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

April 25, 2023

The Board of Directors of the Apple Valley Foothill County Water District met in regular session and meeting place, 22545 Del Oro Road, Apple Valley, California. The meeting was called to order at 10:00 A.M. BOD President Sharon Silva-Houts led the Pledge of Allegiance.

Roll Call: Suzi Smith, Scott Drake, Harold Nobles
Telephonically: None
Also Present: General Manager Daniel Smith & Office Secretary Lynn Thompson
Absent: None
Public Present: Karen Madison, Duane Penfold, Lynn Lindberg, and Christel Collins
Public Comment: None

Review of BOD Vacancy Candidates:

1. The GM informed the BOD that Duane Penfold and Janet Fonseca were the only candidates that showed interest and submitted resumes to the district office. The GM made a recommendation to appoint Duane Penfold and Janet Fonseca as board members for AVFCWD. Director Nobles made a comment that the meeting is having too many interactions and conversations with the public and Directors throughout the public meeting. Director Nobles commented that back on March 7, 2023 the BOD had a conversation that went over his opinion and concern for the district about the process on several occasions since December 2022. Since that time there were two meetings scheduled and the item, procedure, policy was not on the agenda, and at this meeting only the action was listed. Director Nobles stated that if the District did not have a policy in place that he would not support it. That this was not a reflection of the candidate's themselves, but he has expressed this since December 2022. Director Nobles continued and requested that the BOD stop and consider about what they are doing. The GM informed the BOD that if we have a policy in place that the actions the BOD at the meeting would be exactly what the BOD is intending to do at today's meeting, just without a policy in place. Director Nobles asked how long it would take to draft a policy and have it approved, then ask any potential candidates to come to the following meeting whether it be a special meeting or regular meeting. The GM informed the BOD that he doesn't know of any special district that has a policy in place to appoint potential candidates, that AVFCWD follows the county and state guidelines. Director Nobles would like to know more about the candidates and have a 5–10-point question interaction. President Smith stated that these potential candidates have had to do more than any of the current board members had to do when appointed. These candidates have been at the scheduled meetings, but since January 2023 the district has not been able to hold several meetings due to a lack of quorum, and that the district needs to have additional board members so that AVFCWD can conduct business. President Smith said that this particular policy can be created, that the district has several improvements that the district needs but, this should not stop the district from getting someone on the board, and that she hopes Director Nobles would support us in that. Director Drake stated that he does have a desire for Director Nobles to be on the Board, but with his absences the District is unable to hold meetings and conduct business. President Smith agreed.
Roll Call Vote: President Smith and Director Drake; Yes. Director Nobles; No. Absent; None. Abstain; None.

General Manager Report:

1. Maintenance Report: The GM informed the BOD that all monthly samples came back absent for contamination; 0 red shut-off tags hung; 0 services turned off. Maintenance

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- staff did not replace any customer water meters.
2. Efficiency Report – The GM informed the BOD that the Efficiency for the months of January, February, and March 2023 have been over 90%. The GM informed the BOD that maintenance staff has been having issues reading the customer water meters and that a maintenance helper has been reading the customer water meters with the GM since January 2023. President Smith asked if the magnifying glass purchase was to help maintenance read the customer water meters. The GM informed the BOD that yes maintenance did make that purchase but since then the magnifying glass has since broken. The GM went on to say that the customer water meters will continue to be replaced and that a system efficiency of over 90% is considered “good”.

Discussion/Information:

1. Delinquency Report – The GM informed the BOD on there were 12 yellow tag notices issued in February 2023, 16 yellow tag notices issued in March 2023. The GM informed the BOD that the district is continuing to follow SB998 for shut-off procedures.
2. Water Production Tally- GM informed the BOD of the water production for WY 2021-2022.
3. The GM informed the BOD of the Watermaster Production for WY 2021-22. The GM informed the BOD of the water basin adjudication and judgement. The GM informed the BOD that he would provide resources for reference.

Consent List: March 7, 2023 Regular Meeting Minutes, March Bills that have been paid, and April 2023 Bills to pay.

1. Director Drake made a motion to approve the consent list as presented. Seconded by President Smith.

Discussion/ Action Items:

1. By President Smith to approve line items 1-7 minus line item 6 (cost-of-living employee compensation). Second by Director Drake.
2. The cost-of-living employee compensation was tabled to the next meeting. The BODs are looking to review the FY 2023-24 Budget prior to discussing pay raises.
3. By President Smith to approve the District Policies #1020 Conflict of Interest, #1030 Public Complaints, #1050 Copying Public Documents, #1070 Public Contributions, #2050 Bereavement Leave, #2060 Jury Duty, #2070 Continuity of Service, #2080 Employee Status, #2165 Unauthorized Absence, #2215 Harassment, #2250 Separation from Employment, #3037 Payment Arrangements, #4010 Code of Ethics, #4025 Expenditure Reimbursement, #4050 Directors, #5010 Board Meetings, #5020 Board Meeting Agenda, #5030 Meeting Conduct, #5040 Actions & Decisions, #5050 Review of Decisions, #5060 Minutes, #5070 Rules of Order. Second by Director Drake.

New Business:

President Smith commented that certifications and reading the meters was discussed in the past and wanted to know where staff was at with those topics. Director Nobles made a comment that this is a personnel issue and should be discussed in a closed session.

Directors Comments:

Director Nobles made a comment that he has an eye surgery scheduled in May 2023 and he would be unavailable for at least three days and these dates are subject to a 3-4-hour notice. He is doing what he can to be available for the May 23, 2023 meeting.

Adjournment:

There being no further business, the regular meeting was adjourned at 10:58 A.M.

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Daniel Smith, General Manager

APPROVED:

Suzi Smith, President Board of Directors