

HILMAR COUNTY WATER DISTRICT
BOARD OF DIRECTORS MEETING
November 7, 2023

Members Present – Jim Jones, Frank Hilliard, Jim Gerdes, Tony Salvador and David Anderson.

Members Absent – None.

Public in Attendance – None.

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Action Items

A motion to approve the Consent Items and adding Action Item 6h - Consider Whether Conditions Continue as the Basis for the Board's Prior Resolution 565 - Finding an Emergency and Authorizing Abbreviated Emergency Procedures for Construction of a New Well was made by Jim Gerdes and seconded by Tony Salvador. Motion passed 5-0.

A motion to approve Bills Payable: November 2023 was made by Frank Hilliard and seconded by David Anderson. Motion passed 5-0.

A motion to table Action Item 6b – Hilmar County Water District's Meeting Schedule for the 2024 Calendar Year and bring it back at the December board meeting, was made by David Anderson and seconded by Frank Hilliard. Motion passed 5-0.

A motion to Accept HCWD 2022/2023 Audit Report was made by Jim Gerdes and seconded by Tony Salvador. Motion passed 5-0.

A motion to discuss in closed session whether Claims for Damages from Garcia, e.al. Presents a Substantial Risk of Litigation was made by Jim Gerdes and seconded by Frank Hilliard. Motion passed 5-0.

A motion to Approve Small Values Contract for SVC23-01: 19903 First St. Water Service to MHK Construction (Denair, CA) was made by David Anderson and seconded by Frank Hilliard. Motion passed 5-0.

A motion to Approve Small Values Contract for SVC23-02: Spring Street Water Line to MHK Construction (Denair, CA) was made by Jim Gerdes and seconded by David Anderson. Motion passed 5-0.

A motion to Approve Small Value Service Contract for SVC23-03: Lead Service Line Inventory to 120 Water (Zionsville, IN) was made by Frank Hilliard and seconded by Tony Salvador. Motion passed 5-0.

A motion for the continuation of the emergency order the Board approved at the July 31, 2023 Board meeting, based on the conditions continue as per Resolution 565, was made by Jim Gerdes and seconded by Frank Hilliard. Motion passed 5-0.

Meeting – 11/07/23
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The meeting was called to order at 5:25 p.m. by President Jim Jones.

Consent Items – A motion was made and seconded to approve the Consent Items with the addition of Action Item 6h – Consider Whether Conditions Continue as the Basis for the Board’s Prior Resolution 565 – Finding an Emergency and Authorizing Abbreviated Emergency Procedures for Construction of a New Well.

Public Forum – None.

District Manager’s Report –

Curtis Jorritsma reported the amount of water pumped for October was 28.478MG and we billed for 25.474MG for a loss of 10.55%. TSS was 32mg/L and BOD was 27.78mg/L, below the State standard of 40mg/L. The total flow at the WWTP was 11.6074MG.

Curtis informed the Board that the Variable Frequency Drive (VFD) went out at Well #7. The well was down for 4 to 5 days. The VFD is stored in a cabinet and the cabinet is exposed to the elements of dust etc. In the future, the District may want to consider storing the VFD in an enclosed building. A temporary stand alone VFD was placed at Well #7. The old VFD has been sent to a shop to see if it can be rebuilt. Foster’s Pumps and our field staff did a great job in working together to get the well back online.

Curtis reported the old corporation yard was listed on the market right after we moved out. It was originally listed on a Friday for \$899,000.00 and on the following Monday the asking price was reflecting as \$599,000.00. Escrow closed on the property on November 1st and it sold for \$500,000.00.

Curtis provided an update on the current CIP projects – we currently have project W05-2023 Test Holes and Water Sampling. He’s planning to schedule a predrill meeting soon. The driller is ready to go. The second project is the 1MG Storage Tank project. Curtis has had various conversations with USDA. The District does qualify for a grant for up to 45% of cost. We will continue to work with USDA to go forward with this project.

Curtis provided a graph of the nitrate results for the last few months. Overall the results are maintaining below the maximum contaminant level (MCL) of 10 mg/L. We have had a couple of spikes with no rhyme or reason. Our testing lab has maintained open communication regarding this situation and they have recalibrated their equipment as tests from other entities have also shown high spikes. We will continue to monitor the results.

Director Reports – Mr. Jim Jones asked if the field staff has adjusted to the new shop. Curtis stated they are doing well with the move. Curtis also stated he has been in contact with the dealer regarding the new pickup and they do not have a date for delivery.

Action Items –

- A) The bills that are due to be paid in November were presented. A motion was made and seconded to pay the bills presented.

- B) Curtis presented the meeting schedule for 2024 calendar year. The meetings are held the first Tuesday of the month. He presented to the board the possibility of changing the January 2nd date to January 3rd and in September he may not be able to attend the meeting. He needs to confirm that information. Directors stated whatever would work better for Staff will work for them. Curtis stated he would like to confirm his September schedule and bring this item back to the December meeting. A motion was made and seconded to table this item and bring it back to the December board meeting.
- C) Curtis stated the 2022/2023 Audit Report was presented at the October meeting. He inquired if there were any questions of the report presented. There were none. A motion was made and seconded to accept the HCWD 2022/2023 Audit Report.
- D) Attorney Stuart Spencer stated that this new claim is from a new claimant in relation to the previous claims we received earlier this year. The claim is made against the District by hundreds of Merced County residents for damages related to the January flooding, and a motion was made and seconded to discuss the potential litigation in closed session.
- E) Curtis informed the Board, since we vacated the old corporation yard the water service line on the property was not being metered as we were the occupants. The water line sits on the corporation yard property and feeds to the Mini Storage location. The service to the shop is intact. The Mini Storage needs to have its own separate water line. He requested a price from MHK Construction to correct this issue. The contract presented in the amount of \$18,095.00 reflects establishing the water connection directly to the Mini Storage location and also concrete replacement. Staff recommended approval of the contract. A motion was made and seconded to approve the Small Values Contract for SVC23-01.
- F) Curtis presented a small project that would be beneficial to the District. This project would install a water line on Spring Street tying Dayton to Geer Road and possibly increasing water pressure to Dayton. The contract is for \$62,237.00 and it would be funded from the Water Project account. Staff recommended approval of the contract. A motion was made and seconded to approve the Small Value Contract for SVC23-02.
- G) Curtis presented the Service Contract from 120 Water. We are required to submit a Lead Service Line Inventory to the state by October 2024. The inventory is the first step in identifying and eventually replacing all lead service lines and lead components in our system. This item would put us under contract with 120 Water. 120 Water is a group Curtis has spoken with many times and who understand this process very well. 120 Water, as part of their services, will create a public dashboard that satisfies all the requirements we need to meet. They will also help us navigate this process and hopefully help get us ahead of the rest of CA, so that while others are seeking state funding for their inventories, we can seek out the same grant funding for our actual replacement costs. The quote for the first year is \$15,000.00. A motion was made and seconded to approve the Small Value Service Contract for SVC23-03.
- H) As stated with the motion of the Consent Items, the Board approved Resolution 565 – Finding an Emergency and Authorizing Abbreviated Emergency Procedures for Construction of a New Well on July 31, 2023. As part of this process, the Board needs to analyze the situation and determine if the situation still constitutes an emergency. After a brief

discussion, the Board determined the conditions warrant to continue with an emergency order. A motion was made and seconded to continue with the emergency order.

Discussion Items – None.

The Directors Convened to Closed Session at 6:32 p.m. to conference with Real Property Negotiator per Government Code Section 5496.8. Location: 19903 First Street, Hilmar, CA and to Conference with Legal Counsel – Anticipate Litigation. Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code Section 54956.9 (1 case).

Directors returned to Open Session at 6:56 p.m.

The Chair announced in open session that the board gave Curtis direction regarding ongoing real estate negotiations.

The Chair also announced that the Board voted 5-0 to deny the claim presented and gave direction to staff to submit the denial letter.

There being no further business the meeting was adjourned at 6:57 p.m.

Respectfully Submitted,

Tina Borges

Approved by:

Jim Jones

Board Member

12-6-23

Date