

# Herlong Public Utility District



## Regular Board Meeting November 14, 2023

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THIS MEETING IS HELD PURSUANT TO EXECUTIVE ORDER N-29-20  
ISSUED BY GOVERNOR GAVIN NEWSOM ON  
MARCH 17, 2020  
PUBLIC PARTICIPATION

If you wish to make a general public comment or to comment on a specific agenda item, the following methods are available:

**READ INTO THE RECORD AT THE MEETING:** Submit your comment via email or drop box prior to the start of the meeting, provided that the reading shall not exceed three (3) minutes. Please state in your email that you would like this "read into the record". In those cases where the meeting author requests that the email be read aloud as though it were being delivered orally at the meeting, the email will be read aloud by the Board Clerk up to a maximum of three minutes. Comments received after the meeting has begun will be placed into the record and distributed appropriately. [sandy@herlongpud.com](mailto:sandy@herlongpud.com)

**CALL TO ORDER:** Director Everett called the meeting to order at 5:30 PM.

**FLAG SALUTE:** Director Everett led the pledge of allegiance.

**ROLL CALL:** Director Flores, Director Swistowicz, Director Harris, Director Johnson, and Director Everett were present.

**APPROVAL OF AGENDA:** Director Swistowicz made a motion to approve the agenda. Director Harris seconded. Aye votes: Everett, Harris, Swistowicz, Flores and Johnson. Nay votes: None. Absent: None.

**PUBLIC COMMENT:** Randi Kaarbo requested information: a contact person in Sacramento in charge of the grant due to the exclusion of the Mountain View and Hillcrest areas, a contact person at the County of Lassen, and the costs of materials. She alerted the Board of her intention to start a petition regarding the road, Mountain View Dr., not being done as promised, stating she has photographic proof. She said Rapid Construction is not being held accountable and they should not have been allowed to dig up the road in the first place.

A customer residing at 103 Aspen made a comment. He told the Board the HPUD bill is now more than 10% of his income. A grant, as he understands it, means you do not have to pay back the money awarded. If the case is that the customers are saddled with the bill they should be informed where their money is going.

Customer Hayley McClung said she was unprepared for the rate increases which has left her frustrated. She wanted to know why this information was not in newsletters or posted earlier in the year. It was not shared with the customers until late August. She understands residents knew 5 years ago but she was not living here then and feels management should have made more of an effort to get the word out. This increase is taking from her food budget. She wanted to know where the additional HPUD income is going because it looks as though we are paying back a grant. She asked if any sort of statement could be provided by the state to back up the claims made by the Board and GM.

The Finance Manager, Monique Mierlot, read a statement speaking to the reasoning behind her resignation submitted on October 30th. She wanted to make clear it has nothing to do with customers, rate increases or dealing with the Board. She feels the position is not a good fit for her experience and skill set and asks that the community refrain from gossip where she is concerned. It is an attack on her character which she does not take lightly and will not tolerate.

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The GM explained the dictates of the project and the State's order to increase price. Director Swistowicz asked the Board how they get these answers to the customers, stating Herlong is a small community, we all live together and the need to submit formally for information should not necessarily be adhered to. Telling customers they've known since 2019 doesn't get rid of the hardship. We are now at the point where a solution must be found. Director Johnson noted that time allotments for Public Comment had run out and any customers wanting to discuss this topic or request information needed to call or visit the office.

Randi Kaarbo said the audience was told at the last meeting the project was under budget and how it's being said there is not enough money. If sufficient answers are not provided, she will be contacting the State. The discussion became heated, and Director Flores called for a Point of Order.

Director Flores asked about the debt service being paid by SIRCO. The GM informed him it was an ISS grant with a grant/loan through the USDA which includes a debt service fee for the 40 years of the loan term, of which HPUD is 10 years into.

The Board and GM went over what a cost study would entail. Director Flores said he wants one done immediately. GM explained \$25,000 would need to be added to the budget then approved by the Board.

Director Swistowicz wrapped up the topic reminding customers of the information provided on the District's website and newsletter. Director Johnson let the group know they can always call or visit the office and speak with the GM if they have any questions or concerns.

**WPV PROJECT:** Engineer Paul Winkelman let attendees know as of 11/6/23 the project is substantially complete. He was in the field for 3 days performing inspections. The remaining items on the punch list are being addressed. He went over the budgets, change orders and some of the adjustments made during construction. Costs of and need for sidewalks in areas previously without were talked about and Paul emphasized the intent to maximize what materials were available. They did have to use more cement than originally budgeted for when it became clear that gutter removals were less damaging than expected.

Director Flores stated he was told he had received favoritism. He said Randi Kaarbo was the only person who came and asked him directly why he was getting rock in/around his entrance. He explained it had been in place since the late 90's. The project dragged it across Hillcrest and made it uneven. He asked that bald spots be filled in and the entire area be smoothed out, as it had been before work began, so no favoritism.

Paul said this was a matter Director Flores would need to address outside of a Board meeting where he would be a paying customer. At present, this was a conflict of interest coming from a Board member.

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**FINANCIALS:** Director Flores wanted to know why his name was on the list of expenditures. GM and FM explained a check was cut to reimburse him for the plumber he hired and materials he bought when sand had to be cleaned out of lines at his residence. Director Johnson said the fuel costs paid to The Mark were disconcerting in regard to the Fire Department bills. She then made a motion to receive and file third quarter financials with Letter from Rick Wood, CPA. Director Harris seconded. Aye votes: Everett, Johnson, Harris, and Flores. Nay votes: Swistowicz. Absent: None.

GM asked that the Board approve the WPV Project checks being issued to Rapid Construction-\$403,175.25 (\$208,688.40 sewer, \$194,486.85 water) and Shaw Engineering-\$150,000 (\$49,450.00 sewer, \$50,550.00 water). Director Swistowicz made a motion to approve. Director Flores seconded. Aye votes: Everett, Johnson, Harris, Swistowicz and Flores. Nay votes: None. Absent: None.

**2024 BUDGET:** Director Everett explained this is a discussion item, no voting item that would be brought back to the Board next month. He advised the Board to visit the office if they had questions. GM explained she had provided the 2024 draft budget along with approved budgets from the last 5 years for comparison.

**MINUTES:** Director Flores called out the part of the October minutes which had him saying Mtn. View and Hillcrest were to be paved. It should only read Mtn. View as Hillcrest is a dirt road. He asked Hillcrest be deleted in order to approve. Director Everett made a motion to approve November's minutes with the exception of Hillcrest. Director Johnson seconded. Aye votes: Everett, Johnson, Harris, Swistowicz and Flores. Nay votes: None. Absent: None.

### **FIRE:**

**ANNUAL RESOLUTION:** GM reviewed some of what had been covered during October's Fire Department Workshop. Attending Board members asked that a vote be put forward to determine if fire taxes should be raised. Since HPUD had taken over the Fire Tax no rate increases had occurred. Director Johnson said given the present situation, there is no need to change rates. All Directors agreed. Funds are expected to be received from recent property improvements. The Title VIII sale contract was discussed. Director Everett reminded the Board those are terms set by the county which we are unable to change. We charge by parcel categorized by unimproved or improved. GM asked for a roll call vote to keep Fire Tax rates as is. Aye votes: Everett, Johnson, Harris, Swistowicz and Flores. Nay votes: None. Absent: None.

Items the Board asked be brought back for discussion:

**Improvements to fire barn:** The possibility of renovating the location to turn it into a training facility was discussed. Ultimately it was decided that the subject would be brought up next month after GM had more specific cost analysis.

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**Fitness policy:** Director Johnson reiterated the necessity of a physical to ensure volunteers have the ability to perform the job and how the requirement would keep the community, fellow HVFD members and HPUD safe. GM asked for a roll call vote to implement a physical requirement. Aye votes: Everett, Johnson, Harris, Swistowicz and Flores. Nay votes: None. Absent: None.

**Stipend or reimbursement for mileage:** Director Swistowicz voiced his belief there should be no cell phone stipend, rather all volunteers should be issued radios. He is against paying individuals at all because they are volunteers. His concern is the amount in the Fire fund, reserves versus the need to plan for the future. Director Johnson pointed out the Board is comprised of volunteers and yet the majority of them receive a stipend. She asked that the GM research how other volunteer fire departments handle stipends and reimbursements and report to the Board at December's meeting.

**Vehicle Use Policy:** Director Flores circled back to the topic of Captain Price having access to trucks when responding to calls, saying that should be a priority. The group talked about the condition of vehicles. The Board agreed all must be in top operating condition. It was agreed volunteers will be reimbursed mileage when using personal vehicles to travel to meetings and training.

**AGENDA POSTING:** Director Flores requested agenda posting requirements being brought forth to discuss. He recommended, after receiving suggestions from the community, additional posting locations: both Post Office bulletin boards, The Market, and Fort Sage Resource Center. All Board members agreed more visibility would be positive.

**GM REPORT:** Went over Sierra Alliance future plans to "breathe life" back into South County which the 395 Corridor Project amongst other things. Noted staff anniversaries: District Clerk-1 year, Lead Operator-6 years, General Manager-18 years. Director Flores asked about applications for the open Finance Manager position, wanting it to be added to the newsletter. GM informed being flown on CSDA.net, Lassen News website and in Reno Gazette.

## **DIRECTOR'S UPDATES:**

**Director Everett:** None

**Director Johnson:** Spoke to the issue with dogs in the neighborhood. Animal Control is understaffed and law enforcement response leaves much to be desired. She said the community will need to continue working together to make the area safe, that this topic would need to be discussed again.

**Director Harris:** None

**Director Swistowicz:** None

**Director Flores:** Sought clarification on Director request to add item to agenda. He felt GM was concerned when he questioned policy and wanted to make sure there was no need to go through Board Chair when asking to add. He states some things are missing on HPUD.com after being

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told to refer to website, and that some information is out of date. He asked the GM to make sure all info is current. He thanked the community for showing up to the meeting.

**Director Everett called for a break at 7:30 PM prior to the Closed Session.**

After a break, the Board went into closed session at 7:45 PM.

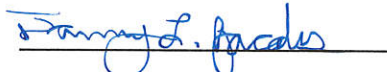
**Board came out of Closed Session at 7:50 PM**

Director Swistowicz made a motion to reject the claim from Gwendolyn Taylor and let Rapid Construction's insurance handle per the District's contract with the contractors and advice from both HPUD attorney and insurance company. Director Flores seconded the motion.

The motion passed with a roll call vote 5 to 0.

  
John Everett, President

ATTEST TO:

  
Tammy Jacobs, District Clerk