

**Borrego Water District  
CORRECTED MINUTES  
Special Meeting of the Board of Directors  
Tuesday, January 14, 2014  
9:00 AM  
806 Palm Canyon Drive  
Borrego Springs, CA 92004**

**I. OPENING PROCEDURES**

**A. Call to Order:** President Hart called the meeting to order at 9:00 a.m.

**B. Pledge of Allegiance:** Those present stood for the Pledge of Allegiance.

**C. Roll Call:**     **Directors:**     **Present:** President Hart, Vice-President Lyle Brecht, Secretary/Treasurer Marshal Brecht, Delahay, Estep

**Staff:**             Jerry Rolwing, General Manager  
Morton Park, McDougal Love Eckis Boehmer & Foley (via teleconference, Item III only)

Wendy Quinn, Recording Secretary

**Public:**            Jan Naragon                             Bill Burton  
Jim Engelke                             Ray Bolanos  
Jeannie Beck, *Borrego Sun*

**D. Approval of Agenda:** *MSC: L.Brecht/Estep approving the Agenda as written.*

**E. Comments from Directors and Requests for Future Agenda Items:** None

**F. Comments from the Public and Requests for Future Agenda Items:** Ray Bolanos inquired as to the status of the negotiations with Rams Hill. President Hart replied that discussions were continuing, and Director Lyle Brecht added that agreement was close.

**II. CURRENT BUSINESS MATTERS**

**A. Discussion and possible action on updating the Groundwater Management Plan:**

1.       Review of studies and reports on Borrego Water District website

Jerry Rolwing reported that the BWD website now contains a list of the historical studies being used in the Groundwater Management Plan update. Director Lyle Brecht suggested including information on economics and demographics. Mr. Rolwing summarized the reports currently available. President Hart suggested arranging the reports in chronological order, and Director Lyle Brecht preferred they be arranged by topic. President Hart, Director Lyle Brecht, Mr. Rolwing and Jan Naragon will work on the organization.

Discussion followed regarding the annual Town Hall meeting, and it was tentatively agreed to schedule it for March 26.

Mr. Rolwing reported that following review by the Operations and Management Committee, he had submitted comments regarding the draft Bureau of Reclamation report. Director Lyle Brecht requested that the replacement cost of water be included in the comments.

Mr. Rolwing announced the commencement of a water quality monitoring program and asked for input as to what we should test for. A progress report will be presented next month.

2.       Discussion of stakeholder interview process

Mr. Rolwing reported that he had included a note at the bottom of the last water bills asking for volunteers to be interviewed for the Groundwater Management Plan update stakeholder input. So far, he has received no responses. Ms. Naragon reported she was working on a draft of the background interview section.

**B. Discussion and possible action on Agri-Empire potato farm proposal:** Mr. Rolwing reported that he had been contacted by a realtor representing the owner of the Agri-Empire potato farm. The owners want to sell the property, and their preliminary value assessment is \$10,000 per acre. They have offered to seek financing to enable the District to buy the property, and they want a letter from BWD authorizing them to move forward. President Hart suggested deferring the matter to the next meeting. In the meantime, she and Director Lyle Brecht will review the draft authorization letter submitted by the landowner.

**C. Discussion and possible approval of JC Labs & Monitoring Service proposal:** Mr. Rolwing explained that David Dale had recommended JC Labs & Monitoring Service to fill in as sewer plant operator pending the upgrade of the current operator to Grade 3, a recent requirement of the State Water Resources Control Board *MSC: L.Brecht/Delahay authorizing Mr. Rolwing to approve the contract with JC Labs & Monitoring Service for \$1,500 per month subject to Morton Park's concurrence.*

**D. Discussion of amendment to District Water Credit Policy:** Mr. Rolwing invited the Board's attention to a draft amendment to the Water Credit Policy drafted by Lisa Foster and the Strategic Planning committee in response to a concern voiced by Jim Engelke. Although Ms. Foster recommended against changing the Policy, if it is the Board's decision to do so she suggested adding the language that credits may be issued if plants are relocated and there is no increase in water use. Mr. Engelke's client wants to fallow a palm grove and move some of the trees to Rams Hill, where palms have previously been located but have died. President Hart expressed concern regarding enforcement. Mr. Engelke suggested the landowner could hire a landscape professional to prepare a report. Mr. Rolwing pointed out that when a grower applies for water credits, he/she has to inform the District how the fallowed trees will be disposed of. In that statement, the number of trees to be transferred could be listed. Mr. Park will be asked to draft the appropriate language and the matter will be included in the next agenda.

**E. Discussion of potential agenda items for January 22nd board meeting:** Agenda items for next week will include discussion of Paul Nordman's request for water credits to fallow the former pepper tree, now oat, farm. Director Estep requested copies of President Hart's letter to Mr. Nordman and his response. Other items will be the Agri-Empire potato farm proposal and the District planning calendar.

### **III. CLOSED SESSION**

**A. Conference with Legal Counsel - Anticipated Litigation. Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of Gov't Code section 54956.9. One case:** The Board adjourned to closed session at 10:20 a.m., and the open session reconvened at 11:15 a.m. There was no reportable action.

### **IV. CLOSING PROCEDURE, Adjournment**

There being no further business, the Board adjourned at 11:15 a.m. The next Regular Meeting of the Board of Directors is scheduled for January 22, 2014 at the Borrego Water District.