

Irish Beach Water District
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, November 12, 1994

I. OPEN MEETING

1. **CALL TO ORDER AND ROLL CALL:** Director Satuloff called the meeting to order at 10:00 a.m. at the Fire House in Irish Beach (Manchester). Directors Satuloff, Beran, Frame, Heinzer and Poling were present. Alan Turner, the District's lawyer, Dorothy Cong, the District's Secretary and Gene Scaramella and other members of the public were also in attendance.
2. **APPROVAL OF MINUTES:** A **motion** to approve the minutes of the regular meeting held on September 10, 1994 was made and unanimously approved.
3. **APPROVAL OF EXPENDITURES:** The Board reviewed the expenditures for September and October. The question arose as to whether the Board needed to adopt a resolution to substantiate the 1/9 overhead expense charged to the Fire District. The Board decided that this could be documented as a policy. Dorothy brought up that according to Norm Thurston, County Auditor, the Fire District does not have an income other than the Augmentation or Fund 211 funds that it receives from the county. Norm was not able to locate a document detailing the billing split for the recurring fees into water and fire charges. Members of the public attending the session thought that this decision was made sometime in 1989 or 1990. The resolution covering billing only provides the total recurring charges for both homes and lots in addition to the usage charge. Dorothy will review meeting minutes again in an effort to locate when the decision was made. Director Heinzer moved the expenditures be approved. Director Beran seconded the motion and it passed unanimously.
4. **PUBLIC INPUT** for items not on the agenda. There was no response to a request for public input from Director Satuloff.

5. REPORTS:

A. Treasurer - Ron Frame

1. stated that the reports spoke for themselves.

B. Water - Charles Acker reported

1. Water usage for September was 725 thousand gallons dropping considerably from the peak usage of 918 thousand gallons in August. Usage dropped again in October to 615 thousand gallons. This is in line with prior years.
2. There is some corrosion on Pump #3 that he will fix.
3. The fire hydrants are still remaining to be installed.
4. Valves still need to be identified on the water map.
5. The brush has been cleared along the upper diversion pipeline.
6. The gate has been put back into place that was removed by loggers.
7. The upper diversion has been redone.
8. Mr. Moores had the Alta Mesa leak repaired again - with a licensed contractor observing.

C. Safety - Charlie Acker reported

1. The safety committee has been holding regular meetings.
2. Mr. Lot from SDRMA visited and did not see any safety problems.

D. Fire Department - Rex Dunning reported

1. The Fire Department has been doing weekly training and is improving.
 2. Burn permits are no longer required, but an air quality permit is. Rex can issue an air quality permit.
- Some discussion arose regarding fire ratings for insurance purposes. There is no consistent application of the fire rating for Irish Beach residents; some have a rating of 10 from their insurance company while others may have a rating of 7. The Board requested Rex to check out getting an ISO rating.

6. OLD BUSINESS

- A. Lawsuit Status:** Alan Turner provided an update on the litigation between the Water District and William Moores regarding the Mallo Pass Agreement. He reported:
1. The case will be arbitrated by a retired appellate judge out of Oakland. The arbitration hearing is set to begin on December 5 in Hayward and will last about 5 days.
 2. The motion of summary judgment hearing on September 30 was decided against the District.

B. Securing fire equipment from base closures: Rex Dunning reported

1. he had contacted the various legislators as detailed in the last meeting. The responses received did not give him any reason to believe the Fire District would be able to secure fire equipment as a result of base closures. Rex felt that it was a dead-end pursuit. It still remains necessary to do something about the old fire truck - perhaps fix it up. The Board decided to table this issue until Rex has further concrete input.

C. Kiosk: Director Heinzer reported

1. the permits for construction of the kiosks have all been granted. The District is now waiting for David Dell to provide a quote and construction can begin.

D. Garcia Rescue: Rex Dunning reported that the CDF captains would be meeting Monday, November 14 in an effort to put together a North Coast Fire Department. In the meantime, both Point Arena and Garcia will respond with emergency vehicles should a situation arise within Irish Beach. Director Heinzer brought up the question whether Irish Beach Fire District could participate in such an entity since the District was created by the legislature. Mr. Turner said that before anything can be created LAFCO must approve, which normally takes at least 18 months. There are questionable issues to consider such as the fact that Garcia Rescue is not a recognizable entity so a JPA between government agencies is not possible. It would be possible for the District, by 4/5 consent of the Board of Directors, to put on hold its authority to fight fire within its boundaries.

E. Replacement of billing system - status.

1. Dorothy Reported that she has progressed as far as she can go in converting to the new billing system. She is waiting for some assistance from Ward Anderson, the District's accountant, in order to accurately charge the penalty and interest fees on accounts that are past due.

1) **Frequency of meter reading:** Although the new billing system can only input meter readings when associated with a billing cycle, the Board of Directors requested that meters continue to be read each month.

F. Repair of Alta Mesa Leak:

Director Satuloff reported that he leak spot in the Alta Mesa pipeline was uncovered. A licensed contractor reviewed the work and found it satisfactory. During the course of the repair work there was an inappropriate safety barrier put up exposing both the District and Mr. Moores to liabilities. The Board requested Mr. Turner to write a letter to Mr. Moores to invoice him for legal fees associated with this Alta Mesa Leak, and to request that should such a situation arise in the future not to expose the District nor himself to liabilities.

G. Review of 1994-1995 Budget:

A draft budget for Fiscal Year 1995 was submitted to the Directors. After considerable discussion, the Board requested Director Poling, Director Frame and Dorothy to meet and clarify all questions prior to the next meeting of the Board.

Some important issues were brought up; for example, Dorothy stressed that Norm Thurston, County Auditor, brought to her attention that the District had far too much money in its checking account. Excess funds should be invested in CDs or something that earns a higher rate of interest than a checking account. In light of this, Director Satuloff emphasized that when water rates were increased last time (December of 1992) the intent was to create a \$100 thousand capital improvement/disaster fund. Once the District reaches that level and is able to sustain it, then it will take a relook at water rates. At this point we are no where near the \$100 thousand limit. Mr. Turner stated that the District should not set up one huge reserve fund, but set aside funds for specific purposes, i.e.: ozone treatment facility. Director Satuloff requested Ron Frame to work with Alan Turner about setting up funds/reserve accounts.

H. Administrative Fees for Customer Special Requests for Copies, i.e. tapes, minutes, etc.:

Mr. Turner emphasized that in determining what to charge for copies and so forth, the District must have a standard that makes sense in order to recover costs and at the same time not make a profit. Director Heinzer moved to charge 50 cents per page plus postage; the fee for a copy of a tape would be \$2.00 plus the cost of the tape. Director Poling seconded the motion and it passed unanimously.

I. Easement over District property to access lot:

Roger Aeschliman, representing the lot owner, requested that the Board of Directors consider allowing an easement over District property to access the lot adjacent and above to the Firehouse and water facilities. Roger said he would get input from the planning department as well as other professionals to address questions posed by the Board, i.e. possibility of erosion, distance required between a private driveway and a public fire district access, ... A straw poll of Board members showed that one member (Director Satuloff) was adamantly against an easement, a second member (Director Beran) leaned toward being against and three members (Directors Frame, Heinzer and Poling) wanted more information, as well as other alternatives, before making a decision.

7. NEW BUSINESS:

A. Water District property behind old shop as a fire hazard:

The yard behind the shop is owned by the Water District and is messy as well as a fire hazard. The Board of Directors all agreed that it needs to be cleaned up. John Acquistapace was to get in touch with Eddy Velasquez for an estimate.

D. Rescue Vehicle Equipment:

Garcia, Point Arena and Irish Beach each provided 1/3 for the Jaws of Life equipment. Since the demise of the old organization, Garcia decided not to bill Point Arena for the equipment. The Board members consented unanimously not to charge Point Arena as long as they continue to respond to emergencies within Irish Beach. Director Satuloff is to write them a letter so stating.

H. Board meeting schedule for 1995:

The Board reviewed the schedule for meetings in 1995 with the consideration in mind of adjusting a regularly scheduled meeting should there be conflicts with the Directors schedules. The Board decided unanimously to keep the schedule as it is - the 2nd Saturday of every odd month.

F. Mr. Moores letter to District re: removal of water facilities at shop:

Mr. Moores had written a letter to the Water District regarding the Districts' removal of some water facilities at the southwest corner of the shop. The letter indicated that a meter was removed, but a meter had never been installed on this corner. At the time when the District converted everyone over to meters, one should have been installed at this location, but was not. The Board suggested that Director Satuloff write to Mr. Moores explaining that this location was inadvertently overlooked when meters were being installed. The District will install a meter and reconnect to the water system for a \$75.00 fee. (When the meters were initially installed the cost was the price of the meter plus installation cost).

B. Installation of water meter in IBIC picnic area:

The Water District cannot show preferential treatment of another agency so cannot install a water meter without charging the \$1800.00 hookup fee. However, since the request for a water facility in the IBIC picnic area is really a public safety issue and its purpose is for use as a fire line, the Board of Directors decided to budget for an additional fire hydrant. A water facility is to be installed by John and Charles. It will be painted red and have a sign that says "Fire Use Only."

G. Timber Harvest Plan:

The Directors reviewed a letter from Vanderhorst Forestry written to the Irish Beach Improvement Club regarding a timber harvest plan. The plan was not sent to the Irish Beach Water District. It is occurring near to and may potentially affect the District's water source. Director Satuloff and Charles Acker are to meet a few days following the Board meeting to review the harvest plan for any potential impact it may have upon the District water supply/source.

C. Review of Availability and Usage Model:

Director Satuloff developed an availability and usage model using actual consumption figures, 300 gallon per day and 500 gallons per day.

E. Fire Department Account - combined or Separate:

1. Authorization/Resolution designating fire charges:

This issue resurfaced because the county auditor, Norm Thurston, questioned having the Water District and Fire District accounts commingled. According to Mr. Thurston this is not good accounting procedure and he has seen instances where it has gone awry. For one thing, he is concerned about the mixing of the County Fund 211 moneys, which is designated specifically for the Fire District, with Water District funds. Mr. Thurston feels the district should have two distinct accounts - one for the Fire District and one for the Water District. Mr. Turner reiterated his position stating in summary that Fire Districts are under a completely different means of assessing fire charges and set of Health and Safety Codes, which can be very onerous. If the District started dividing out the funds it would face the prospect of being pushed into the position the Fire District working under this other charter. Mr. Turner stated that he would discuss this matter with Norm Thurston to clarify the position of the District. Regarding a Resolution designating fire charges, Mr. Turner stated that the resolution would have to reference those water code provisions that allow us to assess fire charges.

It was moved, seconded and approved to adjourn the public session at 1:20pm to executive session.

**II. EXECUTIVE SESSION: 1) Personnel and payroll review
2) 1988 Water Agreement Lawsuit (Moore Vs IBWD)**

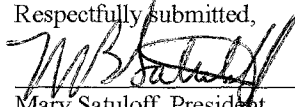
1. Personnel and payroll review: Due to time constraints this item was tabled and will be taken up at a future date.

2. 1988 Water Agreement Lawsuit (Moore Vs IBWD):

An executive session was held to discuss the litigation. After extensive discussion it was moved and seconded to adjourn from executive session back to the public meeting. The motion was unanimously approved.

8. ADJOURNMENT: Director Heinzer moved to adjourn the public meeting. The motion was seconded and passed unanimously. The meeting was adjourned at 3:00pm.

Respectfully submitted,



Marv Satuloff, President

Prepared by Dorothy Cong

Attest:



Rudy Beran, Secretary

Rudy Beran, Secretary

**Irish Beach Water District
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, January 28, 1995**

I. OPEN MEETING

- 1. CALL TO ORDER AND ROLL CALL:** Director Satuloff called the public meeting to order at 9:01 a.m. at the Fire House in Irish Beach (Manchester). Directors Satuloff, Beran, Frame, Heinzer and Poling were present as was Alan Turner, the District's lawyer, and Dorothy Cong, the District's Secretary. The public meeting was adjourned to Executive Session.

EXECUTIVE SESSION: Moores Vs IBWD Lawsuit Settlement Agreement

The purpose of the Executive Session was to allow the Board of Directors to discuss the proposed settlement agreement and analyze it relative to Resolution 94-3 approved by the Board of Directors on 12/17/94. At 9:55am the Executive Session was adjourned to be reconvened following the open public meeting.

The open public meeting was called to order by President Satuloff at 10:00am with all Directors present, the District's lawyer and the District's Secretary (see above). A number of members of the community were also in attendance.

- 2. APPROVAL OF MINUTES:** Director Poling moved to approve the minutes of the regular meeting held on November 12, 1994 and the minutes from the Special meeting held on December 17, 1994. Director Frame seconded the motion and it passed unanimously.
- 3. APPROVAL OF EXPENDITURES:** The Board reviewed expenditures for November and December. Fire Chief Dunning brought up the issue of the Fire District being charged 1/9 of the litigation expenses which did not seem justified. Director Heinzer moved to reverse the extraordinary charges for litigation expenses charged as overhead to the Fire District. Director Frame seconded the motion and the motion carried. Director Frame moved to approve the expenditures (noting that the 1/9 for litigation expenses charged to the Fire District would be reversed) and Director Heinzer seconded the motion. The motion carried unanimously.
- 4. PUBLIC INPUT** for items not on the agenda. There was no response to a request for public input from Director Satuloff.

5. REPORTS:

A. Treasurer - Ron Frame

1. Discussed in some detail the audit results from the County Audit for Fiscal Years 1992-92 and 1993-94. Basically the audit results were good. The auditor suggested that some items were not coded into appropriate categories. He further suggested that internal balancing procedures i.e., reconciling the checking account and reconciling the accounts receivable, be put into place and appropriate ledger entries be made from the billing system into the accounting system that expresses accrual accounting. It was noted that this was the responsibility of our accountant and that as of the present time we do have internal balancing procedures established.

B. Water - Charles Acker reported

1. Water usage for November and December had dropped dramatically due to the continual storms we have been subjected to. In November usage was 546,749 gallons (113.91 daily average) and December usage was 363,402 gallons (90.13 daily average).
2. Heavy storms increased the turbidity level resulting in a shutdown of the treatment plant for a period of time.
3. We weathered the power outage all right with the Unit 9 well carrying the main part of the subdivision and the storage. However, well production dropped at one point to only 9.6 gallons per minute. It should be around 15 gallons per minute.
4. The upper diversion maintained its integrity very well. Charlie brought in video pictures of the upper diversion site during the wild weather.

The foul weather and power outage provided a good learning situation with the outcome being that there are definitely some issues that need to be analyzed to ensure the integrity of our operations when such emergency situations arise. Charlie will be responsible for:

- 1) Looking at well production. Why was the well production down? The well should not run for more than 15 hours per day and perhaps we need to install a timer on it so we won't overrun.
- 2) Should we invest in a couple of generators to carry us through prolonged power outages?
- 3) Draw up an emergency plan based on extended power outage, i.e. one month
- 4) Draw up an emergency plan based on high turbidity, i.e. one month
- 5) Draw up an emergency plan focusing on a major rupture of the pipeline down Alta Mesa Road in the event of an earthquake. What would be the repercussion to lots or homes below. Can a pressure reduction valve be installed on top of Alta Mesa to cut the 210 lb. pressure, i.e. in half?
- 6) Do we have a method of advising residents when water is low? (Charlie stated that the District does have such a plan since the State required the District to develop one which basically requires going door to door)

C. Safety - Charlie Acker reported

1. The safety committee has been holding regular meetings. The quarterly safety meeting was held in December and the last monthly meeting on January 26, 1995. Due to the weather some of the issues have been put on the back burner, i.e. installing fire hydrants, supplying water to the picnic area, identifying shut off valves. A new lock has been put on the gate on the road to the upper diversion site.

D. Fire Department - Fire Chief Rex Dunning reported the Fire District was quite busy during the storms.

1. They were called out to help move a family at Manchester Rancheria whose home was being flooded.
2. Because of the extensive power outage, they took the generator around to various homes to provide power to freezers.
3. The big truck got a brake job at Elk.
4. A letter was written to Joseph Twinen inquiring about an ISO Rating. It will take several months for him to respond.
5. Several trees being down across the roads in Irish Beach brought up the need for the Fire District to invest in a chain saw.

6. OLD BUSINESS

A. Lawsuit Status: Allan Turner reported that on December 17, 1994 the Board passed a resolution spelling out the terms for a settlement agreement. The latest draft of the proposed agreement is the subject of the Board's Executive Session today. It remains today to see how it will be resolved. We have received a check for \$50,000.00, but will not be able to deposit it until the settlement agreement has been signed.

B. Review of 1994-1995 Budget:

Director Poling explained how the figures were derived to come up with the proposed budget. Director Satuloff stressed the importance of getting approximately \$100,000 reserve fund to deal with emergency situation before the Board considers lowering of water fees. The Board recognized also that it is important to put aside funds in investments for capital expenditures. All Board members felt the proposed budget reflected reality. Director Beran moved to approve the budget and Director Heinzer seconded the motion. The motion passed unanimously.

C. Kiosk: Director Heinzer reported

David Dell has provided a proposal for building the kiosks - not including installation. For materials and labor the cost is \$1734.00. Director Poling agreed to bring up with IBIC a plea for financial assistance. Director Beran moved to approve the proposal for building the kiosks. Director Frame seconded the motion and it passed unanimously.

D. Garcia Rescue:

Fire Chief Dunning reported that the new rescue organization that grew out of Point Arena and Garcia Rescue is called Redwood Coast Fire Department. They will still provide rescue service to the Irish Beach population. Director Satuloff inquired as to whether or not we might be considering joining them to which Fire Chief Dunning responded that there would not be any benefit.

E. Easement over District property to access lot:

Roger Aeschliman provided a summary response to each of the questions the board had directed to him at the last meeting and requested that the Board of Directors give "conditional" approval for an easement subject to final approval after the receipt of a geologists report. Director Beran pointed out that there were at least 2 issues: 1) would it be appropriate to just "give" an easement or should some financial value be connected: 2) we cannot give a final approval because there is no geologists report. Mr. Turner further commented that 3) co-owners of an easement share expense, maintenance,... 4) the easement should be limited to the person requiring it and their successors. Mr. Turner suggested that the Directors should have a copy of an easement in front of them prior to granting any kind of approval. Director Heinzer moved to table this issue until the next meeting. Director Beran seconded the motion and it passed unanimously.

H. Fire Department Account - combined or separate:

Mr. Turner reported that he had been unable to get into contact with the county auditor, Norm Thurston after having tried on at least 3 occasions. He will continue to try to meet with him.

I. Timber Harvest Plan

Charles Acker reported that the window of opportunity to comment on the timber harvest plan has passed. Once that window is gone, there is no mechanism to provide input beyond going to the proper authorities and request inspections to make sure the procedures are followed. Charlie will secure a copy of the plan which potentially can affect three areas; 1) the upper diversion, 2) Mallo Pass, and 3) Pomo Lake stream. Charlie will be sure to contact the CDF and the Water Quality Control Board to do inspections.

7. NEW BUSINESS:

A. Standing Committees:

Director Poling stated that she was looking to the board to distribute and share responsibilities so that the burden does not become so great for any one Board member. The Board can designate groups of responsibilities, bearing in mind that many board members do not reside in Irish Beach. Some activities can be handled outside, however. Director Poling further stated that it might be well to establish *ad hoc* advisory committees to gather facts and organize material.

B. Part Time Administrator:

Director Satuloff stressed to the Board members that it was critical to have someone knowledgeable to keep us out of trouble i.e. a part-time professional administrator. Marv expressed that he was afraid of not knowing what he doesn't know. There is the possibility that we think we are doing everything according to the law, only to find out that somewhere down the line we missed something. Alan Turner stated that there is no statutory requirement to put out a job opening notice, but that it is a good practice.

C. Board of Directors/New Board Member:

Marv stated that since the \$50,000 check is in the form of a cashiers check, his resignation is effective at the end of the open meeting today, January 28, 1995. The Board of Directors has the authority to appoint a new member to serve out Director Satuloff's term. Director Beran moved that Director Heinzer be appointed President of the Board through the March meeting. Director Poling seconded the motion and all approved.

F. Construction of Mallo Pass Facility.

Mr. and Mrs. Zamboni, neighbors to the north of Irish Beach attended the meeting to present to the Board of Directors that they would be interested in purchasing water from Irish Beach Water District once the Mallo Pass Facility is constructed. Their Inn is located between Irish Beach and the Mallo Pass development. Their request is to purchase any surplus water that might be available. The Directors stressed that should such an agreement be made, it would only be short term until Irish Beach was built out. A contract could be entered into annually for service establishing a price and referring to the State for approval.

The Board members stressed that prior to considering building the Mallo Pass Facility, the litigation has to be completely behind us. This issue was tabled for the present time.

H. MCP notice of intent to protest \$1800.00 water hook-up fee:

The Board members discussed the letter received from Margaret Ballou pertaining to her intent to protest the \$1800.00 water hook-up fee. In order to establish the \$1800 hook-up fee, the District checked with several other water companies to see what they charged and how the charges were derived above and beyond the cost of actual physical connection. Essentially one is buying into the total net worth of the water system. The District Attorney, Alan Turner, stated that the codes referred to in the letter of intent do not apply to hook-up charges to lot owners. Director Satuloff stated that he would write a letter to Ms. Ballou.

Adjournment:

Due to the length of the agenda and the fact that the Board needed to reconvene to Executive session, not all items on the agenda were covered. Director Beran moved to adjourn to Executive Session at 12:30pm, and Director Poling seconded the motion. The motion passed unanimously.

II. EXECUTIVE SESSION: 1) 1988 Water Agreement Lawsuit (Moores Vs IBWD)

2. 1988 Water Agreement Lawsuit (Moores Vs IBWD):

An executive session was reconvened at 12:35pm. Those present were Directors Poling, Frame, Heinzer and Beran. The Board continued its review of and revisions to the proposed settlement agreement. The Board authorized Director Heinzer to sign the retyped version of the marked up agreement after verifying its accuracy. Director Poling moved to adjourn from executive session to public session. Director Beran seconded the motion and it unanimously carried.

8. ADJOURNMENT: It was moved and seconded to adjourn the public session and passed unanimously. The meeting was adjourned at 1:30pm.

Respectfully submitted,



Jon Heinzer, Interim President

Prepared by Dorothy Cong

Attest:



Rudy Beran, Secretary

Irish Beach Water District
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, March 11, 1995

I. OPEN MEETING

1. **CALL TO ORDER AND ROLL CALL:** President Jon Heinzer called the public meeting to order at 9:00 a.m. at the Fire House in Irish Beach (Manchester). Directors Beran, Frame, Heinzer and Poling were present as was Dorothy Cong, the District's Secretary. Alan Turner, the District's attorney was not present due to bad weather conditions. The public meeting was adjourned to Executive Session.

EXECUTIVE SESSION:

1. Moores Vs IBWD Lawsuit Settlement Agreement

The proposed settlement agreement was discussed. The Directors agreed that the agreement would be signed in the regular open session.

2). Personnel matters:

Personnel matters, with regard to 1) "hiring" of an outside part time manager/administrator or 2) expanding the responsibilities of one of our existing employees to incorporate the responsibilities, was under discussion.

The open public meeting was called to order by President Heinzer at 10:20am with all Directors present and the District's Secretary (see above). A number of members of the community were also in attendance.

2. **APPROVAL OF MINUTES:** Director Poling moved to approve the minutes of the regular meeting held on January 28, 1995. Director Beran seconded the motion and it passed unanimously.

3. **APPROVAL OF EXPENDITURES:** The Board reviewed expenditures for January and February. Director Frame moved to approve the expenditures. Director Beran seconded the motion and it passed unanimously.

4. **PUBLIC INPUT** for items not on the agenda. Under this agenda item, Charlie Acker provided a summary of those items of interest to the water district relative to the Timber Harvest Plan. The original harvest plan was filed in 1990, and this current harvest was executed under an "emergency notice" procedure which exempted them from a full environmental review. All the legal requirements to give notice and so on were satisfied (a notice was published in the Ukiah Daily Journal for 2 days as well as being posted in Irish Beach). The harvest itself is a *fait accompli*. Charlie brought to the Board's attention that another water district passed an ordinance forbidding the use of herbicides upstream from its water supply. This item will be on next month's agenda.

5. REPORTS:

A. Treasurer - Ron Frame

Ron reported that our accounts receivable were doing well.

B. Water - Charles Acker reported

1. February water usage was low, but that it was about on par with other years.
2. Several tests were run on the Unit 9 Well with the same results on each test - 15.2 gal. per min. This means that the well is generating water as it should.
3. Charlie prepared a report pertaining to emergency conditions. The "bottom line" is that we need to pump the Unit 9 Well in any emergency situation in order to provide water to our customers. In a situation where the district is without power, this would require a fairly large generator since the pump is 3 HP. A modern 3/4 HP pump would actually be sufficient to handle the well; as it is now, operations has to close down a valve. The current pump is in good condition, so it is not necessarily feasible at this point to change. As a result of looking at emergency situations and how to maintain service, it was determined the Water District will need to 1) purchase a generator, 2) put a timer on the pump (a waterheater timer will work), and 3) install a manual bypass valve near tank 3. Charlie will prepare a table for the next board meeting providing a cost analysis regarding pumps and generators.
4. Gene Scaramella brought up the question about the Water Sanitary Survey due in 1995. Charlie stated that he was currently working on this report for Elk and will be able to make recommendations for Irish Beach based upon Elk's survey because they each have very similar situations. This survey is required by the

California State Department of Health Services and this year is the first time such a survey has been required. It is due by December 31, 1995.

C. Safety - Charlie Acker reported

1. The safety committee has been holding regular meetings. The last monthly meeting was held on February 23, 1995. Due to the weather some of the issues have been revolving for some time i.e., installation of fire hydrants, supplying water to the picnic area, and identifying shut off valves. By May 1995 the identification of shutoff valves (and pressure areas) will be completed as part of the requirement for an ISO rating.

D. Fire Department - Fire Chief Rex Dunning reported

1) A cabinet has been built in the firehouse to store fire equipment.
2) A chain saw was purchased by the District.
3) All but 4 volunteers were given their annual training in CPR at a session held in Point Arena. The remaining 4 volunteers will be attending sessions elsewhere.

6. OLD BUSINESS

A. Lawsuit Status: The lawsuit settlement agreement was signed. The District is now able to deposit the \$50,000.00 check.

B. Kiosks: Director Heinzer reported a check was sent to David Dell for materials for the kiosks. He is currently working on them and they should be done shortly. Some discussion ensued as to what to post in the kiosks. IBIC and IBARC are both interested in utilizing the kiosks and have in principal committed to contribute \$500.00 and \$100.00 respectively to the construction costs. The Board members felt that the materials posted should be limited to community events and notices of meetings.

C. Easement over District property to access lot:

Roger Aeschliman requested that the District provide a "conditional approval" for an easement over District property subject to a soil study at the time of sale, and a financial assessment as to the value of the easement. Director Poling proposed the Board table this issue for the next meeting after legal counsel has had a chance to review it and give an assessment.

D. Water District property behind old shop as a fire hazard (Acquistapace):

John reported that Earl will clear the lot when weather permits.

E. Installation of water facility in IBIC picnic area:

Charlie stated that operations would install the water facility and wanted to know exactly where it was to be located. After this was determined, Charlie estimated materials, etc. would run somewhere around \$450.00. The Board emphasized that that one low capacity fire facility was being installed as a fire safety issue and the cost would be borne by the Water District.

F. Fire Department Account - combined or separate: Resolution authorizing fire charges:

Alan Turner prepared a resolution formally authorizing fire charges and water charges be split responding to the recommendation by the auditor to reflect what the District has been billing. The Board requested the resolution be written based on "percentage" as opposed to a fixed dollar amount. The issue of what the fire district pays the water district as an "overhead expense" each month (1/9 of administrative cost) was brought up in conjunction with this issue. The Board decided to take another look at the entire allocation process. Since the District's attorney was unable to be at the meeting, this issue was tabled until the next meeting.

G. Rescue Vehicle Equipment:

At one point ex-president Marv Satuloff was intending to write to Arena Rescue about Irish Beach Fire District investment in rescue equipment. This agenda item was dropped.

H. Bill's letter to District re: removal of water facilities at shop:

At the direction of the Board, Jon Heinzer agreed to write a letter to Mr. Moores stating that a water meter would be installed at the southwest corner of the shop and the fee for the installation would be \$100.00. There would then be a regular billing for home availability and usage.

I. Replacement of billing system: Dorothy reported that just recently Ward Anderson met with her and cleared up some issues dealing with the billing system conversion. Dorothy agreed to be "current" on the new system as of the next Board meeting in May, although not necessarily converted live to the new system.

J. Written policy for administrative fees: In a previous meeting the Board had agreed to charge individuals requesting copies of minutes, etc. \$.50 per page. This was to be written in the form of a policy, which was distributed to the Board and will be placed in a District Policy Binder to be developed.

K. Reimbursement for legal fees connected with Alta Mesa leak:
This item was tabled until the next Board meeting.

L. Illegal water connections:
This item was tabled until the next meeting.

M. Designating Standing Committees:
Since this item was so intricately related to hiring of a part time administrator, it was moved to be discussed along with personnel issues at the continued executive session immediately following the open meeting.

N. Hiring of a Part Time Manager/Administrator:
Since this item dealt with personnel issues, it was moved to be discussed at the continued executive session immediately following the open meeting.

O. Board of Directors/New Board Member:
~~At this point there have been no volunteers to fill the position vacated by Marv Satuloff. Director Heinzer said he would personally call several individuals in hopes of finding someone.~~

P. MCP notice of intent to protest \$1800.00 water hook-up fee.
The District's attorney was not present at the meeting. This item was tabled until the next meeting.

7. NEW BUSINESS:

A. Attorney Retainer Fee - modification of:
The District's attorney, Alan Turner, has submitted a suggestion that since the litigation has ended, his retainer fee should be reconsidered. Alan was not in attendance at the meeting, but the District decided that a reduction now would be in order and that a review of the retainer would be on the agenda again in May. Director Poling moved to reduce Mr. Turner's retainer from the current \$900.00 per month to \$400.00 per month. Director Beran seconded the motion and it passed unanimously.

B. Water Code Policy Book for Irish Beach Water District:
For several years there has been an effort to come up with a Policy Binder for Irish Beach Water District. Not every procedure the district follows is in the form of a resolution or an ordinance, i.e.: administrative fees, certain processes in terms of billing and accounting, conflict of interest code, who, and when the form must be prepared, and so on, so the need for a manual is apparent. Dorothy has a copy of such a manual specifically designed by a small water district that was shared by the California Rural Water Association. Director Beran volunteered to work on this project with assistance from Dorothy.

C. Resolution 95-1 pertaining to charging customers when payment does not clear bank:
There has not been a resolution in effect pertaining to charging customers an extra fee when a check "bounces." The proposed resolution specifies that a customer will be charged an additional \$10.00 on their account if a check received in payment for a water bill does not clear the bank and the bank charges the district a fee. The resolution was passed unanimously on voice vote.

D. Construction Quality Standards.
Ex-president Marv Satuloff has expressed concern that the district construction standards may be outdated and in need of revision. Charlie Acker agreed to review the standards and compile a list of recommendations if necessary.

E. Election of Officers:

Director Beran moved that Director Ron Frame be elected President of the Board of Directors of Irish Beach Water District. Director Poling seconded the motion. Upon voice vote Director Frame was elected unanimously.

F. Conflict of Interest Forms:

The Board entertained some discussion regarding who had to file the conflict of interest form. There was some confusion as to whether all employees had to file. Dorothy agreed to follow up with the County of Mendocino on the matter. Director Poling recommended that the conflict of interest code, when it should be filed and by whom be inserted into the new policy binder.

G. Fax machine:

All members of the Board agreed a simple fax machine would be an appropriate addition to the District. The Directors felt the most appropriate location would be in Dorothy's home. Director Heinzer agreed to shop around for a fax machine.

H. Refund to IBAC for fire house use charge:

Director Poling moved to refund \$25.00 charged to IBARC for use of the fire house for a meeting. Director Beran seconded the motion. The motion passed unanimously. The Directors further agreed that IBARC would be able to use the firehouse for their meetings providing they will be responsible for the truck, i.e. move it out themselves and back in.

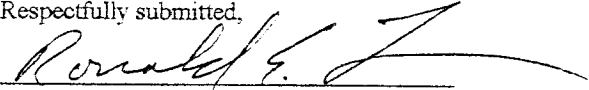
All items being covered, the Directors adjourned the regular meeting to continued executive session at 12:50pm.

II. EXECUTIVE SESSION:**1) Personnel matters:**

The continued executive session convened for the explicit purpose of discussing the hiring of a part time Manager/Administrator. Being considered was the possibility of expanding Charles Acker's responsibilities in operations to incorporate the added duties of a part-time manager/administrator. Mr. Acker currently holds this position in Elk. Mr. Acker was present and was requested to provide the Board a list of duties and responsibilities for review prior to the next meeting of the Board of Directors. In conjunction with this, the Board will be working on designating specific responsibilities for its own members.

8. ADJOURNMENT: It was moved and seconded to adjourn to public session and passed unanimously. Thereafter the meeting was adjourned at approximately 1:45 pm.

Respectfully submitted,


Ron Frame, President

Prepared by Dorothy Cong

Attest:


Rudy Beran, Secretary

Rudy Beran, Secretary

Irish Beach Water District
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, May 13, 1995

I. OPEN MEETING

1. **CALL TO ORDER AND ROLL CALL:** President Ron Frame called the meeting to order at 10:00 a.m. at the Fire House in Irish Beach (Manchester). Directors Beran, Frame, Heinzer and Poling were present as were Alan Turner, the District's lawyer and Dorothy Cong, the District's Secretary. Several members of the community were also present. The Board continues to have one vacancy.
2. **APPROVAL OF MINUTES:** Director Poling moved to approve the minutes of the regular meeting held on March 11, 1995. Director Heinzer seconded the motion and it passed unanimously.
3. **APPROVAL OF EXPENDITURES:** The Board reviewed expenditures for March and April. Director Heinzer moved to approve the expenditures. Director Beran seconded the motion and it passed unanimously.
4. **PUBLIC INPUT:** Will Edelbrock inquired whether or not the District intended to get a transcript of the litigation hearings. He expressed that a great deal of time and energy had been spent gathering information and it would be of value to maintain it as a record. Alan Turner will check how long the records are maintained by the recorder and the cost of acquiring a copy of them. This will be an agenda item at the next meeting.

5. REPORTS:

A. Treasurer - Jon Heinzer

1. reported on the status of the District Funds
2. reported on some investment opportunities the District should consider. At present, outside of the Mallo Pass Funds which are invested, and the \$50,000.00 from the litigation settlement, all of the District money is in an American Savings checking account. Director Beran moved we combine as much funds from the American Savings checking account as possible and the \$50,000.00 from the litigation settlement and invest it in T-bills with Dean Whitter. Director Poling seconded the motion and it passed unanimously by voice vote.
3. The Directors considered the question of an additional signator on District checks in order to minimize the possibility of processing delays due to not having someone with signature authority available to sign. Several options were discussed. The Board decided simply to add the remaining two directors, Director Beran and Director Poling, to the signature card.

B. Water - Charles Acker reported

1. March and April water usage was a bit lower than the past two years due to the heavy rains experienced this winter. The treatment plant was down for a total of 19 days (not consecutively) due to high turbidity beyond the capability of the plant to handle. It takes approximately 6 hours to restart the plant each time it is down. Storage has been able to carry the District through on these occasions.
2. The gravel that was replaced last year at the upper diversion site needs to be backflushed in order to clean it because of the heavy storms.
3. An array of reports due recently have just been sent to several agencies of the State, i.e. Department of Health Services and the Department of Water Resources.
4. The water rights for Mallo Pass expires in 1996 or 1997. Charlie will check into the necessary procedures to extend the water rights permit and will inform the board at the next meeting in July.
5. The feasibility of getting a generator to ensure an uninterrupted water supply during emergency situations (critical for fire and emergency services), i.e. power failures, was presented by Charlie. He stated that the current pump at the well in Unit 9 is far larger than necessary, the valve even needs to be turned down because it wants to pump at the rate of 25-28 gallons per minutes and the District specifications for the well are 15 gpm. This increases the power bill. Getting an adequate generator to power the existing pump would cost anywhere from \$6,500.00 (low end gas powered) to \$11,000.00 (high end diesel powered). In addition a trailer costing about \$3,000.00 would have to be purchased to transport a generator of this size to the site. An alternative is to purchase a smaller 1.5 hp pump costing from \$1,500.00 to 2,000.00 in which a smaller generator could be used (cost ranging from \$3,500.00 (low end gas) to \$5,000.00 (high end diesel). This would also save on our electric

bill. There would be no need to purchase a trailer. Director Poling suggested that Charlie prepare a proposal in writing to be presented at the next Board meeting detailing all the various facts and offering a recommendation.

C. Safety - Charlie Acker reported

1. The safety committee has been holding regular monthly meetings as well as the quarterly meeting in March. Because of the weather alot of the items have been staying on the agenda, i.e. installation of fire hydrants, supplying water to the picnic area, and identifying shut off valves. The identification of shutoff valves (and pressure areas) is being worked on as part of the requirement for an ISO rating. Fire Chief Rex Dunning is checking into getting a class in bloodborne pathogen training for the volunteer fire department.

D. Fire Department - There was no report from the fire department because both Rex Dunning and Al Fisher were out of the area.

6. OLD BUSINESS

A. Director Heinzer reported that David Dell had completed one kiosk and that it really is a piece of art. Both IBIC and IBARC have contributed \$600.00 and \$75.00 respectively toward the cost of the kiosks. David thought that he might complete the remaining two kiosks with 6 weeks or 2 months.

B. Easement over District property to access lot:

Roger Aeschliman had requested that the District provide a "conditional approval" for an easement over District property subject to a soil study at the time of sale, and a financial assessment as to the value of the easement. Alan Turner, the District's lawyer, stated that from a legal standpoint it would not be appropriate to burden the public as there would be some expenses associated with granting an easement, i.e. engineering, maintenance and liability considerations. Roger stressed that there would be two components of value to the district, 1) an \$1800.00 hookup fee and 2) home availability fee. Alan suggested that if the portion of the land under consideration is not being used by the district, an alternative would be to sell it out right. The benefit would be that 1) the property line is clear and 2) the district would have no liability. It was brought up that the CC&Rs may restrict such a possibility, but Alan stated that as a public agency, the Water District normally would not be subject to the CC&Rs. Roger Aeschliman will be looking into this new consideration.

C. Water District property behind old shop as a fire hazard (Acquistapace):

Charlie reported that Earl Lange has been doing some work behind the shop since the weather has improved, but progress has been slow. Charlie will talk with Earl and if necessary get someone else to do the work.

D. Installation of water facility in IBIC picnic area:

Charlie stated that operations has installed one water facility in the picnic area. It only remains to be painted red and a sign placed on it that says "Fire Use Only."

E. Fire Department Account - combined or separate: Resolution authorizing fire charges:

The county auditor was concerned that water and fire district moneys were being commingled in the same account. In order to better track fire district finances, Director Poling moved that a separate bank account be established for the Irish Beach Fire District with the initial balance being Fund 211 moneys for the fiscal year 1994-95. Director Heinzer seconded the motion and it passed unanimously by voice vote.

The Directors are uncomfortable with the percentage of funds (20% of total base monthly charge) currently being allocated to the Fire District from customer billing, as well as the amount (1/10 of administrative costs) the Fire District reimburses the Water District. An *ad hoc* committee comprised of Directors Poling and Heinzer plus Operations representative Charles Acker and Fire Chief Rex Dunning will study the current rate structure and do some preliminary budget work.

F. Reimbursement for legal fees connected with Alta Mesa Leak:

Alan Turner said that the foundation for making the claims was the original water development agreement and Marv felt the fees should be recovered. In light of the rescission of the water development agreement, Alan recommended that this not be pursued. Director Poling suggested this item be dropped from the agenda.

G. Illegal water connections:

This item was moved to the executive session.

H. Replacement of billing system: Dorothy reported that some progress has been made in converting to the new billing system. The amount billed tracks with the system currently in use. The new system is unable to apply the 10% penalty fee charged for late payments on the new amount due. One option is to charge a fixed fee (i.e. \$5.00 or \$10.00) regardless of amount. The system can calculate the 1.5% interest charged on old amounts due. The Board of Directors decided to continue charging the 10% penalty as is done today, and Dorothy will continue to manually apply that amount.

I. Designating Standing Committees:

The first *ad hoc* committee to be set up is the budget committee to analyze finances and prepare a preliminary budget (See item E above). The committee is comprised of Directors Poling and Heinzer plus Charlie Acker and Rex Dunning.

J. Hiring of Part Time Manager/Administrator:

Since the Board had previously made the decision to hire a part time manager/administrator, this issue became a personnel issue and was moved to executive session.

K Board of Directors/New Board Member:

Our window for appointing is gone. Director Heinzer said that there was only one individual who expressed any interest in considering the position.

L. Attorney Retainer Fee - further modification of:

Moved to executive session.

M. Irish Beach Policy Binder:

Director Beran expressed that he had received the sample policy binder from Dorothy on disc. He will be working on this project once school is out.

N. Construction Quality Standards:

Charlie Acker reviewed the Districts Construction Quality Standards and expressed that everything seems to be in line with the exception of that portion dealing with fire hydrants. Charlie recommended modifying the fire hydrant portion of the policy and will draft a new section providing the industry standard requirement. Alan suggested that the District could adopt the entire ordinance as a resolution and simply change that only entry to modify it. Director Poling suggested that the district readopt all ordinances as resolutions.

O. Fax Machine:

The District now has a fax machine and it is currently at Dorothy's home.

7. NEW BUSINESS:

A. Upcoming elections:

Approaching at the end of 1995 the four remaining positions on the Board of Directors are up for election, plus we still need to find someone to fill the slot vacated by Marv Satuloff. Dorothy will contact the County Elections Board regarding the forms needed and the process to go through.

B. Ordinance dealing with use of herbicides upstream from water supply:

Charlie Acker brought a copy of an ordinance adopted by another water district which prohibited the use of herbicides upstream from their water supply. Charlie explained that with regard to the present timber harvest, no permit was taken out for use of herbicides. The board directed Charlie to draft a letter to the Department of Agriculture of Mendocino County expressing concern about our water catch basin and requesting them to notify the District should there be any request to use herbicides. This letter should be submitted to Director Frame for review prior to sending.

Charlie gave a copy of the ordinance to Alan Turner for review prior to the next Board of Directors meeting in July.

C. Allocation of Fire District moneys particularly relative to administrative costs (1/9) vs. percentage of basic rate (25%).

This item will be under consideration of the *ad hoc* budget committee.

All items being covered, the Directors adjourned the regular meeting to continue to executive session at 1:40pm.

II. EXECUTIVE SESSION:

Items under consideration in the executive session were:

1) Personnel matters - Part-Time Manager/Administrator:

The Board of Directors voted in closed session to retain the services of Charles Acker at \$1000.00 per month as an at will employee. The job description used will be that of 1993 subject to revision incorporating additional responsibilities.

2) MCP v IBWD Mendo Co. Superior Ct. Case No. 71850:

The Board of Directors voted to direct council to do a demurrer.

3) Illegal water connections:

This is tied in with #2 above.

4.) Attorney retainer fee:

Alan suggested his fees be as follows: The retainer will be \$100.00 per hour and limited to 2 hours. Work beyond the retainer will be at the rate of \$135.00 per hour. The bimonthly Board of Directors meeting is not a retainer item and will be charged for 1 hour at the rate of \$135.00.

At 2:45 pm the Board of Directors adjourned the closed session and reopened open session. They expressed the issues they had voted upon during the closed session (see items 1 - 4 above).

8. ADJOURNMENT: Director Heinzer voted to adjourn the meeting and Director Poling seconded the motion. The motion passed unanimously and the meeting was adjourned at 2:55 pm.

Respectfully submitted,

Ron Frame, President

Prepared by Dorothy Cong

Attest:

Rudy Beran, Secretary

Irish Beach Water District
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, July 8, 1995

I. OPEN MEETING

1. **CALL TO ORDER AND ROLL CALL:** President Ron Frame called the meeting to order at 10:00 a.m. at the Fire House in Irish Beach (Manchester). Directors Beran, Frame, Heinzer and Poling were present as was Alan Turner, the District's lawyer. Several members of the community were also present. The Board continues to have one vacancy.
2. **APPROVAL OF MINUTES:** Director Poling moved to approve the minutes of the regular meeting held on May 13, 1995. Director Beran seconded the motion and it passed unanimously.
3. **APPROVAL OF EXPENDITURES:** Director Heinzer reviewed major expenditures for May and June. The only extraordinary expenditures were for the Districts SDRMA insurance and fire hydrants.
4. **PUBLIC INPUT:** Marv Satuloff suggested that something should be done about reinstating a well ordinance because as a result of the litigation settlement, the well ordinance was rescinded. This will appear on the next agenda.
5. **REPORTS:**

A. Treasurer - Jon Heinzer

1. reported on the status of District Funds detailing the totals of the various accounts.
2. said that we will be moving \$100,000.00 into a treasury bill with the Fire Department putting in 1/3 of that total. Any interest earned will then be divided 1/3 Fire District and 2/3 Irish Beach Water District.
3. reported that we are in the process of formulating the budget for fiscal 1995-1996 and analyzing the rate structure in consideration of adjusting the rates downward if at all possible.

B. Water - Charles Acker reported

1. Usage for May was 358,479 gallons, lower than normal due to the heavy rainfall in May. Usage in June was 485,473 which is comparable to past years.
2. Production figures had been consistently higher than usage for quite awhile and John suspected a leak. It finally surfaced in Unit 7 and is being repaired, some of it with copper piping.
3. One fire hydrant has been installed.
4. Both the Elk and Irish Beach Water Districts have to have a Watershed Sanitary Survey completed in 1995. This survey entails extensive mapping and analyzing how the land is used, i.e. private ownership, timber preserve, residential, agriculture and so on. Also involved is the taking of soil samples. Its purpose is to study for possible sources of contamination. Elk had contacted a consultant who recommended they work with Louisiana Pacific who is in the process of collecting extensive "like" data. Charlie did so and LP was very anxious to interact with the water company in turn for turbidity reports. Charlie's recommendation to the Board of Directors was that "X" group be hired to oversee the survey for Irish Beach at the same time it is in the area to do the survey for Elk. The cost at present is unknown; Charlie has asked for a proposal from them.
5. A letter was written to the Department of Agriculture of Mendocino County requesting that herbicide use not be allowed upstream from the District's intake.
6. Charlie had prepared a memorandum to the board regarding his discussion with an attorney from the Permits Office at the State Water Resources Control Board, Division of Water Rights in Sacramento pertaining to Water Rights permit renewal for Mallo Pass who explained that in the year of the expiration, a form comes that can be filled out to request an extension.
7. A draft of an amendment of the Construction Ordinance 91-3 pertaining to Fire Hydrants was prepared.
8. The controller that measures the water level in the treatment plant was repaired.
9. The upper diversion road was repaired.
10. The gravel was back-washed at the upper diversion site. The procedure worked very effectively to clean out the mud and muck as a result of the past years heavy storms. They were measuring barely 30 gpm prior to backwashing; afterward it jumped to 93 gpm.

11. Charlie submitted to the board a recommendation that prior to next winter 1) the existing pump in Unit 9 Well be replaced with a 2 hp pump and 2) the District purchase a generator to cover emergency situations. He provided a detail.

C. Safety: Charlie Acker reported

1. The safety committee has been holding regular monthly meetings as well as the quarterly meeting in June. One fire hydrant has been installed, the water supply to the picnic area has been completed, and the shutoff valves have been identified. Fire Chief Rex Dunning has checked into getting a class in bloodborne pathogen training for the volunteer fire department to be held in Irish Beach.

D. Fire Department - Fire Chief Rex Dunning reported

1. Al Fisher and Rex did the annual weed check finding 11 lots that needed clearing. Letters were sent out and 6 property owners have already cleared their lots.

2. Teams have been set up to maintain the fire engines. One team is scheduled each month to check the fire trucks.

3. Two training exercises were scheduled. On one exercise 6 volunteers turned out; on the second only 3 showed so the time was utilized to clean the firehouse and trucks.

4. The new fire hydrant was painted as was the water facility in the picnic area.

5. A flag pole has been erected at the fire house.

6. OLD BUSINESS

A. Kiosks: Director Heinzer reported that David Dell had completed one kiosk. He is working on the other two and has run into a slight overrun in terms of expenses, but nothing significant.

B. Easement over District property to access lot:

Roger Aeschliman reported that, as stated by Alan Turner, the District's attorney at the May meeting, the District can sell the hillside property without anyone's approval. Roger will get the "legal page" that allows this. Further discussion was tabled until the next meeting.

C. Water District property behind old shop as a fire hazard (Acquistapace): Charlie reported the work is nearly complete and is no longer a safety hazard.

D. Replacement of billing system: This item was tabled since Dorothy was not present

E. Designating Standing Committees: This item was removed from the agenda.

F. Election of Four Board members and appointment of one: All positions on the Board are up for election. Director Frame provided each member with a form to complete authorizing Dorothy to pick up the candidacy papers at the county.

G. Irish Beach Policy Binder:

Director Beran expressed that he has nothing to report at this point.

H. Construction Quality Standards:

Charlie Acker proposed a modification of Ordinance 91-3 Page 3, Section 1. He suggested adding Section 1.14 regarding fire hydrant specifications. All agreed that the draft modification should be read. Director Poling read the draft. It will be up for adoption at the next regular meeting.

I. Report of ad hoc committee regarding allocation of Fire District funds, general rate structure and preliminary budget:

A. Director Heinzer reported that the committee was in the process of creating a budget for the Fire Department taking expenditures and income over the past two years and bearing in mind capital expenditures such as pagers and a new fire truck. Funds for these capital projects will be set aside in a separate fund.

B. The same process is being undertaken for the Water District.

C. With a handle on income and normal operating expenditures plus setting funds aside for necessary capital items, the District can then make a determination if it is feasible to adjust water rates downward.

7. NEW BUSINESS:**A. Resolution 95-3 regarding commendation of Marv Satuloff:**

Resolution 95-3 commending former Director Satuloff for his service on the Board of Directors of Irish Beach was read aloud and applauded. Director Poling moved that the resolution be accepted. Director Beran seconded the motion. Directors Heinzer, Frame, Poling and Beran all voted "aye" (there is one vacant seat) and the resolution passed unanimously.

B. Resolution 95-4 regarding use of herbicides upstream from water source:

Alan Turner submitted a draft resolution based on a copy of a like ordinance taken from another water district and modified for our type of water district. Since the Board of Directors had not had a chance to review the resolution prior to the meeting, the item was tabled until the next meeting.

C. Review of modified Ordinance 91-3 (Resolution 95-X) dealing with fire hydrant specifications.

This item was under consideration under Old Business topic H.

D. Acquiring copy of transcripts from Arbitration Hearing Moores Vs IBWD in Dec. 1995:

The cost of acquiring a copy of the transcripts is somewhat in excess of \$4000.00. Members of the board, as well as members of the audience, felt that the transcripts contained a wealth of information that took extensive time and effort to gather, so it was worthwhile to have our own copy. Director Heinzer moved that the District acquire a copy of the transcripts. Director Frame seconded the motion and it passed unanimously. Alan Turner will pursue said acquisition.

F. Weed eater for Water District (perhaps should be considered as an expense for next fiscal year):

It was decided that this item should be put under consideration as a budget item for next fiscal year and removed from the agenda.

G. Preliminary plan for Mallo Pass Water Project:

Director Frame suggested this item be placed on the agenda so that the District can begin a review of the old plans in light of new technology, check our right of ways, i.e. water rights, rights along the highway, rights across Stornetta's property, and so on. The Board requested that Charlie Acker begin an analysis of the Mallo Pass Water Project.

H. Additional storage space for Water District files/papers (i.e.: storage cabinet)

This item is to be considered as a budget item.

I. Hiring of back-up operation person:

The District has been considering hiring an extra back-up person and Charlie provided each member of the board with such a recommendation as well as suggesting an individual the board might consider for the job. Gene Scaramella brought to light that at the present time we are required to have three licensed operations people. He said that he is licensed, but that it would be a good idea to get someone else to fill that position. The Board is in agreement in principle. Since the consideration of the specific individual is a personnel matter it was moved to be considered in the executive session.

J. Administrative charges for hazardous fire condition inspections by fire department:

Fire Chief Rex Dunning reported that each year the Fire District does a safety check throughout the subdivision for any materials that might present a fire hazard, most notably vegetation growing within 30 feet of a fence or home, or brush piled up under trees and so on. If a property is found to be in violation, a letter is sent to the owner to rectify the situation within 30 days after which a second inspection is done. If the property owner does not comply, the District will then hire someone to clear the property. The charge is passed on to the owner on their water bill. Fire Chief Rex Dunning proposed an administrative fee be charged because extensive time is involved. After discussing the matter there was some consensus that an administrative fee should be charged those property owners who get a second notification, and that the charge would have to be substantiated by actual time involved. No decision was made at this time. Director Poling volunteered to prepare a resolution covering such an administrative charge.

K. Irish beach Unit #5, Condition #18 - Fire Access Road:

Mr. Moores had presented the Board of Directors with a packet containing a letter from Howard Bashford with a design and map of the Unit #5 access road, a letter from CDF stating that the proposed design met with their approval, and a proposed draft letter from Irish Beach Water District to Mendocino Co. Planning Department informing them that the District approved as well. Mr. Turner, the District's lawyer, narrowed down Mr. Moores suggested letter considerably. Discussion ensued with some disagreement - some people feeling that a paved county road should be required. The bottom line is that the District wants a fire access road that will satisfy the Water District's requirements as set forth in condition #18. The draft letter was significantly modified (see copy attached). Director Beran moved that the Board accept the modified letter prepared by Alan Turner and authorized President Ron Frame to sign it when the changes were typed. Director Poling seconded the motion and it passed unanimously.

All items being covered, the Directors adjourned the regular meeting to continue to executive session at 1:20pm.

II. EXECUTIVE SESSION:

Items under consideration in the executive session were:

1) Personnel matters - Part-Time Manager/Administrator:

The Board of Directors agreed in closed session to interview Mr. Ron Bloomquist for the position of back-up systems operator immediately prior to the next regular meeting of the Board of Directors in September.

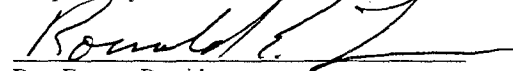
2) MCP v IBWD Mendo Co. Superior Ct. Case No. 71850:

Up to this point the District has not been served.

At 2:45 pm the Board of Directors adjourned the closed session and reopened open session. They expressed the items they had considered during the closed session (see items 1 - 2 above).

8. ADJOURNMENT: Director Heinzer voted to adjourn the meeting and Director Poling seconded the motion. The motion passed unanimously and the meeting was adjourned at 2:55 pm.

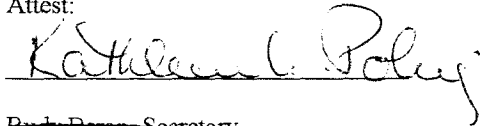
Respectfully submitted,



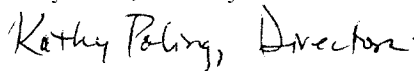
Ron Frame, President

Prepared by Dorothy Cong

Attest:



Rudy Beran, Secretary



Irish Beach Water District
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, September 9, 1995

I. OPEN MEETING

- 1. CALL TO ORDER AND ROLL CALL:** President Ron Frame called the meeting of the Board of Directors to order at 9:00 a.m. at the Fire House in Irish Beach (Manchester). Directors Frame, Heinzer and Poling were present. Director Beran was absent and there is one vacancy. Also present was Alan Turner, the District's lawyer and Dorothy Cong, the District's Secretary. Several members of the community were in attendance. The meeting adjourned to Executive Session at 9:12am.

Executive Session:

1. Personnel matters:

A. Interview of Ron Bloomquist for back-up operations position.

The Board of Directors voted to hire Ron Bloomquist as a back-up part-time operations technician for a maximum of 12 hours per week at the rate of \$12.00 per hour starting October 1, 1995. Ron must continue to work toward his operator's license.

Earl Lange's wage was increased from \$10.00 per hour to \$10.50 per hour starting 10/1/95.

1. Review possibility of purchase of a computer.

2. Conference with legal counsel re: existing litigation per Gov't Code Section 5456.9(a) MCP v. IBWD Mendocino Co. Superior Ct. Case No. 71850.

II. Open Session:

The open session of the Board of Directors was reconvened at 10:00am.

- 2. APPROVAL OF MINUTES:** Director Poling moved to approve the minutes of the regular meeting held on July 8, 1995. Director Heinzer seconded the motion and the minutes were approved as written.
- 3. APPROVAL OF EXPENDITURES:** Director Heinzer indicated there were no extraordinary expenditures for the months of July and August 1995 and moved that the expenditures be approved. Director Poling seconded the motion and they were approved unanimously.
- 4. PUBLIC INPUT:** Marv Satuloff requested a review of the litigation status. Alan Turner, the District's lawyer stated that a demurrer had been filed and that a hearing was scheduled for October 6, 1995. The costs are to be covered by the District's insurance company. Alan stressed that there was a clear violation of the statute of limitations because any complaint would have had to have been filed within 120 days from the effective date of the enactment of the \$1800.00 hook-up fee, and that date was passed years ago.

5. REPORTS:

A. Treasurer - Jon Heinzer

1. reported on the status of District Funds detailing the totals of the various accounts.
2. said that he had invested \$100,000.00 with Dean Witter in Government Cds dividing the amount equally into 6, 12 and 18 month Cds initially. One-third of this amount is for the Fire District and 2/3 for the Water District.

B. Water - Charles Acker reported

1. Water consumption for July and August was understandably higher averaging 154 and 177 GPD respectively per household. This was considerably less than last year which averaged 192 and 191 GPD for the same months.
2. The regular monthly reports were submitted to the State Department of Health on time.
3. More in depth detail of operations projects prepared by Charlie are attached to these minutes (see attachment).

C. Safety: Charlie Acker reported

1. The safety committee has been holding regular monthly meetings as well as the quarterly meeting in June. A second fire hydrant has been installed and an ISO report was prepared (for more detail see Fire Chief Dunning's report). The only outstanding issue remains scheduling blood pathogen training for fire personnel. A respirator was purchased by the District.

D. Fire Department - Fire Chief Rex Dunning reported

1. the representative was here on location for 2 days analyzing Irish Beach Fire District for the ISO Report. He looked at the trucks, personnel, firehouse, mains, hydrants, water storage, ... and did alot of calculations. Rex thought Irish Beach probably would not receive an actual rating until probably sometime during the 2nd quarter of 1996.

2. The Fire Department held two training exercises.

3. Rex had received a call from a citizen that there was a big tank up in the woods that was dripping gas. As it turned out, it was a diesel tank and a long way from any water supply. Rex called Gordon to get a logger up there to handle it.

6. OLD BUSINESS

A. Kiosks: Director Heinzer reported that there was nothing new to report.

B. Easement over District property to access lot:

Roger Aeschliman requested that this issue be postponed until the next meeting.

C. Modification of Ordinance 91-3, Page 3, Section 1.14 - Fire Hydrant Specifications: This modification deals with specifications pertaining to Fire Hydrants. Director Poling moved the modified ordinance be adopted and Director Heinzer seconded the motion. Directors Poling, Frame and Heinzer all voted in favor of the resolution. Director Beran was absent and there is one vacancy. The modification passed as drafted.

D Resolution 95-4 regarding use of herbicides upstream from water source: This ordinance is primarily aimed at logging companies that may use herbicides associated with their harvest. It establishes a zero discharge limit with respect to the disposal of waste or activity which might contaminate or degrade the quality of waters flowing through the Irish Beach Water District. All were in agreement that it was a priority to do all that was possible to prevent the District water supply from being contaminated. The Resolution was read and Director Heinzer moved that the District adopt it. Director Frame seconded the motion. Directors Heinzer, Frame and Poling all voted in favor of the Resolution. Director Beran was absent and there is one vacancy. The motion passed to adopt Resolution 95-4 was passed as read.

E. Replacement of well pump with a 2 hp pump and purchase a generator to power it: Charlie Acker had provided the Board of Directors with an analysis recommending a changeover of the existing pump at the well with a 2 horse power pump. Having discussed the matter extensively in previous meetings and having had time to thoroughly analyze Charlie's recommendations, the Directors agreed that little discussion of this matter would be required. Director Poling moved that the District spend \$4,600.00 to replace the current pump and purchase a generator. Director Frame seconded the motion. Directors Frame, Heinzer and Poling voted in favor of the resolution. Director Beran was absent and there is one vacancy on the Board. The motion passed and the District will proceed to purchase a new 2 hp pump and generator and install the equipment.

F. Resolution 95-6 authorizing administrative charges to be applied for property owners who have not cleared their lots following first notification: Due to insufficient information in the proposed resolution, it was held over for discussion until the next meeting.

G. Irish Beach Policy Binder: Director Beran was not present so this item was tabled to a future meeting.

H. Election (status of): Only 4 candidates filed to run for Directors of the Water District in Irish Beach. Therefore, the Board of Supervisors will appoint these candidates in late November and an election will not be necessary. At this point there still remains one vacancy. Gene Scaramella indicated he would volunteer to fill the 5th position if no one else is interested.

I. Replacement of billing system: Dorothy reported that she was current with her conversion to the new billing system, but was being cautious in converting "live." She prefers to validate more and to run parallel for a couple of billing periods before the actual "cut-over."

7. NEW BUSINESS:

A. Development of new Well Ordinance (Acker): As indicated in a prior meeting, the old well ordinance was rescinded as part of the Mallo Pass Water Agreement lawsuit settlement, and a new well ordinance must be developed. Charlie Acker prepared a copy of pertinent issues, i.e.: letter from Gordon Moores, letter from Dennis Parfitt and letter from Margaret O'Rourke, and summarized these in a memo to the Directors. Our issue is whether an individual may dig a well within the Irish Beach Water District. If permits are issued by the county, how far should it be from the District well? If a well can be dug, should a meter be put on it restricting the number of gallons per minute that can be pumped? It was agreed that there was a lot of ground work to be done before writing a new ordinance. A suggestion was made to have a licensed expert analyze the situation and not to attempt to write an ordinance until this was done. This item will remain on the agenda.

B. Amended Conflict of Interest Resolution 95-5 updating IBWD existing resolution to agree with legislative changes (Poling): The amended conflict of interest resolution was read to the public. Director Poling moved it be adopted. Director Heinzer seconded the motion. Directors Poling, Heinzer and Frame voted in favor of adopting the resolution. Director Beran was not present. There is one vacancy. The resolution passed.

C. Mallo Pass Water Project (Acker): Charlie Acker prepared a review of the Mallo Pass Water Project and summarized his considerations for the Board of Directors in a position paper. In sum, Charlie felt the current plans to develop Mallo Pass were not adequate. He feels the piping aspect is adequate, but the catchment and treatment end need considerable modification. Putting Mallo into place would also significantly add to the District's operating expenses. He felt that some alternatives should be considered. The real need at present is reliable winter water that is turbidity free. In the winter the District is almost totally dependent upon the Unit 9 well. Perhaps a second well might be considered as a backup. Reliable water capacity for the summer months can be achieved by completing a project in the Irish Creek Lower Diversion. It could be treated at the existing plant; perhaps some modifications may be required, but the District could get 1/3 more water for a much lower cost. Gene Scaramella agreed with Charlie's suggestion of giving priority to the development of the lower diversion site. The Board decided to change this agenda item to "Long Term Water Development" for future agendas.

D Unit #9 Fire Access Road - Gate Access (Acker): Charlie had spoken with Bill Moores who expressed that he wished to limit access to his timber lands. He suggested the residents involved be given a combination to the lock and the gate be kept closed. No decisions were made although Charlie is to pursue acquiring a different type of lock. Marv Satuloff thought there was something in our agreement that the roads had to be kept open for emergency reasons for the unit 9 and condominium residents.

E. Watershed Sanitary Survey (Acker): Charlie spoke with Mark Parson (from the group requiring the Watershed Sanitary Survey) inquiring for names of engineers for a second bid as well as if the deadline might be flexible. Mr. Parson indicated that if additional time were needed we could call to discuss the matter with him. Director Poling expressed that she would like to pursue a group approach and get a lot of small districts together. She also indicated she may have someone to do a second bid. No decision was made at this time with Charlie and Kathy to discuss this matter in the future.

F. Adoption of Job Description for Part Time Administrator/Operations Manager (Acker): Charlie had completed preparation of the job description and provided each member of the Board with a copy in his/her meeting packet. Director Heinzer moved to accept the description as written. Director Poling seconded the motion. The motion passed unanimously.

G. Participate in IBIC mailings and share costs (Poling): Director Poling suggested we consider publishing a dual Irish Beach news with the Water District joining in with IBIC to share costs. Both Directors Heinzer and Frame agreed in principle. Director Poling said she would bring up the matter to the IBIC board to see what they think about the suggestion.

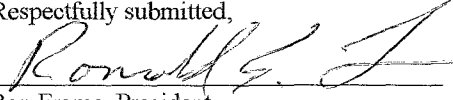
H. Budget for Fiscal 1995-96: The Directors worked very hard in analyzing the budget. A thorough analysis of Fire District income and expense was undertaken with consideration in mind of lowering availability charges. However, because of the drain on the District due to the lengthy litigation and the fact that maintenance and other necessary projects that have been put off because of that, at this time it is not possible to lower rates. It was also decided not to charge the Fire District 1/9 of overall administrative costs as is currently done. For the 1995-1996 fiscal year, the Fire District will be charged a total of \$8,500.00 (aside from those costs such as insurance which are broken down by water and fire). This \$8,500.00 will be charged back to the Fire District at the rate of 1/12 each month. Director Frame moved that the Board of Directors accept the budget as presented. Director Poling seconded the motion and it passed unanimously.

I. LP Timber Harvest Plan (Acker): Charlie wrote a letter to Joseph Naya, Forester for Louisiana Pacific thanking him for informing the District of intent to file a THP and expressing the District's concern of a negative impact of the water catchment facilities. A copy of the letter was in the Director's packet.

J. Unit #5 Water System & Supply: Marv Satuloff brought before the Board of Directors the concern that as part of the litigation settlement, the District would have to provide 500 gallons per day to some 54 homes and 300 gpd to the rest. Attached with the settlement was a water model drawn up by Marv illustrating that in the driest year, and even with Mallo Pass fully developed, the maximum number of homes the District could provide water would be 401. The existing subdivision has 444 lots and this does not include Unit #5. In essence, the Water District does not have sufficient water to supply Unit #5. The District accepted the water facilities installed by the developer several years ago in Unit #5. Marv also expressed concern that the facilities were not installed by a licensed contractor. Marv stated that if the Board allows Unit #5 and if at some point in the future the District does not have enough water to supply the homes, it runs the possibility of getting sued. Or the District can renege on accepting Unit #5 (if it did accept Unit #5) and risk the possibility of being sued by Mr. Moores. Director Poling brought forward a copy of the various conditions that are to be met before the County Planning Commission would accept Unit #5 as a subdivision; condition #9 deals with water and supply of. Director Poling stated she would call Frank Lynch at County Planning to determine whether or not Condition #9 of the Subdivision of Unit #5 is yet to be complied with. This item will remain on the agenda.

8. ADJOURNMENT: Director Heinzer voted to adjourn the meeting and Director Poling seconded the motion. The motion passed unanimously and the meeting was adjourned at 1:15 PM.

Respectfully submitted,


Ron Frame, President

Prepared by Dorothy Cong

Attest:



Rudy Beran, Secretary

Irish Beach Water District
July / August Operations Report

Charlie Acker

July 8 - Board Meeting
5 hrs.

July 11- Repaired leaking service line in Unit 7 w/John
4 hrs.

July 13 - system checks - check requirements for SDRMA workshop attendance.
3 hrs.

July 18- Meet w/ Fred Euphrat about Watershed Sanitary Survey.
3 hrs.

July 19 - Check test results w/ Alpha Labs (corrected reporting error)
3hrs.

July 25- Reimbursement return for SCBA unit (Rex) ; cut weeds and brush at tank 3. Get
6 hrs. sample for paint color.

July 27- Mow weeds and cut brush around Tank 4 Safety Meeting (?)
3 hrs.

July 31- Pick up 3" drain line for Tank 3 in Ft. Bragg. (Reimbursement)
2 hrs.

August 1- Monthly report to DHS Santa Rosa. Deliver materials for repair of overflow line
6 hrs. at Tank 3

August 3- system checks
3 hrs.

August 8- Prepare for hydrant installation w/ John; Exchange materials in Healdsburg
8 hrs.

August 9- Hydrant installation on Navarro Way w/ John
8 hrs.

August 10- Finish Hydrant installation
8 hrs.

August 11- Fax report of broken TV cable to Wander Cable (Russ Jarvis)
2 hrs.

August 15- System checks
3 hrs.

Repair valve at Tank 2.

August 17- Regular system checks
3 hrs.

August 28- ISO report. Representative gets data on system.
5 hrs.

August 29- ISO continuing to collect data
3 hrs.

August 30- ISO finished.

Aug 31- Safety Meeting - Monthly report into DHS Santa Rosa.
4 hrs.

Sept 4- Preparation for meeting -
1 hr

Sept. 5- Regular checks - meeting prep - checking files Mallo Pass & well ord.-
5 hrs. pick up timer for well at unit 9 (Reimburse)

Sept 7 - Meeting prep. Make copies of Well Ordinance mtl. - review Mallo Pass design.
8 hrs.

Sept. 8 - More meeting preparations - compile reports, etc.
4 hrs.

Upcoming projects:

Install by-pass at Tank 3 still not done.

Continuing repair of overflow line at Tank 3.

Confirm purchase of Weed Eater (\$600).

Touch up Tank 3 and Tank 1 rust.

Repair valve at Tank 2.