



**MINUTES  
REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT**

6425 Main Street,  
Georgetown, California 95634

**Teleconference Location**  
81 Verano Loop  
Santa Fe, New Mexico 87508

**THURSDAY, OCTOBER 3, 2024  
2:00 P. M.**

**BOARD OF DIRECTORS**

Mitch MacDonald, President

Donna Seaman, Vice President

Mike Thornbrough, Treasurer

Michael Saunders, Director

Robert Stovall, Director

**PRESENTING STAFF**

Nicholas Schneider, General Manager

Jessica Buckle, Office/Finance Manager

Adam Brown, Operations Manager

Alexis Elliott, Water Resource Manager

Frank Splendorio, Legal Counsel

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**MISSION STATEMENT**

It is the purpose of the Georgetown Divide Public Utility District to:

- Provide reliable water supplies.
- Ensure high-quality drinking water.
- Promote stewardship to protect community resources, public health, and quality of life.
- Provide excellent and responsive customer services through dedicated and valued staff.
- Ensure fiscal responsibility and accountability are observed by balancing immediate and long-term needs.

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**A full record of this meeting is available on the District's channel:**

[https://youtube.com/live/QPEn\\_6iyJcA](https://youtube.com/live/QPEn_6iyJcA)

**1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE**

**President MacDonald called the meeting to order at 2:08 p.m.**

Director Thornbrough shared that his participation will be remote pursuant to AB 2449 as he was experiencing a potentially contagious illness preventing in-person attendance.

**Roll Call:**

**Present:** Saunders, Seaman, and MacDonald

**Teleconference:** Stovall, and Thornbrough

**Absent:** None

**Director Saunders led the Pledge of Allegiance.**

## 2. ADOPTION OF AGENDA

**Public Comment:**

Steve Proe

**Director Saunders motioned to adopt the Agenda. Director MacDonald seconded the motion.**

**President MacDonald called for the vote:**

**Ayes:** Saunders, Stovall, Thornbrough, Seaman, and MacDonald

**Nays:** None

The motion passed **unanimously**.

## 3. PUBLIC FORUM

- Rena Lowry
- Steven Dowd
- Steven Proe
- Cherie Carlyon

## 4. CONSENT CALENDAR

**A. Approval of Minutes**

- September 5, 2024

**B. Adopt Resolution to Reappoint Finance Committee Members for Two-Year Terms**

**C. Adopt Resolution to Reappoint Irrigation Committee Members for Two-Year Terms**

**D. Approve Designation of Agent Resolution for Non-State Agencies (CalOES Form 130) authorizing General Manager to serve as such agent for purposes of grant funding**

Director Saunders extended gratitude to the committee members who have renewed their commitments to serve.

**Public Comment:**

No comments were received.

**Director Stovall motioned to adopt the Consent Calendar items. Director Seaman seconded the motion.**

**President MacDonald called for the vote:**

**Ayes:** Saunders, Stovall, Thornbrough, Seaman, and MacDonald

**Nays:** None

The motion passed **unanimously**.

## 4. OFFICE/FINANCE MANAGER'S REPORT

- Financial Reports
- Investment Report
- Grant Report

Office Finance Manager Jessica Buckle reviewed the reports.

**Public Comment:**

Cherie Carlyon

## 5. INFORMATIONAL ITEMS

### A. Board Reports

**Director Saunders** informed that the Association of California Water Agencies (ACWA) will raise membership rates by 2.9%. The membership rates are based on the member District's operating budgets. This presents an inequity as those Districts with PG&E as an energy provider experience inflated budgets as a consequence. There has been a request for the ACWA Board to examine this issue. The Director attended a Divide Chamber of Commerce meeting and informed members and community business owners that the October 3<sup>rd</sup> GDPUD Board meeting would include material and discussion regarding the Cost of Service Analysis and Water and Wastewater Rates.

**Director Stovall** the Finance Committee meeting was canceled due to the audit and year-end reports awaiting finalization.

### B. Operation Manager's Report

- Monthly Water Demand Assessment

Operations Manager Adam Brown reviewed report highlights and fielded Board and public inquiries. The Stumpy Meadows Reservoir is currently at 83% of capacity and losing approximately one-half a percent per week. This positions District supply well for the approaching water year. There were several high-stakes line breaks during the past month. The crew was commended for their hard work and dedication during these stressful events.

### C. Water Resources Manager's Report

Water Resource Manager Alexis Elliot reviewed her report. The District received .02 inches of rainfall during September. There are no new weather predictions or developments. There were 63 routine and two escrow inspections conducted.

### D. General Manager's Report

General Manager Nicholas Schneider reviewed his report highlights. The California Special District's Association (CSDA) is exploring reenacting its Gold Country chapter and Mr. Schneider is participating in those efforts. The District was awarded the District CSDA Transparency certificate which reflects the hard work and dedication of directors and staff to elevate GDPUD practices and interface with its residents.

### Public Comment:

Steven Dowd    Steve Proe  
Cherie Carlyon

## 6. COMMITTEES

### A. Irrigation Committee – Ray Griffiths, Chairman

- **Board Liaisons:** Directors Seaman, and Thornbrough

The Liaisons recounted the last meeting's discussions which included planning for the approaching calendar year's schedule and the proposed irrigation service rate increases.

### B. Finance Committee – Andy Fisher, Chairman

- **Board Liaisons:** Directors MacDonald, and Stovall

Liaisons Stovall and MacDonald shared committee plans to review the past fiscal year's operating budget and audit and develop recommendations for the Board of Directors.

### C. Ad-Hoc Labor Negotiations Committee

- **Board Liaisons:** Directors Thornbrough, and MacDonald

There was no report available.

#### **D. Ad-Hoc Strategic Planning Committee**

- **Board Liaisons:** Directors Seaman, and Stovall

Director Seaman shared that the committee met and reviewed the plan.

#### **E. Ad Hoc for Board Reimbursement Policy Committee**

- **Board Liaisons:** Directors Saunders, and Thornbrough

Director Saunders informed that the committee has met twice and will meet once more to review the policy amendments.

#### **Public Comment:**

Steve Dowd

### **7. ACTION ITEMS**

#### **A. Receive Legislative Update and Develop District Positions**

The District's Legislative Liaison Saunders updated the Board regarding recent developments and potential actions needed. The Headwaters Protection Act was successfully passed through the House of Representatives and is moving to Congress. The Act provides protections and funding with the potential to benefit the District by protecting the forests and watersheds whose health are critical to the water supply. The inclusion of language in the act defining special districts as local governments allows for eligibility to participate and expands good neighbor authority.

#### **Public Comment:**

Cherie Carlyon

**Director Saunders motioned to establish a District position of support for HR 8790 Fix Our Forests Act. Director Seaman seconded the motion.**

#### **President MacDonald called for the vote:**

**Ayes:** Saunders, Stovall, Thornbrough, Seaman, and MacDonald

**Nays:** None

The motion passed **unanimously**.

#### **B. Approve Amendments to Policy 5030 Water Transfer Policy and Adopt**

General Manager Nicholas Schneider shared that this policy has been amended with the inclusions requested by the Board Members. The proposed amendments are in relation to the associated process timelines.

#### **Public Comment:**

Steve Proe

Steven Dowd

Cherie Carlyon

**Director Saunders motioned to adopt the amended Policy 5030 Water Transfer with an amendment creating a requirement to add item one to a Board meeting agenda prior to January 1<sup>st</sup> of each year. Director Seaman seconded the motion**

#### **President MacDonald called for the vote:**

**Ayes:** Saunders, Stovall, Thornbrough, Seaman, and MacDonald

**Nays:** None

The motion passed **unanimously**.

**C. Receive Georgetown Divide Public Utility District Water and ALT Zone Cost of Service and Rate Study and Authorize an Associated Public Hearing**

The Board received the GDPUD and ALT Zone Cost of Service and Rate Study. Sanjay Guar of Resource Economics answered Board inquiries. The Board discussion examined many elements related to the report including; proposed increases, customer impacts, the Auburn Lake Trails (ALT) proposed rates, associated reserve account history and future funding requirements, and the Capital Improvement Plan forecasting, and necessities.

**Recess was taken from 5:18 p.m. to 5:26 p.m.**

**Public Comment:**

- Steve Proe
- Kristy McKay
- Rena Lowry
- Ann Wright
- Steven Dowd
- Cherie Carlyon

**Consensus Discussion:**

The Board engaged in discussion to establish consensus regarding receiving the report and setting a public hearing. Need to establish public understanding regarding factors necessitating the increases and utilization of funding collected was discussed. Public awareness that the funds will be utilized for CIP with a projected \$4.5 million over five years allocated, operating expenses, and the employee equity adjustment was emphasized for inclusion in the requested mailer to be developed.

**Director Stovall motioned to receive the written report and oral presentation by Water Resource Economics, review and approve the final analysis, authorize the staff to notice public hearing and call a public hearing on December 12<sup>th</sup> make clear to the public Proposition 218 protest proceedings through the development and distribution of a questions and answers mailer. Director Saunders seconded the motion.**

**Director Seaman requested a friendly amendment, adding language at the end of the notice sharing there will be a follow-up document outlining the protest and other information, and warning the public that another document will be received as well.**

**Director Stovall amended his motion to include the Cool Community Church as the location for the public hearing. Director Saunders seconded the motion with the inclusion of the proposed amendments.**

**President MacDonald called for the vote:**

Ayes: Saunders, Stovall, Seaman, and MacDonald

Nay: Thornbrough

The motion **passed 4-1.**

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**President MacDonald adjourned the open session to a closed session at 8:01 p.m.**

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**9. CLOSED SESSION**

**A. Conference with Legal Counsel-Existing Litigation (Gov. Code § 54956.9(d)(1))**

**Name of Case:** Local 1 v. GDPUD, Unfair Practice Charge No. SA-CE-1266-M

- B. Conference with Labor Negotiators (Gov. Code § 54957.6)**  
**Agency Designated Representative:** General Manager Schneider  
**Employee Organizations:** Local 1
- C. Public Employee Performance Evaluation (Gov Code § 54957)**  
**Title:** General Manager
- D. Conference with Labor Negotiators (Gov. Code § 54957.6)**  
**Agency Designated Representative:** President MacDonald  
**Unrepresented Employee:** General Manager
- E. REPORT OUT OF CLOSED SESSION-**There was no report out of Closed Session.

**President MacDonald adjourned the closed session to an open session at 9:36 p.m.**

**10. BOARD MEMBER REQUESTS FOR ADDITIONS TO FUTURE MEETING AGENDAS**

- A.** Opportunity for Board members to discuss and provide input for future meetings.

Director Thornbrough requested that the Board examine the Brown Act and Robert's Rules utilization. The request was to establish and clarify which will be utilized in meetings.

**11. MEETING DATE AND ADJOURNMENT**

- A.** The next Regular Meeting will be November 7, 2024, at 2:00 PM., at the Georgetown Divide Public Utility District, 6425 Main Street, Georgetown, California 95634.

**Director Thornbrough motioned to adjourn the meeting. Director Stovall seconded the motion.**

**President MacDonald called for the vote:**

**Ayes:** Saunders, Stovall, Thornbrough, Seaman, and MacDonald

**Nays:** None

The motion passed **unanimously. The meeting adjourned at 9:38 p.m.**

\_\_\_\_\_  
 Nicholas Schneider, General Manager

\_\_\_\_\_  
 Date

**ATTACHMENTS:**

1. Public Comment Rena Lowry
2. Public Comment Steven Proe
3. Public Comment Ann Wright
4. Fix our Forests Act Support Letter

## **Public Comment or Rena Lowry**

Subject: Rate Increase

Dear board members –

I am completely against the water rates increases, and in fact think we should reduce the irrigation rates so we regain some lost customers from the last hike. We need more water flowing to our members so the fire danger doesn't increase any further! Common sense: lower rates, attract more consumers, keep the Divide green!

From the : Georgetown Divide Taxpayers Association ( GDTA ) and Steven Proe.

P.O. Box 94, Greenwood, California 95635

To the each Board Member of the, Georgetown Divide Public Utility ( GDPUD )  
District Board Members indivually and their General Manager.

P.O. Box 4240, Georgetown CA 95634.

## **Mitch MacDonald, Director**

**Position:** Vice President

**Term:** 2020-2024

**Phone:** [530-333-4356](tel:530-333-4356)

**Email Address:** [mmacdonald@gd-pud.org](mailto:mmacdonald@gd-pud.org)

## **Donna Seaman, Vice President**

**Phone:** [530-333-0456](tel:530-333-0456)

**Email Address:** [dseaman@gd-pud.org](mailto:dseaman@gd-pud.org)

## **Mike Thornbrough, Treasurer**

**Term:** 2020-2024

**Phone:** [530-333-4356](tel:530-333-4356)

**Email Address:** [mthornbrough@gd-pud.org](mailto:mthornbrough@gd-pud.org)

## **Michael Saunders, Director**

**Term:** 2018-2022

**Phone:** [916-420-2459](tel:916-420-2459)

**Email Address:** [msaunders@gd-pud.org](mailto:msaunders@gd-pud.org)

## **Robert Stovall**

**Position:** Director

**Term:** 2022-2026

**Email Address:** [rstovall@gd-pud.org](mailto:rstovall@gd-pud.org)

## **Nicholas Schneider**

**Position:** General Manager

**Email Address:** [gm@gd-pud.org](mailto:gm@gd-pud.org)



Dear Board Members and General Manager:

On numerous occasions both in person and during Zoom Meetings I have brought to your attention that the GDPUD has signed a Settlement Agreement that was memorized on February 12, 2021.

I also emailed your General Manager prior to the August 13, 2024 meeting with the message below.

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**Sent:** Tuesday, August 13, 2024 2:22 PM

**To:** gm@gd-pud.org <gm@gd-pud.org>

**Subject:** Today Meeting re: Rate increase Previous Agreement with the Georgetown Divide Taxpayers et/al

Dear General Manager, ( Nicholas Schneider )Re: Today's August 13, 2024 Town Hall Meeting.

**I am writing this comment requesting that you the General Manager and the staff of the Georgetown Divide Public Utility District include in your meeting today the previous agreement that the Board made as a provision of settling the action taken previously per the last Prop.218 rate hike.**

I have just been noticed that the final Agenda packet for today meeting has just been posted.

I and my advisors have not been noticed by GDPUD of these events in anyway regarding the settlement agreement.

I Steven Proe as the main contact person for the Georgetown Divide Taxpayers do not believe that the GDPUD has fulfilled its obligations to comply with its agreement with us. I therefore make this request to delay this meeting until I can meet and discuss this proposed rate increase

until the members of our group and it's advisors have had time to review the full Agenda packet for today meeting Town Hall August 13, 2024.

I also hereby request that that the District preserve any and all documents that the District and others may have since the beginning of the last Notice of a Rate increase since approximately 2017 or there about's .

I also hereby request that the District and all others that have been in contact with the District provide all documents pertaining to this proposed Rate Increase, under CHAPTER 3.5 - Inspection of Public Records

2021 California Code Government Code - GOV

TITLE 1 - GENERAL

DIVISION 7 - MISCELLANEOUS

We shall be making addition requests under this Records Act in the near future.

If the District has any questions regarding this request we will be happy to assist the District.

We also request a waiver of any and all fees as these responses will be circulated to many citizens and agencies as a public service at our cost.

Thank you

Steven Proe individually and for the Georgetown Divide Taxpayers Association.

I have not received any response from the GDPUD regarding my previous requests and a response to the GDPUD's for its lack of compliance with said Settlement.

We object (GDTA) and Steven Proe to any proposed rate increases proposed by the GDPUD until the Settlement is complied with by the GDPUD.

We believe that the GDPUD may have violated this Settlement and possibly collected funds that it may have collected from GDPUD rate payers and others.

The GDPUD has caused the GDTA and Steven Proe to expend many thousands of dollars in an attempt to have GDPUD comply with its Settlement, we request that the GDPUD enforce and comply with the Settlement so that we GDTA and Steven Proe do not have to expend additional funds to bring GDPUD into compliance with its Settlement between GDTA, and Steven Proe.

We also notify the GDPUD that the General Manager has not complied with our California Public Records Act and has in fact substituted our request with the General Manager's interpretation of GDTA and Steven Proe's original information requests.

We further amend our previous California Public Records Act Request to provide us with all emails and other correspondence to and from the General Manager and the Board members of the GDPUD from the start of the Previous Prop 218's during 2017 including any Notice of Preparation or similar designation statement to prepare a Prop 218 this request includes all previous General Manager's e-mail and all previous Board members of GDPUD, this request includes all part-time General Managers or other persons acting as the General Manager or acting General Manager's, including Mr. Darrell Creeks since 2017 to the present date.

Thank You for your prompt attention to these issues

Respectfully

For the GDTA and Steven Proe

P.O. Box 94 Greenwood ,

California 95635

## Public Comment Submission from Ann Wright

Date: 10/3/24 8:12 AM (GMT-08:00)

To: Mike Thornbrough

Subject: Water rate

Good morning. I am concerned about the extraordinary increase in the rate for the out of district irrigation water. The proposal is a 96% increase! While I understand that out of district customers are paying less in property taxes, this large of an increase in one year could cause some to reduce or terminate their water. Particularly during our high fire risk season, it is a benefit to the Divide to have these remote areas irrigated. Can this increase be phased in over several years?

Anne Wright

Date: 10/3/24 8:33 AM (GMT-08:00)

To: Mike Thornbrough

Subject: Water rates

One more thought. Out of district customers were granted rights to access water when the District was formed but do not have a voice regarding representation as they cannot vote for board members.

How were the proposed out of District rates determined? They appear to be in excess of the assessments charged to in District customers?

Anne Wright

September 23, 2024

The Honorable Bruce Westerman  
Chairman  
Committee on Natural Resources  
U.S. House of Representatives  
1334 Longworth House Office Building  
Washington, D.C. 20515

The Honorable Scott Peters  
Congressman  
U.S. House of Representatives  
1201 Longworth Office Building  
Washington, D.C. 20515

**Re: Support for H.R. 8790, the Fix Our Forests Act**

Dear Chairman Westerman and Congressman Peters:

The undersigned organizations support H.R. 8790, the Fix Our Forests Act. Thank you for introducing this important bipartisan legislation and for your leadership in addressing forest health needs and wildfire challenges. Improving the health of our nation's forested lands and protecting communities and watersheds is critically important, and we are pleased that the House of Representatives will be considering the bill this week.

We represent a broad coalition of stakeholders that includes water providers, farmers, utilities, businesses, forestry professionals, counties and local governments. We are deeply committed to advancing forest and watershed health. We support the Fix Our Forests Act's comprehensive approach to improving forest and watershed health. Enacting H.R. 8790 will help protect our communities and address forest health needs by fostering collaboration between federal agencies, local communities, and tribal nations, authorizing common sense environmental streamlining authorities, providing targeted litigation reform, expanding good neighbor authorities, and investing in data sharing, research, and technology.

Communities nationwide continue to face widespread destruction caused by intense wildfires. More than one-third of the U.S. population and buildings—roughly 115 million people and 48 million buildings—are in high wildfire risk counties.<sup>1</sup> To date in 2024, 33,631 fires have burned 6,336,634 acres nationwide.<sup>2</sup> Wildfire is an important part of a healthy ecosystem. However, the catastrophic wildfires that are becoming more common often burn with a severity that falls outside historic norms.<sup>3</sup> Catastrophic fires threaten public health and safety, and adversely affect community resilience and infrastructure. Catastrophic fires can also impact water supplies. Almost 90% of the people served by

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<sup>1</sup> U.S. Forest Service: *Updates to Wildfirerisk.org Identify Communities with Increased Risk and Provide Resources to Mitigate Wildfire*. May 29, 2024. <https://wildfirerisk.org/about/news/>.

<sup>2</sup> National Oceanic and Atmospheric Administration, National Centers for Environmental Information: *Monthly Wildfires Report*. July 2024. [August 2024 Wildfires Report | National Centers for Environmental Information \(NCEI\) \(noaa.gov\)](https://www.ncei.noaa.gov/mwr)

<sup>3</sup> Parks, Sean A.; Holsinger, Lisa M.; Blankenship, Kori; Dillon, Gregory K.; Goeking, Sara A.; Swaty, Randy. 2023. Contemporary wildfires are more severe compared to the historical reference period in western US dry conifer forests. *Forest Ecology and Management*. 544: 121232.