

**MINUTES OF THE
BOARD MEETING
OF THE
BROWNS VALLEY IRRIGATION DISTRICT
JANUARY 8, 2009**

President Winchester called the regular meeting of the Board of Directors of the Browns Valley Irrigation District to order. Other Directors present were Lowe, Bordsen, Wheeler, and Woods. Also in attendance was Manager Cotter. Clerk Powell was absent.

Election of Officers: Director Wheeler, seconded by Director Bordsen, moved to elect President Winchester as Board President, Director Woods as Vice President, Walter Cotter as Secretary/Treasurer and Carey Powell as Clerk. All ayes, motion passed.

Minutes: The corrected (without edits to the Managers Report) Minutes of the December 18, 2008 Regular Board Meeting were approved on a motion by Director Bordsen, seconded by Director Woods, all ayes, motion passed.

Public Forum: Paul Akins inquired as to the possibility of tapping into the penstock from Bullards Bar to the Colgate powerhouse and siphon the water to Collins Lake. No action taken.

Finance Committee Report: Directors Wheeler & Winchester reported that they had reviewed the December financial records and found them to be in order. Director Wheeler, seconded by Director Lowe, moved to approve the December financial records. All ayes, motion passed.

Collins Lake Drought Update: Manger Cotter reported the Lake was 51' below spill and that the Lake was almost 9' behind last year as this date. President Winchester appointed an ad hoc committee to consider Drought issues.

Manager's Report:

Collins Lake:

Current elevation is 1,132.1 ft, which is 50.9 ft below spill. The Generator is off with releases of 1.0 cfs. Last year on this date the elevation was 1,140.8 ft, which is 42.2 ft below spill. The Generator was off with releases of 1.0 cfs.

Staff Activities:

Carey Powell is still recuperating from surgery on November 21st and is expected to return before the end of January.

Leroy Mossi is out with a shoulder injury and is expecting a diagnosis soon.

Ken Hugg is out with a hernia and will be scheduled for surgery soon.

Tony Ward attended a training meeting at JPIA about hiring practices.

Financial Activities:

The CD for \$111,600 at Butte Federal Credit Union matured on December 1, 2008 and was reinvested with Butte Federal for 12 months at 3.1%.

Dry Creek Recapture Project:

The CEQA Notice of Intent for the Mitigated Negative Declaration of the Dry Creek Recapture Project is in the 30 day public review period. The last day to receive comments will be February 2nd.

Conserved Water Transfer:

Santa Clara Valley WD will be providing some proposed edits to the agreement for a 2009 Conserved Water Transfer. We are close to having the agreement ready to bring to the Board and then get started on the CEQA document.

Long Term Conserved Water Transfer:

We received five (5) responses to the Request for Proposal for a long term transfer of the District's 3,100 af of Yuba River Conserved Water including; Yuba City, Contra Costa WD, East Bay MUD, Santa Clara Valley WD and a group of five (5) south San Joaquin valley water districts. The proposals will need to be reviewed before we consider our next move.

Accord Ground Water Substitution Transfer:

The Member Units will be meeting next week to discuss a term sheet that will be presented to the buyers group.

Delta Vision:

The cabinet-level Delta Vision Committee has issued a final report recommending immediate action to address environmental and water supply problems in the Delta, including beginning construction of new Delta conveyance by 2011. The 19 page report embraces nearly all of the goals and strategies recommended by the Delta Vision Blue Ribbon Task Force, a seven-member panel appointed by Schwarzenegger in 2006.

District Rules & Regulations:

A draft of the revised BVID Rules and Regulations is being provided for your review, comments and edits. There are many changes including the area of Winter Water and all of the draft document is subject to your input. We will want to have this update in place before spring.

Meetings:

Past:

- 12-19-08 I attended the Accord Buyers meeting in Sacramento.
- 01-06-09 Director Winchester and I met with Andrew Coolidge to discuss the upcoming BVID Newsletter.
- 01-06-09 I attended the small member unit meeting in Marysville.

- 01-07-09 I attended the LAFCO Board meeting in Marysville.
- 01-08-09 Director Winchester and I attended the NCWA Managers meeting in Marysville.
- 01-08-09 The Finance Committee (Directors Wheeler and Winchester) met to review the December bills.

Future Meetings:

01-09 through 23-09 I will be on vacation.

Projects:

Past:

1. Dressed a large section of the Pumpline canal.
2. Replaced the weed rack on the Olive Hill pipeline.
3. Rebuilt the red motorcycle trailer axles. Changed the hitch and the gate locks on the mule trailer.
4. Replaced the large weir boards at the Tennessee Creek diversion.
5. Began work on the Olive Hill ditch screen project.
6. Removed the gauging station from lower Dry Creek.
7. Installed a new pump coupling at the Redhill East pumping station.

Future:

1. Repack a section of the Pumpline canal ditch bank.
2. Install the new decking at the Yuba River pumping station.
3. Repair the axle on the tan motorcycle trailer.
4. Finish the install of self cleaning screens at the Olive Hill pipeline.
5. Finish the Valley of Eagles Monument Trail intertie, conditions permitting.

(Revisit) Request to allow water from Cordua ID to be utilized on a District Parcel:

President Winchester asked that this item be revisited as he misunderstood the motion as the last Board meeting to be a single year agreement vs. the multi year agreement that was approved. Staff is directed to seek advice from legal council concerning both a possible place of use issue and a recent change of ownership. Item tabled until a later meeting with the understanding the previous decision stands at this time.

Request to allow plant surveys on District owned property: Director Lowe, seconded by Director Wheeler, moved to deny permission for Department of Fish and Game to access District owned parcels in the Collins area for plant surveys. All ayes, motion passed.

Correspondence: Request letter from Department of Fish & Game concerning plant surveys in the Collins Lake area.

Closed Session: President Winchester announced that the meeting would go into Closed Session to have a conference call with legal counsel regarding existing litigation and to consider the 2009 wages for management staff. Any action taken in Closed Session would be reported when the meeting reconvened into Open Session.

Open Session: President Winchester reconvened the meeting into Open Session and reported that in Closed Session the Board approved a 4.5% (Cola only) raise for the management staff for 2009, retroactive to January 1, 2009.

Adjournment: There being no further business before the Board, President Winchester adjourned the meeting