

Minutes for the PlaVada Community Association Meeting October 18, 2008 – 9:00 AM – Approved December 13, 2008

Board Members Present: Chik Brenneman,(CB), Hugh McGuigan(HM), Jim MaGee (JM), Brian Gebhart (BG), Bob Wagenman (BW), Nick Nieffenegger – (NN), Jerry Keen (JK), Sunnie Skiles (SK), Eric Lombardi (EL)

Board Members Absent: Mike Anderson – MA

Staff in Attendance: Terri McGuigan (TM), Brian Silsby (BS)

Members in attendance: None

CALL MEETING TO ORDER –
Welcome and introductions

Committees –. CC&R's shows that three members are to serve on the architecture committee. The Board will open it up to the membership through the TT. The committee would be overseen by a Board member. We will advertise on the website and TT for volunteers.

A general discussion about concerns that having non-board members on the committee might have an effect on any liability issues for recommendation the committee may make. It was pointed out that the Board makes the decisions; the member's involvement is advisory but dictated by the CC&Rs. BG suggested appointing two Board members to the committee to temporarily satisfy the requirement. CB stated that since no plans were submitted for review, and the current practice has been in place for years, that it would be status quo. It was moved that an ad would go in the next Timber trumpet. JK, 2nd NN

Handbooks – CB – In the past there have been a handbook for new Board members that is passed along. This has not been done for some years. Terri has prepared additional books for the Board and they will be distributed by the next regular meeting. These books contain governing documents, policies and general information regarding individual Board members responsibilities. CB hopes to have completed by the December meeting.
CARRY

APPROVAL OF MINUTES – August 8, 2008 - Motion to approve, with corrections BG, 2nd. JM.

COMMITTEE REPORTS 40 mins

Architecture/ Compliance – Mike Anderson – (MA)

No report

Water - Chik Brenneman (CB) Water pumping totals were not reported for this interval.

Labor Day Water Leak – Thanks to Brian, Doug and Jim for working to get water

supplied to members. Unit 6 Cost to repair in materials alone was \$4300. Labor to repair went over several days.

The Association was recently served an Administrative order from the United States Environmental Protection Agency to initiate treatment of PlaVada water supply for Arsenic. A more complete discussion is discussed below under 'old business' as it was included as part of the water project presentation. It was moved that we must comply with the USEPA order and to move forward with studies to determine how best to mitigate arsenic in the water. It was discussed that the project is a capital project and cannot be funded from reserves. There was a question regarding extension, CB responded that since the MCL was modified in 2006 and the Association has been in technical violation since then, that an extension would not be allowed. Funding options are being explored but it is too early in the process to determine the best avenue. The order must be complied by 1/1/2010 or the association will face stiff fines. (BG/ 2nd EL)

One lot was sent the 30 day notice to pay or have services interrupted for non-payment of the 2007-2008 dues year. Need a board motion to shut off the water to the delinquent cabin. Motion to approve shut-off process for non-payment of fees - BG/EL, passed. Follow-up: 10/18/08 the water is turned off and the process for a notice of default has been started.

Sewer –Nick Nieffenegger (NN) -

Sewer inflows for Aug 2008 – 352K gallons

Sewer inflows for Sept 2008 – 324K gallons

Waiting for material to come so that we can raise the level of the levy sides.

BS states that the sewer plant is in good shape and the stop gauges. Have been cemented

Legal/Easements – Jerry Keen – (JK) –

Sewer Plant Parking - It appears that the only easements in the sewer plant area are just for the treatment plant. CB will discuss this with property owner. Easements that allows parking at the sewer plant. FOLLOW - UP: Owner is OK with current agreement. PV does maintain the lot. Grindings will be moved to the lot as part of pre-winter maintenance.

A general discussion regarding the costs to plow the sewer plant parking lot with the result in a recommendation that the snow removal policy be re-written to show permissible parking areas within the community. CARRY

JK – Lot 256 a culvert was put in not placed how it was discussed.

NN – The road has been there we have prescriptive rights since CW.

CB – I thought when we walked the area this problem was resolved.

Lot 256/Well 5 access - A general discussion regarding the access road to well 5. The road does pass on member's property. CB - to meet with property owner under the power lines east of the unit 6 parking area to discuss proposed access to the well. ACTION: Walk through was done 8/16/08 with JM, JK, MA and property owner. Access road was re-routed where it was possible. Some action needs to be taken by Board to acknowledge property owners rights where

the road could not be re-routed without great expense. CARRY per request of property owner who could not attend this meeting.

Dumpsters at PV entrance – Researched the use of the dumpsters with the disposal company. It turns out that the dumpsters are not just for PV. Board does not have any authority to tell people what can be put in. EL – the dumpsters are for everyone who pays for it on their taxes, therefore they can be used by anyone. Dumpsters need to stay where they are so that they can be monitored and cleaned up regularly. The owners of the property where the garbage containers are located need a letter from the association requesting permission to set the dumpsters before the bridge. Since they are ‘community’ dumpsters, there is a question on who needs to obtain permission. ACTION: CB will contact the owner to get a clarification. Email sent to property owner. Owner responded that they would contact the disposal company.

BG – Suggests looking into getting recycle bins. EL – cardboard recycle bins as cardboard takes up a lot of room. For bottles and cans, these might cause a bear problem – ACTION: Terri will look into recycle bins and report back. FOLLOW-UP The Disposal Company will not place a recycle bin in a residential area.

Roads – Brian Gebhart (BG)

September and October have been busy for road repairs as well as overlays. The process of crack repairs will continue until the weather prohibits that activity. Much of the repairs and overlays have been concentrated on the areas where the roads were in the worst condition, and in areas, which were damaged as a result of repairs to water/sewer system. The repairs have been a joint effort of the PlaVada staff and Shaffer Paving, while the overlays were accomplished by the contractor. Preparations were completed by staff in advance of the contractors work. Additionally, five speed bumps were also added in areas as deemed necessary. .

Caretaker Jim MaGee (JM)

The asphalt grindings were used for the access road to the well on Lot 258 via the power line easement, with the exception of two lots as I was told that we needed easements to be in place to cross the property.

We are looking into the cost to build and install 3 gates, to limit access in that area. These gates will be a project for the spring of 2009.

We installed grindings on the edges of the road where we installed new paving to protect the edges from breaking off when vehicle drive across it. We also placed asphalt grindings at the sewer plant parking area.

Unit 6 had another water break under a manhole, which required digging out about 10 feet to install two new valves. This took about 3 days to complete this work. A house in Unit 6 also had a break in the lines, which was on association

side of the system. Apparently, this had been leaking for some time when it finally surfaced. Installation of a new valve has corrected the problem.

We also put in a new valve and line in at the pump house at unit six so we can get water to White Fir and Red Fir from the bottom of the hill. This was a problem last year and this year when we had a water main break

Equipment – Bob Wagenman (BW)

TRUCK FOLLOW-UP- have not done anything on a 10k Truck. We will look for a truck. Still some discussion on the size of the truck to purchase
CB inquired as to whether the equipment was ready for winter. BS responds that they are working on it as they can.

BW – Presented a proposal to purchase a new generator for the new well and temporarily service well three.

Timber Trumpet – Terri McGuigan (TM) –

The next issue for the TT should be late October after the next board meeting. Deadline for submissions will be 10/24/08

Treasurer’s Report – Eric Lombardi (EL)

At this time in our reserves, we have \$1,070,604.00. At the end of September, we had \$750,399.00 in certificates of deposit. All the certificates range from 50,000 to 93,000. The CD’s mature at different times of the year. As the CD’s Mature I will analyses what we need to pay on the water project to determine what we will need to roll over to get a maximum return on our money.

At this time, we have paid out of our general fund for the well and tank project, including the road repair \$148,521.23. I am requesting at this time to have a motion to repay the general fund.

We owe the reserves a total of \$76,226.57, which will be paid after the 148,521.23 has been received.

EL - Motion to transfer \$148,521.23, from reserves to repay the general fund. Once the money is received we will send back to reserves \$76,226.57. SS second, all approved. Motion carries

I believe we should move forward to obtain a line of credit so that we could draw off of it with the new developments of arsenic treatment.

OLD BUSINESS

Water project update

General Water News

Well will now be referred to as Well 5

The engineers are paid on time and material and their length is for delivery of materials as listed in the scope of work. In the past two weeks many documents have come together, but the most important, which was the Title 22 report (Wellhead testing for chemical analysis) was just received from the laboratory this past week. The engineers can now work this document and complete their report so the entire package, biologists report, well report, foundation design, plans, soils testing. There are many laws and regulations that must be adhered, and to ultimately be cost effective on the project, we need to rely on our consultants to guide us through the process. Many old timers in the neighborhood comment to me that we just drilled, found water, and that was it. That was over twenty years ago, and California laws have changed significantly since then. Most notably, Well 4 is too shallow and well 3 is in a flood plain. As soon as the KJ report is completed, the biggest issue of winter weather and obtaining the necessary permits will be a challenge.

Delays have been experienced. All the work was subject to scheduling of outside agencies. Once surveys, fieldwork, well pumping were completed, the reports had to be written. Most frustrating was after the 10-day pump down test, Tanko was waiting to see if the well static level would return to its original level, which is a few inches short. We could not sample for the Title 22 until that part of the project was completed, and then there were delays in getting the lab tests back. The lab tests are back and the engineering firm is working on system design recommendations and as will be discussed later in this report, arsenic remediation.

Some questions have arisen regarding the actual engineering of the water system and the answers should be clearer once the engineering report is received. To be brief, we will need a small booster pump and hydro-pneumatic tank to serve the houses at the high elevations of unit 6 since there is insufficient head and pressure below the new storage tank. This will be required whether the main system pump is operating or not operating.

We will also need 480 Volt, 3-phase power for the 25 HP well pump and will need 37 amps on site. A good quality 60 KW portable generator would do the job. Jim Magee has been researching generators and will present his findings.

The Association also received in the last week, an Administrative order from the United States Environmental Protection Agency (USEPA). Since the maximum contamination level (MCL) was lowered from 50 ppb to 10 ppb, the Association has been out of compliance and has been discussing options with the California State Department of Public Health (CDPH). In all discussions with the state, they have been non-committal on recommended options for arsenic reduction treatment. The reason being the state does not have authority to enforce the national MCL of 10 ppb. They will not have that authority until the state has a final MCL. An MCL of 10 ppb was proposed by the state in July 2008. The MCL package now sits on the Secretary of State's desk, waiting approval. Our Association was not the only water service provider to be issued the administrative order. About 45 systems in all were served. A plan for treatment must be submitted to the USEPA within 30 days. Compliance for arsenic treatment is required by December 2010.

Per Cindy Forbes (Chief, Southern California Field Operations Branch,

Division of Drinking Water & Environmental Management CDPH) re the administrative orders that EPA region 9 sent out to

Water systems in CA that had arsenic in excess (greater than 10 ppb MCL). Some important points:

- 1) Her guess on final promulgation of the CA rule - early Dec 2008. (see my earlier e-mail on that status).
- 2) About 45 systems were served with "arsenic violation orders". Let's see how that jibes with the numbers we get from EPA Region 9 - Mr. Pringle (Pat Chan reference).
- 3) Systems that have no piloting in progress, no arsenic treatment/remediation plan, with arsenic exceedances of the national MCL, are the targeted systems for this administrative order from EPA.
- 4) Regards what happens when the state MCL becomes final for those systems that have received an EPA administrative order –

Generally if EPA starts legal action, like the administrative order, the state will not get involved, EPA follows through to the end, i.e., compliance.

- 5) Pla-Vada Community Association will have to deal with EPA

Fire Safety

Action Item October 13, 2007 - Eric Lombardi – will volunteer **EL/BW** If Bob will head up the committee to call the fire department. We will tour the area and list lots to work on the issue. Bob Wagenman agreed to put an article TT regarding fire safety. In lieu of adopting a strict rule like Tahoe Donner, we are looking for the cooperation of homeowners to trim and limb their trees. We need to let owners know that their properties need to be cleaned up. BW & EL need to have maps of the area to identify the ones that need clean up. **CARRY waiting until July to ride with the Fire Marshall to locate properties that need to be cleaned up. CARRY EL/BW** will prepare some articles for the TT. Complete

JK thanked to Jim, Brian and Doug who had the caretakers lot cleaned up. A discussion regarding fire safety was conducted. BW stated that he would check with Truckee fire for a lot survey. FOLLOW-UP _____ Dropped

Work Day –

CB, HM, BW, CB, BS, MA, JM cleared brush. Another workday is scheduled for 8/30/08 – Follow-up; Workday was not held as scheduled. Will be re-scheduled at some future date - Dropped

Generators-

BW – New generators are \$14,000.00. We should hold off on a new purchase until the well is completed. A diesel mechanic needs to look at the generator at well three, as the new well probably will not be on line this year. Action: BW See BW equipment report

Signage–

JK-We need to update our signage with the correct codes where applicable. JK requests that the sign for the office needs to be more visible to the members. Visibility in the winter may be an issue. ACTION: The sign will be moved. The office sign will be moved sign next year.

Policies/Covenants, Codes and Restrictions (CC&R) –

Discussion and recommend for action

General Discussion regarding the CC&R, 'Rules' and Policies was held. In reviewing our governing documents, there are ambiguities that must be cleared up for clear enforcement when a member is in violation. JK will work to clarify issues and present to the Board over the next year. JK distributed a draft of the snow removal policy to discuss at the October meeting. ACTION: Board to review.

Dogs – A general discussion on dog/owner control was held in response to the attack on one of our members. The office will send 'good neighbor' letters to owners of dogs that behave aggressively when a complaint is received. The enforceability of the dog laws lays wit the county animal control. The Board needs to look at the policies for dog control but needs to be concurrent with the Nevada County codes. ACTION: JK will research and bring to the next meeting a dog policy. CARRY

Water pressure – Carry JK is still doing research on this issue CARRY

Grindings/Survey -

The current road from the Unit 6 parking area to the east under the power lines was put there by a previous caretaker for a member convenience. This is the proposed access to the new well. We will discuss the potential to re-align the road with the property owner. Re-alignment will keep dust and traffic noise away from the houses along the power lines. The grindings will be used to finish the road to keep dust down. CB will contact property owner. CB – We will survey the road after it is re-lined to save money. CB, JM, JK to walk the road with the owner. Cost would be part of the well improvement and tank project. FOLLOW-UP _____ drop _____ as listed

Construction Issue in Unit 6 –

Contractors are putting construction material and dirt on the roads. BG, erosion control plans should be in place when receiving a plan, this can be a complaint to the County Building Department. JK this is the inspector's job to enforce erosion control. ACTION: Building dept to be contacted. FOLLOW-UP: _____ Drop _____

New Business

River Property adjoining PV near well 3

Review past communications with former PV member and owner of land adjacent to river and well 3.

Dick Carter has returned, Dick Carter was the former owner of the property. Letter stating we have prescriptive rights – property is in a flood plan and we cannot drill on the property. We need to research the easement.

Budget Meeting

The Budget meeting scheduled for 2/14/09 has been re-scheduled for 1/31/09

Motion to adjourn _NN, BG 2nd 2nd

Next Meeting – December 13, 2008