

***MINUTES OF A REGULAR MEETING OF
BIG BEAR MUNICIPAL WATER DISTRICT
HELD ON THURSDAY, SEPTEMBER 2, 2010***

CALL TO ORDER

President Fashempour called the Open Session to order at 1:00 PM. Those in attendance included Director Eminger, Director Murphy, Director Smith, Director Suhay, District Counsel Wayne Lemieux, General Manager Scott Heule, and Board Secretary Vicki Sheppard.

REPORTS

Mr. Heule reported that Lake Manager Mike Stephenson was able to purchase a Volvo backhoe for the District at the auction in Phoenix for \$55K (\$60K with taxes). He explained that it has everything we wanted on it and only has 358 hours. He added that we will be sending our old tractor out on the truck that brings the new one to us explaining that we should get a better price on the old tractor by selling it in Arizona because of the California restrictions on emissions. Director Smith explained that the new backhoe (because it is EPA compliant) will allow us to keep our forklift (that is not compliant) because they look at the overall equipment fleet emissions, not the individual pieces of equipment. Mr. Heule reported that the Department of Safety of Dams inspected the dam on Wednesday morning adding that they instructed the District via Jim Weber to cut some willows in the downstream portions of the bays and asked again about surfacing the face of the dam. He added that Mr. Weber explained that once the old bridge is removed the District will install the last of the service spillway gates in bay 10. Director Smith asked if the District was allowed to cut willows. Mr. Heule explained that if Safety of Dams orders it, we have to comply. He added that we have marked up the final plans for the gasoline remediation trench at Big Bear Marina explaining that staff will begin preparing the paperwork necessary to advertise the construction work. Mr. Heule reported that the City Engineering Department has been helpful in providing language for the plans explaining what permits and inspections will be required to be obtained from them. He explained that the construction of this trench needs to be completed as soon as possible after Labor Day explaining that we have some concerns about groundwater interfering with the trench excavation. Mr. Heule explained that Mike Stephenson will do a test excavation prior to the bidding process so that bidders can anticipate what conditions will be like. He added that the costs associated with this effort will be reimbursed from the State Underground Tank fund. Mr. Heule reported that maintenance staff has started applying Green Kleen Pro to kill some blue green algae that was first observed on Tuesday. He explained that areas in Boulder Bay Marina, Metcalf Bay, near the dam, and Eagles Knoll Estates have already been treated. He added that the algae was observed behind Community Church in Pine Knot Marina, and from new Ski Beach west almost to B's dog park and will be treated today. Mr. Heule explained that toxins produced by the algae can cause gastrointestinal sickness in humans and has been known to kill dogs and other small animals that ingest enough adding that one of the risks for dogs is after swimming in the blue green algae infested water they lick their fur dry. He stated that from this point forward any Blue Green algae Staff observes will be treated. He added that a press release might be prepared early next week if the Blue Green algae concentrations become worse explaining that the release will note the potential human and canine health risks, inform concerning its typical growth pattern this time of

year, and indicating the District Lake Management efforts are directed towards reducing nutrient loads in Lake water that support the algae growth. He reported the Lake level 3.93 feet from full release is 1.83 cfs measured at Station B below the dam. He added that Don Evenson's estimate that the release schedule will result in a 4 foot lake level by Labor Day is right on. Mr. Heule reported that he and Mr. Evenson are working on a release policy for Muni's Lake Emergency Storage based on the ability of Edison to divert flows and a reasonable ramp up/down that we could justify to Fish & Game and USFS. He added that the maximum release rate would probably be in the range of 40 to 70 cfs with ramp downs on the order of 2 to 10 cfs/day to protect fish from being stranded. Mr. Heule showed photos provided by Director Eminger of the new bridge project.

APPROVAL OF CONSENT CALENDAR

Upon a motion by Director Suhay, seconded by Director Murphy, the following consent items were unanimously approved:

- Minutes of a Regular Meeting of August 19, 2010
- Warrant List Dated August 26, 2010 for \$25,909.41

FOUNDATION AD HOC COMMITTEE PRESENTATION ON POSSIBLE MWD FOUNDATION – DISCUSSION ONLY, NO ACTION

Mr. Heule explained that the Ad Hoc Committee (Directors Suhay and Murphy) appointed by President Fashempour would want the MWD Foundation to be solely organized for special project fund raising and to provide volunteer services for some of the Districts educational and special events such as Kool Kids, Carp Roundup, and shoreline cleanup. He added that their fundraising would be focused on fisheries and maybe even grant-funding for District Capital projects. He reported that the Committee is thinking that each Director would select two individuals from their district to appoint to the Board of Directors and the Foundation Board members would need to be approved by the entire MWD Board. Mr. Heule reported that terms of appointment would be two years and their by-laws would indicate they would operate under the obligations of the Brown Act. He added that monthly meetings would be attended by the General Manager and one Director appointed by the Board President. He reported that the by-laws would clearly indicate that the Foundation would operate within a very narrowly defined role and would have no input regarding management or policies of the District. He explained that District Counsel Wayne Lemieux indicated that his firm will draft the documents necessary for incorporation as a non-profit pro-bono but that the filing and accounting expenses associated with the organization should be raised and funded by the Foundation itself. He added that Mr. Lemieux estimates this will amount to about \$1,500 explaining that the Foundation will also need to secure some Directors Liability Insurance as well. Mr. Heule stated that if the Board wants to continue pursuing the Foundation concept the Committee would need to prepare a single page explanation describing the purpose and scope of work for the Foundation Directors that can be used to recruit community members who are known and can influence others to donate. Director Suhay explained that this would not be a Citizens Advisory Group but would just be for fund-raising with a sole purpose to get money for specific projects and events. President Fashempour stated that she was thinking it was for raising money and then the foundation would decide how to spend it. Mr. Heule stated that the foundation would raise money for specific projects determined by the District. Director Eminger stated that he would

like to use Big Bear residents and not go for a grant writer from outside Big Bear. Director Smith commented that he would agree to it if the fundraising was for specific events such as Kool Kids. Director Suhay stated that the foundation would also be to recruit volunteers to help work at specific events such as Kool Kids. President Fashempour commented that she thought that was a good idea. District Counsel Lemieux stated that when directed to proceed, they will work on the by-laws and then present them to the Committee and if the Committee decides to approve the draft then they will be presented to the full Board. He also explained that a name for the Foundation would have to be decided. President Fashempour commented that she likes the name "Friends of the Lake". Director Eminger stated that the Board doesn't need to make a decision today but just to assure that everyone is in agreement to proceed. Director Smith commented that considering the economy, it might be hard to get money donations at this time but if this foundation increases chances of getting volunteers for events he is okay with it. Director Suhay explained that part of their job would be to get the front money for maintenance of the program as well. Director Murphy commented that there would be no guarantee that they could get the money. Director Suhay commented that he believes the people who might be interested in being associated with the foundation would have the time and resources to do the job. Mr. Lemieux added that he believes that people know that those who volunteer would rather help with a non-profit agency than a government agency. Mr. Heule stated that we should probably schedule another Ad- Hoc Committee meeting and flush out ideas before we ask Mr. Lemieux to get started on the by-laws.

PUBLIC FORUM

No comments were made

ANNOUNCEMENTS

Mr. Heule commented that staff is all geared up and ready for the Labor Day weekend. He announced that ramp hours will be modified at the West Ramp after the holiday to Monday – Friday hours from 6am to 2pm and weekends from 6am to 6pm and closing for the season on October 4th. He added that the East Ramp hours will not change. Director Suhay commented that perhaps we should issue a press release on the new hours. Mr. Heule stated that the information has been changed on our website and is also being given out answering phones. He added that the Grizzly and KBHR will be contacted as well.

DIRECTOR COMMENTS

Director Eminger commented that it has been a good season with the lake being up from last year adding that staff has done an excellent job.

ADJOURNMENT TO CLOSED SESSION

The meeting was adjourned to Closed Session at 1:42 P.M to:

Confer with real property negotiator re: APN NO.2328-202-15, 2328-202-08

District Negotiator - Scott Heule

RECONVENE TO OPEN SESSION

The meeting was reconvened to Open Session at 2:23 P.M.

No reportable action.

ADJOURNMENT

There being no further business, the meeting was adjourned at 2:24 P.M.

NEXT MEETING

Open Session at 1:00 P.M.
Thursday, September 16, 2010
Big Bear Municipal Water District
40524 Lakeview Drive, Big Bear Lake, CA



Vicki Sheppard
Secretary to the Board
Big Bear Municipal Water District

(SEAL)

