

***MINUTES OF A REGULAR MEETING OF
BIG BEAR MUNICIPAL WATER DISTRICT
HELD ON THURSDAY, MARCH 15, 2012***

CALL TO ORDER

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

REPORTS

General Manager, Scott Heule reported that last Thursday David Lawrence, City Engineer, and he met with the scientists from the South Coast Air Quality Management District. He stated that Dr. Fine from their office presented results of an 8 month sampling for atmospheric mercury using equipment placed at the airport. He explained that their report found that the mercury in the atmosphere is typical and that it is not out of the ordinary compared to anywhere in the nation. He added that they also conclude that emissions from the Mitsubishi Cushenbury Cement plant are an insignificant source, if any at all. He reported that they will be making the presentation to this Board during the meeting on April 5. Mr. Heule stated that he attended a workshop presentation by the State Water Resources Control Board on a proposed Statewide Mercury TMDL last Monday. He commented that it was obvious to him that those regulators in Sacramento are very familiar with conditions in reservoirs in Northern California but have no real understanding of Big Bear Lake and its unique hydrology and legal issues. He added that they were busy talking about mercury mines and gold mine tailings, subsistence fishing, solar bees for aeration, and writing regulations that require action presumably by the regulated agency. He explained that they paid what he considered lip service to involving other state and federal agencies in the work but said the Water Boards jurisdiction did not really include the AQMD, Air Resources Board or the EPA. Mr. Heule reported that there were about 25 people in the audience, probably half of whom were State or Regional Board employees. He explained that he read the letter addressed to the State Water Resources Control Board during the meeting (all of the Directors received a copy of the letter). He commented that after the meeting he spoke briefly with Hope Smythe and Michael Perez. He added that Hope Smythe was upset that they had not been invited to the presentation the previous week by the AQMD but he explained that was why we have them scheduled for April 5th in Big Bear. He reported that Ms. Smythe also said that just because a statewide mercury TMDL is being proposed it does not prohibit the regional board to work on an individual Mercury TMDL for Big Bear Lake. He explained that Michael Perez continues to interview fishermen on the Lake in an effort to understand their activities. Mr. Heule reported that this morning he attended the City's presentation on the work that will be done in the village. He explained that one of the items of work will include a bridge over the mouth of Knickerbocker Creek adding that either Mike Stephenson or he will be getting details on the specific location and potential encroachment of the bridge on District property in plenty of time to address any shoreline alteration issues that might arise. President Eminger complimented Mr. Heule on the letter he wrote to the State Water Resources Control Board. Director Smith agreed. Mr. Heule reported that Lake Manager Mike Stephenson is out sick. He explained that the District has hired a new Lake Patrol Officer.

APPROVAL OF CONSENT CALENDAR

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

- Minutes of a Special Meeting Workshop of February 29, 2012
- Minutes of a Regular Meeting of March 1, 2012
- Warrant list dated March 9, 2012 for \$59,820.89
- Award of contract with Altitude Financial Planning for Software Setup and Training
- Approval of a Special Event Permit for 'Fishin' for \$50K Trout Derby to be held June 9 & 10th

PRESENTATION ON PROPOSED REDISTRICTING PLAN AND PROCESS

Mr. Heule reported that District Board members are elected by geographic Divisions based on population. He commented that the District is required to consider adjusting Division boundaries based on changing populations within the District after every census. He explained that the current Division boundaries were assigned based on the 2000 census when the population in the District was 20,055 persons. He added that the recent 2010 census reports a population within the District of only 17,988 and a considerable variation between individual Division populations (the attached map Figure 1 Existing Division Boundaries was displayed). Mr. Heule reported that the Administrative Committee recommends that Division boundaries be adjusted to reflect a more uniform distribution of population for each of the Districts' five divisions (the attached map Figure 2 Proposed Division Boundaries was displayed). He explained that in preparing the revised map of Division boundaries staff attempted to redraw Division boundaries based on the equal population approach to capture populations of 3598, plus or minus 180 people in each resulting in division populations within 5% of the target. He commented that Staff also intentionally drew new boundaries to make them contiguous (that is no part of a Division is separated geographically from another part). He added that Division boundaries were kept close to existing lines where possible and that new boundary lines were drawn using major streets, census tracts and City and County political subdivisions. Director Smith commented that the reason for the 5 Divisions is to have a good and fair representation for all of the population. District Counsel Wayne Lemieux stated that we should push towards 5 equal sections. It was the consensus that the Board proceed with the new Division boundaries as drawn on Figure 2, that a Public Hearing be set for April 5, 2012 to consider public comment, and that a resolution formally adopting new division boundaries be considered for approval at the April 15, 2012 Board meeting.

CONSIDER APPROVAL OF A \$50 FEE FOR BOAT TOWS ON THE LAKE

Mr. Heule reported that over the past five years there has been an average of 437 boat tows by Lake Patrol annually. He explained that most of these tows are the result of boaters running out of gas, running batteries dead or some other mechanical breakdown. He added that in some cases boaters have abused the Districts' free tow service, taking a risk of running out of gas knowing that they will get towed back to the marina if they do and there would be no charge for the service. He stated that while an occasional tow by Lake Patrol does not interfere with other duties, on busy weekends boat tows can become almost overwhelming. Mr. Heule explained that Lake Patrol officers cannot attend to other public safety matters when they are towing boats. He reported that the direct cost of wages, fuel and the wear and tear on Lake Patrol boats is a real expense to the District that historically has been subsidized by the District. He added that in order to discourage abuse of this service and to recover a portion of the cost the Operations Committee discussed charging a fee for a boat tow on the Lake beginning this season. He

commented that the Committee also discussed the sale of boat tow insurance that would allow a boater up to two or three tows per year before a tow charge was incurred, however that idea was determined to be worth further consideration but probably could not be implemented soon enough to begin this year. Mr. Heule stated that Lake Operations Supervisor Adam Williams reported that a boat tow, from the time the call out gets to the patrol officer to the time the boat is returned to the shoreline destination is rarely less than 35 to 45 minutes. He added that Mr. Williams researched and contacted several other lakes to see what they charge for tows and found out that Lake Cachuma charges \$50 per tow and may get no more than 2 to 3 tows in a weekend. He explained that several other lakes that were contacted charge different fees (\$30 and more depending on how long the tow takes) and Irvine Lake does not charge for tows. He explained that according to the Fee Schedule the District charges \$115 per hour for the services of a Lake Patrol Officer and boat during special events and using this information and in an attempt to discourage the abuse of the boat tow service, the Committee recommends that the Board approve charging a fee of \$50 for all boat tows. Director Suhay stated that we would have to post the fee schedule so people would know ahead of time that they would be charged. Director Smith stated that he understands the rationale but has some reservations regarding this explaining that one of our justifications for raising permit fees was that they would receive free tows. Director Murphy stated that taxpayers should not have to pay for other people's recreation on the lake. Director Smith explained that our fees may be lower than some other lakes but our useable days may be less also. Mr. Steve Foulkes, Big Bear Valley resident, stated that he believes this is an incredibly bad idea explaining that people don't get stranded on purpose. He added that the Lake Patrol is the District's best PR and if we charge for tows it isn't good customer service. He explained that many people may not carry \$50 so they could then decide to paddle to a ramp rather than call Lake Patrol and then they might get in trouble. Mr. Foulkes restated that the District needs to provide good customer service and not charge for our tow services. Director Suhay explained that Lake Patrol is there to protect & serve and not just for customer service. Mr. Foulkes stated that if someone is a repeat offender then it might be more warranted to charge them. Director Fashempour explained that multiple tows would be hard to monitor commenting that all calls are logged but not necessarily monitored for who had been previously towed. Director Suhay stated that Lake Patrol could use their discretion and decide not to charge in some circumstances. Mr. Heule explained that they would still give a jump for a dead battery and not charge. Director Smith stated that he would prefer to look for other ways to raise revenue rather than charging for tows adding that a boat floating on the lake is a safety issue. Mr. Heule stated that if we decide not to impose a flat fee for towing then we could send it back to Committee to come up with a plan to charge after so many tows. Director Smith stated that he thinks this is bad advertising and it will cost us more in bad PR than the revenue we might receive and he would rather look at raising permit fees next year.

It was the consensus of the Board that this proposal be sent back to the Operations Committee for further consideration and review.

PUBLIC FORUM

No comments were made

ANNOUNCEMENTS

Mr. Heule reported that Director Eminger, Director Suhay, and he will be attending the Watermaster meeting tomorrow. He explained that prior to the meeting, Don Evenson and he will be meeting with Doug Headrick at Muni to reopen discussion of a potential Lake storage operation for Muni. He added that if it moves forward it would result in slightly higher Lake

Thursday March 15, 2012

levels through the boating season compared to current operations. He commented that the risk Muni has is that their stored water would be the first lost during a flood control release. He reported that the Committee will keep the rest of the board informed as we move forward. Mr. Heule reported that the April 5 Board meeting will include a Public Hearing on the proposed redistricting in addition to the presentation by the AQMD.

DIRECTOR COMMENTS

Director Fashempour thanked Director Smith for his input and comments on boat tow fees. She added that the Operations Committee will discuss and consider all of the concerns and suggestions presented.

ADJOURNMENT

There being no further business, the meeting was adjourned at 2:03 P.M.

NEXT MEETING

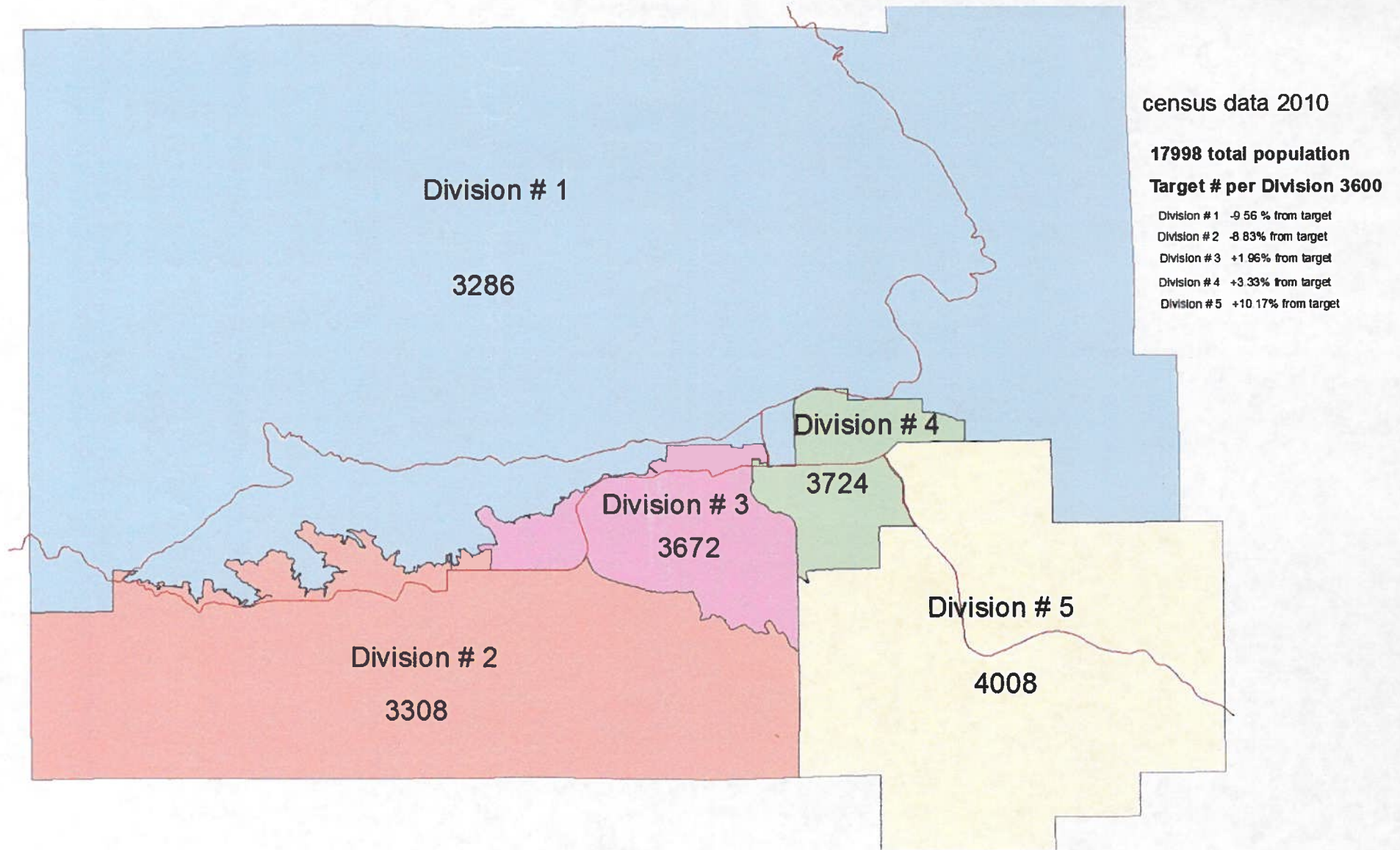
Open Session at 1:00 P.M.
Thursday, April 5, 2012
Big Bear Municipal Water District
40524 Lakeview Drive, Big Bear Lake, CA



Vicki Sheppard
Secretary to the Board
Big Bear Municipal Water District

(SEAL)

Figure 1 Existing Division Boundaries





BIG BEAR MUNICIPAL WATER DISTRICT Proposed Division Boundaries 2010 Population 3/2012



- Division 1
- Division 2
- Division 3
- Division 4
- Division 5

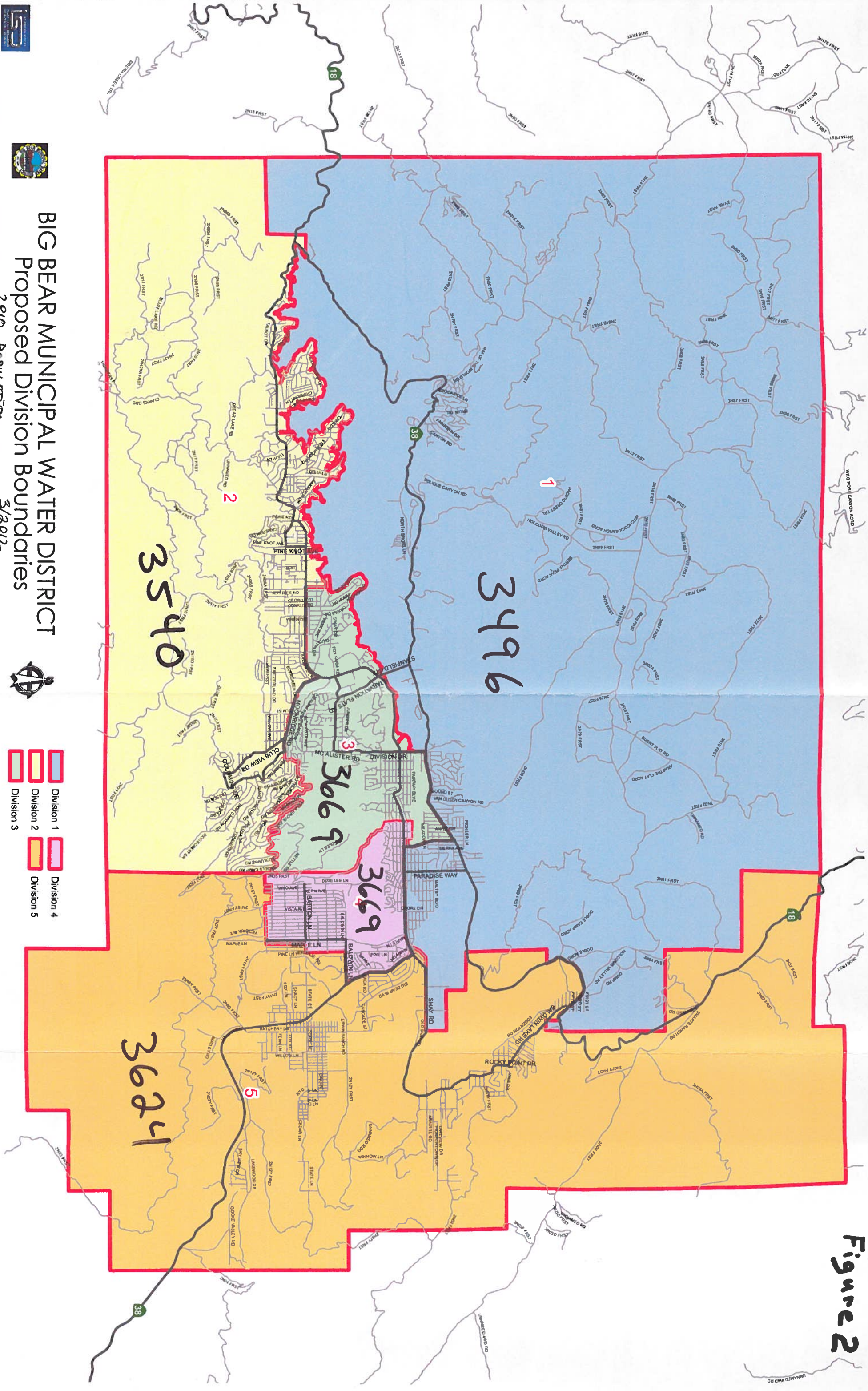


Figure 2