

Merquin County Water District

**Minutes of the Regular Meeting
Of the Board of Directors
Tuesday, August 9, 2022**

The Meeting of the Board of Directors of the Merquin County Water District called to order in regular session at 19684 Second Ave., Stevinson, California at 6:00 p.m.

Present were, Director Rosemary Ouse, Director Danny Drumonde, Director Phil Dores, Director Adam Azevedo, Absent President Freddy Oliveira,

MOTION APPROVING MINUTES of July 27, 2022

Moved by Director Danny Drumonde, seconded by Director Phil Dores approving the minutes of July 27, 2022

Motion Carried Unanimously

MOTION APPROVING LIST OF WARRANTS

Moved by Director Phil Dores, seconded by Director Danny Drumonde, approving the list of warrants \$ 4,879.78

Motion Carried Unanimously

MOTION ACCEPTING CHECKING ACCOUNT EXPENDITURES

None

MOTION APPROVING RESOLUTION 2022-3 FOR QK Water Standby Assessment

Moved by director Danny Drumonde, seconded by Director Phil Dores, approving the Resolution for QK Water Standby Assessment

Motion Carried Unanimously

CORRESPONDANCE

Auditor-Controller- Instructions and Approval for Placing Special Assessment on The Tax Roll

MOTION APPROVING PLACING SPECIAL ASSESSMENT ON THE TAX ROLL

Moved by director Danny Drumonde, seconded by Director Phil Dores, approving the Placing Special Assessment on the Tax Roll

Discussion/Action: Lester Detmer One Time Irrigation/Entitlement.

Jimmy reported the first irrigation took approximately two and a half hours for ten acres.

Director Adam Azevedo asked what Lester Detmer was wanting to do in the future? Jimmy said he wanted to continue irrigating to see what would grow.

A discussion took place regarding if Mr. Detmer should pay for irrigation water at time of use or allow him to pay the entitlement. Since the entitlement had not been paid by the previous property owner the board elected to have Jimmy give Mr. Detmer the entitlement paperwork prior to additional irrigations being provided.

Motion to approve the Entitlement for Lester Detmer

Moved by director Danny Drumonde, seconded by Director Phil Dores, approving the Entitlement for Lester Detmer.

Motion Carried Unanimously

Eric Swenson-District Engineer

1. Discussion/Action: Stormwater Discharges from Merced County Roads. On October 19, 2021, Ken Elliot with Merced County Public Works contacted MCWD regarding increasing stormwater discharges from the intersection of Lander Avenue and 3rd Avenue. Merced County was invited to attend a November 1, 2021, MCWD Board meeting to discuss executing a *Subdivision Drainage Agreement*. No one from Merced County came to the Board meeting and later Ken Elliot told the District Engineer that his superiors would have to address this issue. On July 26, 2022, the District Engineer contacted Ken Elliot again and he said he would talk to his superiors about contacting him. On August 1, 2022, the District Engineer left a message for the Public Works Director, Dana Hertfelder, but no return telephone call has been received.

Is the intent of the MCWD to transfer responsibility for storm drainage from County Roads back to the Merced County Public Works in 2-3 years?

The District Engineer sees three potential paths forward:

- Present MCWD's proposal during the beginning of a Board of Supervisors Meeting.
- Send a formal letter to Merced County Public Works.
- Contact Marci Barrera, Assistant County Executive Officer

Director Dores asked how MCWD became involved with the storm water business.

Eric Swenson stated MCWD started off as a Drainage District. Director Dores asked Frank if it was MCWD responsibility to remove the water from the road? Frank stated prior to Lander Ave. being a State Highway during the transition period of it becoming a State Highway MCWD negotiated with Merced County, (there was a drainage system at Lander and Third Ave. which was insufficient). Merced county would put a portable pump there. Then Merced County designed a pump station and Danny Machado installed it. Shannon Pump installed the pump, Merced County increased the size of the pipes across the intersection so the water would get to the pump, and there has not been an issue since.

Eric Swenson stated the old ditch is not being used for irrigation, so if MCWD is going to continue to take storm water it must be maintained.

Director Dores asked when it was County it was MCWD agreement with Merced County, now it is a State Hwy, should MCWD be taking care of it? Frank stated Merquin approached Public Work regarding updating the drainage on the intersection that's when MCWD agreed to take care of it.

Eric Swenson stated there is a second discharge also by the Catholic Church, Frank stated both issues were addressed at the same time.

Eric Swenson stated when he worked for another MID irrigation district the district for years took drainage water and never charged anything extra for it, he developed a drainage district and assessed all the properties for storm drainage, and they continue to charge for it.

The board recommended Eric sends a Certified letter to Merced County Public Works does not execute an agreement with the District and provide payment for stormwater disposal, that the District would terminate stormwater services at the end of 2022.

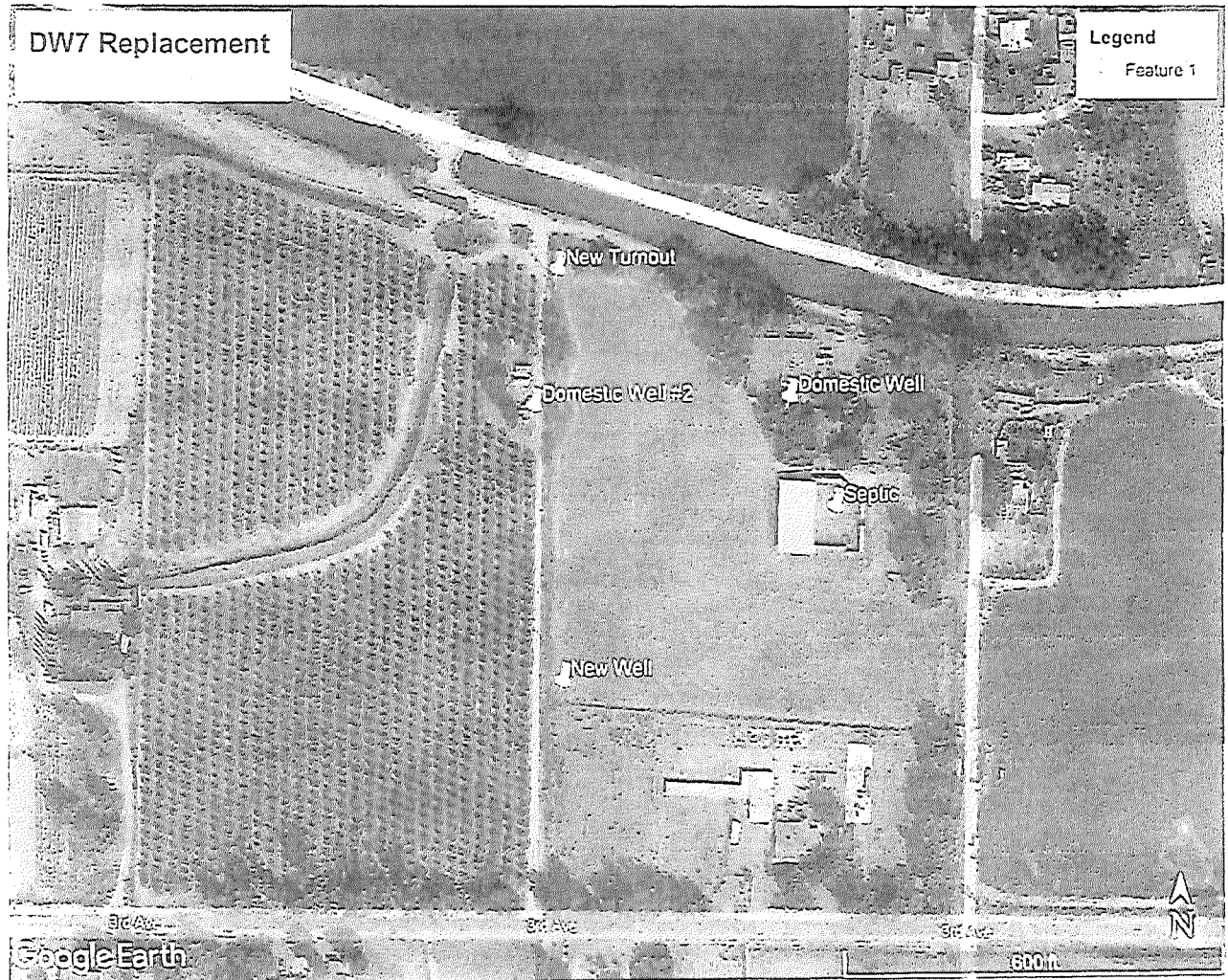
2. Discussion/Action: Pat Miller Reservoir Overflow. A letter has been prepared for transmittal to Pat Miller (attached). District Engineer requests concurrence from Board on letter before transmittal. One thing included is an 8-inch CMU extension so it will be a little higher than it is. Eric presented three options for the overflow:
 1. One 15-inch pipe
 2. Two 12- inch pipes
 3. Ditch with 5-foot top width, 2-foot bottom width, and 1-foot deep.

Mr. Miller was in attendance, he admitted wetting the dust twice. He reported there was a very simple fix to the Reservoir Overflow, and he has always said that he will take the responsibility to fix the issue he just has to wait until irrigation season is over. The Board supported allowing Mr. Miller to provide a solution for preventing overflow of irrigation water onto the Nervino properties.

Discussion/Action: DW7 Replacement Well. Jimmy and the District Engineer met with Dave Vierra on August 2, 2022. His septic system and domestic well were located. The domestic well for the neighbor to the west was also located. Dave requested a new delivery that would allow a new well on his property to irrigate his parcel. The location of this delivery is shown on the

attached map. A proposed location for the new well was established in the southwest corner of his property.

The District Engineer stated that a portion of the \$2,500 he was requesting for the new easement might need to go towards paying for the new delivery. Mr. Vierra was given paperwork to sign to allow a test well to be drilled on his property.



3. Discussion/Action: MCWD Usage of River Rock Dairy Well. A pump test was completed on this well on August 1, 2022. The well pumped 2,734 gpm and used 112 HP. Pumping water level was 100 feet. Electrical conductivity of water was measured to be 870 ppm. Larry Mattos is open to allowing the District to use this well. Potential approach to compensation would be to pay electrical costs and sell Larry Water at the standard District rate of \$32.50/AF. Larry has requested some kind of fee for maintenance. The District Board supported using the River Rock Dairy Well under the proposed approach including \$5/AF for a well maintenance fee.

4. Discussion: Status of Coelho Test Well. Quality Well Drilling will likely be starting test well installation week of August 8, 2022.
5. Discussion: Options for Legal Action Regarding MSGSA 218. The District Engineer contacted the District's legal counsel, David Hobbs, regarding potential options. David explained that since this assessment was directed at individual property owners, the Water District could not as an entity take legal action. Individual property owners could take legal action. David anticipates a legal challenge of this type would be vigorously defended by Merced County and would cost in the \$50,000-\$100,000 in legal fees for the first 6 months. This is not the cost or time frame to complete such a legal challenge.

MATTERS FOR THE GOOD OF THE DISTRICT

None

OFFICE/MAINTENANCE

Office

None

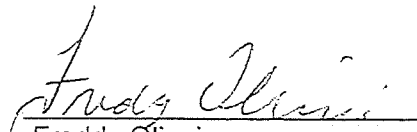
Maintenance

Jimmy reported flows from the canal have been very good. Some farmers are beginning to harvest, irrigations are winding down.

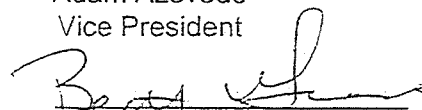
MOTION TO ADJOURN

Moved by Director Phil Dores, seconded by Director Danny Drumonde, to adjourn.

Motion Carried Unanimously


Freddy Oliveira
President

Adam Azevedo
Vice President


Betty Guest
Secretary