

Minutes of the Regular Board Meeting of the Board of Directors Apple Valley Foothill County Water District

January 23, 2024

The Board of Directors of the Apple Valley Foothill County Water District met in a regular session and meeting place, 22545 Del Oro Road, Apple Valley, California. The meeting was called to order at 10:04 A.M. BOD President Suzi Smith led the Pledge of Allegiance.

Roll Call: Suzi Smith, Harold Nobles, Scott Drake, Duane Penfold, Janet Fonseca
Telephonically: None
Also Present: General Manager Daniel Smith and Office Secretary Lynn Thompson
Absent: None
Public Present: Terry Locklear

Public Comment: None

Closed Session: Performance Evaluation – Government Code § 54957

- A. Prior to going into closed session Director Nobles asked if the closed session was relation to the Evaluation polices listed on the agenda as line items G.c. Performance Evaluation Policy #2170, first reading and G.d. Performance Evaluation – General Manager Policy #2175, first reading. President Smith informed Director Nobles of the board going back into closed session a second time after Director Nobles excused himself from the remainder of the November 2024 meeting due to a prior appointment, and a decision on pay increases for the Office Secretary and Maintenance were approved but at the incorrect amounts. For this reason, another closed session was requested by the board of directors to further discuss the pay increases and the 2023 approved budget for salaries of the Office Secretary and Maintenance. Smith motioned to go into closed session at 10:07 A.M., Seconded by Director Penfold. President Smith motioned to come out of closed session at 10:31 A.M., Seconded by Director Nobles. No action was taken to report. I need to confirm this information.
general manager Smith had to leave during the closed session and was not present for the remainder of the meeting.

BOD Election of Officers: nominations and approval for President and Vice-President

- A. Director Drake nominated current President Smith to continue to be the Board President and Director Penfold for Vice-President for the Calendar year 2024. Roll Call Vote: Yes; All Ayes. NO; none. Absent; none. Abstain: none.

General Manager Report: November and December 2023 maintenance report- efficiency report-water year production report

- A. **November and December 2023 Maintenance Report-** The District has four potential sampling sites to represent both pressure zones of the distribution system with their respective storage tanks. Water systems are also required to use sampling sites that are representatives of all water sources, pressure zones, and tanks. Each sampling site uses a designated, locked and enclosed station with a down facing copper pipe. If repeat sampling is needed, upstream and downstream samples are collected at customer premises from hose bibs. The District's number of service connections (i.e., 240 connections) requires at least one representative sample per calendar month, but since the population served (less than 1,001) dictates the need to only collect one representative sample from the distribution system. AVFCWD chlorinates the distribution system at both sources of water (i.e., Well #1 and Well #2), this dictates the need to collect water samples from each active water well. Giving the total of required number of water samples of three per month. All of the District's samples are analyzed by Geo-Monitor, Inc. (Hesperia, California), which is affiliated with the Clinical Laboratory of San Bernardino, Inc. Geo-Monitor is an approved and

certified laboratory by the State of California (Environmental Laboratory Accreditation Program, ELAP, Certification No. 1088), as required by the SWRCB5. Geo-Monitor uses Standard Method 9223 for coliform analysis, which is a presence/absence, enzyme substrates test suitable for the simultaneous detection of total coliform bacteria and Escherichia coli (E. coli). The test is accepted by the U.S. Environmental Protection Agency (EPA) and the SWRCB. Note that the Revised TCR may require that coliform density be analyzed in repeat samples. For the months of November and December 2023, all water samples tested were absent for contamination. The district did not have any new water services installed. One customer's water meter was replaced by maintenance staff. Maintenance staff hand-delivered the yellow door hangers notifying those customers that payment was not received by the district office from the prior month. For the month of December 2023, the General Manger assembled and hand-delivered four Red door hangers and the water district's SB-998 policy in the required five languages notifying those customers that their water accounts were over 60 past due and that water shut-off procedures were initiated. Kelley's Construction completed the water main replacement on Houston Street from Blackfoot Road west to Central Road. Four new water service lines were installed at the same time, and one water service line was replaced for an existing water customer along with the water meter.

Efficiency Report – For the month of November 2023 the water system produced 5.60-acre feet of water and sold 5.0-acre feet of water for an efficiency of 89.33%, the total non-revenue water (water loss) is .598-acre feet. For the month of December 2023, the water system produced 4.84-acre feet of water and sold 3.98-acre feet of water for an efficiency of 82.19%, the total non-revenue water (water loss) is .645-acre feet.

Water Year Quarterly Report- The water system produced 17.44-acre feet of water in the first quarter. The district has a total of 167-acre feet of permanent water rights. Watermaster has the Alto water basin at a 50% ramp down, giving the district 83 acres of free production allowance. This leaves the system with 66 acre-feet of free production water rights remaining for the 2023-24 year. The water district will know this year's carry-over water once the watermaster verifies the district's water well production log sheets and will produce the Appendix B spreadsheet by March 2024. Vice-President Penfold noted that the average system efficiency is currently 93.02% for the 1st. quarter of the 2023-24 water year. With the board not having any questions regarding the general manager report, Director Nobles made a motion to approve the general manger report. Seconded by Vice-President Penfold.

Discussion/Information: account delinquency- water rate study-evaluation policies- IRS mileage reimbursement-form 700

- A. **Delinquency Report** – For the months of November and December 2023 the office administered twenty-eight (28) delinquent yellow door tag notices and four red shut-off door hanger notices. Three payment plan arrangements were created for those accounts that received the red shut-off door hangers with one paying their account balance in full.

Rural Community Assistance Corporation (RCAC) will be performing a water rate study for the district free of charge, paid for through state grants. Vice-President Penfold and Director Fonseca were present along with the general manager for the online meeting with RCAC. Vice-President Penfold informed the other board members of topics discussed at the online meeting noting that the AVFCWD does not currently have a policy for Capitalization Threshold. The district's administrative fees are currently included as income and not itemized separately. Emergency reserves are to be set at 100k. All of these are used to precisely calculate water rates that follow prop. 218

Performance Evaluation #2170 and Performance Evaluation-GM #2175 Policies, first readings Director Nobles made a comment on #2175 specifically the verbiage “2170.2 The General Manager or his/her designated representative shall conduct a scheduled performance review of each employee prior to the merit advancement date.” Director Nobles stated that it is the general manager's responsibility not someone who he can appoint. Director Fonseca added that a specific month with new employees has a probation period with review at 90 days then an annual evaluation. Evaluations to be held in January each year. The DRAFT policies #2170 & #2175 were tabled to a future meeting for further discussion.

2024 IRS mileage reimbursement- The reimbursement for mileage for calendar year 2024 was reviewed and noted by the board of directors.

Annual Form 700 signatures needed- As the SB County and our districts insurance company requests “wet Signatures” the board of directors needed to sign another copy of their Form 700

(conflict of Interest).

Consent List: November 28, 2023 meeting minutes and bills to paid-December bills paid-January 2024 bills to pay

- A. Director Nobles asked if there was a meeting in December. Vice-President Penfold was glad that this was brought because a public meeting was a scheduled but only President Smith and then Director Penfold was present for the scheduled meeting, the other Directors were absent and there was no communications from Directors Drake, Nobles, and Fonseca, however, Director Nobles did make a comment at the November 2023 meeting that he would not be available if there was going to be a meeting in December 2023. Vice-President Penfold wanted to make a point that emails were sent informing the entire board of the scheduled meeting in December but none of the board made any communications acknowledging receiving the email or if they were not going to be available to attend. Due to the Christmas holiday the emails were not seen until after the scheduled December 2023 meeting date. The board discussed future communication options especially for emergencies situations related to District business. Since all members of the board use text messaging as a form of communication, it was decided to create a text group for everyone to use. Vice-President Penfold asked President Smith if this is something she can coordinate. The board then exchanged their cell phone numbers. Vice-President Penfold made a motion to approve the consent list as presented. Seconded by Director Drake.

Discussion/ Action Items: financial reports and expenses for November and December 2023-ratify and liens and SB-998 water shut-offs

- A. Vice-President Penfold commented that maintenance staff is consistently having the same Over-Time each month. Office Secretary Thompson commented that looking at the disbursements that it appears the Over-Time is coming from being on site when the districts contractor Kelley's Construction is installing water service lines as well as during the water main replacement project. The Financial Report for November 2023 was not available for review. It will be listed on the agenda as a line item at the February 27, 2024, meeting. No action taken.
- B. Vice-President Penfold made a motion to approve the November 2023 Expenses. Seconded by President Smith.
- C. The Financial Report for December 2023 was not available for review. It will be listed on the agenda as a line item at the February 27, 2024, meeting. No action taken.
- D. No Discussion or action taken.
- E. There was uncertainty on the information presented to the Board of Directors for the Motion to ratify any water service turn-offs and any liens that were placed between the November 2023 meeting and the current January 2024 meeting. Secretary Thompson attempted to explain to the board that there had been many past due accounts over since the November meeting, she did not understand why is was on the agenda, if it is on the agenda every month. President Smith stated that to be save that the board approve line item i.e. Motion to Ratify: Service Turn-off & Lien Placement. Seconded by Vice-President Penfold.

New Business:

President Smith wanted to make sure that additional employee information would be on the agenda for next month for more help.

Directors Comments:

None

Adjournment:

There being no further business, the regular meeting was adjourned at 11:33 A.M.

Daniel Smith, General Manager

APPROVED:

Suzi Smith, President Board of Directors