

**Trinity Public Utilities District
MINUTES OF THE REGULAR BOARD MEETING
February 11, 2021**

Location: Trinity Public Utilities District Community Room
26 Ponderosa Lane, Weaverville, California

Board Present: Alex Cousins, Kelli Gant, Andrew Johnson, Richard Morris, and Michael Rourke

Board Absent: None

Others Present: Paul Hauser, Jim Underwood, Andy Lethbridge, and Julie Catanese

Others Present via Audio/Video

Teleconference: Sarah Sheetz, Jim Aven, Jill Cox, Larry Glass, Amber and Jonathan Maywald, Debra Mims, Bob Morris, Jeff Morris, Chris Norden, Matt Simmons, Eileen and Robin Stocum, Amanda Wild

1. President Rourke called the meeting to order at 2:01 p.m.

2. Approval of the Agenda Order

Director Gant made a motion to approve the Agenda Order. Director Morris seconded the motion. The motion passed with the following voice vote:

Ayes: Alex Cousins, Kelli Gant, Andrew Johnson, Richard Morris and Michael Rourke

Noes: None

Absent: None

Abstain: None

3. Closed Session Report of January 14, 2021 Meeting

- a. Conference with Legal Counsel Under Government Code §54956.9.
No reportable action.
- b. Conference with Labor Negotiator Under Government Code §54957.6.
No reportable action.

4. Public Input

Debra Mims inquired as to why the power remains off at the Enterprise Mine Site and read a letter submitted to the Board, attached and incorporated herein. President Rourke thanked Ms. Mims for her comments and requested that Mr. Hauser follow up on the topic with Ms. Mims.

Chris Norden with California Special Districts Association (CSDA) introduced himself and advised that he was in attendance to advocate for support for CSDA and its work to access federal dollars to assist special districts during the pandemic.

5. Consent Calendar

Director Cousins requested that Item 5e. be moved to the Action Calendar for further discussion. Director Morris made a motion to approve the Consent Calendar as amended, Director Johnson seconded the motion. The Consent Calendar included:

- a. Approve Minutes of the Regular Board Meeting January 14, 2021
- b. Accept Minutes of the Safety Meeting January 5, 2021
- c. Validate Bills of January 2021
- d. Approve Financial Reports for December, 2020

The motion passed with the following voice vote:

Ayes: Alex Cousins, Kelli Gant, Andrew Johnson, Richard Morris
and Michael Rourke
Noes: None
Absent: None
Abstain: None

6. Action Items

- a. Approve Electric Service Contract in the amount of \$35,566.77 with Ivan Vlahov for a service upgrade at 181 Oregon Mountain Road.

Mr. Hauser reviewed the report with the Board. A discussion regarding load capacity, phasing, system upgrades and the ability to serve Helena Fire victims ensued. Following the discussion, Director Cousins made a motion to approve the Electric Service Contract with Ivan Vlahov as presented. Director Gant seconded the motion. The motion passed with the following voice vote:

Ayes: Alex Cousins, Kelli Gant, Andrew Johnson, Richard Morris
and Michael Rourke
Noes: None
Absent: None
Abstain: None

- b. Approve Declaration of Surplus Vehicles and Equipment

Mr. Hauser reviewed the Report with the Board. Following a discussion, Director Morris made a motion to Declare the listed items as surplus to the District's needs and allow the General manager to proceed with disposal of the equipment utilizing J.J.Cane Auctioneers. Director Cousins seconded the motion. The motion passed with the following voice vote:

Ayes: Alex Cousins, Kelli Gant, Andrew Johnson, Richard Morris
and Michael Rourke
Noes: None
Absent: None
Abstain: None

- c. Nominate Replacement Board member to serve on the Community Investment Committee

Mr. Hauser reviewed the Report with the Board. Following a discussion Andrew Johnson was nominated to serve on the Community Investment Committee through September 30, 2021. Director Johnson accepted the nomination.

d. Staff Recommendation on Service to High Fire Risk Customers

Mr. Hauser reviewed the Report with the Board. Following a discussion regarding the cost of the work and the legal parameters the Board took no action but instructed staff to proceed with the work required to keep the line energized.

Eileen Stocum thanked the Board and Staff for the service to the community and commented she is pleased to see the District working to reduce the fire risk in the County.

Amber and Jonathan Maywald stated they are thrilled that their electric service will continue. Ms. Maywald advised that she had provided some correspondence to Mr. Hauser prior to the meeting, which is attached and incorporated herein.

7. Reports

a. Wildfire Mitigation Plan (WMP) Reporting Metrics Update

Mr. Hauser reviewed the Reporting Metrics with the Board noting that numbers were slightly down for January 2021 due to several outages caused by recent snowstorms.

b. General Managers Reports:

- Land Exchange

Mr. Hauser reported that there was some activity on the Land Exchange.

- Power Outages

Mr. Hauser reported that the vast majority of outages were driven by the snowstorms. The three crews responded quickly to the outages and, along with the crews from Silver Top Tree Services, did an excellent job. At the peak there were approximately 1,500 customers out.

- Balancing Authority of Northern California (BANC)

Mr. Hauser reported that the Western Area Power Administration is still moving forward with a late March go live, but there will be no impact to the District.

- Right-of-Way Project Update

Mr. Hauser reported that the scoping period ended on January 29, 2021. He advised that we received 650 total comment letters submitted, of which 614 were form letters. When broken down by location, of the 36 non-form letters, 8 of them were from agencies including Fish and Wildlife, BLM, CHP, etc; 16 were from Trinity County Residents; and 12 fall into an 'other' category. Of the 614 form letters, only 22 were from Trinity County, meaning more than 96% were from outside the County. Director Johnson asked if the comments would be shared with the Board. Mr. Hauser advised he would ask for copies.

To date the District has spent approximately \$1.9 million of the \$3 million budget.

- Western Area Power Administration (WAPA) Fiber Project/Voice over Internet Phone (VOIP) System Acquisition

Mr. Hauser reported that the District expects that the fiber will be pulled to the Lewiston substation by the end of next week. The District may have access to the fiber by the end of February. Legal work is ongoing to allow public access to the fiber. The new VOIP system has been installed, with a fairly smooth implementation process.

c. Committee Reports

- Ad-hoc Forestry Committee

No report

- Ad-hoc Mission Statement Committee

No report

d. Board Member Reports

No Reports.

8. Discussion Items

None

9. Communications Received

Correspondence from CalFire dated January 21, 2021

Mr. Hauser advised that the District had received correspondence from CalFire regarding the potential for a claim for the Fellows Fire, pointing to strict liability and a shift in how the State handles the financial impact of fires relative to Utilities.

10. Meetings and/or Workshops

- a. American Public Power Association – 2021 Virtual Legislative Rally

March 1-3, 2021 (tentative)

Mr. Hauser advised that he shared President Rourke's suggestion to wait until after the Rally and Ms. Stohr was in agreement.

Director Morris advised there may be an opening for a General Manager to serve on the North West Public Power Association Board, and if so he would like to nominate Mr. Hauser. The Board concurred.

11. Public Input

None

The Board took a brief recess at 3:25 p.m.

12. Closed Session

The Board entered into Closed Session at 3:31 p.m.

- a. Closed Session Item Under Government Code §54956.9

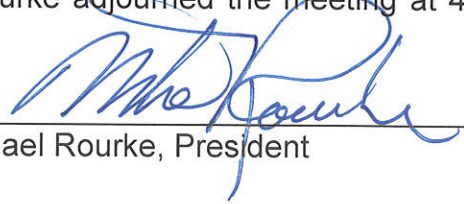
Conference with Legal Counsel

Three Potential Cases

- b. Closed Session Item Under Government Code §54956.9
Conference with Legal Counsel – Existing Litigation
Claimant: Alfred Baldocchi and Jean Baldocchi
- c. Closed Session Item Under Government Code §54956.9
Conference with Legal Counsel – Existing Litigation
Helena Fire
- d. Closed Session Item Under Government Code §54956.9
Conference with Legal Counsel – Existing Litigation
Claimant: Cecil R. Connor

13. Adjournment

There being no further business, President Rourke adjourned the meeting at 4:47 p.m.



Michael Rourke, President

ATTEST: 
Richard Morris, Clerk

Dear Trinity PUD Board of Directors,

My Name is Debra Mims. I am the owner of the Enterprise/Lone Jack Mill Site on the County Road 421 off of East Fork Rd. The Lone Jack Mill Site is a 1.22 acre private property, separate from the 26 quartz and placer claims that are also part of our family holdings. I purchased the historic Enterprise/Lone Jack Mill Site in 1995. I have been a good standing member of the Trinity County Community since the mid 1980's, going back to when my father Johnnie Mims owned J & M Tackle in Junction City. My family and I have mined and been good stewards of this land/property going back to 1991, some 30 years. We have worked arduously to preserve and maintain this unique Historical site in Trinity County and keep it in pristine condition.

In January of 2020 I received a letter from TPUD stating a storm had fell a number of trees across the power lines. Due to this act of Mother Nature the power lines were turned off and never reconnected. Power outages in the past had never been a problem. Even when power would be out for as long a week it had never been an issue.

This brings me to my first question.

1. Why can TPUD disconnect my power and close my account without my consent? I have always been in good standing with Trinity PUD without so much as a late payment since 1995.

In this letter, it also states that my usage records dating back to 2008 indicated my usage of power wasn't justifiable enough to have the stretch of power lines from Barney Gulch to my property. I have never been told that there was a quota that had to be met in order to have power to the site.

In this letter it also states that the fire risk and liability costs to maintain the lines were a financial burden to Trinity PUD and therefore the power would not be restored.

2.

What is so different after 25 years that it is now a liability? My belief is that Trinity PUD has maintained these lines for this entire time and has done an amazing job.

Which brings me to my Historical Research on the issue. I have spent hundreds of hours researching the Enterprise Mines/Lone Jack Mill Site.

In that research I have located 2 Historic Maps showing Township 35N Range 11W and Township 34N and 11W. They are from Trinity County 1955 Published by Metskar Maps. Both of these maps show Sections 28 and 29 and 32 and 33, Land WITHDRAWN FOR POWER. This would be the first steps in the Withdraw from Federal Lands (Shasta Trinity National Forrest) to be turned over to Trinity County Jurisdiction, dedicating the Land for the Power Lines to Barney Gulch and road 421 to the end of the County Road Enterprise/Lone Jack Mill Site. The Maps clearly show Enterprise Mines and the Lone Jack Mine in Section 33 with the WITHDRAWN FOR POWER written in the section. I can provide copies of these maps.

I also know that the Tag Plates on my power poles are dated 1958. The timing is right for the running of the power lines. IN my research this would have been when Dean Love and Chiksan Oil were owners of the Enterprise/Lone Jack Mill Site. It is my understanding that is who actually paid the cost for the powerlines to be brought out to the Lone Jack Mill Site and the right to have power is conveyed to the Lone Jack Mill Site as long as it is in existence. The Lone Jack Mill Site has had power since 1958. I cannot see any Just Reason why the power should be turned off to the Lone Jack Mill Site. I would like to believe that Trinity PUD would not unjustly discriminate between its customers.

3.

Can TPUD explain the maps I have located with the WITHDRAWN FOR POWER?

In Conclusion,

Due to these actions taken by Trinity PUD, it unfortunately has brought much unnecessary hardship to myself and my family. I had invested \$12,000 in Honda 7000 inverter generators for the Lone Jack Mill Site so we could have some source of power to the property. Sometime over the Thanksgiving Holiday, my property was broken into and vandalized. The vandals stole \$30,000 in generators and equipment. It has been a devastating loss, with no recovery. Without Power to the Lone Jack Mill Site, The Yard Lights and Other Security Lights cannot be left on for protection. It also eliminates many other Security provisions that could be taken. It leaves the property vulnerable to anyone with bad intentions.

After reviewing all of the information I have provided, I sincerely hope they will Restore the Power to the Enterprise/Lone Jack Mill Site as soon as possible. If Trinity PUD has any proof which contradicts the information I have provided and proves legal justification for removing my service, they need to furnish such proof.

Thank you for your time.

Sincerely,

Debra Mims
Enterprise /Lone Jack Mill Site

Debra Mims
510-206-3626

Hello President of the board and attending Board Members,

My name is Amber Maywald. I am a Trinity County resident of 16 years and I am here to introduce myself and our property to you in regard to a pending issue with the PUD power lines that service our land is known as Barney Gulch, which is located about 5 miles up East Fork Rd and the old town of Helena.

This last September the Hobo Fire started around power lines that service our property. In the aftermath we were contacted by Paul Hauser, informing us that a large number of "hazard trees" had been created and that the board would need to authorize the necessary arbor work to ensure continued power service.

What we understand is that this item has not yet come in front of the board for consideration and what Paul has informed is that he intends to present our issue in the near future within a larger report about forest fire risks for PUD. Because we do not know what this report will say or what his recommendations will be I am sure you can all imagine we are feeling concerned about the future of our power service in the meantime.

Barney Gulch is no ordinary subdivision, it is one of the most coveted, pristine and special pieces of private land in all of Trinity County. This homestead is a unique hanging box canyon, with a flat valley and year-round hillside spring. The property is surrounded by National Forest on all sides, and bordered by the Trinity Alps Wilderness. An impressive rocky ridge rises up from the back of the canyon and craggy cliffs catch the light at sunset. Habitation of this land was first recorded in 1885 and a homestead patent was granted in 1923. Records indicate the power lines were installed in the 1930's, equalling almost 100 years of uninterrupted power service and 135 years of continual habitation.

We depend on our power service not just for comfort, but also for livelihood. Living on a homestead in the wilderness comes with challenges and demands hard work. We have to be resourceful to make this lifestyle sustainable, but we wouldn't trade it for anything. We have created online careers thanks to satellite internet and our power service. I now work from home full time. Having power provided to us by PUD is one of the few graces that we have, one of the few things that makes this lifestyle just a little bit easier for us. Trinity PUD has always taken such good care of us, and we appreciate all the effort that goes into our less profitable line, because it really does make all the difference for us.

So, I hope that when you do read Paul's report that you will also remember a precious valley and the people who live in it, and who depend on the power provided to us by PUD. Thank you for your time today. We look forward to speaking with you again in the near future.

Hello. This is Amber Maywald joining you again with My husband Jonathan today.

We live at Barney Gulch and are here once again today in regard to the impacts of the Hobo Fire which face TPUD and us.

Specifically what we would like to express here today is that we would like to support TPUD to the best of our ability during this unprecedented time of climate change and strict liability legislation. We can see that the success of TPUD and welfare of its customers are inextricably linked.

Although we understand that in our case the arbor work which needs to be done before next fire season, as well as the larger report from Paul regarding fire liability, have not yet been brought in front of the board.

But in the meantime we have been considering ways that we can support TPUD. So we recently submitted opinion letters to Senator Mike McGuire and Representative Jim Wood advocating about the risks and challenges that the CA strict liability laws pose for both TPUD and also for it's customers. I believe that our situation is prime example of how strict liability could begin to adversely affect power consumers. Our goal is to advocate for reform of strict liability to a negligence standard, and also ensure that TPUD can obtain the insurance it needs.

Additionally, we think that raising public awareness and generating consumer support about this issue might be of value to the future of PUD and its customers.

We wholeheartedly believe that TPUD is an invaluable asset to the community of Trinity County. So we look forward to seeing how we can continue to work together to address the challenges facing TPUD.

Thank you for your time today and we look forward to speaking with you again soon.

TPUD Board Meeting Comments 02/11/21 Agenda Item "d"

Greetings to the President of the Board and Board Members,

Amber and Jonathan Maywald here present for this item. It is good to see the board again and we hope that you remember us from some of the previous meetings. We own the property known as Barney Gulch and along with our neighbors, Robyn and Eileen Stokum, we are the two current recipients of the power service on East Fork Rd, as detailed in Paul Hauser's report.

We are grateful that this item has come in front of the board today. We are also grateful to Paul who has done a thorough job communicating with us, as well as gathering important information upon which to base his recommendation. We understand that the recommendation is not made lightly, but that with all things considered he has determined that keeping our lines energized and performing the necessary arbor work is the right thing to do in this situation.

We also urge the Board to accept Paul's recommendation. Retaining the TPUD power lines is an essential amenity to our life and our livelihood at our property. Considering that our property consists of two parcels and totals 28 acres, the TPUD power that we receive contributes a substantial value to our property not only for our current service but also because of the potential for future development that it provides to a homestead of this size.

Solar or hydro systems would not be able to provide the volume of power that we require nor would either of those systems be a practical or reliable option for our unique topographic location. Therefore, the negative impacts of removing our service would be far reaching, both for our current standard of living as well as for the value of our land.

Moreover, if TPUD did not maintain our power service, we feel concerned that it would set a dangerous precedent. Based on our conversations within the Trinity County community, we believe that a large number of Trinity County residents who live outside of town limits would feel threatened that it could be their service which gets removed next, resulting in a heightened customer relations fallout between TPUD and the public. We do not believe that this is the ethical road TPUD should go down. Outlying meters have always been subsidized by centralized populations in Trinity County, and there is no reason that should change now.

As a publically owned non-profit utility company we urge you to keep all of your loyal customers best interests in heart and continue to provide service to all existing customers without discrimination based on location or remoteness. The challenges facing TPUD due to strict liability standards will be most effectively tackled when TPUD and the public that it serves are united.

Thank you very much.

OUTAGE SUMMARY
JANUARY 12, 2021 - FEBRUARY 8, 2021

Outage	Time Off	Time On	Sub	Feeder	Next Pro Dvc	# Out	Duration	Type	Cause Desc	Equip Desc
203751	1/13/2021 9:57	1/13/2021 10:42	Douglas City	DC1	F3087N	44	0:45	Line Section	Animal/Bird	Fuse
203753	1/16/2021 8:00	1/16/2021 14:06	Mill Street	W02	F1102/1	507	6:06	Feeder	Maintenance	Maintenance
203813	1/16/2021 22:36	1/17/2021 0:55	Douglas City	DC1	F7965	22	2:19	Line Section	Unknown Cause	Fuse
203819	1/19/2021 9:47	1/19/2021 14:55	Mill Street	W02	R11704 - Red Hill	95	5:08	Line Section	Wind	Fuse
203839	1/19/2021 10:43	1/19/2021 15:11	Mill Street	W06	FB - Wwvl 1106 Sub	663	4:28	Line Section	Wind	Fuse
203861	1/19/2021 12:20	1/19/2021 14:43	Big Bar	BB1	FB - Big Bar Sub	110	2:23	Line Section	Tree	Fuse
204027	1/26/2021 16:52	1/26/2021 23:59	Mill Street	W02	F10940	394	7:07	Line Section	Snow/Ice	Fuse
203958	1/26/2021 18:58	1/26/2021 22:07	Lewiston	L01	R5730 - Rush Creek	19	3:09	Line Section	Snow/Ice	OH Conductor
204031	1/26/2021 19:30	1/27/2021 2:59	WAPA Trinity	T21	F5331	807	7:29	Line Section	Snow/Ice	OH Conductor
204001	1/26/2021 20:02	1/28/2021 14:18	Hyampom	HY1	F11346	193	42:16:00	Transformer	Snow/Ice	OH Conductor
204038	1/26/2021 21:07	1/27/2021 17:25	Douglas City	DC1	R3081 - DC School	8	20:17	Line Section	Snow/Ice	OH Conductor
204064	1/26/2021 21:55	1/27/2021 11:08	Douglas City	DC1	FB - Douglas City Sub	213	13:13	Line Section	Snow/Ice	OH Conductor
204150	1/26/2021 22:19	1/27/2021 16:39	Lewiston	L01	R6241 - Plug Jug	109	18:20	Line Section	Snow/Ice	OH Conductor
204074	1/26/2021 22:41	1/27/2021 18:02	Lewiston	L02	FB - Lewiston 1102 Sub	42	19:20	Line Section	Snow/Ice	OH Conductor
204078	1/26/2021 22:53	1/27/2021 2:13	Mill Street	W01	F12614	44	3:20	Line Section	Snow/Ice	Fuse
204083	1/26/2021 23:20	1/27/2021 6:55	Lewiston	L01	F3702	53	7:35	Line Section	Snow/Ice	OH Conductor
204114	1/27/2021 1:36	1/27/2021 16:40	Lewiston	L01	R6241 - Plug Jug	27	15:04	Line Section	Snow/Ice	OH Conductor
204132	1/27/2021 3:18	1/27/2021 19:48	Lewiston	L01	F5760	12	16:30	Line Section	Snow/Ice	OH Conductor
204103	1/27/2021 4:51	1/27/2021 5:49	WAPA Trinity	T21	F5442	106	0:58	Line Section	Snow/Ice	OH Conductor
204121	1/27/2021 7:15	1/28/2021 9:05	Douglas City	DC1	F7965N	5	25:49:00	Line Section	Snow/Ice	OH Conductor
204142	1/27/2021 7:20	1/27/2021 21:56	Mill Street	W02	R12085 - Powerhouse	32	14:35	Line Section	Snow/Ice	OH Conductor
204156	1/27/2021 7:21	1/28/2021 11:41	Lewiston	L01	F2913	14	28:19:00	Line Section	Snow/Ice	OH Conductor
204181	1/27/2021 11:10	1/27/2021 13:54	Douglas City	DC1	FB - Douglas City Sub	212	2:44	Line Section	Snow/Ice	OH Conductor
204186	1/27/2021 12:13	1/27/2021 17:24	Douglas City	DC1	R3081 - DC School	6	5:10	Line Section	Snow/Ice	OH Connector, Clamp or Splice
204189	1/27/2021 13:57	1/27/2021 14:41	Douglas City	DC1	R6862 - Readings Creeks	2	0:43	Transformer	Snow/Ice	Power Transformer
204215	1/28/2021 18:29	1/29/2021 12:55	Mill Street	W02	F4539	2	18:26	Line Section	Snow/Ice	OH Conductor
204349	2/8/2021 8:00	2/8/2021 13:29	Lewiston	L01	F7307	65	5:29	Line Section	Maintenance	Maintenance
204404	2/8/2021 14:22	2/8/2021 15:19	Douglas City	DC1	F7965	22	0:57	Line Section	Unknown Cause	OH Conductor