

IRISH BEACH WATER DISTRICT
MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, NOVEMBER 10, 1990

- 1 CALL TO ORDER: Chairman Balzer called the meeting to order at 10:07 a.m. at 14961 Navarro Way, Irish Beach.
- 2 ROLL CALL: Directors Scaramella, Balzer and Dunning were present. Director Aeschliman was absent and Director Edelbrock had resigned effective November 2, 1990. Also present were Joe Humphreys, Joyce Cary, Rick Andrews, John Acquistapace, Reese Tripp, Mildred Tripp, Gordon Moores, Nancy Menken and Diane Johnson (secretary to the Board). At this time Mr. Edelbrock's letter of resignation was read and Director Scaramella moved the resignation be accepted with regret and appreciation of Mr. Edelbrock's service to the Board and the District during his tenure. Director Dunning seconded the motion and it carried unanimously.
- 3 APPROVAL OF AGENDA: It was noted that item 8D, election of officers for the coming year, would be eliminated from the agenda because only three Directors were present and a special meeting early in December would be held to appoint a new director to replace Mr. Edelbrock and to elect officers.
- 4 APPROVAL OF MINUTES of 9-8-90 meeting: The minutes were approved as corrected by a motion by Director Scaramella, seconded by Director Dunning, and carried unanimously.
- 5 PUBLIC HEARING on first reading of Groundwater Extraction Ordinance: Chairman Balzer explained that the ordinance is patterned on Mendocino Community Services District's ordinance. The ordinance is needed to protect the District's surface and well water sources; such protection is supported by State Water Quality Control and County Environmental Health. People can drill wells but have the burden of proof that the well will not adversely affect the water supply of the District. Section 35409 of the Water Code was read as basis of authority to enact such an ordinance.

Public comments was invited. Gordon Moores felt that Section 35409 does not give the District authority to enact such an ordinance but just to intervene whenever necessary; the ordinance is not logical given the concerns it is addressing, is "overkill" and is not necessary because there is no evidence of a problem. Nancy Menken felt that the Board was reacting in advance of a problem rather than after the fact.

The Board asked Mr. Moores to put his comments into writing so that they could be taken into consideration.

Director Scaramella moved the public hearing for the first reading of the ordinance be closed and comments be taken into

consideration. Director Dunning seconded the motion and it carried unanimously.

6 REPORTS:

- 6A Treasurer's report, including 1) acceptance of final budget for fiscal year 1990-1991 and 2) authorization for audit of fiscal year 1989-1990: Director Scaramella moved that the county auditor undertake the audit for a fee of approximately \$1,500; Director Dunning seconded, and the motion carried unanimously.

Director Scaramella explained that the budget for the first time was broken down by division with a separate fire department budget. Anticipated revenues were approximately \$71,000 and expenditures approximately \$39,000. The anticipated fire department revenues were \$19,500 and expenditures approximately \$9,000. Operating loss before depreciation was approximately \$20,000, making a paper loss of \$7,900 but \$20,000 is allocated to depreciation of proceeds. An expenditure of \$23,000 is expected for a new fire truck, installation of a new fire hydrant, and increase in salaries for employees. Director Scaramella moved the budget be adopted; Director Dunning seconded, and it carried unanimously.

Director Scaramella moved the disbursements for September and October be approved; Director Dunning seconded, and the motion carried unanimously.

- 6B Fire Department reports on 1) fire prevention, 2) new fire truck, and 3) status of fire house construction: Director Dunning reported 36 lots were cited for not being up to fire prevention code and all 36 had complied. A new 1988 fire truck is available in San Leandro for \$15,443 plus sales tax. The truck would then need to be furnished with a service body for approximately \$2,700 plus a 250 gallon tank on the back. After a long discussion Director Dunning moved that the Board authorize Director Dunning to go with Fred Morgan, City of Point Arena Fire Chief, to investigate the fire truck in San Leandro, and if he feels it is adequate to service the District that he put a downpayment on it or another vehicle and then continue to investigate the two options on how to furnish it. The motion was seconded by Director Scaramella and carried unanimously. A report on fire house construction was tabled.

- 6C Systems report on 1) function of well, 2) function of control system for Unit 9, 3) water availability, and 4) integration of system including water pressure for Unit 4 lots: Director Scaramella reported on water usage and production, routing of water distribution, turbidity reports, turbulence, and modification of tank inlet pipes. Mr. Humphrey and Mr. Balzer will take the class to become qualified as plant operators.

- 6D **Safety inspection** by Special District Risk Management Authority (SDRMA) report: David Rosendale was in Sacramento to attend the safety workshop meeting, but his report on the inspection by the District's insurance carrier was considered, in particular: On #1 tank the bottom of the ladder has eroded and needs welding; SDRMA considers this a high priority item. A ladder over 18' in height, as is #1 tank's ladder, must be enclosed in a cage; SDRMA considers this a priority item with no severe time limit. SDRMA also feels that additional volunteer firemen are needed. It was decided that Kentucky John be contacted to make suggestions and give an estimate for welding the eroded bottom of the ladder and constructing a cage.
- 6E **Execute session** report: Chairman Balzer reported that legal matters were discussed at the September 30, 1990, executive session with regard to attorney Phillip Berry's offer to take the judgment against the District's appeal on ad valorem vs. one-vote-per-lot voting to State supreme court at no cost to the District. At the November 10, 1990, executive meeting salary increases for employees was discussed; this report is item 6C on the agenda.
- 6F **President's report:** President Balzer noted that when the District reaches 200 hookups, it will be required to pay money to the State's general fund. Mr. William Moores had sent a letter informing the District that there is a "slide" on the District's easement to unit #2 tank; however, Director Balzer said the roads from the Alta Mesa and Forest View roads to unit #9 are the responsibility of unit #9 property owners.

Section 36522 of the Water Code was read with regard to "charge for water use or other services in lieu of levying assessments."

It was noted that Mr. Moores' new timber harvest plan states that the land was last logged 25 years ago, but it was only about 13 years ago. The District is doing all it can to protect its watershed by reminding agencies like Fish and Game and Water Quality Control that the previous logging had resulted in highly increased contaminants in the District's water supply.

* **BREAK:** A break was called at 11:50; the meeting continued at 12:00 noon.

7 **OLD BUSINESS:**

7A **Action on resolution for acceptance of conveyance of unit #9 facilities:** After a short discussion, Director Scaramella moved that action on acceptance of the unit #9 facilities be put over until such time as we can clarify the language on

conveyance. Director Dunning seconded the motion and it carried unanimously.

- 7B Discussion of pending resolution for acceptance of Exhibit 4, i.e., well; action if indicated: After the September 8, 1990, meeting the 10-year guaranty and repair agreement for the 10,000 gallon tank (tank #5) had been sent to Mr. Moores for his signature. Mr. Moores had not returned the executed guaranty, so the District could not take action on this resolution until it is received. The paragraph in the resolution requiring this guaranty was read.

Director Scaramella explained the discrepancies of the as-built well to the Exhibit 4 plans. It was noted that the inside of the tank had not been relined as Mr. Moores had stated but had only been patched at the leaking cracks. He then moved that action on this resolution regarding Exhibit 4 plans and the conveyance be delayed until such time as the required documents are available. Director Dunning seconded the motion and it carried unanimously.

- 7C Discussion of perceived discrepancy between Resolution 86-2 (a.k.a. 2000) and action taken by Board on 3/12/88; action if required: Chairman Balzer read resolution 86-2 and 86-3, both regarding property owners' responsibility on damaged water lines and water leaks, and the section "review of Board policy regarding charges for appliance malfunction or leaks" from the 3/12/88 minutes. Discrepancies in policy needed to be resolved. After a discussion with the public in attendance and Board comments, it was decided to write a resolution for action at a future meeting to cover the discrepancies and consolidate policy.

8 NEW BUSINESS:

- 8a Report on submittal by William Moores relative to costs of unit #9 and well project; action as needed: On September 27 the District had received from Mr. Moores a large packet of Exhibits listing alleged reimbursement charges relative to the reimbursement provision of Exhibit A of the 7/6/88 agreement. Mr. Moores alleges that the District owes approximately \$73,000 in non-construction costs on the well project in relation to Exhibit B of the agreement. In relation to Exhibits C (unit #9) and D (miscellaneous) of the agreement, Mr. Moores alleges the District owes approximately \$25,000. The total alleged reimbursement is approximately \$100,000.

The District wanted it on record that they are dealing with the matter and that the claim is being reviewed in conjunction with Pacific Gas and Electric and legal counsel.

Director Scaramella noted that Mr. Moores' request for reimbursement was partly a disagreement of interpretation of the agreement but mostly resulting from Mr. Moores' as-built

construction deviating from his plans or his changes in the plans that were not requested by the District.

- 88 Discussion of and action required on William Moores request for water hookup for Inn Site: The 17-acre parcel of land north of Irish Beach and west of Highway 1 is planned by the Moores for a 20-unit inn. After discussion, Director Scaramella noted that no possible action could be taken until the District received engineering details of the proposal, anticipated costs to the District could be made, etc. Gordon Moores said the project was several years away but he just wanted to know the District's requirements. The District noted that it would need to determine if it would want to be responsible for water pipeline outside the District.

After further discussion, Director Dunning moved to table this item. Director Scaramella seconded the motion and it carried unanimously.


- 8C Action on recommendations of personnel committee: It was noted that John Acquistapace, Systems Operator, had not had a salary raise since 1986. The recommendations of the Personnel Committee (Directors Scaramella and Aeschliman) were presented to the Board in the executive session earlier that morning: Mr. Acquistapace's salary be increased by \$90 per month and monthly expenses be increased by \$60; secretary Diane Johnson's salary be increased by \$60 per month; all increases retroactive to October 1, 1990.

Director Scaramella moved that the committee's suggestions be approved and effective retroaction to October 1, 1990. Director Dunning seconded the motion and it carried unanimously.

- 8D Election of officers for coming year: This item was omitted from the agenda earlier in the meeting.

- 9 ADJOURNMENT: A motion by Director Dunning was made at 1:15 p.m. to adjourn the meeting; it was seconded by Director Scaramella and carried unanimously.

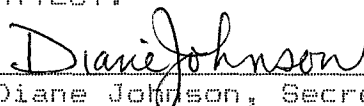
Respectfully submitted,



Rex Dunning, Secretary

Prepared by Diane Johnson

ATTEST:



Diane Johnson, Secretary to the Board

IRISH BEACH WATER DISTRICT
MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, JANUARY 12, 1991

1. **CALL TO ORDER:** Chairman Balzer called the meeting to order at 10:05 a.m. at the Manchester Grange Hall.
2. **ROLL CALL:** Directors Aeschliman, Dunning, Scaramella, Balzer, and Heinzer were present. Chairman Balzer introduced Jon Heinzer. Also present were Bettye Winters, John Acquistapace, Dave Rosendale, Nancy Menken, Betty MacKenzie, Joe Humphreys, Gordon Moores, Janet Dunning, Wil Edlebrock, Dorothy Engle, Alan Turner, and Diane Aeschliman (substitute secretary to the Board).
3. **APPROVAL OF MINUTES:** 11/10/90 - Regular Meeting
12/08/90 - Special Meeting

A motion to approve the minutes of the 11/10/90 regular meeting was made by Director Dunning and seconded by Director Aeschliman. The motion passed.

A motion to approve the minutes of the 12/08/90 special meeting was made by Director Dunning and seconded by Director Aeschliman. The motion passed.

4. **REPORTS:**

A. **Treasurer's Report** - Director Aeschliman

Copies of the Report were previously distributed. The major item for December was the purchase of the fire truck. It is not a fire truck yet, but will be when those items needed are added.

The majority of the items were normal with the normal legal bills being included. Regarding all bank accounts and C.D.'s, there are no financial problems.

Director Scaramella asked whether Board Secretary Diane Johnson had heard from the Auditor when the annual audit would be done. Director Aeschliman replied that it would be done the 21st or 22nd of this month (January).

Director Scaramella moved that the Accounts Payable covered in the Report be approved as presented.
Director Dunning seconded the motion and it was approved.

4. REPORTS (cont.):

B. Safety Committee - Dave Rosendale

Chairman Balzer explained that the Safety Committee and Risk Management Meeting was attended by Dave Rosendale in November, 1990.

Chairman Balzer asked if he (Dave Rosendale) had talked to Director Scaramella regarding the repair of the ladder. Dave Rosendale explained that he had spoken to John Acquistapace and that John had repaired the part which was rusted away and loose, but he had not spoken to anybody about the cage. Director Scaramella explained that the urgency of the cage repair was not immediate according to the discussion held at the Safety Committee, and that he had talked to the fellow at the foundry who would do that job, but that this person did not have the details of how to accomplish it. In the meantime the OSHA suggestion of what is needed has been received and Director Scaramella will contact the foundry person again and make arrangements for him to come and look at the project. It should be completed within the next month or two. Dave Rosendale agreed that that would be soon enough.

The Risk Management Meeting in Sacramento covered a review of the Safety Manual, Safety Procedures, and Claim Procedures. Examples of claims with actual cases were also presented.

Dave Rosendale had a meeting with the Safety Committee on December 14, 1990. The Board has not yet received the minutes of that meeting. The suggestions of the Committee should be implemented by the 28th of February, 1991.

C. Fire Dept. Report - Rex Dunning

A (used) 1989 Chevrolet One Ton Pickup Truck was purchased for fire fighting purposes. A water tank and pump must be purchased to equip it. Director Dunning related that he and Bob Smith went out on a fire call (false alarm) with the old truck and it couldn't go any faster than 10 miles an hour. When money becomes available, the pump and tank will be purchased. He will call the company which provides the tank and pump and see how payment could be made. Director Scaramella stated that this should be expedited.

Ms. Menken asked when brush piles would be burned. Director Dunning said that he had talked to Frank Schmidt and he will start next week.

D. **Operations Report - Scaramella/Acquistapace**

John Acquistapace will come in once a month to relate some of the problems which have occurred.

John stated that there have been quite a few water breaks due to freezing of meters. Other problems have been:

1. Pipe breaks. 1 by the Dietz house used up 40,000 to 50,000 gallons of water.
2. "Major break at Unit 7 with more expected because it is a "patched up job up there". This is the second major break at Unit 7 - it is the .6" main line. It took 2 days to find it. There are 20 couplers on that line. The PVC pipe was previously repaired improperly - the replacement pipe was cut about 3" short and a 4" dresser coupler was used to repair it which left only 1/2" at each end. It has been leaking for a long time, because the water pressure cut the metal in the coupling, blowing the gasket. The cost of the coupler will be at least \$200.00; if a back hoe had been needed it would have been much more expensive. Poor construction throughout the Unit due to band-aid approach."

The problem at Unit 4 (by the Dietz's house) was caused by parts wearing out - a previous owner had repaired it and it failed.

4. Water Tank - air lock must be repaired.

Director Scaramella stated:

1. Failure at the Well (Unit 9). There was a power failure, causing the pump to stop running, and it was difficult to start. The Control Box was hot. PG&E was called and checked it. They opened the box up (it is sealed) and found that one of the connections of the bars was loose. If this had continued for a few more days it would have caused the whole installation to burn up. The electrician who put it in was called and he serviced it. No bill is expected. The Well was out of service for two weeks. PG&E felt the installation was not as desirable as it might have been (Mickey Mouse).
2. There have been some problems with the water turbidity at the Well. It seems to fluctuate. Turbidity was .23 and the maximum the State allows is .5. The well is in a "shake out period" and should be fine. Inlets on both tanks were modified.

D. **Operations Report - Scaramella (cont.)**

3. New requirements relative to testing for coliform will be required. A site plan must be developed. The regulations go into effect later in the year. There will be increased cost associated with this, 2 samples are currently required per month at \$17.00 each, it might be increased to 5 per month. There should be no problem with compliance.

4. **Well Operations:**

Last Month - 292,000 of water were pumped. Over 1.5 million gallons of water have been pumped since the Well was turned over to the District. 17 gallons/minute are being pumped and it is producing 10-12,000 gallons a day.

Last year's usage average was 128,000 gallons/day

High month was August - 192,000/day

Low month was December - 97,000/day

The State will determine eventually what we must have available per day at maximum build-out. The State is thinking that 300 gallons a day per hook-up is the requirement.

The Creek availability:

Last year - Jan 1st over the Weir was the maximum of 360 gal/min.

This year - Jan 1st over the Weir was the maximum of 76/gal/min.

If the present rainfall patterns continue, we will become more dependent upon the Well. We will possibly have to go into the Lower Diversion.

E. **President's Report - President Balzer**

(3) - Possible need to increase water rates.

A paragraph from the East Bay Utility District report was read. President Balzer stated that "we should think seriously about increasing our water rate because we are going to be needing more money".

D. **President's Report - Balzer (cont.)**

(1) #1 Well - Was drilled in 1978. It is 292' deep, it has an iron pipe 4" in diameter and the pump is 3 1/2" in diameter. The least bit of corrosion or buildup of plaque could cut it off. The man who dug the well said that they could come and look at it for possible \$200.00. This should be investigated to see if this well could provide another source of water. President Balzer asked Director Scaramella and John Acquistapace to follow up with Weeks Drilling Co. and investigate the matter. This item is to be put on the Agenda for the next meeting.

(5) Timber Harvest Plan - The final copy was approved by CDF. They did address the issues presented to them. They stated that if the restrictions they placed on the logging contractors were followed there would be no detrimental effects on our water system. Volunteers might be called upon to follow along.

(2) Need for an Administrator - One is needed, Director Heinzer was asked to look into the matter. Director Scaramella stated that a job description should be done first.

(4) Status of Claims against the District - Data is being gathered. Report has not been received from PG&E. Open discussion must be restricted because some of the papers have been turned over to a lawyer (not by the Water District).

5. **PUBLIC HEARING** On Second Reading and Action of Groundwater Extraction Permit Ordinance.

Letter written by Gordon Moores relative to this subject was received by all Board members.

A motion was made by Director Heinzer that a second reading of this ordinance be waived at this time. The motion was seconded by Director Aeschliman and approved.

It was discovered this week that there is a well ordinance. President Balzer has been in contact with the legal counsel for California Special Districts Assoc. A copy of the Model Ordinance has not been delivered, but is expected next week. The ordinance was supposed to be put in place officially by February, 1991. Mr. Turner stated that "it puts in place the Model Ordinance which was approved by the State of California and limits the ability of the District to impose or adopt stricter standards than those set forth by the State of California.

5. **PUBLIC HEARING** On Second Reading and Action of Groundwater Extraction Permit Ordinance. (cont.)

Mr. Turner continued, "the Model Ordinance automatically becomes effective for the District and all counties and cities who have not adopted their own ordinance and it simply limits the ability of the district to impose stricter standards".

President Balzer said that it is also his understanding that this ordinance has to do with the technicalities of well drilling and the protection of water from the well in regards to such things as the proximity of septic tanks, chemical impurities, etc. which is a slightly different matter than the ordinance that is proposed. This ordinance deals with a different sort of problem. The purpose of the new ordinance is to protect the water resources that are within the boundaries of the District. There is a potential for over 400 hundred hook-ups. The District needs to protect its water sources.

President Balzer asked the Board if Gordon Moores letter provides any reason to alter the District's intent.

Director Scaramella questioned the advisability of leaving water resources unprotected.

President Balzer stated that he had read the letter (from Gordon Moores) and recognizes his concerns. The primary responsibility of the Board is to protect the concerns of the District and every property owner in the District. The part of the code quoted (after opinions from 3 attorneys) is a very valid assumption to make, that on the basis of that section of the code, the Water District does have the authority to put in this kind of an ordinance.

A motion was made by Director Scaramella to close the public hearing. The motion was seconded by Director Aeschliman and was passed unanimously.

A motion was made by Director Scaramella to adopt the Water Extraction Permit Ordinance under consideration. The motion was seconded by Director Aeschliman and was passed unanimously.

6. OLD BUSINESS

- A. **Status of Inn Site Hookup Request** - Time was taken by all Board members to receive and read the letter dated January 7, 1991 from Gordon Moores.

Comments:

Director Scaramella - "We have an obligation to provide water to the site - the problem is that the technicalities of requests and costs to the District have not been satisfied. The Engineering has not been done. Details required have not been done. Those who benefit from the services should pay for the costs".

Gordon Moores - "Intentions right now are to build 2 units this summer, we will not build all units at one time. An architect will look at a site and will begin the process". He wants to get together with somebody and find out what the District wants so that he can meet all the conditions. He doesn't want to get into engineering restrictions or anything else until he can find out if the whole issue looks like a good route, etc.

Director Scaramella - "What we have from you is some correspondence, some pencilled drawings, and that does not substantiate adequate background. There is also going to be some cost to the District and we want that up front, we do not want to work backwards anymore".

Gordon Moores - "I have no problems with your concerns, what I am saying is I don't know what they all are, I won't know until some Board members or however you're going to do it give me some requirements".

Director Scaramella - "If you had prefaced your original requests with the comments you made this morning, that you intend to go about this piecemeal, you want to get it resolved, instead of coming at us and saying this is what you want to do, caused a limiting set of conditions and we felt we didn't have enough to act on. The Board should make a determination of the engineering required".

Gordon Moores - Couldn't get responses from his letters. Had no communication from the Board. Wants to sit down and find out the Board conditions.

President Balzer said that the District could provide water, it was implicit in the Agreement. He asked Mr. Turner (probable Water District attorney) who has been apprised of the material what he thinks.

6. **OLD BUSINESS - (cont).**

A. **Status of Inn Site Hookup Request - (cont.)**

Mr. Turner:

He has looked into the problem and in his opinion there is no insurmountable problem preventing expeditious resolution. There are some statues which must be addressed:

1. To sell water outside the District. The Inn is not now a part of the District, is there surplus water available? Does it meet the best interests of the District to provide the water?
2. Contract for the Service. There must be specific terms for outside use. It is done within other districts and is not difficult to obtain. If the District intends to supply surplus water for a period in excess of one year, then the contract has to be approved by the State of California, the State Treasurer, who is charged with the responsibility of guarding the resources of the State. The District needs to know nature of use, amount of use, etc.

Director Scaramella - "The 1988 Agreement limits the amount of water delivered to 10 residential units equivalents. Is that a problem to be handled"?

Mr. Turner - "The whole issue is one of proposing terms which satisfy both the District and the user. The contractual agreement previously entered into simply says that the District stands ready to provide service which it does. That amount of water would be set as a minimum. The District could agree to provide more water or to adjust the terms of providing that service so that the State of California is satisfied and the needs and interests of the District are protected. The State requirements would take precedence over the private contractor. You must know what the ultimate use is going to be there. The other option is to have the Inn site annexed to the District".

President Balzer - "One of our big concerns is the size of the pipe providing service (there is 4" line all the way up Navarro Way) to the cul-de-sac. There are 40 potential hookups there. The Inn site will require a lot of water and a lot of pressure. What influence will that installation have"? Expertise is needed.

6. **OLD BUSINESS - (cont).**

A. **Status of Inn Site Hookup Request - (cont.)**

Director Scaramella - "The issues are not clear". We need the Moores to:

1. Present their requirements
2. Technical and legal requirements
3. Estimate of Costs
4. A check should be available before anything is done.

Mr. Turner -

1. How much water is going to be used?
2. What is the charge for that going to be?
3. What is the cost of installation?

Until the District knows the amount, no decisions about anything else can be made. Can the District legally provide that much water to a user outside of the District?

Mr. Edlebrock - Does the District have that much surplus water and are there restraints on any further sales and construction due to the lack of sufficient water?

Mr. Turner - That's why the ordinary requirement is one year. The statute says that the District must determine if water is available. Will the surplus be available in future years?

Director Heinzer moved to adopt a motion asking Gordon Moores to submit a letter stating as the amount of units to be in the site, the amount of capacity to be used at the site, whether he intends to become a user outside the District or whether he intends to annex to the District and what costs he intends to pay for engineering and legal fees to bring this project to completion. Director Aeschliman seconded the motion and the motion passed.

B. **Resolution Regarding Excessive Water Bills**

Director Scaramella moved for adoption of the Resolution Regarding Excessive Water Bills (Resolution 91-1), Director Heinzer seconded, and the motion passed.

7. NEW BUSINESS

A. Approval of Alan Turner As District attorney.

Director Scaramella moved that Alan Turner be retained as legal counsel with billing on an hourly basis.

Director Aeschliman seconded, and the motion passed.

8. ADJOURNMENT

A motion by Director Heinzer to adjourn the meeting was made at 11:48 a.m., it was seconded by Director Dunning and was approved.

IRISH BEACH WATER DISTRICT
MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, MARCH 9, 1991

- 1 CALL TO ORDER: Chairman Balzer called the meeting to order at 10:07 a.m. at the Garcia Grange in Manchester.
- 2 ROLL CALL: Directors Aeschliman, Dunning, Scaramella, Balzer, and Heinzer all were present. Also present were Reese Tripp, Kathy Edelbrock, Wil Edelbrock, Gordon Moores, Bill Moores, Betty Woodward, Chuck Woodward, John Acquista-pace, Barbara Clough, Dave Rosendale, Diane Achesliman, and the District's attorney Allan Turner.
- 3 APPROVAL OF MINUTES of January 12, 1991, meeting: A motion to approve the minutes as written was made by Director Scaramella, seconded by Director Heinzer, and carried unanimously.
- 4 REPORTS:
 - 4A Treasurer's Report: A motion to approved the disbursements for January and February was made by Director Scaramella, seconded by Director Dunning, and carried unanimously.

Director Aeschliman stated that there are sufficient revenues to meet day-to-day expenses; the problem is meeting anticipated repair and replacement of assets. The District has no experience on how long things last but now has the responsibility of facilities which were not built to District specifications. There have been significant legal fees, approximately \$50,000 in the last two years, as a result of problems with the developer. A part-time administrator is needed as well as an adequate office and fire truck housing. Other than monthly customer payments, the only significant revenue is from hookup fees. A raise in rates is not anticipated in the near future, but there is a need to project expenditures.

Chuck Woodward felt that the District should make assessment on the people who are presently in the District when extra funds are needed rather than raising water rates overall for present and new people.

William Moores felt that any new capacity should be borne by the new people who use it. Using hookup fee revenue to reimburse the State loan would result in people now on the system not paying for new capacity; an overall assessment would be more fair.

Director Aeschliman said that the developer, Mr. Moores, had an axe to grind and consequently the District has exceedingly high legal fees. A higher connection fee than actual cost is standard policy for water companies.

Wil Edelbrock felt lower rates encourage higher usage which would increase profits.

Gordon Moores opined that the present hookup fee and any rate increase would be in violation of Proposition 13 and are therefore a potential liability.

Reese Tripp was assured that property owners have always been notified regarding the high legal fees resulting from developer problems.

Director Scaramella said that no issues discussed could be resolved during the meeting and a study was needed to resolve the problems. Only constructive comments and District welfare should be considered.

- 4B **President's Report:** President Balzer said that Social Security deductions will be mandatory for employees starting in June. Additional needed improvements are a fire hydrant for Arena Circle and a fence around tank #3 and pump house and the well. Director Heinzer will attend the California Special Districts Risk Management Authority's March 15 meeting on how small districts can raise money. Director Balzer was willing to attend a meeting in early April on protecting water sources from contamination. A motion to have Director Balzer represent the District at this conference was made by Director Scaramella, seconded by Director Aeschliman, and carried unanimously.

5 **PUBLIC HEARINGS**

- 5A **First reading of proposed Ordinance No. 91-2, Model Well Standards:** It was explained that the word "Model" was used by the State as "example" and would therefore be deleted from the title. This is a mandatory ordinance which went into effect automatically if not enacted prior to the deadline; it is already law, but the District will go through the motions on enactment.

A motion to waive the first reading of the entire ordinance was made by Director Scaramella, second by Director Heinzer, and carried unanimously.

The hearing was opened to public comment. Wil Edelbrock said that the ordinance was well put together, was concise, and should be approved. There was no further public comment.

Director Scaramella moved that the public hearing be continued to the second reading at the next meeting. The motion was seconded by Director Heinzer and carried unanimously.

- 5B **First reading of proposed Ordinance No. 91-3, Establishing Rates, Rules and Regulations for Water Service By and Within the Irish Beach Water District:** Director Balzer explained that this ordinance is in two parts, both modeled after

Hopland Water District's ordinance. The first part deals with rates, rules and regulations and has been modified to meet Irish Beach Water District's circumstances. The second part deals with standard specifications for materials and workmanship for water facilities.

A motion to waive the reading of the entire ordinance was made by Director Heizer, seconded by Director Dunning, and carried unanimously.

* A 15-minute recess was called at 11:15 a.m.

Various changes from the original draft were noted and discussed. The hearing was opened for public comment.

Reese Tripp felt that the deleted wordage on dangerous or corrosive liquids of industrial or process waters should be reconsidered. Attorney Turner felt that this could be added later if the need arises.

Wil Edelbrock suggested that when water line breakage occurs, the District should also charge for the lost water. Director Scaramella felt that this should be done by a resolution.

Director Balzer said that the standard district specifications are a part of Ordinance 91-3, and in lieu of construction diagrams, specific details will be supplied when indicated by the District's engineer.

Chuck Woodward wanted to be assured that the District had a fully-integrated system, able to use any source exclusively if desired. Director Balzer said that was covered in the July 6, 1988, Agreement. Attorney Turner said the ordinance is not "policy" but just a set of general standards. Either the appropriate spot in this ordinance would have to be found or, preferably, a separate ordinance drafted to address use of any source exclusively.

A motion to adopt the minor amendments into the ordinance and waive the reading in its entirety of the amended ordinance was made by Director Heizer, seconded by Director Aeschliman, and carried unanimously.

There was no further public comment. The hearing was continued to the second reading at the next meeting.

6 OLD BUSINESS

6A Discussion and possible action regarding well east of condominiums: This well produces less than one gallon per minute. State well ordinance requires destruction of an abandoned well before the end of the year. The District needs to either reactivate this well or consider it abandoned and destroy it. Director Scaramella felt that it could be tested to see if it is of any future value, but regardless,

the casting is too small; he suggested abandonment. Chuck Woodward agreed. William Moores said he would be interested in sharing cost on a line from tank 5 to the tank in unit #8. Director Balzer felt there were too many defects in the portion of the line already in place.

Director Scaramella moved that the Unit #8 well be put out of commission before the end of the year. Director Dunning seconded the motion, and it carried unanimously.

6B Condition of tanks 4 and 5; discussion and possible action:

Director Scaramella said that although the developer had signed a ten-year guaranty on tank 5, it had developed cracks where it was patched and has high leak potential. Tank 4 had mistakes in construction throughout. He showed a sample of patching material which was flaking off. He felt that the District should use the construction bond to have permanent repairs made, probably by using a standard epoxy sealant which has been shown to be effective. This also would make a smoother surface which is easier to clean.

Chuck Woodward felt it would be cost effective to repair both tanks to District standards at the same time, although only tank 4 has the construction bond.

Director Heinzer moved that the District obtain bids for repairs on tanks 4 and 5 and that these be brought before the Board as soon as possible. The motion was second by Director Scaramella, and carried unanimously.

6C Contamination of South Fork: Director Balzer explained that the south fork is the tributary to Irish Creek which comes out of what used to be the Nichols Ranch. Cattle on private property which congregate there are contaminating water sources which may be needed in a dry season. He read a portion of a letter from the State Health Department stating that they had no authority to control such a situation and suggesting consultation with an attorney. The item was mainly on the agenda to bring it to the attention of property owners.

After discussion, Attorney Turner said that the District can take legal action in the form of an injunction or take the land by eminent domain, but that it was probably cheaper to treat contaminated water.

Directors Aeschliman and Scaramella agreed to investigate the various options.

6D Application for water service to Inn Site; discussion and action as necessary A \$1,000 check for District legal costs and engineering advice for developing adequate water for the Inn Site had just been received from Gordon Moores. However, fire protection has not been addressed; questions remain, such as whether a 4" main is adequate. The developer now

plans for 20 units in the inn and a 75 capacity restaurant. Directors Heinzer and Aeschliman agreed to deal with Gordon Moores on the Inn Site (see change below).

The question arose on whether the Inn Site had definitely been annexed into the District. Local Agency Formation Commission (LAFCO) records will have to be researched. Attorney Turner said the District can either rely on or object to LAFCO findings as to whether this site is in the District.

In answer to William Moores' question about proceeding with his permit process if the District approves his plans, Director Scaramella said the permit process could not proceed until who, what and how have been completely resolved between the committee and the Moores. Attorney Turner said the District needs to know if the land is in or out of the District before consideration should even begin. Approval would be needed from the State if the District wanted to contract to supply surplus water outside the district.

Director Aeschliman withdrew from the committee, not realizing it entailed more than fire protection considerations. Director Heinzer agreed to be a committee of one, working with Mr. Turner, but that any authorized approvals be by Board action only.

A motion that a committee comprising of Director Heinzer, with the cooperation of attorney Allan Turner and engineer Mark Vogel, develop a criteria to be used to implement development of the inn site was made by Director Scaramella, seconded by Director Aeschliman, and carried unanimously.

6E Report by Director Heinzer on job description for administrator project: Director Heinzer will pick up a probable job description from our insurance carrier at the March 15 meeting. Diane Johnson was asked to write to water districts of similar size to obtain their job descriptions of an administrator.

7 NEW BUSINESS

7A Discussion and necessary action on request for letters relative to Unit #5: Director Balzer stated that Units 5, 7, and 8 were accepted by the District under false premises in 1979. The District has no idea of the condition of the pipes which have been in for 15 years but never used. It must be established if they are adequate and if fire protection access is adequate. Director Scaramella said that the land doesn't comply with current requirements.

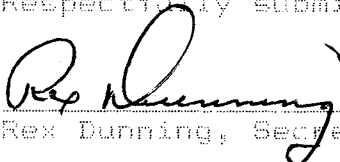
William Moores said all utilities are in and drainage is in but some work is needed. He said the units are already accepted; only a letter to the county on acceptance is needed. Director Balzer said that the condition of the water

pipes needs to be resolved before such a formal letter of acceptance can be written. Mr. Moores agreed with John Acquistapace that a pressure test on the lines was reasonable.

Director Scaramella moved that no action be taken in proceeding with the requirements to put unit #5 in operation until an estimate is obtained that the system is adequate for distribution and service and all legal questions are resolved, costs involved known, and any use of outside professional help be reimbursed by the developer. The motion was seconded by Director Heinzer and carried unanimously.

- 7B **Limitation agreements on acreage parcels:** It was a requirement of the July 6, 1988, Agreement that these limitation agreements be recorded with the county within 30 days of execution. Attorney Fran Layton is working on this matter. The item was tabled for the present time.
- 7C **Water conservation:** If drought conditions continue, a water conservation policy might be needed, but property owners have been notified on conserving water.
- 7D **Mandatory Certification of Assessable Area:** The Certification was read. A motion to file the Certification was made by Director Scaramella, seconded by Director Dunning, and carried unanimously.
- 8 **ADJOURNMENT:** A motion to adjourn the meeting was made at 1:15 p.m. by Director Heinzer, seconded by Director Aeschliman, and carried unanimously.

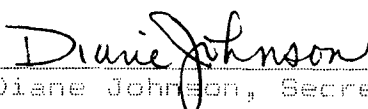
Respectfully submitted,



Rex Dunning, Secretary

Prepared by Diane Johnson

ATTEST:



Diane Johnson, Secretary to the Board

IRISH BEACH WATER DISTRICT
MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, MAY 11, 1991

- 1 **CALL TO ORDER:** Director Aeschliman called the meeting to order at 9:40 a.m. at the Garcia Grange in Manchester.
- 2 **ROLL CALL:** Directors Dunning, Aeschliman and Scaramella were present; Directors Balzer and Heinzer were absent. Also present were Wil Edelbrock, Betty MacKenzie, Dorothy Engle, Diane Aeschliman, and Alan Turner, the District's attorney.
- 3 **APPROVAL OF AGENDA:** An executive session of the Board to discussed personnel and litigation was added as the last item on the agenda before adjournment.
- 4 **APPROVAL OF MINUTES:** A motion to approve the minutes as written was made by Director Scaramella, seconded by Director Dunning, and carried unanimously.

5 **REPORTS:**

- 5A **Treasurer's report:** A second check to William Moores for \$10,458 for the final payment for unit 9 and well project development had been sent after the first one was returned for alleged incorrect wording. \$334 had been paid to the county for the collection and disbursement process of augmentation fees for fire protection.

A motion to accept and approve the Treasurer's report and the disbursements for March and April was made by Director Scaramella, seconded by Director Dunning, and carried unanimously.

- 5B **Fire Department report:** none

5C **Operation's report:**

Director Scaramella discussed the following items related to operations: Shut off valves are now identified on unit maps. We have authorized repairs for the #2 tank roof costing \$550; the loose mortar on tank #4 appears localized; Mr. Riley who built tank #5 called say Mr. Moores had asked him to repair leaks in tank #5. State Health Department personnel inspected the filtration plant on April 24 and will request some plant modifications to comply with existing regulations; additional tests for organic compounds, as well as more coliform tests, will be required in the future which will raise our laboratory expense considerably. The well water turbidity has now stabilized and now is below that required for treated water. Water from the unit #9 well is now being used several days per week in units 3, 4, 5, 7 and 8. The State Health Department has suggested testing for precursors to TMC organisms to evaluate contamination of the south fork

of Irish Creek. If these tests are minimal, the usual chlorination process will make the water safe to use.

- 5D **President's report:** Director Aeschliman read President Balzer's report which included: Filing for the four upcoming vacancies on the Board will begin July 15. Mr. Moore's \$100,000 claim against the District is in the hands of the District's attorneys and cannot be discussed.

Attorney Turner stated that the \$100,000 claim was still at the initial stages and all information will be screened by an attorney before relayed to the community in order to not compromise the case or affect litigation in any way.

- 6 **CALIFORNIA RURAL WATER ASSOCIATION:** The Association's representation Harry Brown was not yet present; this item was presented later in the meeting after Mr. Brown's arrival.

7 **PUBLIC HEARINGS**

- 7a **Second reading of proposed Ordinance No. 91-2, Well Standards Ordinance:** A change since the first meeting was noted: In Section 10.4.1 "Mendocino County Environmental Health Department" was added to list of inspection agencies. A motion to accept the modification was made by Director Scaramella, seconded by Director Dunning, and carried unanimously. A motion to waive the reading of the entire ordinance was made by Director Dunning, seconded by Director Scaramella, and carried unanimously.

Attorney Turner said that since the modification was an actual change, the public hearing should be continued for consideration again at a final public hearing before final approval by the Board. The Board agreed and would set a meeting date prior to adjournment.

The hearing was opened to public comment; there was none, so the public hearing was closed.

- 7B **Second reading of proposed Ordinance No. 91-3: Part 1, Establishing Rates, Rules and Regulations for Water Service By and Within the Irish Beach Water District; Part 2, Standard District Specifications for materials and Workmanship for Water Facilities:**

The following modifications were made:

In Part 1: In Section 9.4, charges are delinquent "30" days after the Post Office cancellation date; in Section 13.4, the existing agricultural service connection comprises approximately "38" acres with the addition of "Assessor's parcel 132-100-07"; in Section 17.1 modification of charges shall be made by the District Engineer "and as approved by the Board".

In Part 2: In Section 1.19, the first sentence should read "All runs of non-metallic pipe that are not in a common trench..."; in Section 1.22e, the following sentence was added, "If for a valid reason the trench must be left open for a short period of time, adequate hazard posting shall be provided."

A **motion** to accept the amendments was made by Director Scaramella, seconded by Director Dunning, and carried unanimously. A **motion** to waive reading of this ordinance in its entirety was made by Director Scaramella, seconded by Director Dunning, and carried unanimously.

The hearing was opened for public comment; there was none so the public comment was closed.

Again, because modification warranted a continued final public hearing, a date for a final hearing before Board approval would be set prior to adjournment.

B OLD BUSINESS:

BA Resolution on late charge and penalties: Director Aeschliman read the resolution in its entirety. Director Scaramella explained the the resolution was necessary to be in compliance with Water Code Section 35470.5. A **motion** to adopt Resolution 91-2 was made by Director Scaramella, seconded by Director Dunning, and carried unanimously.

BB Report on status of Inn Site; action as needed: Director Heinzer was not present to report. It was noted, though, that it had been determined by Local Agency Formation Commission (LAFCO) that this site is **not** part of the district so the District must await for the owner/developer's next step. Water for the site could come through annexation or a series of one-year contracts for the district's surplus water. Attorney Turner stated that the State does have to approve annexation on whether adequate water service would be available.

BC Report on status of unit 5; action as needed: Director Scaramella reported that a prior Board's acceptance of unit 5 was in question and that the construction had been inadequate, but the cost of pursuing the issue was probably prohibitive for possible benefits. But it would then be the District's responsibility to make the existing system work. The county's Planning Commission is involved is is aware of the problems not yet resolved.

BD Report on status of tanks 4 and 5; action as needed: These tanks were covered in the Operations Report. There was concern on the finish on tank 4 posing health hazards regarding proper cleaning and further problems on surface deterioration. Both the Health Department and engineer Vogel will put their opinions in writing.

- 6 CALIFORNIA RURAL WATER ASSOCIATION: Harry Brown explained the association's formation to improve water quality throughout California. With a membership fee of \$150 per year, they provide free information on water, on-site technical information and evaluation (e.g., if system meets future regulations, if in compliance, and how to comply), leak detection, rates studies, review engineering plans, make recommendations for easier maintenance, new member workshops, and training water operators. EPA funds 90% of their budget. They have 190 members statewide, slanted toward the small districts, and an engineer on staff.

A motion to join the association was made by Director Scaramella, seconded by Director Dunning, and carried unanimously.

9 NEW BUSINESS:

- 9A Resolution regarding augmentation funds": On attorney Turner's advice, a motion to set aside a decision on this item until another date was made by Director Scaramella, seconded by Director Dunning, and carried unanimously.

- 9B Action concerning roof repairs on tank 2: A motion to approve the \$550 bid for roof repairs on tank 2 was made by Director Scaramella, seconded by Director Dunning, and carried unanimously.

- * PUBLIC HEARING CONTINUATION DATE: It was agreed that the continuation of the public hearings on Ordinances 91-2 and 91-3 for final approval would be on May 22, 1991, at 10:00 a.m. at the Garcia Grange.

- * EXECUTIVE SESSION: The Board moved into private executive session before adjournment to discuss legal matters.

- * AFTER EXECUTIVE SESSION: A motion to open the public session again was made by Director Scaramella, seconded by Director Dunning, and carried unanimously.


Director Scaramella reported that the executive session involved a matter of litigation and no binding action was taken at this time.

A motion was made by Director Scaramella that the legal service arrangement with Alan Turner be modified to reflect that starting on June 1, 1991, Mr. Turner be paid \$900 per month for six months for up to ten hours per month and that the arrangement be reviewed after six months for revisions by either party. The motion was seconded by Director Dunning and carried unanimously.

Minutes of 5-11-91

- 10 ADJOURNMENT: A motion to adjourn was made at 11:35 a.m. by Director Scaramella, seconded by Director Dunning, and carried unanimously.

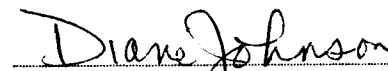
Respectfully submitted,



Rex Dunning, Secretary

Prepared by Diane Johnson

ATTEST:



Diane Johnson, Secretary to the Board

IRISH BEACH WATER DISTRICT
MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, JULY 13, 1991

- 1 **CALL TO ORDER:** President Balzer called the meeting to order at 10:04 a.m. at the Garcia Grange in Manchester.
- 2 **ROLL CALL:** Directors Aeschliman, Dunning, Scaramella, Balzer and Heinzer were all present. Also present were David Rosendale, John Acquistapace, Nancy Menken, Dorothy Engle, Kathy Edelbrock, Wil Edelbrock, Gordon Moores, the district's attorney Alan Turner, and the district's secretary Diane Johnson.
- 3 **APPROVAL OF AGENDA:** A motion to approve the agenda was made by Director Scaramella, seconded by Director Heinzer, and carried unanimously.
- 4 **APPROVAL OF MINUTES:** A motion to approve the minutes of the May 11, 1991, regular meeting and the May 22, 1991, special meeting was made by Director Heinzer, seconded by Director Dunning, and carried unanimously.
- 5 **APPROVAL OF EXPENDITURES FOR MAY AND JUNE:** A motion to approve the expenditures for May and June was made by Director Scaramella, seconded by Director Heinzer, and carried unanimously.
- 6 **REPORTS**
 - 6A **Treasurer's report:** Treasurer Aeschliman reported that expenditures for the year would be close to budget, the major difference due to high legal costs. The investments for a second complete water system (Mallo Pass) are in treasury bonds which will assure \$275,000 by August 2003, plus an annuity at 8.5% due in 1994 which will be reinvested, bringing the total to \$380,000 by year 2003, about \$8,000 short due to an unrealized inflation rate built into the Mallo Pass figures. The interest rate on the state loan are higher than investment interest rates, but the loan cannot be refinanced without starting from scratch for a loan which would no longer be considered by the state. Prepaying a portion of the state loan may be considered with any year-end surplus funds. There was a discussion on reserve funds and investment rates.
 - 6B **Operations reports:** John Acquistapace reported that the pump and pipe had been pulled out of the well which will be abandoned; as required, a backhoe will dig out, the well will be filled with concrete, and a slab poured on top.

Director Scaramella reported there are now 136 active hookups with 32 unoccupied on the July 4th holiday. Usage is running

Minutes of 7-13-91 Meeting

300-350 gallons on holidays and 83-139 gallons per hookup on a monthly basis this year. The safety net on the tank ladder was to be installed the following week. The district is gearing up to comply with Water Quality Act changes scheduled for later in the year: operating, maintenance, and emergency plans will be mandatory. Irish Beach is considered a large district because of our total hookup potential, therefore necessitating additional testing. Additional budget items should include more safety precautions such as extensive fencing.

6C **Fire Department:** Director Dunning reported the truck storage building is on hold until a soils engineer can make recommendations on the building site. Parts were to be bought the following week for installation of a fire hydrant on Arena Circle. Letter for non-compliance to the fire ordinance lot clearing will be sent to 11 lot owners. The new fire truck took first place in the emergency vehicles category at the July 6 parade.

6D **President's report:** President Balzer reported that the truck storage building could be for built for under \$25,000, eliminating the need to solicit bids. An article in CSDA News (California Special Districts Association) said that capital expenditures could be assessed on new customers and those on standby fees. An explanation about a sample policy handbook costing \$250 and information about membership in the American Water Works Association for \$65 a year were circulated.

Three of the nine hydrants the 1981 Board recommended are now in with one more coming up; the other five locations will be evaluated again. Tank painting should be considered. John Acquistapace will check on cost and where an old flatbed car may be purchased for use as a bridge. A fence is needed around tank 3; property owner Zamboni is receptive to an easement if necessary.

7 OLD BUSINESS

7A **Inn Site: acceptance of easements and refunding of money:** Director Heinzer reported that district engineer Vogel said a 6" line would be needed in a loop line (8" if dead-end line) to assure pressure for a sprinkler system and fire hydrant(s). A letter had been sent to the developer about the necessary pipe size and asking if there would be an on-site laundry and whether they would ask LAFCD (Local Agency Formation Commission) to annex the property into the district or would they want to have a renewable contract for surplus water. Developer Gordon Moores said that he is getting information on pressure required for the sprinkler system and probably a system to facilitate an on-site laundry would be needed. LAFCD had told him it was quicker and easier for the district to apply for annexation, but he is willing to do all paperwork. Director Scaramella said that with the tenfold usage now requested, there is a need to reevaluate maximum

Minutes of 7-13-91 Meeting

usage and impact on the district, e.g., the need to perhaps go into Mallo Pass sooner than expected. John Acquistapace will check on whether the necessary 6" line would be going from a 4" main. Easements deeds show a 4" main but do not give a pipe size. Attorney Turner said easement approval would not be adoption of the plans; however, he will prepare a formal statement of acceptance of the easement at a future meeting. Director Heinzer will contact engineer Vogel regarding pipe line sizes, such expense to be paid out of the remaining engineering advance by the developer. Mr. Turner will contact LAFCO regarding annexation and make recommendations to the Board.

- 7B **Resolution on reimbursement of water costs in water leaks:** Director Scaramella explained that damage to the district's water lines by non-district personnel results in water loss, damages, and even possible litigation. This resolution would reimburse the district for expenses incurred and water loss. There was a discussion on trenching and line breakage. It was decided that Mr. Turner would rewrite the resolution for a future agenda to specifically include litigation costs and damages and well as water loss charges.

8 NEW BUSINESS

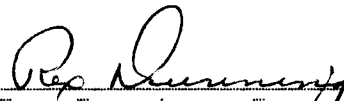
- 8A **Resolution regarding septic tank inspection/pumping:** Director Balzer read from an earlier resolution stating that for \$20 the district would perform septic systems inspection required on each system at least every five years. In 1980 the district was made a waste management district as opposed to requiring a sewer system. The district does not have the personnel to perform the inspections and this resolution would delete this part of the earlier waste management resolution. After discussion it was decided that the original resolution should be revised to incorporate changes and be put on a future agenda.

- 8B **Martin pipe letter:** Director Aeschliman summarized Mr. Martin's letter: PG&E has constructed a trench for utilities; district engineer Vogel was scheduled to inspect the water line installation built to Mr. Vogel's specifications; Mr. Martin wishes the district to assume ownership of the water lines which could also serve other potential parcels in the future. Director Scaramella felt the district should not take on the responsibility of something which would not be hooked up to the system until the future; Mr. Martin's well is presently quite adequate. It was felt that ownership of the lines should only be assumed if a hookup were requested; Mr. Martin might not be aware of standby fees. The item was tabled until Mr. Martin could be present at a meeting. Mr. Turner also stated that as-built plans would be needed before making application to the district to assume ownership; assuming ownership now would be no benefit to the district.

Minutes of 7-13-91 Meeting

- 8C **Costs analysis by Harry Brown:** The Board decided to have Mr. Brown of California Rural Water Association advise the district on possible future district costs, consideration of a reserve fund, etc. Director Aeschliman made a **motion** that Harry Brown make a survey as outlined, but before a second could be made, there was further discussion and the motion died. Director Scaramella also wanted an operating plan to comply with new regulations; Wil Edelbrock suggested recommendations for fees on water usage. Director Scaramella **moved** that Harry Brown of California Rural Water Association be contacted to make a cost analysis and future costs and recommendations for the district. Director Aeschliman seconded the motion, and it carried unanimously.
- 8D **Resolution on investment authorization:** Director Aeschliman explained that a new investment agency, Edward Jones, wanted such a resolution, but the matter would be handled by letter instead.
- 9 **OTHER MATTERS:** Attorney Turner asked that the Board recess for an executive session to discuss possible litigation regarding the Moores' claim. A **motion** to recess to an executive session and then come back to the meeting was made by Director Scaramella, seconded by Director Heinzer, and carried unanimously.
- After returning to the meeting, it was reported that no decisions had been made on litigation matters. The district attorneys will continue to represent the district.
10. **ADJOURNMENT:** At 12:00 noon a **motion** to adjourn was made by Director Heinzer, seconded by Director Aeschliman, and carried unanimously.

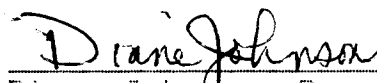
Respectfully submitted,



Rex Dunning, Secretary

Prepared by Diane Johnson

ATTEST:



Diane Johnson, Secretary to the Board

IRISH BEACH WATER DISTRICT
MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, SEPTEMBER 14, 1991

- 1 **CALL TO ORDER AND ROLL CALL:** President Balzer called the meeting to order at 10:10 a.m. at the Garcia Grange in Manchester. Directors Dunning, Scaramella, Balzer, and Heinzer were present; Director Aeschliman was absent. Also present were Betty MacKenzie, Wil Edelbrock, Gordon Moores, Joe Humphreys, Alfred W. Thompson, Rudy Beran, and the District's attorney Alan Turner.
- 2 **APPROVAL OF AGENDA:** A motion to approve the agenda was made by Director Scaramella, seconded by Director Heinzer, and carried unanimously.
- 3 **APPROVAL TO MINUTES** of 7-13-91 regular meeting: A motion to approve the minutes as written was made by Director Scaramella, seconded by Director Dunning, and carried unanimously.
- 4 **REPORT ON EXECUTIVE SESSION** this a.m.: Attorney Turner reported that because of potential litigation on the inn site, the Board primarily addressed William Moores' claims regarding the groundwater ordinance, the 1988 agreement, and non-construction costs and hookup fee for the inn site, stating that it is in the best interests of all parties to resolve the issues without litigation.
- 5 **REPORTS:**
 - 5A **Treasurer:** After questions were satisfactorily answered, a motion to approve the disbursements for July and August as presented was made by Director Scaramella, seconded by Director Heinzer, and carried unanimously.

Director Scaramella reported that for fiscal year 1991-92 income on the preliminary budget was \$111,339 and expenses were \$35,000 for water/operations, \$78,043 for water/administrative, and \$17,072 for fire, for a total of \$130,115. Cash flow before interest showed <\$18,776>; with interest expense over interest income <\$5,500>. Cash flow after interest would be <\$24,276> and non-cash item/depreciation \$24,000. High-cost budgeted items were \$20,000 for an administrator, \$16,300 for insurance, and \$24,000 for legal fees.

- 5B **Fire Department:** Director Dunning said the fire house is "on hold" because mandatory compaction of fill dirt to the south of the treatment plant would be too costly; the building will probably be built in front of the treatment plant instead.

Nine lots have been cleared on the 13 fire ordinance violations sent out; the District will have the other four cleared

and billed to the property owner. Ten additional notices will also be sent.

- 5C **Operations:** Director Scaramella reported that we are in the fourth of five years of a survey report to the State Department of Health Services regarding water flow and house occupancy. Health Services will use the information to determine the number of gallons used per hookup to balance availability of water to usage.

The District now has an "Emergency Plan" for operations but still need an operations plans and flow diagram for Health Services requirements.

- 5D **President:** President Balzer noted that a bulletin from a carrier of the District's errors and omissions insurance said it is mandatory that any construction which will be turned over to a water district be performed by a licenced contractor.

The general concensus of the Board was not to spend \$250 toward the California Awareness Campaign.

Harry Brown, executive director of California Rural Water Association had viewed the operating system and fees. His subsequent letter stated that the present rate structure was adequate; the operating system was very good. The Board will look into his suggestion on using an ozone system for the south fork water if it becomes necessary.

The District is in the process of eliminating #1 well.

6 **OLD BUSINESS:**

- 6A **Need for policy handbook (\$250) or attendance at California Special Districts Association (CSDA) seminar in San Francisco:** A motion to buy the \$250 handbook was made by Director Heinzer, seconded by Director Dunning, and carried unanimously.

Director Balzer offered to attend the CSDA \$150, 1-1/2 day, meeting in San Francisco on developing and implementing an administrative code. A motion to send Director Balzer to the meeting was made by Director Heinzer, seconded by Director Scaramella, and carried unanimously.

- 6B **Resolution on reimbursement to District for water losses (Resolution 91-3):** Director Balzer explained the need for establishing a policy for reimbursement of labor, parts and water costs from damage to lines, equipment, or facilities by other than District personnel. He said the last paragraph of the resolution stated that the terms of the resolution shall not limit in any way the ability of the District to claim and recover the amount of any and all damages resulting from the conduct of others. After a short discussion on illegal use

of water without a hookup, a **motion** to adopt Resolution 91-3 was made by Director Scaramella, seconded by Director Dunning, and carried unanimously.

6C **Revision of septic tank resolution** (Resolution 88-2 Modified): Director Balzer read the modified portions of the resolution which stated the Board has the lawful authority to establish an administration fee for maintaining records and maps pertaining to inspection and maintenance of septic tanks and sewage disposal units. If the septic/sewer owner has his/her tank inspected/pumped by a qualified inspector without notice from the District, no administrative fee will be charged; if notice must be sent, a \$10 fee will be charged for a first and for any necessary second notice. The section on "Correction of Deficient Systems" was also read. Notice of the approval of the resolution would be sent in the next newsletter. After removal of one phrase, a **motion** to approve modified resolution 88-2 was made by Director Heinzer, seconded by Director Dunning, and carried unanimously.

6D **Inn site:** Gordon Moores said he has an appointment with Local Agency Formation Commission (LAFCO) regarding the process of findings on environmental review with various agencies which is necessary before any resolution or annexation paperwork can begin. Attorney Alan Turner said that working to supply water to the inn site is not just a matter of fulfilling contractual obligations; it must address fire district flow requirements, and full plans must be presented by the developer before the District may proceed. The District has agreed to be the "lead agency" in the annexation and to provide service to the site, but Gordon Moores will pay all costs and do the necessary paperwork. The district's engineer, Mark Vogel, has stated that a 6" line will be required. Rather than tearing up the 4" line, an encroachment permit should be obtained from Caltrans for a 6" line. Director Heinzer said the inn site committee will write up district expectations and requirements. A resolution on an easement was tabled.

7 **NEW BUSINESS:**

7A **Cathodic protection contract renewal:** After agreeing that the next contract renewal for protective coating on water storage tanks could be handled by the administrator that will be hired, a **motion** to renew the contract was made by Director Heinzer, seconded by Director Dunning, and carried unanimously.

7B **Report on filing for election and need for appointment of fourth member of Board:** President Balzer explained that nomination papers had been received from Rudolf Beran, Jon Heinzer, and Reuben Balzer. One two-year term appointee will be made at the November meeting; Alfred Thompson has agreed to be a possible appointee. Directors Scaramella and

Minutes of 9-14-91 Meeting

Dunning will no longer be on the Board as of November but will be available to help the Board as consultants.

- 7C **Request for hookup on acreage parcel #5:** It was noted that maps submitted by William Moores called this parcel "#1". Director Balzer read a portion of Resolution 89-8: "Irish Beach Water District will not accept hook-up fees in advance of completion of water mains to property or to any property which does not have all proper permits by Mendocino County, California Coastal Commission, and Irish Beach Architectural Committee in place." The Board requested a copy of Resolution 89-8 be sent to Mr. Moores with a letter stating that the Board cannot comply with the hookup request until the terms of the resolution are met.
- 7D **Resolution for proxy vote for Special District Risk Management Authority" (Resolution 91-4):** After a short discussion, a motion was made by Director Scaramella that Mr. Maddalena of Special District Risk Management Authority be authorized to cast the District's proxy ballot at the 1991 annual meeting of members. The motion was seconded by Director Heinzer and carried unanimously.
- 8 **ADJOURNMENT:** A motion to adjourn was made at 11:50 by Director Heiner, seconded by Director Dunning, and carried unanimously.

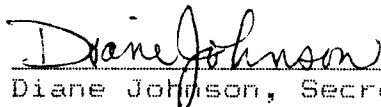
Respectfully submitted,



Rex Dunning, Secretary

Prepared by Diane Johnson

ATTEST:



Diane Johnson, Secretary to the Board

IRISH BEACH WATER DISTRICT
MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, DECEMBER 8, 1990

- 1 CALL TO ORDER AND ROLL CALL: Chairman Balzer called the meeting to order at 10:06 a.m. at 14961 Navarro Way, Irish Beach.

Directors Aeschliman, Dunning, Balzer and Scaramella were all present. Also present were Nancy Menken, Rudy Beran, Wil Edelbrock, attorney Alan Turner, Joe Humphreys, Dorothy Engle, Kathy Edelbrock and Diane Johnson, secretary to the Board.

- 2 APPOINTMENT OF NEW DIRECTOR: Chairman Balzer explained that all property owners were notified of the vacancy on the Board and that Rudy Beran and John Heinzer had both expressed interest. Mr. Beran was present and stated that he spent about two weekends a month in Irish Beach and had helped in the attempt to form a Home Owners' Association. He is presently a full professor of Statistics at Berkeley and had been department chairman for three years. Mr. Heinzer had a previous appointment and was not present but Director Balzer reported that he had also helped in the attempt to form a Home Owners' Association and had previously been on the District Board. The written vote of the Directors appointed Mr. Heinzer to fill the Board vacancy.

- * REPORTS: Chairman Balzer reported that a California Special District Association bulletin listed an inventory of local tax powers.

- 3 ELECTION AND APPOINTMENT OF OFFICERS: Director Scaramella moved that all present officers be nominated and reaffirmed by acclamation, Director Aeschliman seconded; the motion carried with Director Balzer being the only dissenting vote.

- 4 ACTION ON USING GRANGE HALL FOR MEETINGS: It was explained that homes were not adequate meeting facilities and it was necessary to find an alternate meeting place for the Board. Director Dunning reported that the Grange Hall on Crispin Road in Manchester was available for \$25 per meeting. He moved that the Grange Hall become the official meeting place for Board meetings and Director Scaramella seconded; the motion carried unanimously.

- 5 RESOLUTION ON ACCEPTANCE OF CONVEYANCE FOR #9 FACILITIES (Resolution 90-3): After a short explanation regarding the resolution, Director Aeschliman moved that the District accept the conveyance of the unit #9 facilities and Director Balzer be authorized to sign the resolution subject to verification of the corrected/signed grant deed. Director Dunning seconded the motion and it carried unanimously.

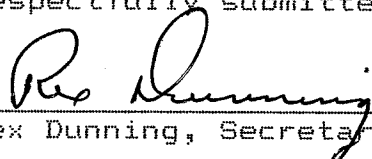
- 6 RESOLUTION ON ACCEPTANCE OF AS-BUILT FACILITIES OF EXHIBIT 4, I.E., THE WELL (Resolution 90-4): Approval of this resolution was delayed because of deficiencies in construction and not receiving a signed ten-year guaranty from William Moores. The three attachments to the resolution were then explained: 1) the District's list of unsatisfactory "as-built" conditions requiring either modification or relaxation of commonly-accepted industry standards; 2) Mr. Moores' ten-year guaranty; and 3) Mr. Moores' list of "well project reimbursable changes and expenses" totaling over \$73,000.

A motion that the District accept resolution 90-4 for the as-built Exhibit 4 water facilities was made by Director Aeschliman, seconded by Director Scaramella and carried unanimously.

- 7 RESOLUTION ON ACCEPTANCE OF CONVEYANCE OF EXHIBIT 4 AND WELL WITH PAYMENT OF LAST INSTALLMENT FOR WELL (Resolution 90-5): The final installment on the well is \$6,250. Director Scaramella moved the District accept conveyance of Exhibit 4 and well. Director Dunning seconded the motion and it carried unanimously.

- 8 ADJOURNMENT: A motion to adjourn was made at 10:53 a.m. by Director Dunning, seconded by Director Aeschliman and carried unanimously.

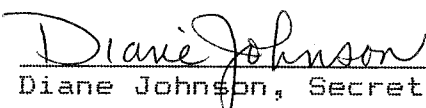
Respectfully submitted,



Rex Dunning, Secretary

Prepared by Diane Johnson

ASSEST:



Diane Johnson, Secretary to the Board