

**MINUTES OF THE REGULAR MEETING
OF THE SEWERAGE COMMISSION - OROVILLE REGION**

(Held at the Commission office on November 17, 2021 at 5:00 p.m.)

1. Call to Order ❖

Chairman Pittman called the meeting to order at 5:00 p.m.

2. Roll Call ❖

Commissioners present were Commissioners Fairbanks and Mastelotto from the Lake Oroville Area Public Utility District, Pittman and Reynolds from the City of Oroville, Hatley and Wristen from the Thermalito Water and Sewer District. Staff present was Manager Glen Sturdevant, Plant Supervisor Mikah Sals, and SC-OR Attorney Scott Huber.

3. Salute to the Flag ❖

Commissioner Mastelotto led the Commissioners and staff in the salute to the flag.

4. Acknowledgment of Visitors ❖

None

5. Board Meeting Minutes of the Regular Meeting held on October 27, 2021 ❖

Upon motion by Commissioner Hatley to approve the minutes of the meetings, and seconded by Commissioner Reynolds, the minutes of the October 27, 2021 regular meeting were unanimously approved.

6. Authorization of Warrants ❖

Commissioner Hatley met with Manager Sturdevant and reviewed the warrants, and having found everything to be in order made a motion for their approval. The motion was seconded by Commissioner Reynolds. Warrants 27095-27135 in the total amount of \$178,137.37 from October 28 to November 17, 2021, including Commissioner fees and electronic fund transfers, were unanimously approved and ordered paid.

7. Fiscal Reports ❖

Manager Sturdevant stated the fiscal reports for October 2021 were in the packets for review. There were no questions and nothing further to report.

8. Adoption of Proposed COVID-19 Prevention Program (CPP) ❖

Manager Sturdevant said we received a copy of the COVID-19 Prevention Program from Attorney Huber. We are asking for approval of the program so that we can be in compliance with the State of California AB685. Commissioner Mastelotto asked if the employees had sick leave to take if they get Covid. Manager Sturdevant said there was sick leave mandated by the State which was not deducted from their accrued sick leave, but that ended September 30th. They still have sick leave, but any time off for Covid is now used against their accrued sick leave. Commissioner Reynolds asked if there was a sunset date on this program. Attorney Huber said to his knowledge there is no sunset date.

A motion was made by Commissioner Reynolds to adopt the COVID-19 Prevention Program, which was seconded by Commissioner Wristen. The motion was unanimously approved.

9. Fiscal Year 2020/2021 Audit ❖

Manager Sturdevant said the audit was complete and everything looked fine to the auditor. We must now adopt the audit as presented.

A motion was made by Commissioner Reynolds to adopt the 2020/2021 Fiscal Year Audit as presented. The motion was seconded by Commissioner Hatley, and was unanimously approved by consensus.

10. Resolution 09-21 (A Resolution Establishing the Formulas for Determining Infiltration/Inflow Surcharges) and Corresponding Policy 7305 ❖

Manager Sturdevant reported that this resolution and policy has had the language changed on Item #5 to include the spirit of the intent of the resolution as directed by the Commission at the October meeting. Attorney Huber changed item #5, and it is agendized again for consideration and adoption.

A motion was made by Commissioner Reynolds to adopt Resolution 09-21 (A Resolution Establishing the Formulas for Determining Infiltration/Inflow Surcharges) and Policy 7305, with a correction on Exhibit A of the policy. The motion was seconded by Commissioner Hatley. The motion was unanimously approved by consensus.

11. Attorney's Report ❖

Attorney Huber had nothing more to report other than he had worked with staff on employment issues and on changing the resolution language. He has been checking on the construction project, and it seems to be going well and under budget at this point.

12. Manager's Report ❖

Manager Sturdevant reported that there were no operational issues this month. The influent pump station project is moving along well.

He reported that he had to let an operations employee go, as he wasn't performing as expected and didn't pass probation. After consulting with Attorney Huber, we offered the position to someone that came in second in the interviews in July. That person accepted the position and will begin work on December 1st. He has already passed his Grade II Certification test, and had taken a position with the City of Dunsmuir, so he has got some time in towards his Grade II Certification, and will need another eight to nine months before he qualifies for that Certification.

Chairman Pittman asked about SC-OR's infrastructure in the influent pump station, and if it has degraded during construction. Manager Sturdevant said there could have been issues if there was too much ground water and settling, but the construction company has shored everything up to prevent any issues. Commissioner Hatley asked if there have been any change orders on this project. Manager Sturdevant replied that there have not been any at this point.

13. Visitor Comments ❖

None

14. Commissioner and Staff Comments ❖

Chairman Pittman asked Attorney Huber if an outside public person or Commissioner could not attend a meeting and requests to attend by Zoom, is that still allowable. Attorney Huber said the Brown Act does allow for remote attendance. There are some posting requirements that must be met. SC-OR must also have a quorum of members within the jurisdictional boundaries. The Governor's executive order allowing for a waiver of the Brown Act has expired, but the legislature passed a law that if every 30-days an agency passes a resolution stating that based upon a local emergency it is unsafe to meet and we want Zoom meetings to continue, then we don't have to meet at the plant, we do not need a quorum in jurisdictional boundaries, and we must allow the public to comment from anywhere. It is not uncommon for public agencies to say they will not hold closed sessions remotely to avoid the public from listening in.

Manager Sturdevant asked for clarification: If a commissioner requests to Zoom into a meeting, would we need provide a Zoom feed for them and the public? Attorney Huber said only if the Commission passes an emergency resolution every 30-days, otherwise we cannot open the meeting to Zoom from anywhere outside of the jurisdictional boundaries. If not under emergency resolution, and Zoom attendance is requested by a commissioner, the location address of where the Commissioner is attending from must be on the agenda along with SC-OR's address where the meeting is being held, and they must post an agenda on the door of where ever they are attending from. We would only need to arrange for the Zoom feed for that board member, not the public.

Commissioner Hatley reminded the commissioners that our next regular meeting is scheduled for December 15 at 11:00 a.m.

Commissioner Mastelotto asked if all of the employees have received the Covid-19 vaccination. Manager Sturdevant reported that all but two have been vaccinated.

Chairman Pittman asked about testing for pharmaceuticals coming into our plant. Manager Sturdevant stated that we do not test for them, but if we did test for them we would test positive. The river is full of pharmaceuticals. Eventually, the State will probably require us to remove them from the water, which will be very costly.

15. Adjournment ❖

There being no further business, the meeting was adjourned at 5:29 p.m. to the regular meeting scheduled for December 15, 2021 at 11:00 a.m.

Respectfully submitted

GLEN E. STURDEVANT, CLERK



Approved