in March 2018)

Roll Call and Proxy Count:

Voting lots= 61 x 20% = 12.6 votes = quorum

Proxy Count – 10 received

Stockholders present – 14

Total voting shares = 24; quorum requirement satisfied.

2017 Minutes: Deb - Since the minutes are posted on the website for review, a Motion to Approve is requested. Motion made by Robert Marshall and seconded by Char Meier – minutes approved.

Financials for fiscal year 2017- 2018: emailed to stockholders that we have addresses for and snail mailed last week to the other stockholders.

Reminder to stockholders: we have a website – MMMWCO1.com

WATER IMPROVEMENT PROJECTS STATUS: Almost finished – need to cross Dinkey Creek Road to install new infrastructure to our stockholders south of Dinkey Creek Rd. – Hopefully we will not have to do any horizontal boring under Dinkey Rd.- Scope of project: install new PE water main distribution lines, valves, meters, and Christy boxes on four services. Need to run electrical wiring from booster pump house to Kerpakus to facilitate connection to our generator. No Financial assessments needed at this time.

Status of Water Testing: Anna – our water system is in good condition, all tests are up to date.

Back-flow Preventer Certification: Anna – is in the process of receiving all required current commercial backflow preventers certificates.

New Business: Deb

Water/Snow removal billing rate change for 2017-2018 approved by the board. Residential rate will be $650, Residential Standby will be $325, Commercial Rate will be $1250, Commercial Standby will be $625, and Caltrans will be $1700. There has not been a rate increase since 2011 and last year we hired a water master and a bookkeeper. Most of you know Michael; he takes care of any of our water problems – day or night. Courtesy billing will be mailed to stockholders by the end of June 2018.

PAYMENT DEADLINE is September 30, 2018. Lock boxes will be installed on unpaid accounts on October 15, 2018; all associated costs will be billed to the lot owner.

Election of new BOD member: Jim Pittman resigned and Pete Moe was approved by the board as interim board member until we convened at our 2018 annual stockholders meeting. Jim Pittman was thanked for his years of wonderful service and dedication to our water district. Board member Pete Filippi asked if there were any other nominations for this position at this time – write in ballots were provided for stockholders. Bobbie Baxter expressed interest in knowing more about the election process and Debra explained the process and advised that you can notify any board member if you are interested in becoming a board member. Ballots counted and Pete Moe was approved.

2019 Annual Meeting: discuss a different date – In June Father’s day weekend, weddings, and graduations make it a difficult month, and the Fourth of July people are out of town or busy with family – I would like all of our stockholders to be able to come.

Date suggestions: ​different 2019 meeting dates were discussed and Saturday July 21, 2019 was approved; however upon reviewing the 2019 calendar that date fell on a Sunday so meeting was changed to Saturday July 20, 2019.

Mr. Judd water billing rate issues – Harris and Pete:

In 2008 at Mr. Judd’s request he was granted a residential water rate for your commercial use. The District only has two rates. 1. Residential and 2. Commercial. Each rate is a flat rate based on the current use of the property. The rate is not based on water usage. You have a commercial zoned lot and usage; therefore, you should pay the commercial rate, like the other commercial users.

It later was determined that you received a “preferential” rate that nobody else in the District receives. All owners pay a flat rate based on the zoning of their property. The residential rate is lower than the commercial rate. How much water you use is not a factor. You were paying a residential flat rate from 2008-2015, yet you did not have a residence on your property. Therefore, the Board of Directors voted unanimously to return your rate to “commercial rate” in 2015, which is what it should have been. The Board did not require you to pay back the years that you had the “preferential rate”.

So, the bottom line is that the by-laws grants the Board of Directors the sole authority to conduct, manage, operate, etc. the District, including the establishment of water rates. In 2015 the Board of Directors noted the actions of 2008 that granted you a “residential rate” for your commercial use. It also recognized that only you had been granted a “special rate privilege”. You claimed in 2008 you used only a small amount of water, however the rates for all users are flat rates for everybody, regardless of how much or how little water they use.

Our attorney has reviewed this matter and agrees with our actions to return your rate to commercial rate as being legal and appropriate based on our current by-laws in effect at this time.

Meeting adjourned: at 12:38