

1. CALL TO ORDER

The meeting was called to order by President Wristen at 2:00 pm

1.1 Flag Salute

Vice President Taggart led the flag salute

1.2 Roll Call

Present were President Wristen, Vice President Taggart and Director Hatley. Also present were Attorney Carter, Office Manager Padilla, Engineer Heindell and Manager Boucher. Directors Latulippe and Reynolds were absent.

2. PERSONS DESIRING TO ADDRESS THE BOARD

None

3. CONSENT AGENDA

3.1 Minutes of the Regular Board Meeting held on May 17, 2022.

3.2 Financial Statement – May 2022

3.3 Water Warrants – Check Number 19496-19565 Total \$474,470.13

Water LAIF Deposit - \$22,430.56

Water LAIF Withdrawal on June 13, 2022 - \$100,000.00

Sewer Warrants – Check Number 7349-7353 Total \$55,714.15

Sewer LAIF Deposit - \$22,569.44

Sewer LAIF Withdrawal (July 2022) - \$169,000.00

Health Reimb Account – Check Number 2900-2903 Total \$685.28

3.4 Superintendent’s Monthly Report of Maintenance and Operations and Solar Power Generation for May 2022

It was moved by Director Taggart, seconded by Director Hatley to approve Consent Agenda Items 3.1 - 3.4. Motion carried.

4. ITEMS REMOVED FROM CONSENT AGENDA

None

5. GENERAL ADMINISTRATION BUSINESS

5.1 Adopt Resolution No. 04-22 – Resolution Adopting the Final Thermalito Water and Sewer District Budget for Fiscal Year 2022-2023

The proposed 2022-2023 Water and Sewer Budget was reviewed by the Directors in the May Board meeting. Engineer Heindell mentioned that under the Capital Expenditures, the Riverbend Apartments Pipeline Replacement Project increased from \$250,000 to \$385,000. The increase is due to the District wanting the steel main that is located on Table Mtn. Blvd. removed as part of a long-term capital improvement program. After discussion, it was moved by Director Hatley and

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seconded by Director Taggart to approve Resolution Number 04-22 Resolution Adopting the Final Thermalito Water and Sewer District Budget for Fiscal Year 2022-2023. Roll call was taken.

6. WATER BUSINESS

None

At this point, it was suggested by President Wristen to move the Closed Session items forward in the agenda.

At 2:12 pm, the meeting recessed to go into Closed Session and reconvened at 2:54 pm.

13. CLOSED SESSION

President Wristen reported that during Closed Session, the Board discussed Agenda Items 13.1, 13.2 and 13.3. He mentioned that Attorney Carter will give a report under Item 7.1.

7. ATTORNEY REPORT

7.1 Engagement of Employment and Labor Attorney

Attorney Carter advised that given the ever changing law, both federal and state, concerning employment and labor and personnel management issues, he felt it advisable that the Board authorize him to associate as he felt necessary a lawyer or law firm specializing in such area of law. By way of example, he shared with the Board the letter of Christopher Boucher of Boucher Law, PC, providing his response to questions posed by Carter to him regarding the District's Employee Handbook, most recently updated in 2018. He explained that Boucher had gone above and beyond the call of duty in setting forth in such detail his concerns about the Handbook and suggested revisions thereto. Having previously shared and discussed the letter with General Manager Jayme Boucher, the brother-in-law of Christopher Boucher, Carter stated that it was the shared opinion of both Jayme and his that the Board authorize him to associate Boucher Law when necessary to advise and represent the District on employment and labor and personnel management issues.

Carter further discussed the potential of a conflict of interest in so engaging Boucher Law given Christopher's brother-in-law relationship with Jayme, a fact he had discussed at length with Christopher. Carter then shared with the Board Christopher's letter not only confirming that in the event that such a conflict arose, he could not represent the District, or, for that matter, Jayme, in connection therewith. Carter informed the Board that he was impressed that Christopher did not stop with confirming his professional obligation to withdraw from

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representation of the District in such an event, but went on to, in advance of any need, recommend three firms specializing in employment and labor law that the Board could engage should such a conflict arise.

In both incidences, Carter said Christopher went above and beyond the call of duty, a fact he was quite impressed with. He also advised the Board that given the potential conflict of interest of Jayme relating to the engagement of Boucher Law, he had discussed with Jayme his opinion regarding Boucher Law and his professional opinion that it would be the firm that he would recommend to the Board which should be engaged by him to provide employment and labor law counsel council and assistance.

Carter then presented the Board with the proposed Engagement Agreement between Boucher Law and him and reviewed its terms with him. On motion made by Director Hatley, and seconded by Director Taggart, the Board unanimously approved Carter's association of Christopher Boucher of Boucher Law, PC to assist the District and him on matters involving employment, labor and personnel law issues.

Carter reported that during the course of Closed Session, on advice of legal counsel, the Board resolved to engage in a lawyer law firm that are experts in the area of labor and employment law and authorized that an agreement for legal services be entered between the District and Boucher Law Professional Corporation.

8. SEWER BUSINESS

8.1 SC-OR Report

Commissioner Hatley reviewed over the May 24, 2022 Regular Meeting of the Sewerage Commission – Oroville Region.

- **Policy 3110 - Expense Authorization:** Policy to increase the amount authorized for the Manager to spend was approved for a spending limit of \$10,000 for day-to-day operations, \$25,000 in emergency situations without authorization and up to \$50,000 with approval from the Chair or Vice-Chair.
- **Resolution 02-22 and SC-OR Policy 7400:** Part of the resolution and policy covers the septage fees charged to the septic pumpers. SC-OR fees are far under what Neal Road charges for dumping septage. Next year SC-OR will do research to determine what the charge should be. Recommendation is to keep the septage processing fee the same as last year.
- **Feather River Bridge Force Main:** Total of \$78,675.00 was spent on the emergency repair of the Feather River Bridge Force Main.

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8.2 Letter from SC-OR – Resolution 05-21

Manager Boucher reminded the Board that per SC-OR Resolution 05-21, the SC-OR Monthly EDU charge will increase from \$17.85 per EDU to \$19.85 per EDU. This charge will take effect on July 1, 2022.

8.3 Standing Committee – SC-OR Commissioners – Policy 4.150

President Wristen appointed the following SC-OR Committee for FY 2022/23:

COMMITTEE

SC-OR
SC-OR Voting Member

DIRECTORS

Wristen and Taggart
Wristen

9. WYANDOTTE CREEK GSA

9.1 Wyandotte Creek GSA Report

Engineer Heindell reported that the June Board meeting has been cancelled. He mentioned that at the County Supervisors meeting, it was approved to fund the GSA approximately \$180,000 for the Fiscal Year 2022/2023. The funds could be used to engage consultants to determine the most efficient funding options for the GSA as well as any technical assistance for completing the annual report.

10. MANAGER REPORT

New Employees: Staff has interviewed three new candidates to work in the Distribution Department. A conditional offer has been made to Parker Paul, Madalyn Miller and Kyle Kroeger. Plans are to have them start work within the next few weeks.

Summer Help: The District welcomed back Brayden Boucher and Derek McInturf on June 6th to assist back in the Distribution Department for the summer.

Ezekiel Higgins: Employee Ezekiel Higgins passed the Water Treatment Operator Certification - Grade T2 examination. Ezekiel will be transferring from Distribution to the Treatment Plant effective July 1st.

Riverbend Apartments Pipeline Replacement Project: Engineer Heindell reported that the offsite improvements of the water main replacement will be starting up soon. They are putting in on-site fire lines. Buildings are almost completed.

Oroville Heights Pipeline Replacement Project: Engineer Heindell reported that part of the Oroville Heights Pipeline Replacement Project is replacing the water main and sewer main in 14th south of 162. The project will be starting up sometime next week.

11. HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

None

12. BOARD COMMENTS

Happy Birthday to Director Latulippe

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13. CLOSED SESSION

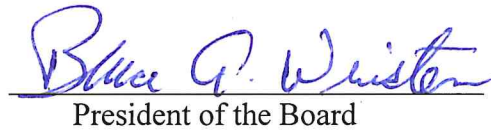
This item was moved forward in the agenda and has already been discussed.

14. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 3:20 pm.



Secretary of the Board



President of the Board