

**Trinity Public Utilities District**  
**MINUTES OF THE REGULAR BOARD MEETING**  
**December 13, 2012**

Location: Trinity Public Utilities District Community Room  
Weaverville, California  
Board Present: Richard Morris, Rose Owens, Thomas Ludden, Keith Groves, Kelli Gant  
Board Absent: None  
Others Present: Paul Hauser, Andy Lethbridge, Julie Catanese, James Underwood, Kellie Ambrose, Karen Palmer, David Hunt

**1. President Morris called the meeting to order at 2:00 p.m.**

**2. Approval of the Agenda Order**

Director Groves motioned to approve the Agenda order. With a second from Director Ludden, the motion passed with the following voice vote:

Ayes: Richard Morris, Thomas Ludden, Rose Owens, Keith Groves, Kelli Gant  
Noes: None  
Absent: None  
Abstain: None

**3. Consent Calendar**

Director Ludden motioned to approve the Consent Calendar. Second by Director Groves, the Consent Calendar included:

- a. Approve Minutes of the Regular Board Meeting November 8, 2012
- b. Approve Minutes of the Safety Meeting November 5, 2012
- c. Validate Bills of November, 2012
- d. Approve Financial Reports for October, 2012

The motion passed with the following voice vote:

Ayes: Richard Morris, Thomas Ludden, Rose Owens, Kelli Gant, Keith Groves  
Noes: None  
Absent: None  
Abstain: None

**4. Public Input**

- a. None

**5. Action Items**

- a. Items Pulled from Consent Calendar  
None

b. Election of Officers of the Trinity P.U.D. for 2013

President Morris opened the nominations for the offices of President, Vice-President, and Clerk. Director Ludden nominated Richard Morris for the office of President. Seconded by Director Owens, the nomination passed with the following voice vote:

Ayes: Thomas Ludden, Richard Morris, Rose Owens, Kellie Gant, Keith Groves  
Noes: None  
Absent: None  
Abstain: None

Director Ludden nominated Rose Owens for the office of Vice-President. Seconded by Director Groves, the nomination passed with the following voice vote:

Ayes: Thomas Ludden, Richard Morris, Rose Owens, Kellie Gant, Keith Groves  
Noes: None  
Absent: None  
Abstain: None

Director Owens nominated Thomas Ludden for the office of Clerk. Seconded by Director Gant, the nomination passed with the following voice vote:

Ayes: Thomas Ludden, Richard Morris, Rose Owens, Kellie Gant, Keith Groves  
Noes: None  
Absent: None  
Abstain: None

c. Ratify No Change to Public Benefit Discount Amount

Mr. Hauser reviewed the Report with the Board. He mentioned to the Board that in the future if the reserve has decreased further, Staff will probably recommend that the Board lower the Discount Rate.

After a brief discussion Director Ludden motioned to ratify maintaining the current Public Benefit Discount of 25% for Calendar Year 2013. Seconded by Director Owens, the motion passed with the following voice vote:

Ayes: Thomas Ludden, Richard Morris, Rose Owens, Kellie Gant, Keith Groves  
Noes: None  
Absent: None  
Abstain: None

d. Ratify No Change to Project Agreement No. 1 Surcharge

Mr. Hauser reviewed the Report with the Board. Ms. Catanese explained the analysis she performed with the County's electric bills which determines the amount of the Surcharge.

After a brief discussion Director Groves motioned to ratify no change to Rate Schedule 16, Project Agreement No. 1 Surcharge. Seconded by Director Gant, the motion passed with the following voice vote:

Ayes: Thomas Ludden, Richard Morris, Rose Owens, Kellie Gant, Keith Groves  
Noes: None  
Absent: None  
Abstain: None

e. Ratify No Change to Rate Schedule 14 – Deregulation Surcharge

Mr. Hauser reviewed the Report with the Board. After a brief discussion Director Ludden motioned to ratify no change to the Deregulation Surcharge. Seconded by Director Groves, the motion passed with the following voice vote:

Ayes: Thomas Ludden, Richard Morris, Rose Owens, Kellie Gant, Keith Groves  
Noes: None  
Absent: None  
Abstain: None

f. Award Bid 12-B6, Annual Vegetation Pruning and Removal For 2013

Mr. Hauser reviewed the Report with the Board. Mr. Lethbridge informed the Board that he has researched A Cut Above Tree Service and has determined that the company is reputable.

After a brief discussion Director Groves motioned to authorize the General Manager to approve and execute the Contract for Vegetation Pruning and Removal with A Cut Above Tree Service, Incorporated as presented. Seconded by Director Gant, the motion passed with the following voice vote:

Ayes: Thomas Ludden, Richard Morris, Rose Owens, Kellie Gant, Keith Groves  
Noes: None  
Absent: None  
Abstain: None

President Morris stated that he would like Staff to review the United States Forest Service Tree Trimming Agreement with the District.

g. Approve 2013 Contract with Evergreen Job & Safety Training

Mr. Hauser reviewed the Report with the Board. After a brief discussion Director Ludden motioned to approve the Professional Services Contract with Evergreen Job & Safety Training for a not-to-exceed cost of \$22,803.44 as presented. Seconded by Director Groves, the motion passed with the following voice vote:

Ayes: Thomas Ludden, Richard Morris, Rose Owens, Kellie Gant, Keith Groves  
Noes: None  
Absent: None  
Abstain: None

h. Accept Auditor's Report for the Year Ended June 30, 2012

Ms. Catanese reviewed the Report with the Board. Ms. Catanese explained the difference between Generally Accepted Accounting Principles (GAAP) and Modified Cash Basis.

Mr. Hauser commended Ms. Catanese on the excellent work she has done over the past year.

After a brief discussion, Director Owens motioned to accept the Auditor's Report for Fiscal Year 2012 as presented. Seconded by Director Groves, the motion passed with the following voice vote:

Ayes: Thomas Ludden, Richard Morris, Rose Owens, Kellie Gant, Keith Groves  
Noes: None  
Absent: None  
Abstain: None

i. Approve Amended Community Room Use Policy

Mr. Hauser reviewed Report with the Board. Mr. Hauser reiterated that the main reason for the Policy change is make sure that individuals who reserve the room understand that if the District needs to utilize the room, they could be bumped. The second reason is to simplify the Policy based on experience.

After a brief discussion Director Groves motioned to amend the Use of Community Room Policy with a few minor corrections by Legal Counsel. Seconded by Director Gant the motion was passed with the following voice vote:

Ayes: Thomas Ludden, Richard Morris, Rose Owens, Kellie Gant, Keith Groves  
Noes: None  
Absent: None  
Abstain: None

**6. Discussion items**

a. Long Canyon Project

Mr. Dave Hunt introduced himself and stated that he was in attendance mainly to answer any questions the Board might have on the easements. Mr. Hunt distributed a map to discuss the proposed easement. Mr. Hunt also questioned Legal Counsel regarding the legal description that would be needed on the easements.

Mr. Hauser reviewed the Report with the Board. Mr. Hauser stated that Staff would like to move forward, however the District should request that the property owners commit to the project by making a payment towards easement procurement.

After much discussion the Board directed the General Manager to hold a meeting with the property owners to provide an estimate for cost to provide electricity to them and to obtain some type of commitment before proceeding. The Board also directed the General Manager to proceed with obtaining the easement from SPI.

## 7. Reports

### a. Board Member Reports

- USDA Visit

President Morris expressed appreciation to Director Gant for orchestrating the flights for Mr. Walter Robb, who was instrumental in putting this meeting together. Mr. Justin Zabel provided the flights free of charge.

Mr. Hauser informed the Board that President Morris deserves recognition in working with Walter Robb to coordinate all of the meetings that were held. Mr. Hauser informed the Board of the discussions held during dinner after the meeting. Secretary Vilsack took notes regarding the concerns that were expressed at both the open meeting and the dinner. He also explained that it appears that there is a real opportunity to positively change USFS policies to benefit the communities.

Director Groves explained that he is looking forward to the next step which is setting up committees to proceed in changing the Forest Service Policies.

### b. Committee Reports

None

### c. General Manager's Reports

- Lewiston Dam Project

Mr. Hauser informed the Board that he is continuing to have discussions with the Bureau in an attempt to change the language in the Lease of Power Privilege Agreement. Mr. Hauser also mentioned that he will be meeting with the Bureau next week which will assist the District in determining whether to proceed with the Project.

- Community Choice Aggregation District

Mr. Hauser informed the Board that to date there has not been any further action from the County. The Board directed the General Manager to speak with Ms. Tyler at the end of January if there is still no action.

- Balancing Authority of Northern California

Mr. Hauser informed the Board that he is still attending the monthly Board meetings. Mr. Hauser stated that he anticipates that early next year the District will be asked to join and he would have a seat on the Board.

- Land Swap  
Mr. Hauser informed the Board that after the meeting in October there was a commitment from Ms. Heywood that she would contact him to discuss options. There were a couple of attempts on both sides to connect, however there was not any discussion.  
Mr. Hauser also stated that Ms. Susan Stohr believes that after Secretary Vilsack's visit the District might have more leverage again.
- District Website  
Mr. Hauser informed the Board that there has not been much added to the Website since the last meeting. Staff is still providing information, however we are mainly waiting for our software company to begin work on implementing the online bill pay option.
- Power Outages  
Mr. Hauser stated that there have been a few outages since the last meeting. There were two outages that affected Big Bar. One was a small outage due to a pole fire. The second outage was PG&E's transmission line going down due to a broken pole. It took PG&E 24 hours to replace the broken pole.  
  
Mr. Hauser also stated that the Hayfork 60 kV line went down taking out Douglas City and Hayfork Substations. He stated that Western was extremely cooperative with the District getting Douglas City restored fairly quickly. Power to Hayfork was restored in approximately four hours.  
  
Mr. Hauser also informed the Board that Tops Super Market and Martin Road were out for a period of time. Staff is not sure of the cause of the outage.
- Keith Crane Easement  
Mr. Hauser informed the Board that he has received an e-mail from Frank Lynch. The cost of the lot split would be \$10,126.26 and could take up to six months. Mr. Hauser stated that with that cost he cannot recommend that the Board proceed with this option. The Board directed the General Manager to continue to work with the Forest Service to obtain a reasonable easement.
- November Billing Problem  
Ms. Palmer explained to the Board the cumulative problems that led Staff to determine that it is in the customer's best interest to forgo disconnects for non-pay in December. The Board concurred with Staff's decision.

Not on the Agenda

- Customer Requesting Connection  
Mr. Hauser explained to the Board that there is a previous customer of the District who has contacted both President Morris and Director Ludden. He explained that he has had many discussions with the customer regarding obtaining electric service to a residence that she has no legal right to be occupying. The Board concurred that Mr. Hauser is taking the appropriate steps.

**8. Communications Received**

- a. None

**9. Meetings and/or Workshops**

- a. CMUA Capitol Day  
Sheraton Grand, Sacramento  
January 14, 2013  
Mr. Hauser informed the Board that rooms have been reserved and that Ms. Palmer needs to know who will be attending for registration purposes.
- b. APPA Legislative Rally  
Grand Hyatt Washington, DC  
March 11-14, 2013  
Mr. Hauser informed the Board that the rooms have been reserved and that Ms. Palmer needs to know which Board members will be attending and when so travel arrangements can be made.
- c. CMUA Annual Conference  
Loews Coronado  
April 9-11, 2013  
Mr. Hauser informed the Board that Ms. Palmer needs to know who would like to attend so she can begin making arrangements.

**10. Closed Session**

Director Ludden motioned to go into Closed Session at 4:30 p.m. seconded by Director Owens, the Board entered into Closed Session on the following:

- a. Closed Session Item Under Government Code §54956.9(b)  
**Conference with Legal Counsel – Anticipated Litigation**  
One Potential Case
- b. Closed Session Item Under Government Code §54956.9(a)  
**Conference with Legal Counsel – Anticipated Litigation**  
One Potential Case  
McColm vs. PG&E, et al  
Trinity County Superior Court Case No. 10CV065
- c. Closed Session Item Under Government Code §54957.6  
**Conference with Labor Negotiator**  
Agency Negotiator: General Manager  
Employee Organization: Trinity Public Utilities District  
Employees' Association



The Board came out of Closed Session and immediately reconvened in Open Session at 5:05 p.m. President Morris reported that there was no action taken during Closed Session.

**11. Public Input**

a. None

**12. Adjourn**

Motion to adjourn by Director Gant, second by Director Owens, passing unanimously, the Board adjourned at 5:06 p.m.

  
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Richard L. Morris, President

Attest:   
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Thomas J. Ludden, Clerk