

Board of Supervisors

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Chair
Thomas A. Indrieri, District II,
Vice-chair
Mark D. Marshall, District III
Gary J. Evans, District IV
Denise J. Carter, District V



COUNTY OF COLUSA

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Special Session Minutes

June 20, 2014

The Board of Supervisors of the County of Colusa, State of California meets in Special Session this 20th day of June 2014 at the hour of 9:00 a.m., Present: Supervisors, Kim Dolbow Vann, Chair, Gary J. Evans, Thomas A. Indrieri, and Mark D. Marshall. Absent: Supervisor Denise J. Carter.

Chair Vann calls to order the Special meeting of June 20, 2014 at 3:00 p.m., with all Supervisors except Supervisor Carter present.

Present: Matt Bently, Deputy County Counsel.
Robert J. Muszar, Interim CAO/Clerk to the Board/Risk/Safety Manager.
Mary Fahey, Colusa County Resource Conservation District.
Jeff Moresco, Colusa County Ground Water Commission.
Jerry Bressler, John Loudon, Rob Mariconi, Frank Rogers, Colusa Citizens.
Joe Damiano, Ag Commissioner.
Mike Azevedo, Assistant Director, Public Works Department.
Douglas McGeoghegan, CDMW Co.
David Steidlmeyer, Steidlmeyer Family.
Eleanor Beck, Allen Beck, Maxwell Citizens.
John Atkinson, Eastside Mutual Water Company.
Yolanda Tirado, Ann Nordyke, Board Clerks.

Prayer by Chair Vann. Pledge of Allegiance.

Chair Vann makes time for a period of Public Comment.

Mr. Beck states there is a sign hanging in the Maxwell Post Office stating the meeting today was regarding the mandatory trash collection.

Chair Vann states the mandatory trash collection is not on the Agenda; therefore, the Board members are unable to have dialogue regarding same.

Chair Vann calls for any further Public Comment. Hearing none, Chair Vann closes the period of Public Comment.

3:03 p.m. Chair Vann makes time to consider vacating the June 17, 2014, decision, by the Board of Supervisors, on the appeal by Eastside Mutual Water Company (EMWC)

of the Colusa County Groundwater Commission's decision of May 16, 2014, denying EMWC's permit application for a groundwater substitution water transfer to the San Luis and Delta-Mendota Water Authority so that EMWC's appeal can be reheard.

ADMINISTRATION: It is moved by Supervisor Evans, seconded by Supervisor Marshall to vacate the June 17, 2014, decision, by the Board of Supervisors, on the appeal by Eastside Mutual Water Company (EMWC) of the Colusa County Groundwater Commission's decision of May 16, 2014, denying EMWC's permit application for a groundwater substitution water transfer to the San Luis and Delta-Mendota Water Authority so that EMWC's appeal can be reheard. Motion carried: All yes. Absent: Supervisor Carter.

3:05 p.m. Chair Vann makes time for a Public Hearing to consider an Appeal of the Colusa County Groundwater Commission's decision of May 16, 2014 denying the application by Eastside Mutual Water Company for a groundwater substitution water transfer to the San Luis and Delta-Mendota Water Authority.

Ms. Fahey speaks to the following:

- ✚ April 15, 2014 a special meeting of the Colusa County Groundwater Commission was held to discuss and consider 5 proposed in-county groundwater substitution transfers to Tehama Colusa Canal Authority (TCCA) and Eastside Mutual Water Company (EMWC) was one of the five districts proposing a transfer. She states the Commission did not decide whether to grant or deny the substitution transfers because it was determined that the current County Groundwater Ordinance does not give the Groundwater Commission authority over in-county groundwater substitution transfers.
- ✚ April 15, 2014 notification was received from MBK Engineers, on behalf of EMWC that the destination of EMWC's transfer proposal had changed from TCCA to the San Luis and Delta-Mendota Water Authority, outside the County.
- ✚ May 8, 2014 a special meeting of the Groundwater Commission was held to discuss and consider EMWC's revised Transfer proposal and after review and discussion of the proposed transfer the Groundwater Commission requested additional information from EMWC and from legal counsel be provided at an upcoming meeting and no decision was made at the May 8, 2014 meeting.
- ✚ May 16, 2014 a special meeting of the Groundwater Commission was held to continue discussion and consider EMWC's revised Transfer Proposal and after lengthy discussion a motion was put forth and seconded to approve EMWC's proposed transfer but the motion did not pass by a vote of 1-Yes, 3-Noes and 1-Absent.

3:07 p.m. Chair Vann opens the Public Hearing and calls for public comment. Hearing none, Chair Vann closes the Public Hearing.

Mr. Atkinson states the request for this year's water transfer is exactly the same as approved in last years approved transfer. He states in addition, he now has all of last year's data that supports the fact that the water pumped from his well during the months of July, August and September last year recovered back to their original starting pumping levels before the transfer had begun, which took less than 30 days. He states further he has been running wells since May 15, 2014 and has found no difference in the wells performances over last year's results. He states further the two adjacent Landowners have seen no impact on their wells during the pumping of their wells this year. He states based on this information he is requesting reconsideration of the denial for a groundwater substitution transfer.

Messrs Rodgers, Steidlmeyer and McGeoghegan all speak in opposition to Mr. Atkinson's request and in support of upholding the Ground Water Commission's decision.

3:21 p.m. Chair Vann calls for any further comment. Hearing none, Chair Vann closes the Public Hearing.

ADMINISTRATION: It is moved by Supervisor Evans, seconded by Supervisor Marshall to uphold the Colusa County Groundwater Commission's decision of May 16, 2014 denying the application by Eastside Mutual Water Company for a groundwater substitution water transfer to the San Luis and Delta-Mendota Water Authority. Motion carried: All yes. Absent: Supervisor Carter.

The Board adjourns at 3:24 p.m. to reconvene in Regular Session on July 29, 2014 at the hour of 9:00 a.m.

Kim Dolbow Vann, Chair

Attest: Robert J. Muszar, Interim Clerk to
the Board of Supervisors

BY _____
Ann Nordyke, Deputy Clerk