

**MINUTES OF SPECIAL MEETING OF  
THE NORTH TAHOE PUBLIC UTILITY DISTRICT  
BOARD OF DIRECTORS  
8318 North Lake Boulevard, Kings Beach, CA 96143**

**Wednesday, May 22, 2013 at 9:00 A.M.**

**CALL TO ORDER/ESTABLISH QUORUM**

The Board of Directors of the North Tahoe Public Utility District Board of Directors met for a Special Meeting and Chinquapin Homeowners Association Sewer Facilities Hearing. The meeting was called to order at 9:00 a.m. on Wednesday, May 22, 2013. Present were Directors Bergmann, Daniels, Ferrell, Thompson, and President Lewis, establishing a quorum. President Lewis called the meeting to order at 9:00 a.m. Director Daniels led the Pledge of Allegiance.

District Staff present were General Manager Schultz, Board Secretary Potts, and the District's Counsel, Neil Eskind.

Public present included Chinquapin Homeowners Association (CHOA) General Manager Bob Duffield, CHOA Counsel Jim Porter, Mitch Packard of Packard Realty, Western Maintenance Company Owner Aidan Miles, and CHOA Directors Kathy Payne, Shane Gorman, Tom Popek, and Terry Sarvas. Many other members of the public were present, including numerous Chinquapin Homeowners.

**PUBLIC FORUM**

There being no public to address the Board on matters not on the agenda, Public Forum was closed at 9:05 a.m.

**CHINQUAPIN SEWER FACILITIES HEARING**

**1. Chinquapin Sewer Facilities Presentation by CHOA**

Counsel Jim Porter spoke on behalf of the Chinquapin Homeowners Association, followed by Bob Duffield, CHOA General Manager.

**2. Public Comment related to the Chinquapin Sewer Facilities Hearing**

CHOA President, Kathy Payne presented comments, Kings Beach resident Joe Huelle also presented comments, as well as Michael Johnson of Placer County who spoke regarding a Joint Powers Agreement between the District and Placer County executed on August 3, 1971 related to reimbursement to the District for the inspection of sewer facilities being built within the District's boundaries.

President Lewis called for a short break at 10:30 a.m. and reconvened the hearing at 10:40 a.m.

**3. Chinquapin Sewer Facilities Presentation by District**

General Manager Schultz spoke on behalf of the District, offering staff recommendations for action to the Board of Directors.

**4. Rebuttal of District's Chinquapin Sewer Facilities Presentation**

CHOA Counsel Jim Porter and CHOA General Manager Bob Duffield commented on the District's presentation.

## **5. Open Discussion and Additional Public Comment**

Kings Beach resident, Joe Huelle, commented on the presentations.

## **6. Board Discussion**

The Board of Directors began their discussion at 11:05 a.m. General Manager Schultz, District Counsel Eskind, CHOA Counsel Jim Porter, CHOA Board President Kathy Payne, CHOA Board Member Terry Sarvas, CHOA General Manager Bob Duffield, Tahoe Vista resident David Waller, and Chinquapin Homeowners Ralph Coppola and Trent Pridemore offered input for consideration by the Board during the discussion.

Upon conclusion of their discussion, the public hearing was closed, and the following actions were taken:

**MOTION:** Director Bergmann moved that the Board finds that the District did not accept a formal dedication of the Chinquapin sewer facilities to the District, with the exception of the D6 Sewer Lift Station. Upon second by Director Ferrell, the motion carried unanimously by Roll Call Vote (5-0).

**MOTION:** Director Ferrell moved that the District transfer responsibility for maintenance of the Chinquapin sewer lines to Chinquapin Homeowners Association on November 22, 2013. Director Daniels seconded the motion. The motion carried after a Roll Call Vote (4-1) with Director Thompson voting No.

**MOTION:** Director Ferrell moved to authorize the General Manager to negotiate and bring back to the Board for approval a maintenance agreement for the Chinquapin sewer lines, calculating costs for sewer line maintenance at 100% of actual District costs, determining a specific level of desired/necessary maintenance, and creating an agreement which is inclusive of proper liability and hold harmless language in place to protect the District. After approval by the Board of Directors, the General Manager shall be directed to offer the maintenance agreement to CHOA for consideration. Upon second by Director Daniels, the motion carried by Roll Call Vote (3-2) with Directors Bergmann, Ferrell, and Daniels voting Aye; and Director Thompson and President Lewis voting No.

The Board of Directors directed General Manager to bring tentative findings for the hearing back to the Board at the regular meeting on June 11<sup>th</sup>.

## **ADJOURNMENT**

There being no further business for consideration by the Board, the meeting was adjourned at 1:20 p.m.

Marianne Potts  
Board Secretary