

Minutes: Lake Canyon Mutual Water Board Meeting

Wednesday October 21, 2020 7:00 p.m.

Held via Zoom Audio and/or Video Conference

lakecanyonmwc@gmail.com <http://www.lakecanyon.com/> 408-834-7745 (message)

PUBLIC FORUM: Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, if the matter is not on the agenda or pending before the Board.

Call to Order / Start Zoom Meeting for remote meeting access: 7:00 p.m.

Casey calls the meeting to order at 7:04 p.m.

Roll Call: Casey Farrand, Jim DiZoglio, Mindi Porebski, Ru Rajapakse, Susan Ady

Also in attendance: Bud Everts, Kirk Epperly, Lisa Kirk, Don Kirk, Phil Abel, Barbara Abel, Wais Achak

Financial Reports

Questions about Zoom cost

- Costs listed are not monthly; it was a promotion for several months paid in advance
- If costs get too high, question to look into shared Google Drive and how that could be possible to get both Google Meet calls and shared Google Drive

Question about attorneys fees

- Included more than just one issue - was all fees since Comcast work, letter for improved lots, issue for 19388 Beardsley
 - Jim DiZoglio requests a breakdown of those costs
 - Question if those costs can be passed to the homeowner
 - Mindi Porebski and Jim DiZoglio both pointed out that the board learned a lot of general information about easements, rights, right-of-way policies, etc. that can be applied to other situations as well, so this may not be appropriate
 - Bud Everts also pointed out that direct costs for the engineering, etc.

Question about Workers Comp. insurance

- Was not reflected last year

Question about UPS

- Ship samples to BSK in Fresno for annual testing, needed best assurance to get them in one day
- It arrived two days later and many bottles were broken
- Bud Everts is working with UPS to request a refund
- So this time, Bud drove them down to BSK Labs in Fresno himself on Oct. 15th
Mindi moves to approve the Financial Reports, Susan Seconds
Motion passes 5-0

Reports: Water, Staff, Projects, Maintenance

- Bank balance as of today is \$168,565.05
- Casey Farrand is still working with our bookkeeper on ACH payments. Unclear if we are waiting on bookkeeper or Casey's action.
- Water usage last month: 136 gal. / household / month up from 115 last year. Spring is still flowing 3.2 gal/min. Spring flow will continue to slow down until we get soaking rains

Maintenance

- Shed has been power washed, new roof and skylight. Paint to match nearby home will be done soon.
- Transducer to indicate water tank level has been replaced
- Tree trimming will start next Thursday, Oct. 29th through Mon., Nov. 2 (weekdays only)
- Bridge bolts: upper Beardsley tightened. Laurel Bridge will be done soon.
 - Request from nearby homeowner that Laurel Bridge bolts be tightened as soon as possible
- 3 railroad ties at 19210 Beardsley: not yet completed
- Property at 19388 Beardsley; draining still needs to be repaired by the homeowner. Bud to follow up..
- Slough near the bridge; shovel was stolen within 2 days after putting it out. Bud will clear before rains.
- Several board member trainings have been taken and are upcoming
- As new board member, Ru required to take AB training, and Bud to look into anyone needing renewals, but the requirement is believed to be 6 years
- Meter readings scheduled for this Sunday, Oct. 25th.

Communication and Correspondence

- JoDe Smith emailed about putting together a New Resident Welcome Kit. Barbara Abel mentioned there may be one in the water plant, as one was put together years ago
- Email from Mindi Porebski about COVID restrictions for notice of termination for delinquent bills
- Phil Abel emailed to ask about fire lanes. Bud reached out to Santa Clara County Fire Department (SCCFD) fire marshalls, and is awaiting their guidance.
 - Questions about where the fire lanes will go, how homeowners will be informed
 - There is also the matter of liability if access is blocked
 - Questions on why we need lines at all. Fire marshall standards for our county exists, but we will need the professional input from SCCFD to be sure we are doing this right
- Email from John Lipka regarding pin
 - Pin was placed by a licensed surveyor, legal due diligence was done
 - These are reference markers only and surveyors have the right to place them
 - Nothing is gained from removing pins, also resident points out removal is actually is against the law
 - This is one reason why we should continue the work to establish a full centerline of all of the road
 - There are also documents about the use of this particular survey for the project at hand
- Several communications received from those interested in Firewise committee
- Email from John Lipka on his point of view on Firewise.
- Email from Charles Mosher on the traffic signs, photographs, etc.
- Request from homeowner that time limits be added to the agenda

Business

1. Elect board officers
 - a. President - Susan Ady
 - i. Required to be a contact for State Water Resources Control Board, approving costs, keep meetings moving, run the meetings, etc.
 - ii. Mindi asks Susan if she would like this role, and Jim supports
 - b. Vice President - Jim DiZoglio
 - i. Fills in if the president is absent
 - c. Secretary - Mindi Porebski
 - i. Works with board to set meeting agendas, post them, maintain website, email correspondence,
 - d. Treasurer - Bud Everts

*Casey moves to accept the elected officers, Mindi Porebski seconds
Motion passes 5-0*
2. Kick-off discussion for improvements for the back of canyon path and pipe maintenance
 - a. Board members assigned to work on bringing back a proposal: Jim DiZoglio
 - b. Recommendation to ask Tom to make the assessment. He has been maintaining the trail for 20+ years.
 - c. Jim to reach out to discuss with Tom to schedule a walkthrough and get an assessment.
 - i. If the pipe maintenance is urgent, we have a process and approval for payment, etc.
 - d. Susan is not comfortable to approve any budget asks until we know more about the costs and our available budget
 - e. Phil has also run 150 feet of rope to assist with access
3. Discuss getting estimate for community-wide survey of road
 - a. This has been discussed a lot, and many recent issues revolved around the center of the road, yet we also discuss the high cost quite a bit
 - b. Mindi to collect all surveys that have been shared and put them in one folder
 - c. We would need several bids - minimum 3 - to have the knowledge of what it would cost
 - d. Curt Dunbar of Alpha surveys has already done a significant part of the canyon
 - e. Jim to reach out for bids
 - f. The purpose of the survey is to have the knowledge of where the easement is per a survey, there are no known projects that would result at this time

- g. Our legal counsel also advised this would make some of the recent discussions with residents easier, and at this point we are only fact finding
 - h. Mindi raises concern that we should be very clear about the types of survey we are getting (easement vs. as built road, etc) as well as policy for what happens if homeowners want to react to the survey as it comes out and is marked in the road.
4. Discussion of idea raised to supply fire hose
 - a. Previous idea on supplying fire hose - cost \$1-2 per foot, 1.2 miles would be 13k
 - b. There were many problems with this raised before (e.g. draining water supply) and we need more official guidance from the fire department
 - c. Very old fire hoses in the shed should be tested - to get fire department guidance
 - d. Additional discussion with the fire department needed before we make decisions
 5. California moratorium on shutoffs and LCMWC policy
 - a. Mindi took a training that states we are not allowed to shut off water at this time due to COVID-19
 - b. This resident has not been informed, so no action required, just for us to be informed
 - c. Mindi to include information on the website about the moratorium
 6. Process for residents to inform LCMWC of work at their property with the potential to impact the road, traffic, easements, or access
 - a. Several incidents in the last few weeks have involved residents doing work - fences, signage - that impacts the road, traffic, or appeared to impact the road - and the board was not informed
 - b. Laurel curve signs were not put up by the board, they were put up by an individual resident
 - c. Would be useful to have process and policy to ensure notification and approval is done
 - d. Kirk Epperly informs us there was a policy that anyone doing work within 10 feet of the road needs to inform the board - this was nearly 10 years ago and should be in the minutes
 - e. Previous policy may have only outlined process to inform vs. approve
 - f. Bylaws declare board will make rules and regulations for road, if we have one it would require a search and research
 - g. There are already laws and regulations in regards to the easement and road shoulders
 - h. The board has concerns and would like the homeowner at 19140 Laurel to pause work while we investigate the consequences of this work
 - i. Recommend we let homeowner know his email has been forwarded to the board, and Jim and Mindi will draft a response in the regard above and hold a special meeting to review it and board approval

Review Meeting Minutes

*Jim moves to approve the Minutes, Mindi seconds
Minutes approved 2-0*

Confirm special meeting agenda item: Wednesday October 28, 2020

- Review response email to Charles Mosher

Confirm regular meeting agenda items: Wednesday, Nov. 18th, 2020

- Hardship policy, including leak adjustments: review proposal
- Assign an ad-hoc committee to review monthly rate and per gallon charge rate study
- Assign an ad-hoc committee to review labor rates and ensure compliance with related bylaws
- Review plan for improvements for the back of canyon path and pipe maintenance
- To discuss what is involved in writing a policy for the survey and road centerline
- Review survey bids
- Laurel Curve project update

Adjourned at 10:49 p.m.