

**Squaw Valley Mutual Water Company  
Regular Meeting of the Board of Directors  
July 29, 2022  
Minutes**

**Call to order**

President David Stepner called the meeting of the Squaw Valley Mutual Water Company Board of Directors to order at 2:01 PM via Google Meet.

**Roll call and establish a quorum**

Directors Present: Lintner, Koffler, Stepner, Thys, and Arens.

Directors Absent: None.

A quorum was established.

Also on the call were Mike Dobrowski (CPA), Margot Garcia, and recording secretary Judy Friedman.

**Call for Public Comment**

There were no comments on items not on today's agenda.

**Call for Agenda Additions**

There were no changes to the agenda.

**Adopt the Agenda**

**It was moved by Koffler and seconded by Lintner to approve the agenda as presented. Motion carried unanimously.**

**Notice of unanimous written consent – approval of the minutes of July 6<sup>th</sup> Board meeting.**

**Votes on proposed policies as submitted to the board in the attached packet**

**1. Revised water rate structure**

Stepner noted the change from the base consumption rate of 150,000 gallons per year to 100,000 gallons.

**It was moved by Koffler and seconded by Lintner to approve the revised water rate structure as presented. Motion carried unanimously.**

**2. Revised fees, assessments and penalties**

Stepner explained the new delinquency policy, including fees and penalties.

**It was moved by Koffler and seconded by Lintner to approve the revised fees, assessments, and penalties as presented. Motion carried unanimously.**

**3. Revised water service shut-off policy and procedure**

The new policy changes the delinquency period from one year to five months. The policy includes trigger points when notices are sent to owners. The owner can request an alternative payment plan to be approved by the Treasurer of the Board. Consideration will also be given if the wrong mailing address has been used.

Garcia asked for clarification on the policy and a brief discussion followed.

**It was moved by Koffler and seconded by Lintner to approve the policy and procedure as presented, with the revision to Item 3.3 that the payment plan is approved by or entered into by the Treasurer of the Board. Motion carried unanimously.**

#### **4. Water conservation policy**

Garcia asked how the policy will be enforced. It was noted Stage II drought restrictions are state-wide and enforcement is complaint-driven.

**It was moved by Koffler and seconded by Lintner to adopt the water conservation policy as presented. Motion carried unanimously.**

#### **OTS update**

Stepner will send a written update to Board members. There are some concerns with OTS, including the fact that they have not hired a third staff member for SVMWC. Stepner noted the written maintenance report from Colter. OTS has taken over backflow inspections.

Revised invoices will be submitted for the past few months so construction costs can be submitted to USDA.

A brief discussion followed regarding some of the challenges and how concerns are being addressed.

#### **Construction update**

Stepner reported on the areas that should be paved in August. A change order is being submitted for Christy and Navajo. When those are done, that will complete the work for this season and all five areas identified will have been addressed.

Residents on Sandy and Piute have reached out to Supervisor Gustafson to see when the County will address those streets. It most likely will not be this season, but maybe next summer. It is not within the SVMWC purview to pave those roads.

SVMWC's new CPA, Mike Dobrowski, introduced himself.

#### **Adjourn**

There being no further business to come before the Board, the meeting adjourned at 2 :49 PM.

Respectfully submitted,

Judy Friedman

Recording Secretary

THE PAPER TRAIL SECRETARIAL & BUSINESS SOLUTIONS

#### **Future meetings**

**Board Meeting:** Sept 4 at 9AM

**Annual Membership Meeting** (includes election of directors): Sept 4<sup>at</sup> 10AM

**Meeting of the SVMWC Board of Directors**  
**Friday July 29, 2022, 2 PM**  
**Olympic Valley Public Service District Meeting Room**  
**& remotely at**  
**[meet.google.com/bmh-auxt-fkr](https://meet.google.com/bmh-auxt-fkr) or 518-897-9060 PIN: 740 039 960#)**

**AGENDA**

- Call to order
- Roll call and establish a quorum
- Call for public comment
- Call for agenda additions
- Adopt the agenda
- Notice of unanimous written consent – approval of the minutes of July 6<sup>th</sup> Board meeting
- Votes on proposed policies as submitted to the board in the attached packet
  1. Revised water rate structure
  2. Revised fees, assessments and penalties
  3. Revised water service shut-off policy and procedure
  4. Water conservation policy
- OTS update
- Construction update
- Adjourn

**Future meetings**

- Board Meeting: Sept 4 9AM
- Annual Membership Meeting (includes election of directors) Sept 4 10AM

IF YOU ARE PLANNING ON ATTENDING THIS MEETING AND WISH TO RECEIVE COMPLETE TEXT OF THE PROPOSED POLICY CHANGES, PLEASE SEND AN EMAIL TO [MEMBERS@SQUAWVALLEYMUTUALWATER.COM](mailto:MEMBERS@SQUAWVALLEYMUTUALWATER.COM).

## Summary of the Proposed Changes

- Revised water rate structure – Changes the base water use allowance from 150,000 to 100,00 gallons. Rate structure remains the same, as described in <http://www.squawvalleymutualwater.com/your-bill/>
- Revised fees, assessment and penalties
  - Payment in full is due 30 days from bill date. Payment not received in full within 60 days of bill date is due and delinquent and subject to an immediate late-payment fee of \$35, and an additional \$35 fee for every additional 30 days or portion thereof of delinquency.
  - Paper billing: \$20 per bill or account statement (to start on January 2023)
  - Non-sufficient funds fee (bounced check): \$35
  - Service shut-off & reconnection fee: \$750
  - Fee to shut off at lot's water meter due to issues within a home: Time and materials billed to SVMWC by OTS
  - Fee to transfer and establish water service upon sale of property: \$500
  - Permitting fee: \$300
- Revised service shut-off policy due to payment delinquency
  - If payment delinquent for 30 days after billing date (ABD), notice sent explaining SVMWC's intent to shut off water service one hundred and twenty (120) days after the notice and information about appeals, extensions, etc
  - If payment delinquent for 60 days ABD, notice sent with intent to shut off water in 90 days; notice sent to mailing address
  - If payment delinquent for 120 days ABD, notice sent with intent to shut off water in 30 days; notice sent to mailing address and posted at OV service address
  - If payment delinquent for 150 days ABD, water will be shut off; notice will be sent to mailing address and OV posted at service address; re-connection fee will apply

# Motion #1

## RATES & FEES

*Current rates & fees [here](#)*

SVMWC sends bills semiannually to the 280 members who own lots in SVMWC's service area. The charges included in each semiannual bill are:

1. **Base Charge.** Charged to all members. Covers a portion of half of SVMWC's annual operating budget approved by SVMWC's board of directors at the beginning of SVMWC's fiscal year (July 1). The portion equals the percentage of lots that used under 100,000 gallons during the previous 12 months (July 1 to June 30 for the first semiannual bill; January 1 to December 31 for the second semiannual bill). For example, the percentage is 70% if 70% of the lots used under 100,000 gallons during the previous 12 months. The Base Charge is the product of half the annual operating budget times the percentage, prorated equally among all lots except that it is half the amount for empty lots and lots that used less than 50 gallons during the previous 12 months.
2. **Water Usage Overage Charge.** Charged to members whose lots used over 100,000 gallons during the previous 12 months (July 1 to June 30 for the first semiannual bill; January 1 to December 31 for the second semiannual bill). Covers the remaining portion of half of the annual operating budget that is not covered by the Base Charge. In the above example, the remaining portion is 30%. The Water Usage Overage Charge is the product of the lot's excess use above 100,000 gallons times a per-gallon rate calculated to make the addition of the total Base Charges plus the total Water Usage Overage Charges equal half the annual operating budget.
3. **Capital Improvement Reserve Fund.** Charged to all members. Covers half of members' annual total contribution to SVMWC's capital improvement's reserve fund budgeted by SVMWC's board of directors at the beginning of the fiscal year to pay for unexpected capital expenses such as pipe maintenance and equipment replacement. Prorated equally among all lots.
4. **USDA Loan.** Charged to all members. Covers half the annual payment for the first 40-year loan by the U.S. Department of Agriculture that funded SVMWC's water system's improvements performed during 2010–2013. Prorated equally among all lots.
5. **Other fees, assessments and penalties.**

## Motion #2

### FEES, ASSESSMENTS AND PENALTIES

- Payment in full is due 30 days from bill date. Payment not received in full within 60 days of bill date is due and delinquent and subject to an immediate late-payment fee of \$35, and an additional \$35 fee for every additional 30 days or portion thereof of delinquency.
- Paper billing: \$20 per bill or account statement (to start on January 2023)
- Non-sufficient funds fee (bounced check): \$35
- Service shut-off & reconnection fee: \$750
- Fee to shut off at lot's water meter due to issues within a home: Time and materials billed to SVMWC by OTS
- Fee to transfer and establish water service upon sale of property: \$500
- Permitting fee: \$300

## Motion #3

### WATER SERVICE SHUT-OFF POLICY & PROCEDURE

1. SVMWC bills its members for water service, other charges and fees such as late-payment penalties as explained at [squawvalleymutualwater.com/your-bill](http://squawvalleymutualwater.com/your-bill). Members are property owners, not tenants, as explained at [squawvalleymutualwater.com/about](http://squawvalleymutualwater.com/about). It is each member's obligation to inform SVMWC of changes to their billing address.
2. Payments are due in full thirty (30) days after SVMWC sends bills to members ("Billing Date").
3. If SVMWC does not receive payment in full thirty (30) days after the Billing Date, SVMWC will send a notice to member explaining SVMWC's intent to shut off water service one hundred and twenty (120) days after the notice. The notice will include details of the delinquency; the date by which payment must be received by SVMWC to prevent shut-off; and information about appeals, extensions, and the option to enter into an alternative payment plan ("APM").
4. If SVMWC does not receive payment in full nor enters into an APM sixty (60) days after the Billing Date, SVMWC will send a notice to member explaining SVMWC's intent to shut off water service ninety (90) days after the notice. The notice will include details of the delinquency; the date by which payment must be received by SVMWC to prevent shut-off; and information about appeals, extensions, and the option to enter into an APM.
5. If SVMWC does not receive payment in full nor enters into an APM one hundred and twenty (120) days after the Billing Date, SVMWC will send a notice to member explaining SVMWC's intent to shut off water service thirty (30) days after the notice. The notice will include details of the delinquency; the date by which payment must be received by SVMWC to prevent shut-off; and information about appeals, extensions, and the option to enter into an APM. If member's mailing address is not the same address where SVMWC provides service (the "Service Address"), SVMWC will also post the notice prominently on the Service Address addressed to "Occupant." Tenants may opt to pay the delinquent balance if member-landlord does not cure the delinquency.
6. If SVMWC does not receive payment in full nor enters into an APM one hundred and fifty (150) days after the Billing Date, except as set forth below SVMWC will immediately shut off water service and send a notice informing member of the shut-off. The notice will also include details of the delinquency; and information about appeals, extensions, and the option to enter into an APM. If member's mailing address is not the same address where SVMWC provides service (the "Service Address"), SVMWC will also post the notice prominently on the Service Address addressed to "Occupant." Tenants may opt to pay the delinquent balance if member-landlord does not cure the delinquency. SVMWC will not shut off service when all the following three conditions occur:
  1. a primary care medical provider certifies in writing that discontinuing water service will pose a serious or potentially fatal threat to a resident,
  2. member is unable to pay as demonstrated by the receipt of certain public assistance by someone in the household, or a declaration from member that the household is below 200 percent of the federal poverty level, and
  3. member enters into an APM.

7. If member enters into an APM, SVMWC may disconnect service five (5) days after notifying member and posting a notice of intent to disconnect service in a prominent and conspicuous location at the Service Address if either of the following occurs:
  1. member fails to comply with the payments stipulated in the APM for over 60 days, or
  2. while obligated under the APM, member does not pay for over 60 days new service charges not covered by the APM.
8. SVMWC will reconnect water service within two business days of receiving payment of all outstanding amounts, including unpaid water-service charges, late-payment fees, penalties, interest, administrative charge, and a \$750 service-reconnection fee.
9. For a period of one year following service reconnection, member will be on an accelerated shut-off procedure such that any failure to make timely payments will result in SVMWC shutting off water service thirty (30) days after a payment is due for a bill. That is, the above procedure of multiple notices and waiting periods will not apply.
10. This shut-off policy does not apply to SVMWC's water service shut-off caused by member's violations of any other SVMWC rule, regulation or bylaw.
11. SVMWC will post annually on its website the number of times water service was disconnected due to inability to pay.

## OLD POLICY (7/8/2019)

1. This service shut-off policy and procedure starts when a member has not paid two consecutive semiannual bills.
2. SVMWC will indicate on the second bill that the member has an outstanding balance from the previous bill and direct the member to read this policy and procedure.
3. SVMWC will wait 14 days from the date of the mailing of the second billing (the "Mailing Date") for the bill to be delivered to the member's mailing address on record by SVMWC, and for the member to make payment or contact SVMWC to arrange an alternative payment plan ("APM").
4. If SVMWC does not receive payment nor agrees to an APM fifteen days after the Mailing Date, SVMWC will mail a notice to the member of SVMWC's intent to disconnect service.
  1. The notice will include the member's name and address; details of the delinquency; the date by which payment must be made to prevent disconnection; information about appeals, extensions, and alternative repayment options; and critical compliance dates.
  2. If the member's mailing address is not the same address where SVMWC provides service (the "Service Address"), SVMWC will also send the notice to the Service Address addressed to "Occupant." A tenant may opt to pay the delinquent amount if the member-landlord does not cure the delinquency.
5. If SVMWC does not receive payment nor agrees to an APM twenty-one days after the Mailing Date, SVMWC will (i) attempt to contact the member by telephone to provide the information described in 4.1 above; and (ii) mail a second written notice with this information.



6. If SVMWC does not receive payment nor agrees to an APM twenty-three days after the Mailing Date, SVMWC will attempt to visit the Service Address. If no contact is not made, SVMWC will leave a written notice of its attempted visit and include all the information described in 4.1 above.
7. If SVMWC does not receive payment nor agrees to an APM thirty days after the Mailing Date, SVMWC will post a final notice of SVMWC's intent to disconnect service in a prominent and conspicuous location at the Service Address.
8. If SVMWC does not receive payment nor agrees to an APM thirty-five days after the Mailing Date, SVMWC will disconnect service.
  1. Exception: The SVMWC will not disconnect service if all of the following occur:
    1. a primary care provider certifies in writing that discontinuing service will pose a serious or potentially fatal threat to a resident,
    2. the member demonstrates inability to pay, and
    3. the member is willing to enter into an APM.
  2. A member can demonstrate its inability to pay based on the receipt of certain public assistance by someone in the household, or a declaration from the member that the household is below 200 percent of the federal poverty level.
  3. If the member meets all of 8.1.1, 8.1.2 and 8.1.3, SVMWC must offer APMs to the member and help determine which is the best option. In most cases, repayment must occur within 12 months.
9. If the member has agreed to an APM, SVMWC may disconnect service five days after posting a final notice of intent to disconnect service in a prominent and conspicuous location at the Service Address if either of the following occurs:
  1. the member fails to comply with the payments stipulated in the APM for over 60 days, or
  2. while obligated under the APM, the member does not pay the current service charges for over 60 days.
10. SVMWC will provide notice to renters pursuant to section 4.1 above that service may be disconnected due to delinquent payment by their member-landlord, and that renters have the right to obtain service without paying the delinquent amounts owed by their member-landlord.
11. SVMWC will post annually on its website the number of times water service was disconnected due to inability to pay.
12. Once all outstanding amounts (including penalty, interest, administrative charges and a \$100 reconnection charge) have been paid, SVMWC will reconnect service within two business days.
13. For a period of one year following reconnection, the member will be on an accelerated disconnect procedure such that any further failure to make timely payments will result in SVMWC disconnecting service immediately on the 15th day after a payment is due under either regular semiannual billing or an APM. That is, the above procedure of multiple notices and waiting periods will not apply.
14. This shut-off policy and procedure does not apply to SVMWC's service disconnection caused by members' violations of any other SVMWC rule, regulation or bylaw.

# Motion #4

## WATER CONSERVATION POLICY

**Members are solely responsible for informing their tenants of this Policy and are fully responsible for their tenants' compliance with it.**

### DEFINITIONS

“SVMWC” means the Squaw Valley Mutual Water Company.

“Board” means SVMWC’s Board of Directors.

“Member” means the owner of a lot serviced by SVMWC. Details at [squawvalleymutualwater.com/about](http://squawvalleymutualwater.com/about).

“OVPSD” means the Olympic Valley Public Service District.

“Policy” means this water conservation policy as adopted by the Board on July XX, 2022.

“Communication” means SVMWC’s written notices sent to Members either by postal mail or email.

### STAGE 1 – NORMAL CONDITIONS

Members are urged to comply with these water-conservation measures voluntarily unless otherwise noted as mandatory:

#### 1. Irrigation:

1.1. On Mondays: No irrigation, for any purpose, other than for fire safety.

On Tuesdays, Thursdays and Saturdays: Lots with street addresses ending with even numbers may irrigate.

On Wednesdays, Fridays and Sundays: Lots with street addresses ending with odd numbers may irrigate.

No outdoor irrigation between 10AM and 5PM.

Unrestricted: Hand watering.

1.2. Automatic irrigation systems may not irrigate an irrigation zone more than two hours in any 24-hour period unless the method of irrigation or irrigation system is exclusively by drip or other low-flow irrigation system. Automatic irrigation systems must operate as intended by the manufacturer's recommendations.

1.3. Mandatory: Install drip irrigation or low-flow irrigation systems in new landscape areas.

1.4. Use drought-resistant plants, native plants, groundcovers, or naturalized plants. Do not install large turf areas turf areas that will not be used.

1.5. After prior approval by the SVMWC, newly installed landscaping may be exempt from the provisions of Sections 1.1 and 1.2 as follows: lawns, trees and shrubs exempt for 60 days from date of installation; bedding plants (including vegetable/herb gardens) exempt for 15 days from date of planting.

2. Do not allow water to flow over ground surfaces, or from sprinklers onto impervious surfaces or adjacent properties.

3. Mandatory: Repair all leaks in plumbing and irrigation systems on the lot's side of the lot's water meter within ten days from date of discovery or SVMWC's Communication.
4. Mandatory: Do not use hoses for any purpose without an automatic shut-off device attached to the hose. That is, unattended hoses must not run continuously.
5. Mandatory: Irrigation of undeveloped property and vacant lots is expressly prohibited unless required or mandated by Placer County Code or another governmental agency.

## STAGE 2 – SIGNIFICANT WATER-SUPPLY SHORTAGE

Stage 2 water-conservation measures are mandatory and effective immediately upon SVMWC's Communication until further written notice.

1. Stage 1 water-conservation measures become mandatory.
2. No filling of swimming pools that are not covered during periods of non-use.
3. No operation of ornamental fountains or similar decorative water features unless a water recycling system is used and a public notice of such recycling system is prominently displayed.
4. Outdoor irrigation of all vegetation, including lawns and landscaping, limited to three times per week, and one hour per irrigation zone per day.
5. No installation of new landscaping.
6. No use of water to wash sidewalks, driveways, parking areas, tennis courts, decks, patios or other built areas, except as required or necessitated by driveway repair or necessary maintenance, or to alleviate immediate fire, sanitation or health hazards.
7. Use fire hydrants for flushing (except for protection of public health), construction water for compaction, and dust control shall be coordinated with hydrant flushing only.

## STAGE 3 – CRITICAL WATER-SUPPLY SHORTAGE (EMERGENCY CONDITIONS)

The Board declares critical water-supply shortages during Board meetings open to Members, their tenants and the community at large. Until the shortage is over, the Board will continuously communicate with and solicit the support of Members and their tenants.

Immediately upon the Board declaring a critical water-supply shortage, Stage 3 water-conservation measures become mandatory until the Board Communicates their expiration.

The Board determines Stage 3 water-conservation measures, which may include but are not limited to:

1. Stage 1 and Stage 2 water-conservation measures become mandatory.
2. Mandate a reduction of at least 20% of each lot's average monthly water consumption.
3. Increase water-supply rates and surcharges with the purpose of providing SVMWC with sufficient funding to continue operating and cover the cost to manage the water-supply shortage.
4. Coordinate as necessary with the OVPSD to ensure SVMWC's ability to pump sufficient water supply from its wells to ensure sufficient water supply is available for domestic use, sanitation, and fire protection.
5. Limit or discontinue the issuance of new water-supply permits.

6. Suspend or revoke water-supply permits for projects under construction unless Member proves the project will not exacerbate the water-supply shortage.
7. Prohibit the washing of hard surfaces, including sidewalks, driveways, parking areas or decks unless required for the health and safety of the lot's occupant.

## VIOLATIONS AND ENFORCEMENT ACTIONS

Violations of mandatory water-conservation measures will result in the following actions and fines:

1. For the first violation within one calendar year: Member receives a warning that explains the violation and the deadline for curing it.
2. For the second violation within one calendar year: Member incurs a \$500 fine and a notice that explains the violation and the deadline for curing it.
3. For the third violation within one calendar year: Member incurs a \$1000 fine, and a notice that explains the violation and the deadline for curing it.
4. For the fourth and any subsequent violation within one calendar year: Member incurs a \$2000 fine per violation and a notice that explains the violation and the deadline for curing it.

Failure to cure a violation before the deadline set forth in the notice provided to Member may result in one or more of the following actions by SVMWC:

1. Installation of a flow-restricting device.
2. Shut-off of the water service to the property where the violation occurred pursuant to SVMWC's shut-off policy found at [squawvalleymutualwater.com/shut-off-policy-procedure](http://squawvalleymutualwater.com/shut-off-policy-procedure). Reconnection of water service will occur only after SVMWC has reasonable assurance of protection from future violations (e.g., installation of a dedicated landscape irrigation meter, flow-restricting devices installed on the customer's service connection, or as otherwise determined at SVMWC's discretion).

Members will reimburse SVMWC for (i) expenses incurred as a result of a violation, including but not limited to legal fees and investigation and monitoring costs, and installation of devices such as landscape irrigation meters or flow-restricting devices, and (ii) SVMWC's fee for shutting off and restoring water service.

SVMWC will add fines, fees and expenses to Member's bills, which are subject to the payment and collections policies set forth at [squawvalleymutualwater.com/your-bill](http://squawvalleymutualwater.com/your-bill).