

TIMBER COVE COUNTY WATER DISTRICT

Regular Meeting

February 11, 2017

Fort Ross School-Multi Purpose Room

1pm – 3:30pm

PRESENT: Lorrie Uribe (LU), John Rea (JR), John Howland (JH), Tom Giacinto (TG), Margaret Grahame (MG) Kendra Stillman (KS)), Cathy Schezer (CS).

GUESTS: Dianne Feddersohn (DF) Chris Feddersohn (CF), Anne Vernon, Katie Seymour, Dave & Tracy Stasiowski.

Saturday, February 11, 2017

1:00 PM

Place: Fort Ross School – Multipurpose Room

30600 Seaview Road, Jenner

1. **Call to Order: 1PM**
2. **Approval of Agenda-** (JH) moves, (TG) seconds. Vote: all ayes.
3. **Acceptance of Resignation of Fred Leif-** (TG) Moves, (JH) seconds. Vote: All ayes
4. **Appointment of New Director-** (MG) TCCWD is facing many challenges, we need to move forward with projects to sustain the Water District and at the same time protect the homeowners from rising costs for water. (TG) Moves to appoint Margaret Grahame as a new director to the board, (LU) Seconds. Vote: All Ayes
5. **Board Re-organization-** no reorganization of the board
6. **President's Report-** (LU) Wildfire is a threat that looms over all of us so Timber Cove residents should support the local Fire Department. The community recognizes changes that need to be made to improve the quality of life, the discomfort of change may cause some people to distrust the necessity of creating those changes. This is a democratic society where we are always assured that our freedom to question the need for change is encouraged by our system of government.
7. **Announcements-** (JR) Wants to thank the Fire Department for donating fire hoses to TCCWD.
8. **Correspondence-**
(KS) TCCWD received the following correspondence:
An e-mail from Dennis Gilardi questioning the merit of a closed session meeting.
An e-mail from Rosemary Gorz & Norman Vachowiak asking for details about what was to be discussed at the closed session meeting.
A Cease and desist notice regarding Fire Abatement from Chris Feddersohn.
An E-mail from Anne Vernon about the need for more volunteer firefighters in the community.
A letter from the State Water Resource Control Board regarding a water loss audit.
A letter from the State Water Resource Control Board saying they have reviewed TCCWD source capacity study.
An e-mail from Tina Romeo thanking TCCWD for implementing the online bill pay
An e-mail from Kirsten Anderson and Kathleen Marsh asking for a reduction in their water bill.
An e-mail from Fred Leif to notify TCCWD of his resignation effective January 1, 2017.
9. **Approval of Minutes for December 10, 2016 meeting - (JH) Moves, (LU) seconds: Vote: all ayes**

10. Committee Reports

10.1 Fire Abatement

- a. **Cathy Schezer -abatement update:** 66 FA notices were sent, 43 property owners Responded, 23 non-responsive. General discussion about TCCWD's FA Policy. (TG) Prior TCCWD FA Programs was about forest management and emphasized education & was administered by experts.
- b. **Grant for lot clearing-** (LU) TCCWD has been working with Matt Greene. If an inventory of endangered species is completed, then TCCWD is eligible for a grant. General discussion about the merits of the FA program.

10.2 Treasurer's Report (JH) December 2016 the water cost 11 cents per gallon to produce, January 2017 the costs rose to 12 cents per gallon

10.3 Payment of Bills (JH) moves to pay bills, (TG) seconds. Vote: all ayes

10.4 General Manager's Report

- a. **Operation's Report:** (LU) reads from Interim General Manager, Kris Kilgore's, spreadsheet that she has provided detailing work to be completed July 2016 through March 2017 (see attached)

11. Old Business

11.1 Project Manager Report

- a. **All other project reports-** (LU) Continues to read from Kris Kilgore's Spreadsheet (see attached)

11.2 Website – Project Update (KS) Online Bill Pay kick off date was February 2, 2017. There is a link on the customer service page of TCCWD's website for customers to use to access their account.

11.3 Acceptance of payment plans-(JH) TCCWD is planning on creating a new policy for payment plans. (JH) Reads from proposed changes to Regulation 19, 20 &21 (see attached).

11.4 Review of Regulation 19, 20 & 21- (JH) moves to vet proposed changes to Regulations 19, 20 & 21 with a legal adviser, (TG) seconds. Vote: all ayes

11.5 Discussion and action: acceptance of proposed 2016/17 budget-(JH) There are several parts to the budget being proposed, one being the \$10 fire abatement fee for the term of one year and the increase of the variable water rate cap to 9 cents. The intent of the Fire Abatement Program is to protect the Timber Cove Creek watershed. General discussion about the costs of water production. (CF) Suggests that the Fire Abatement Program be conducted by a Fire Department and that adding a Fire Abatement fee be put to a vote by the public. General discussion about the legal merits and costs of the TCCWD Fire Abatement Program.

(JH) Motion to add \$10 per month Fire Abatement fee per property within TCCWD & to increase the variable water rate cap to 9 cents per gallon, to be reassessed in one year. (TG) Second. Vote: ayes: (JH)(TG)(LU) abstain: (MG) (JR)

11.6 iCloud- status update (KS) Customers have started to use iCloud online bill pay to manage their accounts. (JH) Once the online bill pay has become established, TCCWD apply a fee for mailing a hardcopy of statements to customers.

12.New Business

12.1 Propose to align with Sonoma County Business Schedule. (JH) Moves to align with Sonoma County Business Schedule, (JR) seconds. Vote: ayes: (LU) (JR) (JH) (TG), abstain: (MG)

12.2 Meeting to Negotiate Conditions of Employment with General Manager Candidate. (LU) The new General Manager candidate has proposed to conduct a water school at TCCWD and to share the profits from the water school with TCCWD. The logistics of the water school are being discussed with TCCWD legal advisers.

12.3 State intent to make new board member signatory for Rabobank. (JH) motions to make Margaret Grahame a signatory for TCCWD accounts with Rabobank, (TG) seconds. Vote: ayes (LU) (JR) (JH) (TG)

12.4 Other- No other business.

13.Public Comment. (CF) Requests that TCCWD board read his cease and desist letter regarding the Fire Abatement program and to take it into consideration.

14.Setting of Agenda, Time & Place for Next Meeting. March 11, 2017

15.Adjournment-(TG) moves, (LU) seconds. Vote: all ayes 3:30pm

Minutes approved May 13, 2017

Secretary_____

Spread sheet created by Kris Kilgore, Interim General Manager.

TASK I.D.	Project/Task Description	Est. Time to Complete	Start	REMAINING Interim Steps	Finish
ISO Survey	<ol style="list-style-type: none"> Coordinated w/B. Todd, TCFD Merrit, & ISO to find former survey and identify steps to complete current survey. Completed survey 	<ol style="list-style-type: none"> 3 hrs 8 hrs 	<ol style="list-style-type: none"> 09/1/2016 11/21/16 	TASK COMPLETE FOR NEXT THREE YEARS	<ol style="list-style-type: none"> 10/1/2016 12/10/16
TC Resort Mtg	<ol style="list-style-type: none"> Contact TC Resort, Margaret Grahame & water system operator to obtain water use data. Set up meeting w/TC Resort. Prepare agenda, conduct mtg & request water use data Research recent TCCWD/TC Inn agreements and obtain copy, give to Board 	<ol style="list-style-type: none"> 4 hrs 4 hrs 	<ol style="list-style-type: none"> 09/1/2016 11/25/16 12/1/16 	TASK COMPLETE except that TC Resort has not provided water use data	<ol style="list-style-type: none"> 11/25/16 12/02/16 12/09/16
Std Rules 19, 20	Revise Standing Rules, Regulations 19 and 20 so that K. Stillman has clear direction on how to handle liens, service disconnections, late fees, etc.	<ol style="list-style-type: none"> 15 hrs 	<ol style="list-style-type: none"> 12/5/2016 	<ol style="list-style-type: none"> Revise language in both 19 & 20 to state payment agreements need to be in writing. Then request that Board agree with procedure so that K. Stillman can use it until the Board has an attorney review it. 	DONE 12/10/16 except for a sentence re: written agreements & attorney review <ol style="list-style-type: none"> 12/30/16
Audit 13/14, 14/15, 15/16	<ol style="list-style-type: none"> Provide support to audit effort. Started response to D. Rampone's 13/14, 14/15 list of pending items needed. Found 1/2 of items, prepared transmittal, worked w/K. Stillman to find more information from S. Lynn and to work with J. Howland to complete response. Prepare/review transmittal for 15/16 information to Rampone. Provide support. Review audit report w/Board. Submit audits to SWRCB in funding applications 	<ol style="list-style-type: none"> 24 hrs 4 hrs 4 hrs <p>COMPLETE</p>	<ol style="list-style-type: none"> 10/1/2016 12/01/16 02/28/17 	<ol style="list-style-type: none"> phone meeting w/Rampone to learn status of audit so far. Review draft Transmittal for 2015/2016 audit material not sent to Rampone yet. Assit hiring bookkeeper specifically to finish audit 	<ol style="list-style-type: none"> COMPLETE 01/06/17 02/28/17

Source Capacity Study/Compliance Order	1. Transition of responsibility from Brian Todd to Kris Kilgore (Kris worked on/off Aug - Nov) 2. Review comments to B&R, Manage Review comments from SWRCB DDW 3. Manage resolution of DDW comment on TC Creek flow model 4. Meeting w/B&R, George Chien, Janice Thomas DDW -- Final Resolution?	1. 6 hrs COMPLETE 2. 10 hrs (3 mo.) 3. 4 hrs 4. 10 hrs	1. & 2. Done 3. 12/28 4. 01/03/2017	1. Completed by mid-November 2016 2. Completed August 2016 3. Need to review B&R's latest response re: TC Creek Flow model 4. Set up January 2017 Meeting w/B&R, George Chien, Janice Thomas DDW	1. & 2. DONE 3. 12/29 4. 01/20/2017
Tank Maint. Operations 1	Storage Tank Inspection/Clean/Repair				
TM1.	Initiate w/L. Nelson -- Midco Quote, AquaTec 2010 inspection DVDs	Compl. 12/23	12/16/16		DONE 12/23/2016
TM2	Review AquaTec 2010 DVDs, Vaughn Kilgore will convert old DVD tech to current technology for the record.	5 hrs (excluding coordination w/V. Kilgore)	12/23/16	2 hrs spent on DVDs 12/23 & 25. Need 3 more hrs	12/29/16
TM3	Obtain Quotes from AuqaTech and LiquiVision	8 hrs (including after review w/L. Nelson)	12/27/16	1. Define same scope of work all 3 contractors to bid 2. Send scope to each contractor (possibly repeat to Midco). Fill out each contractors's request for quote forms	12/30/16
TM4	Prepare recommendation to Board after reviewing quotes w/Larry Nelson	2 hrs	1/10/17		1/10/17
Med Income Survey 1.	1. Coordinate w/ SWRCB & RCAC to initiate and implement Median Income Survey 2. Finish survey by contacting 30 non-responding TC residents 3. Submit survey results to SWRCB funding application	1. spent 10 hrs 2. 12 hrs 3. 2 hrs	1. 07/15/16 -- COMPLETE 2. 12/12/16 3. 01/15/2017	2. RCAC & SWRCB agreed that K. Kilgore could contact unresponding residents, send forms again and track. Will start 12/27/2016	1. 09/15/16 -- COMPLETE 2. 01/10/2017 3. 01/15/2017
TP1 Design	1. Review final design plans and specifications & obtain architectural drawings 2. Set up plant tours of ultra filtration tech 3. Set up B&R presentation for Board Executive Session Jan 14th. Also B&R talk w/public same day.	1. 8 hrs 2. 20 hrs 3. 4 hrs	1. 12/28/16 2. 12/29 3. 01/03/17	1. Contact M. Hallett again re: architectural drawings 2. Contact select plants for physical and phone/skype tours. Schedule tours in January, attend tours 3. Review plans/specs with Board members prior to January 14th mtg	1. Depends on Hallett (try 01/14/17) 2. 02/28/17 3. 01/14/17
TP1 Funding	1. Revise General Package - need updated constr cost estimate for 2018. 2. Technical Package -- Put Eng Report, Plans, Specifications into FAAST application. 3. Put all current B&R permitting and environmental work in Environmental Package 4. Fill out Financial Package as well as possible w/o audit 5. Finalize when have audit report	1. 10 hrs 2. 4 hrs 3. 4 hrs 4. 20 hrs 5. 4 hrs	1. 01/19/17 2. 01/19/17 3. 01/23/17 4. 01/23/17 5. 02/28/17	1. task clear 2. Review Eng Report and attachments from B&R. Input to FAAST 3. tasks clear 4. Financial Package Resolutions to be signed by Board 01/14/17	1. 01/20/17 2. 01/19/17 3. 01/23/17 4. 01/25/17 5. 02/28/17 (hopefully)

TP1 TTHM	B&R included some budget to review TCCWD TTHM and other water testing data to identify trends over time that might result in regulatory violations. B&R has started to look at recent data, but needs a discussion w/Larry Nelson and possibly more data.	1. 12 hrs including phone mtgs and review B&R opinion	1. 11/15/16	1. Talk further w/B&R to see why TTHM result chart sent by L. Nelson wasn't enough data. Then work w/L. Nelson to obtain required information. Consider whether this is urgent enough to become a 2017 project. Or can it be included in the long-range Master Plan?	1/29/17
Operations 2	1. Improve meter reading spreadsheet that L. Nelson inputs for the EIDorado system.	1. 8 hrs	1. 1/16/2017	1. Larry Nelson has been asking for improvements in the spreadsheet he types his meter read into. Kendra Stillman may have made some progress on this.	1/29/17
Operations 3	1. Prepare draft contracting procedures -- work w/Lorrie Uribe	1. 12 hrs	1. 01/03/17	1. Contracting procedures for small projects/contracts that do not require formal design by professional engineer	1. 02/21/17
Operations 4	1. Prepare draft safety manual/procedures per SWRCB and CWA recommendations	1. 40 hrs	1. 02/16/17	1. Using sample safety manuals provided by SWRCB, put together a draft for TCCWD	1. 03/31/17
Operations 5	1. Review L. Nelson's operations manual, obtain samples from other treatment plants. Revise the operations manual	1. 40 hrs	1. 04/04/17	1. Contact Sea Ranch and other small plants to obtain copies of their operations manuals, if possible. Then improve on the operations manual Larry Nelson has prepared.	1. 07/31/17
Operations 6	1. Customer service regarding meter installation. Occasional correspondence, review meter location, work on policy	1. ongoing	1. 10/01/16	1. I have been called on to call back customers, look at meter locations and consider meter installation policy. Will continue to do so as needed	on going
Admin 1	1. Interview 7 applicants by phone, Set up interviews for 3 appls, insured follow through and hiring 2. Supervision of K. Stillman & admin procedural manual 3. Obtained HP computer, set up computer.	1. 15 hrs 2. per month 16+15+30+15 hrs 3. 12 hrs		1. NONE 2. Hrs spent through 12/21. Will no longer supervise K. Stillman. At my direction, Kendra has made progress on the procedural manual. She is writing out procedures on billing and other work as she learn to do it. 3. DONE	1. COMPLETE 2. Supervisor Task ended 12/21 3. 10/15/16 DONE
Admin 2	4. Filing system -- submitted organization for non/accounting files. Do the organization	4. 4 hrs + need 20 more		4. Need to organize non-accounting files, esp those needed for funding applications	4. 03/31/17
DS1 Funding	1. Remind B&R to revise plans and specs per G. Chien, DDW, comments, and review them 2. Finalize General, Technical, Environmental, Financial Packages as far as possible w/o audit 3. Input Audit report to Final Package	1. 4 hrs 2. 12 hrs 3. 4 hrs	1. 01/03/17 2. 01/26/17 3. 02/28/17	2. Revise Financial Package resolutions and have Board sign 01/14/17	1. 01/09/17 2. 01/26/17 3. 02/28/17

DS2 Design	<ol style="list-style-type: none"> 1. Review French easement and prepare to show Board. 2. Obtain preliminary drawings from B&R 3. Set up public meeting to look at plans, method of drilling, creek crossing, reconnection of services in Koftinow, new firehydrants 	<ol style="list-style-type: none"> 1. 2 hrs 2. 12 hrs 3. 4 hrs 	<ol style="list-style-type: none"> 1. 01/03/17 2. 01/10/17 3. 01/16/17 	<ol style="list-style-type: none"> 1. & 2. Pick up easement & plans at B&R 01/03/17 (already in town) 2. Review preliminary drawings w/Board. Also review directional drilling work and method designed to cross creek 3. w/ Board: Discuss purpose and schedule public meeting to look at plans, method of drilling, creek crossing, reconnection of services in Koftinow, new firehydrants 	<ol style="list-style-type: none"> 1. 01/03/17 2. 01/12/17 3. 01/29/17
Master Plan	<ol style="list-style-type: none"> 1. Prioritize the master plan tasks the Board submitted last Spring. Review the prioritization and modify per Board direction. 2. Add specific projects for distribution system pressure regulation improvements - Tank No. 2, Lee Drive, Umland Circle, other locations that are critical 3. Finish Master Plan most urgent projects and apply for a planning/design loan from SWRCB to design projects as far as required to obtain funding for the projects. 	<ol style="list-style-type: none"> 1. 12 hrs 2. 24 hrs 3. 40 hrs 	<ol style="list-style-type: none"> 1. 01/23/17 2. 02/21/17 3. 04/04/17 		<ol style="list-style-type: none"> 1. 01/29/17 2. 03/31/17 3. 06/30/17
Gen Mgr 1	<ol style="list-style-type: none"> 1. Outline GM principal tasks 2. Propose Priorities for GM 3. Propose GM position and details of governance by Board 	<ol style="list-style-type: none"> 1. 16 hrs 2. 8 hrs 3. 4 hrs 	<ol style="list-style-type: none"> 1. 03/06/17 2. 03/06/17 3. 03/06/17 	1, 2 & 3 The GM and the Board should work as a team. No on member has ultimate power and/or responsibility.	<ol style="list-style-type: none"> 1. 03/31/17 2. 03/31/17 3. 03/31/17
Gen Mgr 2	<ol style="list-style-type: none"> 1. Maintain customer use spreadsheet 2. Maintain TCCWD system map w/customer info as requested by G. Chien, DDW 	<ol style="list-style-type: none"> 1. 12 hrs/3 months 2. 4 hrs/6 months 	<ol style="list-style-type: none"> 1. 11/2015 2. 09/15/16 	1 & 2 DONE -- spent 100 hrs setting up customer use spreadsheet & another 40 adding data through the last 2 years (just did 10 hrs over Christmas). Spent 20 hrs setting up the TCCWD system map and delivering it to G. Chien. The map will need updating.	<ol style="list-style-type: none"> 1. every 3 mo 2. every year
Gen Mgr 3	Along with the Board of Directors, hire Distribution System DS2 Operator to assist Larry Nelson	<ol style="list-style-type: none"> 1. 16 hrs 2. 24 hrs 3. 12 hrs 	<ol style="list-style-type: none"> 1. 01/09/17 2. 01/09/17 3. ?Board will do this while I'm away 01/27 - 02/15? 	<ol style="list-style-type: none"> 1. Look through G. Chien recommended operators. Review operator position advertisements per L. Nelson. Learn about other operators forums. 2. Revise operator job description and advertisement for operator 3. Review likely candidates w/Board of Directors. Set up interviews. 	<ol style="list-style-type: none"> 1. 01/16/17 2. 01/16/17 3. ?Board will do this while I'm away 01/27 - 02/15?
Volunteers 1	1. Either organize or provide support to Lorrie Uribe to have a proactive volunteer effort.	<ol style="list-style-type: none"> 1. 40 hrs 	<ol style="list-style-type: none"> 1. 12/14/16 	<ol style="list-style-type: none"> 1. 40 hrs represents about three months worth of organizing the volunteers and attending the volunteer activities. <p>ALSO -- did a brush burning project as a volunteer on 12/14/16</p>	on going

8

METER READING

A. Measurement of Water Supplied

All water supplied by the District will be measured by means of water meters installed, owned and maintained by the District. The cubic foot will be the unit of measure, and the amounts charged for service shall be based on the current rates established by the District, which may include a base rate plus per unit charges.

B. Frequency of Meter Reading

In general, meters shall be read on a monthly basis. As it is not always possible to read meters at equal intervals, the period between reading dates may vary. In the case of delinquent accounts or accounts which have a history of late payment, special meter readings may be made.

C. Meters That Cannot Be Read

Where a meter cannot be read because of an obstruction, the customer will be notified and requested to correct the condition. The District has the right to discontinue the service if such condition is not corrected.

D. Testing Meters

A customer who questions the accuracy of a meter serving his or her premises may request a test of its accuracy and witness the test if so desired. If the average of the test results show the meter is registering more than two percent fast, the District will adjust the billing for the period during which the meter was registering fast, but for not more than the preceding six months.

If a customer requests more than one test of a meter in a twelve month period, a deposit shall be made with the District prior to the test, the testing charge set at District cost. If the average of the test results show the meter is registering less than two percent fast, the testing charge will be retained by the District.

Charges for meter testing will be at District cost.

3/27/1991

Legal Review 8/2013

REGULATION 19

BILLING

A. Date

Water bills normally will be rendered monthly, and after special meter readings have been taken.

B. Delivery

All water bills will be mailed to customers at the post office address furnished to the District.

C. Payment

Bills for service shall be due and payable upon deposit in the United States mail or upon presentation to the customer. A bill is delinquent if **full** payment is not received at the District's office within 25 days following the due date.

The customer has the option to enter into a payment plan to prevent service being disconnected and/or lien being filed. If the payment plan is not adhered TCCWD may disconnect water service and lien property.

Delinquent Account Payment Plan

After 90 days customer has not paid bills due for 90 days, TCCWD will send a notice requesting a payment plan. The payment plan requirements:

- a. be in writing
- b. signed by property owner and TCCWD Board
- c. the customer pays a minimum of 18% of the initial unpaid balance, in addition to current billing for water usage with base rate, until all past due amounts are paid. A 15% service fee will be charged to the property owner for the administration of the payment plan.
- d. ~~When a customer has multiple accounts that are behind in payment, the payment plan agreement shall state that payments intended to pay down a delinquent balance will be distributed to each account, so that water servicing the customer's residence shall be the last service to be disconnected.~~ I do not agree we should do this

If the customer fails to enter into an agreement with the TCCWD after the account is delinquent 120 days, disconnection and lien policies will be enforced.

Water Leak Payment Plan

The customer has the option within 90 days after leak discovery to provide a payment plan. The payment plan requirements:

- a. be in writing
- b. signed by property owner and TCCWD Board

- c. The payments should include the amortized debt in addition to current billing for water usage with base rate. The debt should be amortized over a period of not greater than two years.

D. Returned Checks

A customer's account shall be charged \$40 for a check returned by the bank unpaid.

E. Disputed Bills

Any request for investigation of a disputed bill must be made to the District in writing. A disputed account will not be accepted as justification for nonpayment of a water bill, and payment in full shall be made pending settlement of the claim.

F. Estimated Bills

If a meter fails to register correctly or cannot be read, the bill will be based on an estimate of the amount of water used. Due consideration will be given in such estimate to the normal seasonal demand of such service and to any other factors that are significant in arriving at an equitable charge for the water service.

TIMBER COVE COUNTY WATER DISTRICT

REGULATION 19 (cont.)

G. Final Bills

When a customer requests that an account be terminated, the District may determine the final bill amount by estimating the water used during the part of the billing period preceding the date service is terminated.

H. Termination

Once service is requested, the charge for water service shall continue until notice is given to the District in writing, that the water service is no longer required.

I. Combined Bills

No two or more service connections will be combined in billing, nor in computing the charge for service.

J. Interest on Unpaid Bills

Simple interest at a rate of **2% per month** may be added to any unpaid charge of the District **30** days after it is due or upon recordation of certificate thereof pursuant to Water Code Section 31701.7, whichever occur first.

K. Placement of Lien

Once an account has reached 120 days past due, a lien fee will be added to the account and the District will place a lien on the parcel/property pursuant to the following procedure:

- a. A written notice of delinquency shall be mailed, first class mail, to the property owner listed on the latest County tax role, and shall be posted on the property in a conspicuous place, at least 20 days prior to the District meeting at which a determination is to be made as to the recording of a lien for delinquency.
- b. The written notice shall contain the following information:
 1. The address of the property to which the notice relates.
 2. The name of the person to whom the water bills have been sent by the District and the name of the property owner, if different than the person to whom the bills have been sent.
 3. The amount of the delinquent water bill.

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REGULATION 19 (cont.)

4. A statement that the person to whom the bills have been sent or the property owner has five calendar days from the date of the notice to submit a written request to the District for an investigation of the matter and a conference with the Board of Directors.
 5. The address and telephone number of the District.
- c. If the delinquent bill has not been paid by the time of the District meeting at which the lien determination is to be made, the District shall hold a hearing at such meeting, receive the oral statement of the property owner or other interested person, consider any written statements that may have been received and make a determination as to whether to record a lien against the property for the delinquency.
 - d. If the Directors determine that a lien should be recorded with respect to the delinquency, they shall adopt a resolution directing the District's secretary to record a Certificate of Lien against the property with the County Recorder for the amount of the delinquency.
 - e. A copy of the recorded Certificate of Lien shall be mailed by first class mail to the property owner at the address listed on the latest County tax role.

REGULATION 20

TERMINATION, DISCONNECTION AND RECONNECTION

A. Termination of Service on Request of Customer

Water service will be terminated by shut-off at the meter during regular working hours within a reasonable time after receipt of a request for termination from the customer. Shut-off will be made on the day requested by the customer if the request is made sufficiently in advance. A customer's request for termination shall be regarded as a notice of permanent discontinuance of service unless the District is otherwise specifically advised. The customer shall be responsible for payment of all service rendered prior to actual shut-off.

B. Disconnection of Service by the District

(1) Except as otherwise expressly provided in this Regulation 20, the District may at any time disconnect a water service for failure to comply with any of the District's Regulations subject to procedures (2) below.

(2) The District may disconnect **or lock out** any water service of a customer if the customer's **account is delinquent more than 120 days**, ~~fails to pay any bill or charge of the District which the customer is responsible to pay or any indebtedness of the customer to the District pursuant to contract or final judgment following these procedures:~~

1. A notice of not less than nineteen days prior to termination will be mailed to the customer **and property owner** by first class mail at the address used by the District for billing. This notice will contain:
 - A. Customer's name and address
 - B. Location of water service to be terminated
 - C. The reason for termination, including the amount of any delinquency
 - D. The date on or after which water service will be terminated, or the date on or after which water service will be terminated if a specified payment or arrangement for payment is not made or compliance met with a specified district rule or regulation

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REGULATION 20 (cont.)

- E. A statement, in case of termination for nonpayment of a water bill, that the customer has a right to a hearing before the Board to contest the bill
 - F. The telephone number of a District representative who can provide additional information or institute arrangements for payment
2. The District will make reasonable attempt to contact an adult person at the service telephone, if one exists, or another phone which number is made available to the District by the customer, at least 48 hours before termination.
 3. The District shall not disconnect or discontinue water service during pendency of an investigation. However, upon conclusion of the investigation, the District may disconnect and discontinue service if no payment agreement has been reached and the bill or assessment remains unpaid, provided that written notice of the disconnection has been delivered or mailed, by first class mail, to the responsible person and the property owner as listed on the last tax bill at least seven calendar days prior to disconnection of service. Such notice shall not entitle the responsible person or the property owner to any further investigation by the District. Any responsible person or property owner who has initiated an investigation as provided above shall be given an opportunity for review of the issues involving the unpaid bill or assessment by the District. The review shall include consideration of whether the responsible person or property owner should be permitted to amortize the unpaid balance of the bill or assessment over a reasonable period of time. If a payment agreement is entered into, and the agreement is thereafter breached, the District may disconnect or discontinue service for such breach, provided that written notice of the disconnection has been delivered or mailed, by first class mail, to the responsible person and property owner at least seven calendar days prior to disconnection of service. Such notice shall not entitle the responsible person or property owner to any further investigation by the District.
 4. Water service shall not be disconnected or discontinued by the District on Fridays or the day before a holiday.
 5. Water service shall not be disconnected or discontinued by the District to a residential tenant on a property due to a delinquency in payment of water bills by a prior tenant or due to a delinquency in payment of an assessment by the property owner.
 6. If water service is disconnected or discontinued as provided above, the District may apply any previous deposit to pay off the amount due.

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Board of Directors REGULAR MEETING

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TIMBER COVE COUNTY WATER DISTRICT

REGULATION 20 (cont.)

7. In case any charges for water or other service remain unpaid the amount of unpaid charges may together with interest and penalty constitute a lien upon the real property. The lien has the force, priority and effect of a judgment lien and shall continue for 10 years from the date of recording unless sooner released or otherwise discharged. At the discretion of the District a Request for Notice may also be filed with the County Recorder requesting notification of default or pending sale.

C. Reconnection

- (1) No service shall be restored until any unpaid balance has been paid in full, together with the service reinstatement charge as prescribed in the District's current schedule of fees and charges.
- (2) The District may require, as a condition precedent to reconnection of a service, that it be satisfied that any previous breach of the District's regulations will not recur and that all bills, charges and debts payable by the customer to the District are paid in full.
- (3) A reconnection charge shall be made for each reconnection.

REGULATION 21

LEAK POLICY

1. All water from a leak which passes through the water meter shall be charged to the property owner at a rate per gallon which is consistent with the normal usage of the customer.
2. Repair of leaks occurring on the **owner side of the meter** shall be the responsibility of the owner.
3. **The customer may apply for a payment plan. Only one active payment plan will be allowed.**