

Regular Meeting of the SVMWC Board of Directors
Monday December 14, 2020
Online Meeting via Zoom
MINUTES

Call to order

President John Johnson called the meeting of the Squaw Valley Mutual Water Company Board of Directors to order at 4:04 PM on October 5, 2020 via video-conference.

Roll call and establish a quorum-Bob Barnett

Directors Present: Johnson, Stepner, Thys, Barnett, and Lintner

Directors Absent: None

A quorum was established

Also on the call were Office Manager Daniel Collin, Brandon Burks and Jesse Barton from OVPSD, Margo Garcia, JD Garcia, Kirk Weaver, and recording secretary Judy Friedman.

Call for Public Comment

Stepner reported that although Squaw received the Fire Wise Community certification in April, in order to apply for forest fuel mitigation grants, a Wildlife Protection Plan must be included. A consortium of organizations in the Valley are funding a consultant to get the Plan done. Concurrently, OVPSD is considering funding a grant writing position. That person would identify, apply for, and oversee appropriate grants.

Call for Agenda Additions

There were no changes to today's agenda.

Adopt the Agenda

It was moved by Stepner and seconded by Litner to adopt today's agenda as presented. Motion carried unanimously.

Approval of the Minutes from the October 5, 2020 Board meeting

It was moved by Litner and seconded by Thys to approve the minutes of the October 5, 2020 meeting as presented. Motion carried unanimously.

Operation & Maintenance Report

Burks presented the October and November O&M Reports. Well 2 was rehabbed and brought back on line at the end of October. Well 1 is off line until the work on it has been completed. A brief discussion followed regarding water usage during the two months.

Office Managers Report

Collin presented his written report. He clarified the billing and efforts to collect past due accounts. The Budget-to-Actual report includes changes to reflect what has been sent to collections. Stepner noted Accounts Receivable are running slightly behind last year. The amount has been added to the bottom line to see if COVID is impacting how and when people are paying their bills.

Treasurers Report

Stepner is still learning the process for CoBank reimbursements. He presented the Treasurer's Report as of 30-November-2020. Detail on the USDA Loan #2 has been included. Stepner explained how the interest on the CoBank loan fluctuates according to LIBOR. Given the current low rates, he does not suggest paying the large amount of \$75,000 right now, but put the funds into a Capital Account to be used if needed. There was consensus to agree.

2020 Construction Update

Johnson reported on the Well rehabs. Well 2 was completed and Well 1 should be done soon. XiO's quote on the SCADA update was vague so that has been postponed until next year while Johnson and Burke clarify the proposal.

Burks reported the sewer line is connected, pressure tested, and operational. A hole still needs to be addressed.

Construction Schedule for 2020/2021: 2021 Construction Budget Discussion Continued

Johnson reviewed the proposed schedule, which was distributed to the Board. Discussion followed regarding the timing and scope of the projects scheduled for next year.

Before Closed Session was convened, Margot and JD Garcia and Kirk Weaver (Ms. Garcia's brother) addressed the Board. They are working with attorney Michael Brown. According to Placer County Assessor's Office, they only have one lot and SVMWC should not be charging for two memberships. Further, they argue that the 2017 change to the Bylaws is not legal because it did not go to the membership. They gave up 1 vote by consolidating the lots and many dollars. If SVMWC leaves them with 2 water rights, they will consider what can they do with the extra water right.

Closed Session

The Board went into Closed Session with SVMWC's general counsel, Jesse Barton, at 4:42 PM to consider the letter that the Garcia/Weaver attorney sent to SVMWC. The Board would consider the claims made in the letter and then vote on a course of action.

Open Session was reconvened at 5:09 PM. The Board reported that it authorized its general counsel to send a letter back to the Garcia/Weaver attorney stating the Board's decision and its basis. There was no other reportable action.

Kirk Weaver stated the Garcia's are surprised to hear the Board has consistently taken a position so at odds with the facts and the law. They started coming to Squaw Valley in 1960 and have owned a home since 1968 with a long-term commitment, sense of community and mutual trust. He said SVMWC will be liable for legal fees when it loses. The Board is committed to a position and in the face of facts, cannot get off the program. He asked the Board to do the right thing and either reimburse them for fees they did not have to pay or pay the lawyers. The Board will have to explain this to the membership and should reconsider. This doesn't have to be contentious or distressing. It can be worked out. He encourages the Board to think about working it out in the same manner of how the family arrived in Squaw when they bought the house with no money because the sellers trusted them.

Future Meetings:

February 1, 2021 @ 4PM

March 8, 2021 @ 4PM

Adjourn

There being no further business to come before the Board, the meeting adjourned at 5:19 PM.

Respectfully submitted,

Judy Friedman

Recording Secretary

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