

**MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS OF
SIERRA LAKES COUNTY WATER DISTRICT**

Date: Friday July 17, 2020 / **Time:** 8:00 a.m. / **Place:** 7305 Short Road, Serene Lakes, CA

The meeting was teleconferenced as provided by Governor Newsom’s Executive Order N-25-20 (“Executive Order”), declared on March 12, 2020. The Executive Order temporarily granted state and local agencies certain powers to aid in the implementation of social distancing measures recommended by state and local public health officials that suspended certain Brown Act requirements.

I. Open Meeting:

Roll Call: Directors in attendance at the Sierra Lakes Boardroom were:

None

Directors in attendance by teleconference:

Director Michael Lindquist

Director Dick Simpson

Director Dan Stockton

Director Bob McCormick

Director Karen Heald

Staff members present: Anna Nickerson, Financial Consultant

Staff present by phone: Paul Schultz, General Manager
Jeffrey Mitchell, District Counsel

Guests present: Carole Raisbeck
Gordon Steindorff

Minute Recorder: Anna Nickerson, Financial Consultant

II. Public Forum: An opportunity for members of the public to address the Board on items that were not on the agenda. There were no comments from members of the public.

III. Approve Agenda: The agenda was presented to the Board for approval.

A motion was made by Director Stockton and seconded by Director McCormick to approve the agenda. The motion passed by a unanimous rollcall vote: Directors Lindquist, Simpson, Stockton, McCormick and Heald.

IV. Public Comments: An opportunity for the Board to consider comments received from the public after the agenda was posted, regarding items on the agenda. Mrs. Nickerson reported there were no comments received.

V. Old Business

A. Dock/Pier Application from Carole Raisbeck was presented to the Board for consideration and possible action. Director Lindquist said, at the last meeting, the Board had discussed conditional approval of Ms. Raisbeck's dock application. Subsequent to the meeting, Ms. Raisbeck found that the proposed configuration was not possible and submitted a new dock configuration proposal. He also reminded the Board that the purpose of the Special Meeting was to consider the new pier configuration only.

Ms. Raisbeck said she contacted USAA, her insurance carrier, about obtaining a certificate saying that the District was also insured and was told they would get back to her within 48 hours; but she had not heard back. She said after the meeting she would call them again. Mr. Schultz said he had had the same problem with USAA and AAA. He said it depended on the agent you talked to. Director Lindquist said the insurance form was an important part of the application but believed the form could come later; it just needed to come before final approval.

A motion was made by Director Simpson and seconded by Director Heald to approve the application as submitted.

Director Simpson said he checked and Pier of D'Nort did have a way to do a T as discussed last time although in some ways he felt an L was better. However, he was still concerned about the width. He also said he would like to interpret our width constraint as the width of the structure and not the width of the component sections. He also said he would have liked to have seen a riparian crossing and boat storage included in the application.

Director McCormick said he was fine with the approach, leaving it as proposed, and was fine with the two 4 x 8 sections going out but was not willing to approve the L. He felt it left open the possibility for more and more elaborate dock proposals in the future. He also said he didn't want to go through difficult discussions with every dock proposal. He preferred approval of the two sections without the 4 x 6 section until the Board could look at a more general lake/dock policy. He said it was not personal; he didn't want to set a precedent as to what would and wouldn't be permitted.

Director Lindquist confirmed that what Director McCormick was saying was, from the lake or across the lake, people would see an 8' wide dock. Director McCormick said the intent of the initial discussions about docks was not to provide a place for people to sit out on the lake. He felt the Board should develop a reasonable policy and not just make an exception for Ms. Raisbeck.

Director Simpson said he agreed with Director McCormick. If there was an L, it would not be a big jump to have a request for a J or a U or even an M. He also said, looking at piers on the Piers of D-Nort website, there were some really elaborate docks. Some allow a boat to be put in between two pieces of the dock. He said, for now, he liked a dock that goes out and stops, holding off on anything else until the Board could develop a set of guidelines to handle variations.

Ms. Raisbeck said she had a conditional approval of a T that would have a four foot section extending out from both sides for a total width of 12'. She said Pier D'Nort said constructing the approved T shape would be cost prohibitive due to the amount of retooling that was needed. She also said she understood the concern about elaborate configurations but thought the locations with five to seven boats on the shoreline were far more objectionable than her proposed dock. Finally

she said she only stores two boats on the shoreline in accordance with lake management plan.

Director McCormick said he was proposing a two-step process. First was to allow Ms. Raisbeck to install the main section of the dock and allow the Board time to put together a program to streamline what would be acceptable.

Director Heald said she agreed with Director McCormick that the original dock plan did not envision more elaborate docks so the plan did not address the issues the Board was now facing. She also agreed that the Board should review the plan to determine if more parameters were needed. However, the Board already approved a dock that went across the lake 10', the Byers dock was 10' wide, the Board already approved a dock with an appliance at the end that went beyond the 4' width; Ms. Raisbeck's dock would only be 8' wide. She also said the 8' as an L was less offensive than the 6' as a T, primarily because of the parameters of her property line where the T would have extended to the left was only 7' to the property line because of the vegetation. She agreed that the District needed to review docks and be more explicit in what would be acceptable. However, she felt that since Ms. Raisbeck's proposed dock was less than some docks that had already been approved, the Board should approve her proposed 8' wide dock. Finally, she said she agreed with Ms. Raisbeck that there were a tremendous number of lots where storage on the strip violated the lake management plan.

Director Heald said, in response to Director Simpson's riparian request, she didn't think it was part of the dock and should not be discussed.

Director Simpson said he joined the Board in the middle of the Byers' discussion and remembered that the dock and walkway were already built before a request for a permit was submitted. He said he felt the walkway should be part of the consideration of Ms. Raisbeck's dock.

Director Heald said she agreed that the Byers' dock was built before Board approval but the Board did require Mr. Byers to take out a lot of the construction over the riparian zone and could have disapproved the T as well. She also said she didn't think Ms. Raisbeck's dock violated the District's requirements as written.

Ms. Raisbeck said she understood the concerns about elaborate docks going up and that she had followed everything the Board requested. She also said using her as an example made her feel like the Board was prejudice against her.

Director Stockton said he agreed with what Director Heald said. He also asked if the total square footage of the dock, which was determined to be 80 square feet, exceeded any limits. Director Simpson said it didn't, the only limit was 15' out into the lake. Director McCormick said he felt it violated the width rule and Director Simpson agreed. When asked how the proposed dock exceeded the size restriction, Director McCormick said he was relying on Director Simpson's statement but would have to review the lake management plan to know for sure.

Director Lindquist read directly from the Ordinance: "No new pier or dock shall extend more than 15' lake ward from the high waterline nor be greater than 4' in width without the approval of the Board." He said the way he read it, a dock could be wider than 4' with the approval of the Board. He also said the Ordinance was not super clear and agreed that the Board should get with the community to decide what the goals were. He also said the elaborate dock issue was really about the community's feeling that piers and docks were a type of pollution to the community

resource (the lakes). He said the community respected the private property rights and the ability to access the lakes but wanted to avoid a shoreline of piers. It was really about limiting the mass of the piers from the perspective of the community.

Gordon Steindorf said when looking at the docks as opposed to all the blow-up things stored on the shoreline, his opinion was that all the boats and blow-up things were more offensive. The docks were low to the water and not that obtrusive.

Director Heald said she would approve the dock because the Board previously approved configurations other than the simple 4 x 8; Ms. Raisbeck's plan did not fall outside of things approved over the last four years. She also said the only thing that violated the lake management plan was the placement to the property line. However, due to the limitation of where where the dock could be placed, hers was an exception. Finally, she said she thought the L was more palatable than the T and Director Stockton agreed. Director Lindquist said he was supportive of the application as presented, based on approved ordinances.

Based on Director Simpson's questions, a topic to discuss the broader issues would be placed on the September agenda. Director Heald said she agreed that the Board should reach out to the community to discuss acceptable aesthetics of dock and to re-educate the community on the aesthetics of the strip.

Director McCormick suggested that the motion be revised to approve the dock with a 4 x 4 section off the side subject to possible revision in the future if the Board decided to change the requirements; the dock would not be grandfathered in if the Board changed its mind. Director Simpson suggested a 10 year grandfather status. Director Heald said she was concerned about approving Ms. Raisbeck's dock subject to future revision when no other approved dock was made subject to future revisions. Director Lindquist said he wanted to approve the dock until the time the dock would be rebuilt and not subject to possible revisions to the lake management plan.

Director Simpson wanted the motion amended to say it was conditioned on submission of the insurance certificate.

Director Heald accepted the amendment to the motion.

The motion passed by a rollcall vote: Ayes: Director Lindquist, Stockton and Heald. Noes: Directors Simpson and McCormick. Abstentions: none. The motion passed by a 3-2 vote.

Director Lindquist said he would attend the SLPOA Zoom meeting scheduled for Saturday July 18, 2020. Director Simpson suggested the District submit an article for the SLPOA newsletter regarding the planned discussion about docks and piers.

VI. New Business None

VII. Adjournment

A motion was made by Director Lindquist and seconded by Director McCormick to adjourn the meeting. The motion passed by a unanimous vote: Director Lindquist, Stockton McCormick, Heald and Simpson.

The minutes were approved at the Regular Meeting held on August 14, 2020, as part of the Consent Items Calendar. A motion was made by Director Simpson and seconded by Director McCormick to approve the Consent Items Calendar. The motion passed by a rollcall vote: Directors Lindquist, Heald, McCormick, Stockton and Simpson. Noes: None. Abstentions: None.