

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES –REVISED
November 14, 2015

1. **CALL TO ORDER AND ROLL CALL:** President Harley called the Regular Meeting to order at 10:00 A.M. on Saturday, November 14, 2015, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: President Harley, Director Drolet, Director McCormick, and Director Murray. Director Poling attended by phone from 1726 Stanley Dollar Dr., #2B, Walnut Creek, CA 94595. Also present were Charles Acker, District Operations Manager, Dewey Rogers, Water Technician, Secretary/Clerk, Connie Sackman, and District’s Legal Counsel, Matthew Emrick.
2. **APPROVAL OF MINUTES:** Motion was made by Director Drolet to approve the Meeting Minutes for September 12, 2015, Director McCormick seconded the motion. Roll call vote: Director Harley, aye; Director Drolet, aye; Director McCormick, aye; Director Murray, aye; and Director Poling, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** Director Harley stated: A certified letter regarding solicitation for position with the LAFCo Board was received by Secretary/Clerk and filed. No other action taken.
4. **PUBLIC INPUT:** No public input at this time.
5. **REPORTS:**
 - A. **TREASURER’S REPORT:** Treasurer Murray handed out her Treasurer’s Report. Report included review of restricted assets, year-end review of actual vs. budget, and comments for next year. After some discussion, Treasurer Murray called for the list of checks issued to be approved for payment, and to accept Treasurer's report as presented. Director Poling made a motion to accept the Treasurer’s Report for checks issued. Seconded by Director Drolet. Roll call to vote: Director Drolet, aye; Director McCormick, aye; President Harley, aye; Director Murray, aye, and Director Poling, aye. Motion carried. The handout beginning “Notes for Treasurer's Report” is attached to these meeting minutes.
 - B. **WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** District Operations Manager, Charles Acker reported the following: Leaks have been repaired, next action will be repairing hidden leaks. Final fence installation completed at the treatment plant. IBWD was removed from the recent LAFCo meeting due to resolved resolution with DeRuiter property. The maintenance work contracted with Riboli & Sons has been completed. Discussed the status of source waters at Irish Gulch, which continue to be an adequate water supply.
 - C. **SAFETY COMMITTEE:** Charles Acker, District Operations Manager, reported the following topics: On September 22, 2015, Employees Dewey Rogers, Paul DeVaul, and Charlie Acker met and reviewed safety booklets on asbestos and office ergonomics. On October 27, 2015, Employees Dewey Rogers, Paul DeVaul, and Charlie Acker met and reviewed safety booklet on Personal Protective Equipment.
 - D. **LEGAL COUNSEL:** State Drought Report due mid-December to **compare** water usage for **year 2013** vs **year 2015**.
 - E. **DIRECTORS:** Nothing to mention.

6. OLD BUSINESS:

A. DISCUSSION AND/OR ACTION AND PUBLIC INPUT: PROPOSED LAFCO DETACHMENT OF DERUITER PROPERTY FROM THE DISTRICT; UPDATES ON IMPACTS TO THE DISTRICT; PROPOSED DEED RESTRICTION LANGUAGE RELATING TO WATER USE ON DERUITER PROPERTY: (EMRICK/HARLEY).

Attorney Emrick opened the discussion by referring to what is included in the packet of information: Resolution 2015-5, further modifying Resolution 2013-1 and 2015-4, will be drafted by Legal Counsel Emrick to include the following: The district will allow for a replacement well of similar capacity and location with no new hydrological report, if the existing well is deemed failed by the District. Director McCormick made a motion to accept Resolution 2015-5. Seconded by Director Poling. Roll call to vote: Director Drolet, aye; Director McCormick, aye; President Harley, aye; Director Murray, aye, and Director Poling, aye. Motion carried. Resolution 2015-5 will be presented for signing at the next board meeting. Attorney Emrick stated that the DeRuiter property building permit has been approved, and the IBWD has been removed from the CC&R's.

B. DISCUSSION AND/OR ACTION: CROSS CONNECTION PROGRAM REVIEW: (ACKER/HARLEY). Operations Manager Acker stated there is nothing to report at this time.

7. NEW BUSINESS:

A. DISCUSSION AND/OR ACTION: REVIEW OF THE DISTRICT'S WEBSITE

WWW.IBWD.ORG: (HARLEY). President Harley stated that the website is hard to manipulate. Needs changes/updates to the links, add more links, and change some of the terminology. President Harley requested Director Murray to coordinate updates/changes, with the Boards approval. Website updates/changes discussion will be added to the agenda for the next board meeting under 5. Reports: Directors. Director Drolet made a motion to approve the website review and updates with Board approval. Seconded by President Harley. Roll call to vote: Director McCormick, aye; Director Murray, aye; Director Drolet aye; President Harley, aye; and Director Poling, aye. Motion carried. Director Poling requested the website address be added to the water billing statements. Director Murray stated the website address will be added to the billing statements.

B. DISCUSSION AND/OR ACTION: FIXED ASSET PURCHASE OF FILING CABINET FOR IBWD CLERK/SECRETARY: (MURRAY). Director Murray discussed that a filing/storage cabinet is needed for the administrative files and supplies, due to what is being used is no longer adequate. A motion was made by Director Drolet to approve the purchase of the filing/storage cabinet. Director Murray seconded the motion. Roll call to vote: Director McCormick, aye; Director Murray, aye; Director Drolet, aye; President Harley, aye; and Director Poling, aye. Motion carried. Director Murray also reported that a new printer was purchased, as the old printer was not compatible with Windows 8.0.

Director Harley closed the public session at 10:59A.M. for the Executive (Closed) Session.

8. EXECUTIVE (CLOSED) SESSION. No reportable items.

RETURN TO OPEN SESSION AND REPORT.

President Harley reconvened the General Session of the IBWD and stated that there were no reportable actions to report regarding existing litigation.

ADJOURNMENT: Director Drolet moved to adjourn the meeting. President Harley seconded. Roll call to vote: Director McCormick, aye; Director Murray, aye; Director Drolet, aye; President Harley, aye; and Director Poling, aye. Motion carried. Meeting adjourned at 11:32A.M.

Respectfully submitted,

Don Harley, President
Prepared by Connie Sackman

Attest:

Leon Drolet, Secretary of the Board

Attachment

Notes for Treasurer's Report for November 14, 2015, meeting of Irish Beach Water District

Year-end review of the Restricted Assets resulted in the following transfers:

1. \$41,248.00 from Projects in Progress to Fixed Asset Account 111.600.
2. \$5,197.00 from Projects in Progress to Fixed Asset Account 111.700.
3. \$28,761.00 from System Wide investment reserve to operations cash for remainder of Tank 1 and Tank3 construction expenditures.
4. \$16,984.00 from operations cash to Alternate Water Development Fund for missed deposits to investment account. Installment of property assessments deposited to operating cash instead of investment fund. This corrects that entry.
5. \$51,000 transfer from System Wide investment account to Greater 40 replacement reserve to revise contribution to Tank 1 construction from \$101,000 to \$50,000. (Board approved use of Greater than 40 replacement reserves to complete Tank 1)

Year-end review of the Actual vs. Budget for year ended September 30, 2015:

1. Cash Statement balances are all good.
2. Summary Budget Vs Actual reports net ordinary income of \$34,052 over estimated income in budget.
 - a. Transmission and Distribution over budget due to constant battle with leaks, \$1,983
 - b. Source of supply, Water treatment, under budget by \$14,408.
 - c. Customer Accounts under by \$7,985. However, Salaries in Admin & General are over \$3,856.
 - d. Admin & General in total is under budget by \$5,554.

Next Year Comments:

1. Greater than 40 Year Asset Replacement Reserve is \$207,991. If re-allocated revenue of \$50,000 from greater than 40 spent on Tank 1 is transferred back from System Wide, then we are very close to 10% of replacement limit of \$258,221. Therefore, next year's budget should be amended to include some projects for replacement of some of the greater than 40 year assets. (Pipe line all units listed)
2. System Wide reserves are under \$5,000; therefore, do not need to budget for system wide projects.
3. Alternate Water Development reserve is \$260,908.
4. Ops Reserve is \$16,757.
5. Less than 40 year reserve has budget increase of \$12,000 this year.

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
January 9, 2016

1. **CALL TO ORDER AND ROLL CALL:** President Harley called the Regular Meeting to order at 10:02 A.M. on Saturday, January 9, 2016, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of Directors in attendance were: President Harley, Director Drolet, Director McCormick, and Director Murray. Director Poling was not able to attend due to audio difficulties. Also present were Charles Acker, District Operations Manager, Dewey Rogers, Water Technician, Secretary/Clerk, Connie Sackman, and District's Legal Counsel, Matthew Emrick.

2. **APPROVAL OF MINUTES:** Under **REPORTS: LEGAL COUNSEL:** One item to be changed to read: State Drought Report due mid-December to compare water usage for year 2013 vs. year 2015. Director Murray requested her Treasurer's Report be attached to the Minutes in the Meeting Packet and it was not. The Treasurer's Report will be attached to the Meeting Minutes. Director Drolet made a motion to approve the Minutes of November 14, 2015, with the changes as discussed. Director McCormick seconded the motion. Roll call vote: Director Harley, aye; Director Drolet, aye; Director McCormick, aye; Director Murray, aye; and Director Poling, absent. Motion carried.

3. **COMMUNICATIONS AND CORRESPONDENCE:** No communications and correspondence at this time.

4. **PUBLIC INPUT:** No public input at this time.

5. **REPORTS:**
 - A. **TREASURER'S REPORT:** Treasurer Murray handed out her Treasurer's Report. The report reviewed the Irish Beach Water District Cash and Assets with a blank space for checking deposits filled in on the revised handout sheet for the amount of \$66,910 making a grand total of \$578,393 compared to the last period of \$586,464.49. After review and discussion, Treasurer Murray called for a motion for the list of checks issued to be approved for payment, and to accept Treasurer's report as presented. Seconded by President Harley. Roll call to vote: Director Drolet, aye; Director McCormick, aye; President Harley, aye; Director Murray, aye, and Director Poling, absent. Motion carried.

 - B. **WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** District Operations Manager, Charles Acker presented and discussed with the Board his written report: **For California's water usage restrictions policy, the District chose the two day-a-week watering schedule instead of the alternate 25% reduction in usage. This approach garnered a 15% reduction in usage.** The operations report listed standard and daily tasks that were accomplished for the reporting period. A major occurrence was a lightning storm in January that damaged the circuit board for the chlorine analyzer, alarm system, and transfer pump on tank 2. The circuit board for the chlorine analyzer and the alarm system are again functional after repairs were completed. A new pump has been ordered to replace the damaged transfer pump and the damaged pump will be rebuilt as a backup. Chemical testing was completed and transported to the lab.

- C. **SAFETY COMMITTEE:** Charles Acker, District Operations Manager, stated: No safety committee meeting to report for this period.
- D. **LEGAL COUNSEL:** Legal Counsel, Emrick stated that there is nothing to report for the regular reports.
- E. **DIRECTORS:** Director Harley stated the following: In regard to the website, Director Harley will e-mail a list of changes he recommends to the directors for discussion and approval for the next board meeting.
6. **OLD BUSINESS:**
- A. **DISCUSSION AND/OR ACTION AND PUBLIC INPUT: POMO LAKE RESTORATION PROJECT REGARDING IRISH BEACH WATER DISTRICT'S LICENSE.** The Water District Directors, Legal Counsel Emrick, and guest Dean Wolfe, Irish Beach Improvement Club President, discussed who has responsibility for the Pomo Lake dam. It was agreed that a title search will be ordered by the Irish Beach Improvement Club to determine responsibility for the dam. This discussion and/or action will be brought before the Water District Board at the next meeting.
- B. **DISCUSSION AND/OR ACTION: CROSS CONNECTION PROGRAM REVIEW: (ACKER/HARLEY/RUSSELL).** Operations Manager Acker requested Rio Russel, Irish Beach Water District Meter Reader and Back Flow Specialist, to present to the Board information and recommendations regarding the State Water Resources Control Board (SWRCB) mandates for public water systems to implement a cross-connection control program (CCCP/back flow program) that would accomplish the needs of the Irish Beach Water District. The following is Rio's recommendations: In Rio's memo he recommends a 3-step program: Draft a Resolution for creating a backflow prevention program for the Board's approval, implementation of the approved program by conducting a survey to identify cross-connection hazards at property owners' connections, installation of back flow devices as identified from the survey. It was discussed that all new construction requires a back flow system. The back flow systems purchase and installation will be financed by the Irish Beach Water District. The maintenance expenses will be integrated into the billing system, as the entire Irish Beach community will benefit from this new state mandate of back flow prevention. A draft resolution will be presented for discussion and/or action at the next board meeting.
7. **NEW BUSINESS:**
- A. **DISCUSSION AND/OR ACTION: ELECTION OF WATER DISTRICT BOARD OFFICERS: (HARLEY).** After the Board's discussion, Director Murray made the motion to accept and approve President Harley's slate of officers for the calendar year 2016, that slate being Director Harley, President; Director Drolet, Vice President; Director McCormick, Secretary; Director Murray, Treasurer; and Director Poling, Director at Large. Seconded by Director Harley. Roll call to vote: Director McCormick, aye; Director Murray, aye; Director Drolet aye; Director Harley, aye; Director Poling, absent. Motion carried.
- B. **DISCUSSION AND/OR ACTION: COMMUNITY SERVICE DISTRICT PRESENTATION: (EMRICK).** Legal Counsel, Emrick made a presentation to the Board to determine if there are advantages for a broader slate of services than the Water District currently has. Discussion by the Water District Board determined that it is more appropriate and favorable for the size of the Irish Beach Community to remain a water district rather than take on more services and lose the advantages of a water district. Director Harley stated no further discussion of this topic is required and it will be removed from the agenda.

- C. DISCUSSION AND/OR ACTION: ACCEPT AND FILE AUDITED FINANCIAL STATEMENTS FOR FISCAL YEAR ENDING SEPTEMBER 30, 2014, COMPLETED BY RICK BOWERS, CPA: (MURRAY).** After Treasurer Murray presented the financial statements, as completed by Rick Bowers, CPA, the Water District Board discussed and reviewed the report with Treasurer Murray. Treasurer Murray stated all aspects of the report show our accounting records for the District are accurate and the Water District Board concurred. Treasurer Murray made a motion to accept and file the audit of financial statements for fiscal year ending September 30, 2014. Seconded by President Harley. Roll call to vote: Director McCormick, aye; Director Murray, aye; Director Drolet, aye; Director Harley, aye; Director Poling, absent. Motion carried.
- D. DISCUSSION AND/OR ACTION: APPROVE AND DIRECT TREASURER TO SIGN LETTER OF ENGAGEMENT FOR AUDIT AND FINANCIAL STATEMENT PREPARATION FOR FISCAL YEAR ENDING SEPTEMBER 30, 2015, TO BE COMPLETED BY RICK BOWERS, CPA, FOR \$5,000: (MURRAY).** Treasurer Murray reviewed and the Water District Board discussed the necessity of the audit reports and continuing with Rick Bowers, CPA for auditing and compiling the audit reporting. Treasurer Murray made the motion to sign the engagement letter for next year's audit with Rick Bowers, CPA. Seconded by Director Drolet. Roll call to vote: Director McCormick, aye; Director Murray, aye; Director Drolet, aye; Director Harley, aye; Director Poling, absent. Motion carried.
- E. DISCUSSION AND/OR ACTION: REQUEST TO OUT SOURCE PAYROLL SERVICES TO PATRICIA SCHWINDT, CPA, POINT ARENA: (MURRAY).** Director Murray presented information to the Board in recommendation of out sourcing payroll services for employees. After discussion and review a motion was made by Director Drolet to out source payroll services to Patricia Schwindt, CPA, with the first payroll to be January 31, 2016. Seconded by Director McCormick. Roll call to vote: Director McCormick, aye; Director Murray, aye; Director Drolet, aye; Director Harley, aye; Director Poling, absent. Motion carried.
- F. DISCUSSION AND/OR ACTION: APPROVE WATER SALES CONTRACTS FOR CURRENT FISCAL YEAR FOR MALSOM TRUCKING AND MENDOCINO WATER COMPANY: (MURRAY).** Director Murray discussed with the Board the need to renew contracts with Malsom Trucking and Mendocino Water Company. A motion was made by Director Harley to approve the contracts for Malsom Trucking and Mendocino Water Company at a cost to them of \$25 per thousand gallons of water, effective January 9, 2016. Roll call to vote: Director McCormick, aye; Director Murray, aye; Director Drolet, aye; Director Harley, aye; Director Poling, absent. Motion carried.

Director Harley closed the public session at 1:30 P.M. for the Executive (Closed) Session.

- 8. EXECUTIVE (CLOSED) SESSION.** No reportable items.

RETURN TO OPEN SESSION AND REPORT.

President Harley reconvened the General Session of the Irish B Each Water District and stated that there were no reportable actions to report regarding existing litigation.

ADJOURNMENT: Director Drolet moved to adjourn the meeting. President Harley seconded. Roll call to vote: Director McCormick, aye; Director Murray, aye; Director Drolet, aye; President Harley, aye; and Director Poling, absent. Motion carried. Meeting adjourned at 1:40 P.M.

Respectfully submitted,

Don Harley, President
Prepared by Connie Sackman

Attest:

Jan McCormick, Secretary of the Board

**IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
February 18, 2016**

1. **CALL TO ORDER AND ROLL CALL:** President Harley called the Special Meeting to order at 10:00 A.M. on Thursday, February 18, 2016, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of Directors in attendance were: President Harley, Director Drolet, Director McCormick, and Director Murray. Director Poling attended by phone from 1726 Stanley Dollar Dr., #2B, Walnut Creek, CA 94595. Also present were Charles Acker, District Operations Manager, and District's Legal Counsel, Matthew Emrick.

2. **DISCUSSION AND/OR ACTION: LAFCO: COMPLETE BALLOT TO FILL SPECIAL DISTRICT VACANCY ON LAFCO BOARD TO BE SUBMITTED BY FEBRUARY 25, 2016: (HARLEY/ACKER).** Operations Manager Acker recommended the Irish Beach Water District vote for Tony Orth. Director Murray made the motion to complete our LAFCO ballot selecting Tony Orth for our vote. Director Poling Seconded the motion. Roll call vote: Director Harley, aye; Director Drolet, aye; Director McCormick, aye; Director Murray, aye; and Director Poling, aye. Motion carried.

Director Harley closed the public session at 10:15 P.M. for the Executive (Closed) Session.

**3. EXECUTIVE (CLOSED) SESSION.
RETURN TO OPEN SESSION AND REPORT.**

President Harley reconvened the General Session of the Irish Beach Water District and stated that there were no reportable actions to report regarding existing litigation.

ADJOURNMENT: Director Drolet moved to adjourn the meeting. President Harley seconded. Roll call to vote: Director McCormick, aye; Director Murray, aye; Director Drolet, aye; President Harley, aye; and Director Poling, aye. Motion carried. Meeting adjourned at 12:08 P.M.

Respectfully submitted,

Don Harley, President
Prepared by Director McCormick

Attest:

Jan McCormick, Secretary of the Board

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
March 12, 2016

1. **CALL TO ORDER AND ROLL CALL:** President Harley called the Regular Meeting to order at 10:01 A.M. on Saturday, March 12, 2016, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of Directors in attendance were: President Harley, Director Drolet, Director McCormick, Director Murray, and Director Poling. Also present were Charles Acker, District Operations Manager, Dewey Rogers, Water Technician, Secretary/Clerk, Connie Sackman, and District's Legal Counsel, Matthew Emrick.
2. **APPROVAL OF MINUTES:** Director Drolet made a motion to approve the Minutes of January 9, 2016. Director Murray seconded the motion. Roll call vote: President Harley, aye; Director Drolet, aye; Director McCormick, aye; Director Murray, aye; and Director Poling, absent - temporarily absent from the meeting. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** One item that is on the agenda.
4. **PUBLIC INPUT:** No public input at this time.
5. **REPORTS:**
 - A. **TREASURER'S REPORT:** Treasurer Murray handed out her Treasurer's Report. Treasurer Murray stated there is nothing out of the ordinary to report, except System Wide is minus \$34,000, which is new because of what was transferred as being owed from System Wide to Greater Than 40. This negative \$34,000 in System Wide is due to Greater Than 40 made whole from the loans taken out, which will be covered when tax monies are received and other adjustments are made as necessary. Checks issued will be placed in the meeting packets before the meetings as a standard procedure. As noted in the Checks Issued Sheet, the \$8,000 check payment was issued as our obligation for the maintenance agreement. \$15,000 is a transfer from one bank account to another for employee payroll purposes. Director Harley made the motion to accept the Treasurer's Report and Checks Issued as presented. Seconded by Director McCormick. Roll call to vote: Director Drolet, aye; Director McCormick, aye; President Harley, aye; Director Murray, aye, and Director Poling, absent. Motion carried.
 - B. **WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** District Operations Manager Acker presented and discussed with the Board his written report:
 - A major leak was located near the Irish Beach Rental Office at Noyo Way. This major leak consisted of five days of repair work, with part of the system able to be shut off and still provide water service to all the property owners, except for two structures, the rental office, which was not unduly hampered by the lack of water supply, and a rental property. A water supply from another service connection provided water to the rental property, and a notice was posted on the rental property stating compensation by the Water District would be made, if the water meter registered a large amount of water usage.
 - A bush was left on a property owner's lot after repairs on Arena Circle. The bush was cleared away after another property owner reported it.
 - Several trips to Ukiah were needed to have water samples tested in January.
 - A Cross Connection Resolution has been completed for discussion during today's meeting.

- C. **SAFETY COMMITTEE:** District Operations Manager Acker stated: No safety committee meeting to report for this period.
- D. **LEGAL COUNSEL:** Legal Counsel Emrick stated: The Water District will have had 1 ½ weeks of litigation, a week of testimony, and testimony will be concluded by next Wednesday, March 16, 2016. Closing arguments will be scheduled for March 25, 2016, at 1:00 P.M., in Ukiah.

E. **DIRECTORS:** Director Harley stated there is nothing to report.

6. OLD BUSINESS:

- A. **PRESENTATION TO THE BOARD BY DAVID DE RUITER REGARDING POTENTIAL DETACHMENT FROM THE DISTRICT AND MODIFICATION OF RESOLUTION 2015-5.** Attorney Emrick stated that the Board will come back to this item before close of the meeting as Mr.DeRuiter and his attorney are not present at this time.

DISCUSSION REGARDING A LETTER SENT TO THE BOARD FROM MR. DE RUITER'S ATTORNEY: (HARLEY/EMRICK. Due to the absence of Mr. DeRuiter and his attorney from the meeting, the following discussion commenced before the end of the meeting: President Harley stated that the letter from Mr. DeRuiter's attorney stated that they wanted to have further discussion regarding modification of Resolution 2015-5, to have a well driller make the decision of well replacement instead of Operations Manager Acker. The Board believes that Operations Manager Acker is in a better position to make a well replacement determination, as he is more knowledgeable regarding the resolution, the property it concerns, and considerations of the Board. Attorney Emrick recommends the resolution should remain as is with no further changes or modifications. Director Harley made a motion directing Attorney Emrick to let Mr. DeRuiter's attorney know that the Board has discussed the issues brought up in their letter and the Board has determined the current Resolution 2015-5 will stand as is with no changes made. Seconded by Director McCormick. Roll call to vote: Director Drolet, aye; Director Murray, aye; Director Harley, aye; Director McCormick, aye; Director Poling, aye. Motion carried.

- B. **DISCUSSION AND/OR ACTION: CROSS CONNECTION PROGRAM REVIEW: (ACKER/HARLEY/RUSSELL).** Operations Manager Acker stated Rio Russel, Irish Beach Water District Meter Reader and Back Flow Specialist, has drafted a new cross connection resolution with definitions. This item will be on the agenda for the next meeting for review and discussion regarding adoption. Director Murray will have the draft resolution with definitions put on the website and the directors will be given a copy of the draft resolution and definitions.
- C. **DISCUSSION AND/OR ACTION: POMO LAKE RESTORATION PROJECT AND IMPACTS ON IRISH BEACH WATER DISTRICT'S LICENSE #10564: (EMRICK/HARLEY).** After discussion between the Board and guest, IBIC President Dean Wolfe, Attorney Emrick stated this item will be on the agenda for the next meeting to determine if transfer of the license to the Irish Beach Improvement Club is feasible. If it is determined it is not feasible, the Board would discuss the possibility of a resolution for the Water District's Board to authorize the Irish Beach Improvement Club to do certain types of work.

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
April 22, 2016

1. **CALL TO ORDER AND ROLL CALL:** Director Harley called the Special Meeting to order at 10:14 A.M. on Friday, April 22, 2016, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: Director Harley, Director McCormick, Director Murray, Also present were Charles Acker, District Operations Manager, Dewey Rogers, Water Technician, Clerk/Secretary, Connie Sackman, and District's Legal Counsel, Matthew Emrick attended by telephone. Absent from the meeting: Director Drolet and Director Poling.
2. **APPROVAL OF MINUTES:** Director Harley noted that the Special Meeting Minutes, dated February 18, 2016, in paragraph 2, the word Seconded should be all lower case. Director McCormick made the motion to accept the February 18, 2016, Special Meeting Minutes with the noted correction. Director Murray seconded the motion. All in favor voted aye, motion passed, 3-0. Motion carried. Director Harley made a motion to accept the Regular Meeting Minutes of March 12, 2016, Director Murray seconded the motion. All in favor voted aye, motion passed, 3-0. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** Director Harley stated there is a Communication from Mendocino County to be addressed with the Board's approval. Director Harley made a motion to accept the communication as part of the agenda. Director Murray seconded the motion. All in favor voted aye, motion passed, 3-0. Motion carried. Operations Manager Acker stated the LAFCo Sphere of Influence is to be finalized at the LAFCo meeting he was invited to attend on May 2, 2016. Operations Manager Acker has submitted questions to LAFCo and will attend the meeting.

Director Harley made a motion to add to the agenda as Item New Business 7A: General Plan Amendment and Zoning Applications GP 8-2006 and R 12-2006 by William Moores, request for comments by the Irish Beach Water District, and renumber Executive Session to 8 A & B, due to adding New Business 7A. Motion seconded by Director McCormick. All in favor voted aye, motion passed, 3-0. Motion carried.

4. **PUBLIC INPUT:** No public input at this time.

5. **REPORTS:**

- A. **TREASURER'S REPORT:** Treasurer Murray presented her Treasurer's Report. Treasurer Murray stated that there is nothing out of the ordinary to report for the Cash Statement which reports the balances of the Cash and Other Assets for the unrestricted and restricted assets. The Cash and Other Assets of \$107,933 are a part of the operating budget. The Restricted Assessment Assets of \$529,944 are invested cash held from the special assessments for capital improvements collected by the County Tax Collector. Treasurer Murray reviewed the statement of Revenues and Expenses explaining that this is a review of budget to actual with 43% of revenues and 53% of expenses posted at half way through this fiscal year. Contract water sales of \$6,465 are not included in the reported Water Usage. Water availability is 42%, however, March/April billing has not been posted in the amount of \$13,000, which would bring the total up to 50%. General and Administrative is 61%, due in part to litigation advance of \$5,000, and the negotiated road maintenance agreement of \$8,000. The Restricted Asset review will be continued in Old Business Item 6B, with discussion regarding the need for using the greater than 40 year replacement reserve assets by September 30, 2016, for pipe replacement projects. The checks issued report has an attachment showing payroll processed by the Patricia Schwindt CPA firm. Treasurer Murray stated she needed approval of payrolls for February and March 2016. Director McCormick made a motion to

accept the Treasurer's Report and Checks Issued Report, including payroll. Seconded by Director Harley. All in favor voted aye, motion passed, 3-0. Motion carried.

B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS: District Operations Manager Acker presented and discussed with the Board his written report:

- Tested for water leakage and added a meter to tank 3 to diagnose the degree of water coming out of the tank to assess where leakages are coming from. This is an ongoing project for water leakage maintenance.
- The end of March was the end of the quarter for outstanding water samples due for the two wells, and the annual report showing water usage and charges was submitted as well. A copy of the report is featured on the website.
- Payment was issued for tank renewal for Tank 3.
- All electrical was inspected and deemed up to code.
- Arrangements were made with Parlin Fork Conservation Camp to remove and burn brush around the firehouse site and along the pipe route going up the canyon, as well as assist with installing new pipe.
- Received estimates for pipe replacement and researched grades of piping.
- Received a request by a property owner to extract dirt from a culvert under the property's driveway. It was determined, due to disintegration of piping, the property owner would need to hire a private contractor to do what is needed, which may require permits as well.
- A newspaper announcement stated the state's resources board will be meeting and providing new regulations regarding the drought situation. The state's findings will be available in early May 2016.

C. SAFETY COMMITTEE: District Operations Manager Acker stated the following meetings were conducted with the following employees in attendance: C. Acker, D. Rogers, and P. Duvaul.

February Safety Meeting: Reviewed safety booklets on "Four Generations" – Greatest Potential and "Slips, Trips and Falls" – Taking the Right Steps.

March Safety Meeting: Reviewed safety booklets on "Housekeeping" and "Emotional Wreck" – Road Rage.

D. LEGAL COUNSEL: Legal Counsel Emrick stated: Concluded three days of trial in April. In March the Water District was directed by the judge to do some further briefing. A briefing will be due April 25, 2016, and available to be posted. The Water District's follow up reply is due May 3, 2016, which will be clarifying some issues for the judge following oral closing arguments. The judge said she would rule in 30-60 days after her review. Discussed payment of attorney fees award, which will be based on the final judgement.

E. DIRECTORS: Director Harley stated there is nothing to report.

6. OLD BUSINESS:

- A. DISCUSSION AND/OR ACTION: CROSS CONNECTION PROGRAM REVIEW: Draft Resolution #2016-01 Cross-Connection Control Program and Definitions. (ACKER/HARLEY).** Discussed that the resolution would fulfill the state's requirements by a review of properties to determine where cross-connections are needed and install cross-connections by the Water District as needed. The cost of the cross-connections will be shared by the community, as a benefit to all property owners. Discussed editing, formatting, and incorporating the back flow definitions into the main body of the resolution. Director Murray made a motion to approve Resolution 2016-01, titled Cross-Connection Control Program, with the formatting and editing corrections, and approved the back flow definitions be inserted into the main body of Resolution 2016-01. Directed the clerk/secretary to complete these changes for signature of the resolution at the next board meeting. Seconded by Director Harley. Roll call to vote: Director Harley, aye; Director Murray, aye; Director McCormick, aye. Motion carried.
- B. FIXED ASSET LISTING AND ASSESSMENT CALCULATION: (MURRAY).** No action at this time. Fixed Assets will be brought back in July for the Water District Board's approval, and decide on collection of the Greater Than 40, as the funds designated for projects will have been used by that time. Will discuss at the July, 2016, board meeting collections of \$20.76 per month, with a yearly total of \$25,000. At the July, 2016, board meeting a bid for projects will be available for discussion and approval.

7. NEW BUSINESS:

- A. DISCUSSION AND/OR ACTION: GENERAL PLAN AMENDMENT AND REZONING APPLICATIONS GP8-2006 AND R 12-2006 BY WILLIAM MOORES AND REQUEST FOR COMMENT FROM THE IRISH BEACH WATER DISTRICT: (HARLEY/EMRICK).** The Board discussed the general plan amendment and rezoning applications, as the county is asking for comments from the Water District. Director Harley made the motion to authorize Operations Manager Acker to carry the Board's comments to the Mendocino County Planning Commission in regards to the Applications GP8-2006 and R 12-2006 of William Moores for rezoning and amendments. Seconded by Director McCormick. All in favor voted aye, motion passed, 3-0. Motion carried.

Director Harley closed the public session at 11:41 A.M. for the Executive (Closed) Session.

8. EXECUTIVE (CLOSED) SESSION. No reportable items.

RETURN TO OPEN SESSION AND REPORT.

Director Harley reconvened the General Session of the IBWD and stated that there were no reportable actions to report regarding existing litigation.

ADJOURNMENT: Director Harley moved to adjourn the meeting. Director Murray seconded. Roll call to vote: Director McCormick, aye; Director Murray, aye; Director Harley, aye. Motion carried. Meeting adjourned at 11:55 A.M.

Respectfully submitted,

Attest:

Don Harley, President
Prepared by Connie Sackman, Clerk/Secretary

Jan McCormick, Secretary of the Board

7. NEW BUSINESS:

- A. DISCUSSION AND/OR ACTION: FIXED ASSET LISTING AND ASSESSMENT CALCULATION: (MURRAY).** Treasurer Murray reported the following: Included in the packet are three spread sheets consisting of Greater Than 40 Asset Listing, Summary of Assessment Fees Calculation, and System Wide. This is a preliminary report of what will be continued for discussion at the next meeting. This is also a review of how funds are allocated and transferred from one account to another. The replacement reserve is over limit by \$30,000, as described in the note at the bottom of the Greater Than 40 page. This shows that Greater Than 40 Assets should be used to make maintenance repairs before September 30, 2016, fiscal year end. Coordination between Treasurer Murray and Operations Manager Acker will determine priority of maintenance projects. The raw water line entry was put on System Wide, for action next year. This item will be brought back for discussion at the next meeting and for action in July's meeting. It was discussed that this item was put on this meeting's agenda due to not having a quorum for May's meeting and the need for a special meeting in late April 2016, with the date to be determined.

President Harley closed the public session at 11:10 A.M. for the Executive (Closed) Session.

- 8. EXECUTIVE (CLOSED) SESSION.** No reportable items.

RETURN TO OPEN SESSION AND REPORT.

Director Harley reconvened the General Session of the IRISH BEACH WATER DISTRICT and stated that there were no reportable actions to report regarding existing litigation.

ADJOURNMENT: Director Harley moved to adjourn the meeting. Director Drolet seconded. Roll call to vote: Director McCormick, aye; Director Murray, aye; Director Drolet, aye; Director Harley, aye; and Director Poling, aye. Motion carried. Meeting adjourned at 11:20 A.M.

Respectfully submitted,

Don Harley, President
Prepared by Connie Sackman

Attest:

Jan McCormick, Secretary of the Board

MISSING MAY 2016 MEETING MINUTES

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
July 9, 2016

1. **CALL TO ORDER AND ROLL CALL:** Director Harley called the Regular Meeting to order at 10:05 A.M. on Saturday, July 9, 2016, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: Director Harley, Director Drolet, Director McCormick, and Director Murray. Also present was Charles Acker, District General Manager; and District's Legal Counsel, Matthew Emrick attended by telephone. Absent from the meeting: Director Poling.
2. **APPROVAL OF MINUTES:** Director McCormick moved to accept the meeting minutes of the Special Meeting on April 22, 2016, after correcting the title of Charles Acker, to District General Manager in paragraph 1; as well as adding a period instead of a comma after Director Murray in the same paragraph. Motion seconded by Director Harley. Roll call: Director Drolet, abstained; Director Harley, aye; Director McCormick, aye; Director Murray, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE: None.**
4. **PUBLIC INPUT:** None.
5. **REPORTS:**
 - A. **TREASURER'S REPORT:** Treasurer Murray presented her Cash Statement pointing out that Cash is \$75,000 and Restricted Assets is \$570,000. The list of Accounts Payable and Checks Issued Report were presented for approval. Treasurer Murray presented the Budget vs. Actual analysis and commented that there was nothing to be concerned about regarding current operating expenditures and revenues. Treasurer Murray continued to say that the District is 75% through the fiscal year with actual revenues at 76% and actual expenditures at 75%. Director Harley moved to accept the Treasurer's Report and approve the Checks Issued Report. Motion seconded by Director McCormick. Roll call: Director Drolet, aye; Director Harley, aye; Director McCormick, aye; Director Murray, aye. Motion carried.
 - B. **WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker presented his operations report of current capital improvement projects, recent leaks, and the current status of leak detection efforts. The 2015 Consumer Confidence Report has been completed. It is now posted on the District's website as well as a notice included in the July water billing statements.

General Manager Acker reviewed the action taken for the 200 gpm leak on May 29th, on Irish Beach Drive, which is the second recent leak in unit 1. General Manager Acker reviewed the actions taken for the massive leak at Cypress Circle occurring July 2nd, about 6:00 P.M. It was reported that a fire truck had been seen a day or two earlier doing something to the hydrant nearby. General Manager Acker will stencil each fire hydrant with a warning not to use any external pumping device when using or testing hydrants, as this could compromise the pipes and possibly cause a blowout. Residents reported confusion in how to report the leak. Phone numbers of staff and board members have been posted in the kiosks. Also improvement will be made to the District's website. The main phone number of the District's plant, 707-882-2892, will direct callers to either the water technician or the clerk/secretary.

General Manager Acker further reported that, thanks to Water Technician Dewey Rogers, new meters have been installed in unit 7 to aid in leak detection. Three leaks were identified. The proposed pipe replacement on O'Rorey's Loop is being planned and mapped out. This project will be financed with Greater Than 40

Year Replacement Reserves. This project consists of 1,500 feet of pipe at an estimated \$100 a foot replacement cost. Residents will not experience more than 15 minutes of water outage. New pipe will be installed parallel to the old. Individual customers will then be connected to new pipe. Staff will go door-to-door to notify residents of temporary water outage. This project is expected to be done in mid-August.

General Manager Acker also reported on a 1,000 foot raw water line project, which is on our Capital Improvement List. Three quarters of the raw line has been laid. After the pipe is laid, it will be stabilized. Rigging expert, Andy Taylor, was used to design and implement the project rigging. The staff was trained in the use of a high tech fusing device. General Manager Acker gave a slide presentation of this project. The budget for this project is approximately \$20,000.

C. **SAFETY COMMITTEE:** District Operations Manager Acker stated the meetings were conducted with the following employees in attendance: C. Acker, D. Rogers, and P. Duvaul, as presented in the meeting packet.

D. **LEGAL COUNSEL:** Legal Counsel Emrick stated there is nothing to report.

E. **DIRECTORS:** Director Harley stated there is nothing to report.

6. **OLD BUSINESS:**

A. **DISCUSSION AND/OR ACTION: FIXED ASSET LISTING AND ASSESSMENT CALCULATION: Resolution to accept Fixed Asset Listing and Approve Assessment Calculation for collection in 2016-2017: (MURRAY).** Director Murray explained that this item was carried over from the last meeting to allow General Manager Acker to further design, plan, and implement the two current projects to be funded by assessment funds. The raw water line pipe replacement to be funded by System Wide Restricted Funds and the pipe replacement project on O’Rorey’s Loop were presented in General Manager Acker’s report. With approval of these projects by the Board, Treasurer Murray made the motion to call for adoption of Resolution #2016-03 of the Board of the Irish Beach Water District for Revising and Updating Asset Listings, Assessment Fees, and Operating Reserves for Inflation and Operating/Maintenance Activities. Director Harley seconded the motion to adopt Resolution #2016-03. Roll call to vote: Director Drolet, aye; Director Harley, aye; Director Murray, aye; Director McCormick, aye. Motion carried. Capital Improvement Assessment to be collected by the County Tax Collector in fiscal year 2016-17 will be \$249.55 per parcel with 459 parcels subject to assessment. The inflation factor of 3% applied to the prior year. The January ENR CCI was 2.97% plus carryover of .03%. Three minor corrections were made to the resolution before adoption.

B. **DISCUSSION AND/OR ACTION: Resolution 2016-02 Relating to May 31, 2016, State Mandated Emergency Action Regarding Water Conservation Due to Drought Conditions and Lifting of Water Restrictions. (EMERICK/HARLEY).** President Harley reviewed Resolution No. 2016-02. The resolution affirms that the District has an adequate water supply for the next three years. Further, the District will provide voluntary measures to conserve water. Groundwater and Well Moratorium Resolution 2000-01 remains in effect. Emergency Drought Resolution 2015-2 will be rescinded. The new resolution and measures for voluntary water conservation will be added to a new link “Drought Information” on the District’s website. The old resolution will be removed, which is under “Water Reports.” Voluntary water conservation measures will be posted in the kiosks. A notice will be included in the next water billings. Director Harley moved to adopt Resolution 2016-02, with two minor corrections. Motion seconded by Director McCormick. Roll call to vote: Director Drolet, aye; Director Harley, aye; Director Murray, aye; Director McCormick, aye. Motion carried.

7. NEW BUSINESS:

- A. DISCUSSION AND/OR ACTION: Draft Budget for fiscal year 2016-2017. (MURRAY).** Director Murray explained that this is the first reading of the budget for the fiscal year beginning October 1, 2016. This item will be brought back for approval at the September meeting giving the Board Members, Budget Committee, and public a chance to review the proposed budget. There is no change in the availability charge of \$66.49 per month or water usage charge of \$0.51 per 100 gallons of water. Page 44 of the meeting packet summarizes changes, Murray added.

Director Harley closed the public session at 11:13 A.M. for the Executive (Closed) Session.

8. EXECUTIVE (CLOSED) SESSION.

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.**
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) SECTION §54956.9: (1 POTENTIAL CASE).**

RETURN TO OPEN SESSION AND REPORT.

Director Harley reconvened the General Session of the IBWD AT 11:33 A.M. and stated that there was one reportable action taken. After reviewing information presented by the CPA firm contracted to process our payroll, Treasurer Murray determined that our Pre-Tax Health Benefit Premium Plan was no longer allowed. Treasurer Murray made a motion that she will amend the policy and no longer offer pre-tax deductions for health insurance to employees. Director Drolet seconded the motion. Roll Call to vote: Director Drolet, aye; Director Harley, aye; Director Murray, aye; Director McCormick, aye. Motion carried.

ADJOURNMENT: Director Harley moved to adjourn the meeting. Director Drolet seconded. Roll call to vote: Director McCormick, aye; Director Murray, aye; Director Harley, aye; Director Drolet, aye. Motion carried. Meeting adjourned at 11:45 A.M.

Respectfully submitted,

Attest:

Don Harley, President

Jan McCormick, Secretary of the Board

Prepared by Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
September 10, 2016

1. CALL TO ORDER AND ROLL CALL: Director Harley called the Regular Meeting to order at 10:00 A.M. on Saturday, September 10, 2016, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: Director Harley, Director Drolet, and Director McCormick. Also present was Charles Acker, District General Manager; and District's Legal Counsel, Matthew Emrick. Absent from the meeting: Director Murray and Director Poling.

2. EXECUTIVE (CLOSED) SESSION: NO REPORTABLE ACTION WAS TAKEN.

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9: (1 POTENTIAL CASE).

RETURN TO OPEN SESSION AND REPORT. DIRECTOR HARLEY RECONVENED THE OPEN SESSION OF THE IBWD AT 10:20 A.M., AND ANNOUNCED NO REPORTABLE ACTION WAS TAKEN IN THE EXECUTIVE SESSION.

3. APPROVAL OF MINUTES: The Board decided to review and approve the July 9, 2016, Meeting Minutes at the next meeting as there was a question regarding the omission of page 44 of the meeting packet. Treasurer Murray has since reported that she was referring to page 43, a summary of the differences between the 2015-2016 budget and the 2016-2017 budget that was in the meeting packet.

4. COMMUNICATIONS AND CORRESPONDENCE: Communication from William Moores regarding cost of current water lines was discussed in 6.A., Treasurer's Report.

5. PUBLIC INPUT: The President of the Irish Beach Improvement Club, Dean Wolfe, presented the following: There are grant funds available through Cal Fire for reduction of fire fuel and establish fire breaks. President Wolfe proposed to make an application for Cal Fire grant funds as a joint venture between the Irish Beach Water District and Redwood Coast Fire District. Director Drolet volunteered to be the representative for IBWD and put together a plan to apply for the Cal Fire grant funds as an agenda item for the next meeting.

6. REPORTS:

- A. **TREASURER'S REPORT:** In Treasurer Murray's absence, the Board reviewed Cash and Assets Statements pointing out that Cash is \$38,656 and Restricted Assets is \$567,627. The list of Accounts Payable and Checks Issued Report were reviewed for approval. The question from William Moores was reviewed regarding his request to identify which fund expenditures related to which projects. The Board deferred this topic to Treasurer Murray for the next meeting to identify invoices for water pipe replacement projects. Director Drolet moved to accept the Treasurer's Report and approve the Checks Issued Report. Motion seconded by Director McCormick. Roll call: Director Drolet, aye; Director Harley, aye; Director McCormick, aye. Motion carried.

- B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker presented his operations report of the water pipe replacement project as follows: The pipe replacement project for the O’Rorey’s Loop has been completed and pressure tested, and all pipes held at 100%. Installed an additional fire hydrant. In the next week will do new water connections to houses that are occupied, and shut off all old water pipes. The most concerning and largest effort was finding utility lines under water lines, which was accomplished by using the vacuum pump. The service hazards encountered were 12,000 volt Pacific Gas & Electric Company lines (not all marked) buried with and touching existing (old) water mains, which constituted a severe hazard to IBWD workers and contractors during this project. Two photos showing this service hazard encountered are an attachment to these meeting minutes.
- C. SAFETY COMMITTEE:** District General Manager Acker stated he will catch up on safety reports and report to the Board at the next meeting.
- D. LEGAL COUNSEL:** Legal Counsel Emrick stated his presentation will be discussed in 8.A.
- E. DIRECTORS:** Director Harley stated the following: The house owned by Michael Smith, at 15700 Forest View Road, incurred high water usage during this billing period, which was caused by a broken water pipe. Michael Smith inquired if the high water usage could be negotiated with the District. After discussing this issue by the Board, it was agreed that District General Manager, Charles Acker, would compose a letter to Michael Smith stating that it was the Board’s determination that the responsibility for the high water usage resides with the home owner and that payments can be spread over time.

7. OLD BUSINESS:

- A. DISCUSSION AND/OR ACTION: Draft Budget for Fiscal Year 2016-2017. (MURRAY).** In Treasurer Murray’s absence, the Board discussed and reviewed the Draft Budget for Fiscal Year 2016-2017. Director Drolet made the motion to accept the Budget for Fiscal Year 2016-2017, as presented in the meeting packet. The motion was seconded by Director Harley. All in favor voted aye, motion passed 3-0. Motion carried.

8. NEW BUSINESS:

- A. DISCUSSION OF STATUS OF EXISTING ASSESSMENTS FOLLOWING PHASE 3 TRIAL. DISCUSSION OF POTENTIAL FUTURE PROPOSITION 218 VOTE. (EMRICK/HARLEY).**

The Board authorized a potential appeal of the judge’s proposed final decision. While the decision was largely in the District’s favor, the decision in part did not provide realistic compliance timelines for the District on certain matters. The judge’s proposed decision is partially summarized as follows: held in favor of the District with respect to a 2002 Settlement Agreement; validated the fixed capital improvement assessment which will end in 2017; validated the capital replacement assessment but ordered a refund of a collection overage of the reserve fund based on a new interpretation of the reserve calculation; and ordered a refund of the Mallo Pass fund. As a result of the decision, certain future capital and operating costs may need to be paid from water fees, new assessments, or connection fees. A discussion of possible payment options of future potential capital and operating costs will be on the agenda for the next meeting.

ADJOURNMENT: Director Harley moved to adjourn the meeting. Director Drolet seconded. Roll call to vote: Director McCormick, aye; Director Harley, aye; Director Drolet, aye. Motion carried. Meeting adjourned at 12:30 P.M.

Respectfully submitted,

Attest:

Don Harley, President

Jan McCormick, Secretary of the Board

Prepared by Connie Sackman, Clerk/Secretary

Attachments – Pages 1 and 2





IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS

REGULAR MEETING MINUTES

November 12, 2016

President

1. **CALL TO ORDER AND ROLL CALL:** Director Harley called the Regular Meeting to order at 10:01 A.M. on Saturday, November 12, 2016, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: Director Harley, Director Drolet, Director Murray, and Director McCormick. Also present were Charles Acker, District General Manager and Dewey Rogers, Water Operations Employee. District's Legal Counsel, Matthew Emrick attended by phone. Absent from the meeting: Director Poling.
2. **APPROVAL OF MINUTES:** Director Drolet made a motion to approve the meeting minutes of July 9, 2016, and September 10, 2016 with the change for July 9th from page 44 to page 43 in New Business, 7A. Director McCormick seconded the motion. Roll call vote: President Harley, aye; Director Drolet, aye; Director McCormick, aye; Director Murray, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** Part of the agenda item regarding CalFire grant will be discussed during that agenda item.
4. **PUBLIC INPUT:** None.
5. **REPORTS:**
 - A. **TREASURER'S REPORT:** Treasurer Murray presented her Cash Report, noting that the report included November 3, 2016, to reflect October payroll posting on November 3rd. She cautioned that the report is only a snapshot in time, as she is in the process of closing fiscal year ending September 30, 2016, which will require some adjusting entries that will reflect the cash balances. Status of the capital improvement projects was presented. Unit 7 Pipe Replacement expenditures are at \$90,602 with a draw from replacement reserve of \$80,000. General Manager Acker reported that the total project will be around \$105,000 for the 1600 feet of pipeline. The original estimate for the project was \$160,000. The reason the project can be done with such economy is that the district acts as its own contractor. If a private contractor was brought in, the cost would be two or three times higher. The Raw Water line project is complete, with expenditures of \$21,055 and with a draw of \$18,000. The original estimate was \$20,000.

President Harley asked for clarification on notes on the cash report next to the System Wide Capital Improvement Fund, noting a balance of minus \$9,436. Treasurer Murray explained that the funds borrowed from the Replacement Reserve of over \$100,000 had been paid back, and that \$25,000 had been reimbursed to the fund from operating funds for the purchase of the vacuum excavator. No interest has been paid from operating funds.

Treasurer Murray also reported that she conferred with General Manager Acker, who agreed that the charge for use of the vacuum excavator would be \$50 an hour.

Treasurer Murray asked the board and legal counsel for input on the Emergency Response funds received from the County which are sent on to the Redwood Coast Fire District, as to the possibility of charging maintenance costs for the firehouse from these funds. Attorney Emrick will review the lease and advise the board.

The list of checks issued was presented for approval, noting that the list includes notations next to checks issued for capital improvement projects. It was also noted that some of the payroll expenditures are charged to the projects for hours listed as direct charges to the projects from timesheets presented by employees. However, no payroll benefit charges for social security or unemployment costs are charged.

Treasurer Murray called for a motion to accept the Treasurer's report and approve the list of checks issued. Director Drolet moved to accept the Treasurer's Report and approve the Checks Issued Report. Motion seconded by Director McCormick. Roll call: Director Drolet, aye; President Harley, aye; Director McCormick, aye, Director Murray, aye. Motion carried.

- B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker reported that this period covered mostly the Unit 7 pipe replacement project. General Manager Acker presented a slide presentation showing the Unit 7 pipe replacement project to its completion, including repaving the streets involved. One of the slides showed the use of the vacuum excavator to locate utilities, service connections, PG&E and telephone lines. New fire hydrants were also installed for greater fire protection. The project is ready for its final inspection by the County of Mendocino. The conveyance loss was reduced by 100% as a result of the pipe replacement. This project also enhanced the ability to determine if any future water leakage occurs.

General Manager Acker with Legal Counsel Emrick are working with Pacific Land Survey, Susan Rushmeyer, regarding the boundary adjustment at the Tank 2 well site.

- C. SAFETY COMMITTEE:** District General Manager Acker reported the following safety meetings conducted in October and November:

October 14, 2016, Safety Meeting covered the following: fire extinguishers, sprains and strains, back safety, work place violence and office safety. Employee attendees: Paul DeVaul, Dewey Rogers and Charles Acker.

November 29, 2016, Safety Meeting covered the following: holiday stress. Employee attendees: Paul DeVaul, Dewey Rogers, Charles Acker and Larry Breshears.

- D. LEGAL COUNSEL:** Attorney Matthew Emrick reported on the Court's Third Revised Decision in the case of Moores vs. Irish Beach Water District and overall case status.

- E. DIRECTORS:** None

6. OLD BUSINESS:

- A. DISCUSSION AND/OR ACTION: COMMUNICATIONS FROM WILLIAM MOORES FROM SEPTEMBER 10, 2016, BOARD MEETING: TREASURER MURRAY TO REVIEW AND IDENTIFY INVOICES FOR PIPE REPLACEMENT PROJECTS. (MURRAY).** Treasurer Murray identified and made a notation on the Checks Issued report to indicate which projects the expenditures came out of, whether it was raw water (RW) or pipe replacement (PR) for Unit 7. This information has been forwarded to William Moores, as he requested.

7. NEW BUSINESS:

- A. DISCUSSION AND OR ACTION: STATE RESPONSIBILITY AREA FIRE PREVENTION FUND (SRAFPF) AND TREE MORTALITY (TM) GRANT PROGRAM. (DROLET).** Director Drolet reported that the overall goal of the grant is to lower the impact of a wild fire. The basic provision of the grant is to remove dead and dying trees to reduce the risk of fire ignition to adjacent communities. Director Drolet's objective for the grant application is to protect the Water District's resources and provide water during a wild fire. All interested parties stated they would support the Water District if it decides to go

forward in applying for the grant in 2017. Funds from the grant could also be used to widen roads to allow better access for emergency vehicles and equipment. President Harley requested General Manager Acker to compose a list to include everything to be done to make the community safer from wild fires and protect the Water District's assets. Director Drolet and General Manager Acker will also conduct an inspection of what needs to be done for fire prevention and assets protection. The deadline for applying for the grant is September 2017. This subject will be on the agenda for the next meeting.

8. EXECUTIVE (CLOSED) SESSION: NO REPORTABLE ACTION WAS TAKEN.

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9: (1 POTENTIAL CASE).

ADJOURNMENT: Director Harley moved to adjourn the meeting. Director Drolet seconded. Roll call to vote: Director McCormick, aye; Director Harley, aye; Director Drolet, aye. Motion carried. Meeting adjourned at 11:19 A.M.

Respectfully submitted,

Attest:

Don Harley, President

Jan McCormick, Secretary of the Board

Prepared by Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
January 14, 2017

1. **CALL TO ORDER AND ROLL CALL:** President Harley called the Regular Meeting to order at 10:03 A.M. on Saturday, January 14, 2017, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: President Harley, Director Drolet, Director Murray, and Director McCormick. Also present was Charles Acker, District General Manager. District's Legal Counsel, Matthew Emrick attended by phone. Absent from the meeting: Director Poling.
2. **APPROVAL OF MINUTES:** Director McCormick made a motion to approve the meeting minutes of November 12, 2016, Director Drolet seconded the motion. Roll call vote: President Harley, aye; Director Drolet, aye; Director McCormick, aye; Director Murray, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** None.
4. **PUBLIC INPUT:** None.
5. **REPORTS:**

- A. **TREASURER'S REPORT:** Treasurer Murray presented her Cash Statement and Checks Issued Reports as follows:

Balances: \$45,481
Operations Reserve: \$16,843
<40 Year Reserve: \$12,182

The cash reserves have been built up in the last two years in the above accounts. Accounts Receivable is only \$2,737 due to billing statements for November and December 2017, to be processed following this board meeting, which will add \$30,000+ to the Accounts Receivable. Cash Flow is doing well. Attached are checks issued, and will follow this report. The listing of the actual expenditures for the raw water line totaled \$21,055, which were drawn from System Wide. System Wide shows a negative of \$12,491, and a check coming from the County for the first installment of IBWD's assessments will offset this deficit. Listed for the Assessment for 2016 and 2017, are the total assessments that IBWD will receive during the year. The listing of the O'Rorey's Roost, Unit 7, pipe replacement project totals \$109,000. This is a significant cost savings due to having IBWD's General Manager Acker, as the contractor working with his crew. Cash transfers have been made to cover the Unit 7 pipe replacement expense, which is reflected in the Restrictive Reserves. The Alternate Water Development Fund shows \$301,109, which remains the same from the last reporting period. Those projects' expenditures are documented in the Treasurer's Report for the Board's information, and also requested by a property owner.

The list of checks issued was presented for approval. Only one notation was made for Robertson Enterprises, for the Unit 7 project. Direct labor expenses are not separated for the Unit 7 project on the list of checks issued. However, it is an acceptable accounting principle to charge direct labor to a special project.

Treasurer Murray called for a motion to accept the Treasurer's report and approve the list of checks issued. Director Drolet moved to accept the Treasurer's Report and approve the Checks Issued Report. Motion seconded by President Harley. Roll call: Director Drolet, aye; President Harley, aye; Director McCormick, aye, Director Murray, aye. Motion carried.

- B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker reported the following for November, December, and January 2017:
November: Attended Board Meeting and presented monthly reports. Inspected the upper roads and performed ditch maintenance. Water samples were taken and forwarded for testing.
December: Replaced a property's service line, finalized maintenance to complete Unit 7 project and notified the county that the project was completed. Processed monthly reports, repaired leak at Navarro Way hydrant. Attended safety and planning meeting. Removed old shed, checked a raw water line, and road drainage. Water samples taken and forwarded for testing.
January: Toured the upper road with Director Drolet in preparation for application for fire prevention and tree mortality grant. Tested the meter at Pump Station A and ordered replacement meter. Meeting preparation and mapping upper road area in preparation for January's Board Meeting for grant application presentation by Director Drolet. Attended board meeting and presented monthly reports.

- C. SAFETY COMMITTEE:** District General Manager Acker reported the following safety meeting conducted in November 2016:

November 19, 2016, Safety Meeting covered the following: Holiday Stress. Employee attendees: Paul DeVaul, Dewey Rogers and Charles Acker, and Larry Breshears.

- D. LEGAL COUNSEL:** Attorney Matthew Emrick updated the Board on the status of the judgement.

- E. DIRECTORS:** None

6. OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: STATE RESPONSIBILITY AREA FIRE PREVENTION FUND (SRAFPF) AND TREE MORTALITY (TM) GRANT PROGRAM. (DROLET).** Director Drolet reported to the Board the following: In preparation for applying for the grant, Director Drolet, General Manager Acker, Treatment Plant Operator Rogers, and Maintenance Employee DeVaul toured the area of the Alta Mesa Road, Unit 9, to determine what would be required for staging areas for Cal Fire firetrucks to use during a fire, and to assess dead and dying trees that may need to be cut down for fire prevention in the area.

After the Board's discussion, it was decided that the first phase of the plan to apply for the grant would be to contact a registered professional forester to determine which trees need to be removed for fire prevention, and to protect and make accessible the water tanks for use in extinguishing fires in the area. This subject will be on the agenda at the next meeting.

7. NEW BUSINESS:

- A. DISCUSSION AND OR ACTION: ELECTION OF IBWD BOARD OFFICERS. (HARLEY).**

President Harley nominated incumbent Judy Murray for Treasurer. Seconded by Leon Drolet. Roll call: President Harley, aye; Director Drolet, aye; Director McCormick, aye. Motion carried.

Director Murray nominated incumbent Don Harley for President. Seconded by Director McCormick. Roll call: Director Drolet, aye; Director McCormick, aye; Director Murray, aye. Motion carried.

Director Murray nominated incumbent Leon Drolet for Vice President. Seconded by Director McCormick. Roll call: President Harley, aye; Director McCormick, aye; Director Murray, aye. Motion carried.

Director Murray nominated incumbent Jan McCormick for Secretary. Seconded by President Harley. Roll call: President Harley, aye; Director Drolet, aye; Director Murray, aye. Motion carried.

The Board approved the officers for the one-year term, and it has not changed from the last term.

- B. DISCUSSION AND OR ACTION: STEPS NECESSARY TO APPOINT BOARD MEMBERS TO FILL CURRENT AND FUTURE VACANCIES. (HARLEY).** A letter composed by Director Murray from President Harley asking for Board nominees will be enclosed with the next billing statements. President Harley stated he would compose a letter for contacting potential candidates who have expressed a possible interest in joining the Board and encourage them to do so.

ADJOURNMENT: President Harley moved to adjourn the public session of the meeting. Director Drolet seconded. Roll call to vote: Director McCormick, aye; President Harley, aye; Director Drolet, aye; Director Murray, aye. Motion carried. Meeting adjourned at 11:24 A.M. The next Board Meeting will be scheduled for Saturday, March 11, 2017.

CONVENED EXECUTIVE SESSION:

8. EXECUTIVE (CLOSED) SESSION: No reportable action was taken.

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9: (1 POTENTIAL CASE).

Respectfully submitted,

Attest:

Don Harley, President

Jan McCormick, Secretary of the Board

Prepared by Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
March 11, 2017

1. **CALL TO ORDER AND ROLL CALL:** President Harley called the Regular Meeting to order at 10:00 A.M. on Saturday, March 11, 2017, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: President Harley, Director Drolet, Director Murray, and Director McCormick. Also present were Charles Acker, District General Manager and Dewey Rogers, Treatment Plant Operator. District's Legal Counsel, Matthew Emrick attended by phone. Absent from the meeting: Director Poling.
2. **APPROVAL OF MINUTES:** Director Drolet noted that Paul DeVaul should be added to those in attendance on the Alta Mesa Road inspection/tour in the meeting minutes. It was discussed that employees should have their last names and titles changed in the meeting minutes to show as: Treatment Plant Operator Rogers, and Maintenance Employee DeVaul. Director Drolet made a motion to approve the meeting minutes of January 14, 2017, with the noted changes. Director McCormick seconded the motion. Roll call vote: President Harley, aye; Director Drolet, aye; Director McCormick, aye; Director Murray, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** A communication was received from William Moores asking for additional documents regarding the invoices for the Unit 7 Project. The additional documents were processed and delivered to William Moores by Director Murray.
4. **PUBLIC INPUT:** None.
5. **REPORTS:**
 - A. **TREASURER'S REPORT:** Treasurer Murray presented her Cash Statement and Checks Issued Reports as follows:

Balances: \$64,657
Operations Reserve: \$16,884
< 40 Year Reserve: \$12,212

For the Cash Statement Report: the O'Rorey's Loop, Unit 7 Project, was corrected to show the total expense of \$124,316, as a result of corrected coding of an invoice to Robertson Enterprises. The report shows the remainder of additional assessments to be received that do not show in the cash assets, which will be the remainder of the Proposition 218 Assessment. The Checks Issued Report shows the first group of checks paid through Redwood Credit Union's bill pay system, the second group of checks are two payroll cycles (showing payment of remaining vacation that was not used), and the third group of normal recurring checks issued with the following noted: one check, issued to Redwood Coast Fire Protection, was redeposited by the Redwood Credit Union back into Irish Beach Water District's checking account instead of withdrawing for the payment. This will be corrected by issuing another check to Redwood Coast Fire Protection. The last payment on the loan with West America Bank was made. A check was issued to Jay-Allen Eisen Law Corporation, appellate attorney, which Irish Beach Water District's insurance company has put a hold on reimbursing to Irish Beach Water District until after the final legal appeal has been determined. The AT&T payment for repair of an AT&T line, accidentally cut during the Unit 7 Project, will be further researched to determine if Irish Beach Water District's insurance will reimburse Irish Beach Water District. Treasurer Murray called for a motion to accept the Treasurer's report and approve the list of checks issued. Director McCormick moved to accept the Treasurer's Report and approve the Checks Issued Report. Motion seconded by President Harley. Roll call: Director Drolet, aye; President Harley, aye; Director McCormick, aye, Director Murray, aye. Motion carried.

B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS: General Manager Acker reported the following for January February and March 2017: With the completion of the Unit 7 Project, additional leaks at Gazebo Park, Dewey Rogers' property, and Walt Rush's property were detected and repaired. These leakage repairs constitute the repair of all major leaks and will make future leaks easier to detect. No damage occurred to the newly installed pipes from downed trees caused by recent severe weather. Water tanks were checked, and maintenance and repairs to Tank 0 and Tank 3 were performed. Treatment Plant Operator Rogers kept the water storage facilities operational during recent severe storms. Water samples were taken and submitted. Upper diversion pipes were purged. Monthly reports were submitted.

C. SAFETY COMMITTEE: District General Manager Acker reported the following safety meetings conducted in February and March 2017:

"Slips, Trips and Falls" was conducted with the following employees in attendance: District General Manager Acker, Treatment Plant Operator Rogers, and Maintenance Employee DeVaul.

"Diversity and Hazardous Conditions" was conducted with the following employees in attendance: District General Manager Acker, Treatment Plant Operator Rogers, and Maintenance Employee DeVaul. Director Murray was also in attendance.

D. LEGAL COUNSEL: Attorney Matthew Emrick updated the Board on the status of the judgement.

E. DIRECTORS: President Harley confirmed the next Water District Board Meeting is scheduled for May 13, 2017.

6. OLD BUSINESS:

A. DISCUSSION AND OR ACTION: STATE RESPONSIBILITY AREA FIRE PREVENTION FUND (SRAFPF) AND TREE MORTALITY (TM) GRANT PROGRAM. (DROLET). Director Drolet will continue to pursue a grant application with Cal Fire after the grants are announced, typically announced in the month of May. A plan of what needs to be accomplished has been researched in applying for the fire prevention and tree mortality grant.

B. DISCUSSION AND OR ACTION: ELECTION OF IBWD BOARD OFFICERS. (HARLEY). A letter was enclosed with the previous water billing statements, and potential candidates have been contacted. Currently, no results have been obtained from these actions. President Harley drafted a second letter, which will be submitted to potential candidates after the Board's review. Director McCormick will follow-up with a potential candidate.

7. NEW BUSINESS: None.

ADJOURNMENT: President Harley moved to adjourn the public session of the meeting. Director Drolet seconded.

Roll call to vote: Director McCormick, aye; President Harley, aye; Director Drolet, aye; Director Murray, aye.

Motion carried. Meeting adjourned at 11:24 A.M. The next Board Meeting will be scheduled for Saturday, May 13, 2017.

CONVENED EXECUTIVE SESSION:

8. EXECUTIVE (CLOSED) SESSION: No reportable action was taken.

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.
- B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED/POTENTIAL LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9: (1 POTENTIAL CASE).

Respectfully submitted,

Attest:

Don Harley, President

Jan McCormick, Secretary of the Board

Prepared by Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
May 13, 2017

1. **CALL TO ORDER AND ROLL CALL:** President Harley called the Regular Meeting to order at 10:07 A.M. on Saturday, May 13, 2017, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: President Harley, Director Drolet, and Director McCormick. Also present were Judy Murray, Accountant/Clerk; Charles Acker, District General Manager; Dewey Rogers, Treatment Plant Operator; Connie Sackman, Clerk/Secretary, and District's Legal Counsel, Matthew Emrick.
2. **APPROVAL OF MINUTES:** Director Drolet made a motion to approve the meeting minutes of March 11, 2017, as submitted. Director McCormick seconded the motion. Roll call vote: President Harley, aye; Director Drolet, aye; Director McCormick, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** Discussed and or action taken in 7 D & E.
4. **PUBLIC INPUT:** None.
5. **REPORTS:**
 - A. **TREASURER'S REPORT:** Accountant/Clerk Murray presented her Cash Statement and Checks Issued Reports as follows:

Balances: \$74,603
Operations Reserve: \$16,895
< 40 Year Reserve: \$12,219

Cash Statement Report: Shows the last period compared to this period. The System Wide is \$9,361, which will increase when the tax payment of approximately \$25,000 is received. Checks Issued Report: Discussed checks issued for employee salaries, operating expenses, and a transfer of \$15,000 to Chase checking account. Accountant/Clerk Murray called for a motion to accept the Cash Statements Report and approve the Checks Issued Report. Director McCormick moved to accept the Treasurer's Report and approve the Checks Issued Report. Motion seconded by President Harley. Roll call: Director Drolet, aye; President Harley, aye; Director McCormick, aye. Motion carried.
 - B. **WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker reported the following for March, April, and May 2017:

March: Purged upper diversion pipes, cleaned Tank O, repaired leak at Gazebo Park, attended board meeting, processed monthly reports, pressure washed Tank O exterior, did back wash maintenance, inspected and repaired leak at Cypress Point Road, processed annual report data, and sent water samples to the lab.

April: Processed monthly reports, cleaned exterior of Tank O, inspected and repaired the pressure system for raw pipe, performed tank and well inspections, removed downed tree at the upper diversion, composed a plan for valve replacement, performed backwash for storm recovery, composed water sold report, and processed annual report.

May: Performed project planning, cleaned firehouse and installed electric heaters, installed air relief valves for old water lines to correct air leaks, inspected firehouse roof and determined need for replacement (will be getting estimates for roof replacement), and attended board meeting. An

official survey is planned for the back flow project to determine which Irish Beach houses have a higher elevation than the main water line, and will require back flow system installation.

General Manager Acker discussed the following with the Board: A 10 feet x 10 feet parcel readjustment was accepted and approved by the property owner to realign the parcel to IBWD's property line. The Coastal Commission approved the realignment. The appeal period expiration date is May 15, 2017. General Manager Acker will confirm that this action has been recorded by the county.

- C. **SAFETY COMMITTEE:** District General Manager Acker reported that Safety Committee Meetings will be brought current at the next board meeting.
- D. **LEGAL COUNSEL:** Attorney Matthew Emrick updated the Board on the status of the judgement.
- E. **DIRECTORS:** President Harley announced the following: The scheduled time of an open to the public tour of the IBWD facilities, to coincide with the next regular board meeting, will be announced in the board meeting agenda posted in the kiosks.

The directors and legal counsel discussed having a review of IBWD policies for possible updates.

6. OLD BUSINESS:

- A. **DISCUSSION AND OR ACTION: STATE RESPONSIBILITY AREA FIRE PREVENTION FUND (SRAFPF) AND TREE MORTALITY (TM) GRANT PROGRAM. (DROLET).** Director Drolet reported: Grant information will be available by the end of May 2017. In addition to applying for a grant for fire prevention, it was discussed that providing defibrillators (at strategic locations throughout the Irish Beach Community for emergency purposes) would be considered for inclusion. Further discussion regarding the plan for applying for a grant will be included in the next board meeting's agenda.
- B. **DISCUSSION AND OR ACTION: ELECTION OF IBWD BOARD OFFICERS. (HARLEY).** President Harley reported: Letters of resignation from Kathy Poling and Judy Murray have been officially accepted with written confirmation by President Harley, effective May 13, 2017. The Board appointed Anny Reidenbach to serve the remaining term of Kathy Poling, and Frank Carderella to serve the remaining term of Judy Murray. It was discussed that new board members can be officially sworn in by the Secretary of the Board, Jan McCormick, within 60 days from May 13, 2017, and officially attend as IBWD directors at the July 2017, regular board meeting. Official announcements of the newly appointed board members will be posted in the kiosks fifteen days before the July 8, 2017, regular board meeting. It was discussed that bylaws pertaining to appointing new board members will be reviewed as well as formation documents.

7. NEW BUSINESS:

- A. **DISCUSSION AND OR ACTION: DEVELOP/APPROVE PLAN TO TRANSITION ACCOUNTING DUTIES TO NEW PART-TIME POSITION AND APPROVE PART-TIME TEMPORARY EMPLOYMENT IN THE INTERIM. (HARLEY).** After the Board's discussion and review of the plan to transition accounting duties, Director McCormick made a motion to approve creation of a part-time position of Accountant/Clerk for Judy Murray. The motion was seconded by Director Drolet. Roll call: Director Drolet, aye; President Harley, aye; Director McCormick, aye. Motion carried.
- B. **DISCUSSION AND OR ACTION: MODIFY/CONFIRM THE GENERAL MANAGER'S JOB DESCRIPTION AS INCLUDING THE RIGHT TO HIRE TEMPORARY PART-TIME EMPLOYEES AS SET FORTH UNDER WATER CODE SECTION 30580. (HARLEY).** After the Board's discussion, it was determined that General Manager Acker is authorized to hire temporary part-time employees and continue to practice those duties. Director McCormick made a motion to confirm the

General Manager’s ability to hire/fire part-time employees pursuant to the water code, ratify past action, and amend the job description to confirm the ability to hire/fire. Motion seconded by President Harley. Roll call: Director Drolet, aye; President Harley, aye; Director McCormick, aye. Motion carried.

- C. DISCUSSION AND OR ACTION: DRAFT BUDGET FOR FISCAL YEAR 2017-2018. (MURRAY).** Accountant/Clerk Murray led the discussion regarding the draft budget.
- D. DISCUSSION AND OR ACTION: STATUS OF ACCESS ROAD AND UTILITY LINE IMPROVEMENTS TO THE T-2 WELL (EMRICK/ACKER).** It was discussed that the communication from property owner to General Manager Acker would need to have the property owner included in the discussion with the Board and Legal Counsel Emrick. No action taken at this time. General Manager Acker stated that a third well development may not be necessary due to more than an adequate supply of water resources for the community, water leak repairs, and functioning within the state’s guidelines.
- E. DISCUSSION AND OR ACTION: STATUS OF RAW WATER LINE REPLACEMENT AND REMAINING PIPELINE MATERIALS. (EMRICK/ACKER).** The Board and Legal Counsel Emrick discussed the communication from the property owner. President Harley made a motion to direct Accountant/Clerk Murray to reply to the property owner with a Board approved letter from Ms. Murray. Motion seconded by Director McCormick. Roll call: Director Drolet, aye; President Harley, aye; Director McCormick, aye. Motion carried. Also discussed was the action to review IBWD property signage and policy to include the following wording: No trespassing on IBWD property without express permission from the Irish Beach Water District.

ADJOURNMENT: President Harley moved to adjourn the public session of the meeting. Director Drolet seconded. Roll call to vote: Director McCormick, aye; President Harley, aye; Director Drolet, aye. Motion carried. Meeting adjourned at 12:12 P.M. The next Board Meeting will be scheduled for Saturday, July 8, 2017.

CONVENED EXECUTIVE SESSION:

8. EXECUTIVE (CLOSED) SESSION: No reportable action was taken.

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9: (1 POTENTIAL CASE).

Respectfully submitted,

Attest:

Don Harley, President

Jan McCormick, Secretary of the Board

Prepared by Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
July 8, 2017

1. **CALL TO ORDER AND ROLL CALL:** President Harley called the Regular Meeting to order at 9:59 A.M. on Saturday, July 8, 2017, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of Directors in attendance were: President Harley, Director Drolet, and Director McCormick. Also present were Judy Murray, Accountant/Clerk; Charles Acker, District General Manager; Dewey Rogers, Treatment Plant Operator; Connie Sackman, Clerk/Secretary; and District's Legal Counsel, Matthew Emrick.
2. **APPROVAL OF MINUTES:** Director McCormick made a motion to approve the meeting minutes of May 13, 2017, with the following changes: "Connie Sackman, Clerk/Secretary" was added to the list of people present; and wording was changed in agenda item 5A TREASURER'S REPORT to read "and a transfer of \$15,000 to Chase Checking Account." Director Drolet seconded the motion. Roll call vote: President Harley, aye; Director Drolet, aye; Director McCormick, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** Communication received regarding litigation will be addressed in a reply from Accountant/Clerk Murray; and the subject was further discussed in a power point presentation at this meeting by Legal Counsel Emrick.
4. **PUBLIC INPUT:** None.

President Harley made a motion to address OLD BUSINESS item 6A next, followed by item 5 REPORTS. Motion seconded by Director McCormick. All approved. Motion Carried.

6. **OLD BUSINESS:**

- A. **DISCUSSION AND OR ACTION: APPOINTMENT OF IBWD BOARD OFFICERS TO FILL CURRENT VACANCIES. (HARLEY/MCCORMICK).** Secretary of the Board McCormick read the oath of office to the two new IBWD board members. The new IBWD board members, Anny Reidenbach and Joe Ellison, affirmed the oath of office by saying "I do." Directors Reidenbach and Ellison took their designated seats as newly appointed board members. President Harley made a motion to affirm the appointments of Director Reidenbach and Director Ellison, and to state that they were present as voting directors on the IBWD Board for the remainder of the agenda. Motion seconded by Director McCormick. All approved. Motion carried.

5. **REPORTS:**

- A. **TREASURER'S REPORT:** Accountant/Clerk Murray presented her Cash Statement and Checks Issued Reports as follows:

Cash Balances: \$98,237
Operations Reserve: \$16,895
< 40 Year Reserve: \$12,219
System Wide Capital Improvement: \$24,397

Cash Statement Report: Shows the last period compared to this period. The cash amount of \$98,237 will decrease to \$64,692 after the fire emergency response amount of \$33,545 is deducted. The System Wide is \$24,397. Also presented was the list of checks issued. A check for Dickson Company was issued for

General Manager Acker's data loggers used for the wells. Discussed checks issued for employee salaries, operating expenses, and a check to SDRMA for workers compensation payment. Accountant/Clerk Murray called for a motion to accept the Cash Statements Report and approve the Checks Issued Report. Director McCormick moved to accept the Treasurer's Report and approve the Checks Issued Report. Motion seconded by President Harley. Roll call: Director Drolet, aye; President Harley, aye; Director McCormick, aye. Motion carried.

B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS: General Manager Acker reported the following for May, June, and July 2017:

May: Attended board meeting, performed backwashes and hydrant flush maintenance, prepared monthly reports, attended safety meeting, installed water meter box, checked systems, returned data logger for repair, replaced 4 foot lid for Tank 0, took water samples and delivered them to the lab, and completed water resources report.

June: Prepared monthly reports, performed backwashes, performed well checks with data logger, re-read meter reading, checked and photographed road conditions, attended safety meeting, installed T-0 tank lid, fixed computer virus software problem, installed water meter box, turned on new water connection, checked for leaks at Alta Mesa, repaired tank 4, checked wells, replaced 2 inch valve for Tank 4, prepared Consumer Confidence Report for 2016, changed PS B pump, tested and delivered water samples.

July: Completed Consumer Confidence Report for 2016, and prepared operations report for July 2017, board meeting.

General Manager Acker discussed the following with the Board: Reports were filed for the Water Resources Board. Padlocks and chains have been installed for the Alta Mesa gates. The Alta Mesa road has been photographed showing the condition for the on-going situation with the property owner of the road. Part of the maintenance of the gate will be to periodically change the combination of the locks. The Hillcrest gate was found to be open with locks and chain gone. The Consumer Confidence Report for 2016, will be mailed with the billing statements. General Manager Acker will research with the Mendocino Planning Department the status of actions pending regarding the 20-year lease due for renewal by the Bald Mountain Rock Quarry Company, which does not appear to affect IBWD operations.

C. SAFETY COMMITTEE: District General Manager Acker reported the attendance of employees at the following Safety Committee Meetings:

May 16, 2017: "Back in Action"

Attendees: General Manager Charlie Acker, Treatment Plant Operator Dewey Rogers, and Maintenance Employee Paul DeVaul.

June 6, 2017: "Heat Stress" and "Driven to Distraction"

Attendees: General Manager Charlie Acker, Treatment Plant Operator Dewey Rogers, and Maintenance Employee Paul DeVaul:

D. LEGAL COUNSEL: Attorney Matthew Emrick updated the Board on the status of the judgement.

E. DIRECTORS: None

6. OLD BUSINESS:

B. DISCUSSION AND OR ACTION: STATE RESPONSIBILITY AREA FIRE PREVENTION FUND (SRAFPF) AND TREE MORTALITY (TM) GRANT PROGRAM. (DROLET). Director Drolet reported: The funding of the program for grants for fire prevention has been shifted from rural areas to urban areas. An initial assessment of trees and road conditions in the Alta Mesa area has been done. Director Drolet and General Manager Acker will report on a further assessment at the next board meeting.

C. DISCUSSION AND OR ACTION: DRAFT BUDGET FOR FISCAL YEAR 2017-2018. (MURRAY).

The draft budget was discussed at the last board meeting, this board meeting, and will be continued for discussion at the September board meeting when IBWD will need to approve the budget for adoption. President Harley, General Manager Acker, and Accountant/Clerk Murray will correspond by e-mail to decide what water usage number will be used for the budget.

Discussed the need for roof replacement for the firehouse as part of the budget consideration. One bid has been received waiting for the second roofing bid and will be continued for discussion of bidding approval at the next board meeting.

D. DISCUSSION AND OR ACTION: UPDATE ON ROAD MAINTENANCE ISSUES AND CORRESPONDENCE REGARDING ROAD MAINTENANCE. (EMRICK/ACKER).

During the discussion it was determined that a road maintenance agreement needs to be renegotiated, as the original road maintenance agreement was breached and voided by the misrepresentation of ownership of the road. Legal Counsel Emrick was directed to send a follow up letter to the property owner's attorney, regarding the road maintenance letter IBWD received from the property owner. The IBWD reply letter will recommend a meeting of all property owners involved in the road maintenance to renegotiate a road maintenance agreement. Further discussion of this topic will continue at the next board meeting.

E. DISCUSSION AND OR ACTION: STATUS OF RAW WATER LINE REPLACEMENT AND REMAINING PIPELINE MATERIALS. (EMRICK/ACKER). After the Board's discussion of correspondence received from a property owner, Legal Counsel Emrick was directed by the Board to compose and mail a reply letter, based on the draft letter composed by Account/Clerk Murray, and send it to the property owner's attorney.

7. NEW BUSINESS:

A. DISCUSSION AND OR ACTION: DISTRICT RESPONSE TO INDEPENDENT COAST OBSERVER (ICO) ARTICLE DATED JUNE 9, 2017, REGARDING EXISTING LITIGATION. (HARLEY/EMRICK). Status of the legal judgement was discussed by the Board. Legal Counsel Emrick presented a slide show discussing details of the judgement. This information will also be available at the IBWD website: http://www.ibwd.org/District_info_resp_judge.pdf.

B. DISCUSSION AND OR ACTION: FINANCIAL STATEMENT AUDIT FOR YEAR ENDING SEPTEMBER 30, 2015. (MURRAY). No discussion - carried forward to the next meeting.

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
September 9, 2017

1. **CALL TO ORDER AND ROLL CALL:** President Harley called the Regular Meeting to order at 10:02 A.M. on Saturday, September 9, 2017, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: President Harley, Director Drolet, Director McCormick, and Director Ellison. Also present were Judy Murray, Accountant/Clerk; Charles Acker, District General Manager; Connie Sackman, Clerk/Secretary, and District's Legal Counsel, Matthew Emrick. Absent were Director Reidenbach and Dewey Rogers, Treatment Plant Operator.
2. **APPROVAL OF MINUTES:** Director McCormick made a motion to approve the meeting minutes of July 8, 2017. Director Drolet seconded the motion. Roll call vote: President Harley, aye; Director Drolet, aye; Director McCormick, aye, and Director Ellison, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** No new communications or correspondence.
4. **PUBLIC INPUT:** None.
5. **REPORTS:**
 - A. **TREASURER'S REPORT:** Accountant/Clerk Murray presented her Cash Statement and Checks Issued Reports as follows:

Cash Balances: \$64,708
Operations Reserve: \$16,895
< 40 Year Reserve: \$12,219
System Wide Capital Improvement: \$27,167
>40 Year Equipment Reserve: \$192,595
Alternate Water Development Fund: \$302,124

Cash Statement Report: Shows the last period compared to this period. The total unrestricted cash amount is \$93,822. The total restricted cash amount is \$521,866, which includes the System Wide Capital Improvement Reserve of \$25,167. This reserve will be spent by the General Manager to finish approved projects in process. Also presented was the list of checks issued. A check for \$6,132 was issued for appellate litigation fees. The sequence of checks issued changed due to ordering new checks. Discussed checks issued for employee salaries, operating expenses, and a check to SDRMA for workers compensation payment. Accountant/Clerk Murray called for a motion to accept the Cash Statements Report and approve the Checks Issued Report. President Harley moved to accept the Treasurer's Report and approve the Checks Issued Report. Motion seconded by Director McCormick. Roll call: Director Drolet, aye; President Harley, aye; Director McCormick, aye; and Director Ellison, aye. Motion carried.
 - B. **WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker reported the following for July, August, and September 2017:

July: Installed logger and processed well data, performed backwashes and monthly reports, processed meter re-read and report, attended Board meeting, installed combination gate locks, reactivated water service for Gazebo Park, performed system checks, processed water samples, shut off water service at a vacant property for sale.

August: Performed system checks, reviewed necessity of maintaining gate locks that have been vandalized twice. Replaced valve at Tank 4, attended safety meeting, mowed Tank 4 area, dropped off C12 bottles, processed chlorine delivery, processed water samples, met with Gordon Moores regarding water hookup for acreage parcel, set up Tank 5 connection, and reviewed Gordon Moores' acreage parcel water connection application.

September: Performed computer maintenance, removed the lower diversion pump, performed checks on water treatment, attended Board meeting, and discussed with the board the requirement for bacteria samples to be processed once every two weeks, beginning October 2017.

- C. **SAFETY COMMITTEE:** District General Manager Acker reported the attendance and completion of written tests by employees at the following Safety Committee Meeting.

August 4 2017: "Ergonomics: Break the RMI Habit" and "Harassment"

Attendees: General Manager Charlie Acker, Treatment Plant Operator Dewey Rogers, and Maintenance Employee Paul DeVaul.

- D. **LEGAL COUNSEL:** Attorney Matthew Emrick updated the Board on the status of the judgement. The new directors will be given a presentation of The Brown Act, which dictates the format of board meetings and minutes taken.

- E. **DIRECTORS:** Director Drolet discussed the following: The state Fire Prevention Fund (SRAFPPF) and Tree Mortality (TM) Grant Program are only being awarded to urban areas this year. Surveys of the Irish Beach Community have been taken. More information will be provided at the next board meeting.

6. **OLD BUSINESS:**

- A. **DISCUSSION AND OR ACTION: DRAFT BUDGET APPROVAL FOR FISCAL YEAR 2017-2018, AND FINANCING OPTIONS FOR FUTURE CAPITAL PROJECTS AND WATER SOURCE DEVELOPMENT. (MURRAY/EMRICK).**

Discussed the estimate used for the water usage rates for the budget years of 2015, 2016, and 2017. After discussion, Director McCormick made a motion to increase the water usage rate from the current \$0.51 to \$0.58 per 100 gallons beginning for the fiscal year 2017-2018. The availability charge remains at \$132.98 for two months/\$66.49 for one month. The motion was seconded by Director Ellison. Roll call: Director Drolet, aye; President Harley, aye; Director McCormick, aye; and Director Ellison, aye. Motion carried.

Resolution 2017-1 was signed for the water usage rate of \$0.58 per 100 gallons.

The Board discussed procuring an engineer's assessment in order to develop a master plan for IBWD. An engineer's assessment and master plan would provide the legal basis for water usage rates, assessments and connection fees, and deciding budgets for future capital projects. President Harley moved to direct General Manager Acker and Counsel Emrick to conduct research for an engineering company to do the assessment. The motion was seconded by Director Drolet. Roll call: Director Drolet, aye; President Harley, aye; Director McCormick, aye; and Director Ellison, aye. Motion carried.

B. DISCUSSION AND OR ACTION: FINANCIAL STATEMENT AUDIT FOR YEAR ENDING SEPTEMBER 30, 2015. (MURRAY)

Accountant/Clerk Murray and the board discussed the audit of fiscal year ending September 30, 2015. President Harley made a motion to accept and file the financial statement for September 30, 2015. The motion was seconded by Director Drolet. Roll call: Director Drolet, aye; President Harley, aye; Director McCormick, aye; and Director Ellison, aye. Motion carried.

C. DISCUSSION AND OR ACTION: UPDATE ON ROAD MAINTENANCE ISSUES AND CORRESPONDENCE REGARDING ROAD MAINTENANCE. (EMRICK/ACKER).

Counsel Emrick and General Manager Acker discussed the following with the Board: A letter was mailed to Mr. William Moores' attorney explaining that Mr. Moores sent a letter to IBWD contending that IBWD had allegedly breached the maintenance agreement with him due to not repairing or replacing the gate locks. IBWD's reply letter stated that before the gate locks can be replaced a solution needs to be found concerning the vandalism of the gates and locks, which has occurred. Mr. Moores has claimed he has control and authority over the roads in the acreage parcels but cannot or has not been able to control vandalism. IBWD does not have the authority to control vandalism in this area. IBWD's reply letter further stated that the maintenance agreement for road maintenance has not been adhered to by Mr. Moores and is therefore no longer operable. No reply has been received from Mr. Moores concerning this correspondence.

7. NEW BUSINESS:

A. HEARING AND DISCUSSION: WATER SERVICE CONNECTION TO SERVE GORDON MOORES' ACREAGE PARCEL AND DISCUSSION AND CONSIDERATION OF BUY-IN FEE RESOLUTION 2009-2. (EMRICK/ACKER).

After Counsel Emrick and General Manager Acker discussed the water service connection with the Board, a decision was made as follows: A motion was made by President Harley to direct General Manager Acker to construct a temporary water connection and meter until November 30, 2017, subject to the encroachment permit conditions that would be developed by an ad hoc committee. There would be a connection fee of \$150, an encroachment fee of \$200, and a water usage charge at the current rate, until it becomes a permanent connection as part of the resolution at the surplus rate of \$2.50 per 100 gallons for Gordon Moores' acreage parcel #131-110-37. Motion seconded by Director Drolet. Roll call: Director Drolet, aye; President Harley, aye; Director McCormick, aye; and Director Ellison, aye. Motion carried.

Counsel Emrick will compose and present a resolution at the November Board meeting on how to regulate water usage for agricultural situations.

B. DISCUSSION AND OR ACTION: BIDS FOR FIREHOUSE ROOF REPLACEMENT. (ACKER/HARLEY).

Discussed the two bids submitted for the firehouse roof replacement. A motion was made by Director McCormick to accept the lower bid from Jacobson Construction, which includes roof replacement for the firehouse and two additional IBWD buildings. The acceptance of this bid is subject to including replacement of the firehouse's skylights flashing. Motion seconded by President Harley. Roll call: Director Drolet, aye; President Harley, aye; Director McCormick, aye; and Director Ellison, aye. Motion carried.

C. DISCUSSION AND OR ACTION: CONNECTION OF TANK 2 WELL. (ACKER/HARLEY).

After the discussion between the Board and General Manager Acker, the Board directed General Manager Acker to obtain a proposal from Robertson Construction for digging the trench, and proceed with the Tank 2 improvement project using the system wide budget.

ADJOURNMENT: President Harley moved to adjourn the public session of the meeting. Director Drolet seconded the motion. Roll call to vote: Director McCormick, aye; President Harley, aye; Director Drolet, aye; and Director Ellison, aye. Motion carried. Meeting adjourned at 1:00 P.M. The next Board Meeting will be scheduled for Saturday, November 11, 2017.

CONVENED EXECUTIVE SESSION:

8. EXECUTIVE (CLOSED) SESSION: No reportable action was taken.

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9: (1 POTENTIAL CASE).

Respectfully submitted,

Attest:

Don Harley, President

Jan McCormick, Secretary of the Board

Prepared by Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
November 11, 2017

1. **CALL TO ORDER AND ROLL CALL:** Vice President Drolet called the Regular Meeting to order at 9:58 A.M. on Saturday, November 11, 2017, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: Vice President Drolet, Director McCormick, Director Reidenbach, and Director Ellison. Also present were Judy Murray, Accountant/Clerk; Charles Acker, District General Manager; Connie Sackman, Clerk/Secretary, and District's Legal Counsel, Matthew Emrick.
2. **APPROVAL OF MINUTES:** Director McCormick made a motion to approve the meeting minutes of September 9, 2017. Director Reidenbach seconded the motion. Roll call vote: Vice President Drolet, aye; Director McCormick, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** Vice President Drolet made a motion to address correspondence from William Moores, dated November 9, 2017, at the next Board meeting. Motion seconded by Director McCormick. All approved. Motion carried.
4. **PUBLIC INPUT:** None.
5. **REPORTS:**
 - A. **TREASURER'S REPORT:** Accountant/Clerk Murray presented her Cash Statement and Checks Issued Reports as follows:

Cash Balances: \$25,087
Operations Reserve: \$0.00
< 40 Year Reserve: \$0.00
System Wide Capital Improvement: \$0.00
>40 Year Equipment Reserve: \$193,827
Alternate Water Development Fund: \$412,284

Cash Statement Report: Shows the last period compared to this period. Cash is down to \$25,087 as of September 2017. The total unrestricted cash amount is \$25,087. The total restricted cash amount is \$606,111. Accountant/Clerk Murray requested the Board to approve an \$110,000 transfer of funds from Operations Reserve of \$16,939, less than 40 year reserve of \$12,251, and Operating Cash of \$80,810 to the Alternate Water Fund (AWDF) to pay back withdrawals for legal expenses to Meyers Nave Attorney, expenditures that were not allowed by the court ruling. Total funds from Proposition 218 assessment: Capital Replacement of \$193,827, and Alternate Water Development of \$412,284, for a total of \$606,111. Director McCormick made a motion to approve the \$110,000 transfer of the funds listed to the Alternate Water Fund (AWDF) as noted. Motion seconded by Vice President Drolet. Roll call: Vice President Drolet, aye; Director Reidenbach, aye; Director McCormick, aye; and Director Ellison, aye. Motion carried.

Checks Issued Report: Of note is a check issued for Jacobson Construction for \$7,395, issued for roof repair. The roof repair expense came out of the Emergency Response Funds. Discussed checks issued for employee salaries and operating expenses.

Vice President Drolet made a motion to approve the Treasurer's Report and approve the list of checks issued. Director Reidenbach seconded the motion. Director McCormick, aye; Vice President Drolet, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.

Summary of Restricted Asset Review: This review is a summary of Proposition 218 funds. Greater than 40 reserve balance is \$193,827. The System Wide shows as \$0.00, due to funds expended of \$515,873. The IBWD Alternate Water Development Fund balance is \$412,284. Interest to the balances will continue to accumulate. The auditor looks over this report and IBWD uses it as an exhibit in court proceedings.

Resolution 2017-03: This resolution was prepared for approval by Accountant/Clerk Murray to authorize changes for bank authorization signatures on IBWD bank accounts. The designated signatures for bank accounts include Charlie Acker, Judy Murray, and Jan McCormick, as authorized signers. Accountant/Clerk Murray asked for adoption of Resolution 2017-03, authorizing those designated as signers for IBWD bank accounts. Vice President Drolet made the motion to adopt Resolution 2017-03. The motion was seconded by Director Ellison. Roll call: Director Reidenbach, aye; Vice President Drolet, aye; Director McCormick, aye; and Director Ellison, aye. Motion carried.

B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS: General Manager Acker reported the following for September, October, and November 2017:

September: Attended Board meeting, processed monthly report, prepared Gordon Moores' connection at Tank 5, inspected and cleared brush at Tank 2, oversaw roof repair, surveyed damage to Tank 2 roofing for obtaining an estimate for repairs, re-primed pumps for Tank 2, processed water samples for testing, as well as testing for lead and copper from roof repair debris collection.

October: Began every two weeks per year state required water sampling, met with PG&E for possible customer leak, repaired screens and additional maintenance for Tank 2, processed monthly reports, processed state required and regular water sample tests, drained Tank 0, checked valves at Tank 0 and attached vacuum excavator to prime the raw water line, checked and primed raw water line.

November: Assessed quality problem with Polymer product, put away vacuum excavator, pipes, and hoses, dug water bars on Hillcrest, phone call with William Moores regarding accounts and road maintenance, cleaned debris at Firehouse from roof repair, and attended Board meeting.

C. SAFETY COMMITTEE: District General Manager Acker reported the attendance and completion of written tests by employees at the following Safety Committee Meeting.

November 10, 2017: "Winter Driving," "Emergency Escape Routes," and "Fire Safety"

Attendees: General Manager Charlie Acker, Treatment Plant Operator Dewey Rogers, and Maintenance Employee Paul DeVaul.

D. LEGAL COUNSEL: Counsel Emrick discussed with the Board that Vice President Drolet and he will confer with CAL Fire and the Redwood Coast Fire District to put together a plan for fire safety for the Irish Beach community with regards to road maintenance and an emergency evacuation plan.

E. DIRECTORS: Vice President Drolet presented the following:

Cattails removal from Pomo Lake: After the Board's discussion, it was decided that Counsel Emrick would speak with IBIC's President regarding cattails removal around the Pomo Lake dam and maintenance of the dam.

Environmental Protection Agency (EPA) Incident Action Checklist: The checklist outlined actions water and wastewater utilities can take to prepare for, respond to, and recover from a wildfire. The Board discussed the need to meet with fire agencies that have authority over the Irish Beach area, and to put together a wildfire plan of action for IBWD, which would include a list of who to contact for emergency

needs in case of a wildfire. General Manager Acker discussed with the Board how IBWD's reserve water supply is capable of providing enough water for the community until the generators begin operating, and how the generator system is capable of restoring power to the wells and providing an adequate supply of

water for the Irish Beach community during a wildfire emergency situation, until electrical power is restored. After discussion, General Manager Acker stated he would research the checklist for a plan of action, for further discussion and planning.

6. OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: FINANCING OPTIONS FOR FUTURE CAPITAL PROJECTS, WATER SOURCE DEVELOPMENT, AND UPDATE ON PROCURING AN ENGINEER'S ASSESSMENT FOR MASTER PLAN DEVELOPMENT. (ACKER/EMRICK).** Counsel Emrick stated that an engineer's assessment is scheduled for discussion at the next Board meeting to determine what would need to be accomplished for formulating a master plan for future capital projects.
- B. DISCUSSION AND OR ACTION: UPDATE ON ROAD MAINTENANCE AGREEMENT AND CORRESPONDENCE REGARDING ROAD MAINTENANCE. (EMRICK/ACKER).** No action taken. Counsel Emrick stated there will be a further update on the status of road maintenance and the road agreement at the next Board meeting.
- C. DISCUSSION AND OR ACTION: WATER SERVICE CONNECTION TO SERVE GORDON MOORES' ACREAGE PARCEL, DISCUSSION AND CONSIDERATION OF BUY-IN FEE RESOLUTION 2009-2, AND PRESENTATION OF HOW TO REGULATE WATER USAGE FOR AGRICULTURAL SITUATIONS. (EMRICK/ACKER).** The State Resources Control Board has issued a statement describing their regulations on cannabis growing. Counsel Emrick will incorporate those state regulations into IBWD's regulations and resolutions, in order to ensure State Board requirements are followed.
- D. DISCUSSION AND OR ACTION: CONNECTION OF TANK 2 WELL. (ACKER).** General Manager Acker discussed with the Board his meeting with a representative of PG&E, because electricity would be needed for the project. This item is open for further discussion at the next Board meeting, as this project may be postponed because Tank 2 water resources are not needed at this time due to the water savings accomplished as a result of completion of the Unit 7 project.

7. NEW BUSINESS:

- A. DISCUSSION AND OR ACTION: ACCEPTANCE OF LETTER OF RESIGNATION FROM PRESIDENT HARLEY AND APPOINTMENT OF BOARD MEMBERS TO FILL CURRENT AND FUTURE VACANCIES. (MURRAY/EMRICK).** Accountant/Clerk Murray discussed with the Board the State code which calls for a 60 days deadline to approve someone to fill the president's vacancy, which would be January 6, 2018. If someone is not appointed, then there would be a vacancy in that position until November 2019, the date of the next election. The county board of supervisors would appoint someone to the Irish Beach Water District to fill that vacancy. If someone is not appointed by the county, then the position would be vacant. Director McCormick stated she will send the letter of resignation to the county, and e-mail a list of potential candidates to Accountant/Clerk Murray. Director McCormick made a motion to accept the letter of resignation from Don Harley as president of IBWD, as of November 11, 2017. The motion was seconded by Vice President Drolet. . Roll call: Director Reidenbach, aye; Vice President Drolet, aye; Director McCormick, aye; and Director Ellison, aye. Motion carried.
- B. DISCUSSION AND OR ACTION: RESOLUTION 2017-2 – AUTHORIZING SALE AND ACQUISITION OF CERTAIN REAL PROPERTY. (ACKER/EMRICK).** The Board discussed Resolution 2017-02, authorizing the sale and acquisition of real property, and the documents required by the county to record these documents for acceptance of the boundary adjustment. Counsel Emrick stated that the

documents include the surveys that the county requires, and the county requirement for a resolution accepting the transfer of property. Vice President Drolet made a motion to accept and approve Resolution 2017-02. The motion was seconded by Director McCormick. Roll call: Director Reidenbach, aye; Vice President Drolet, aye; Director McCormick, aye; and Director Ellison, aye. Motion carried.

Vice President Drolet requested that the Board Members read the IBWD policy handbook, for the purpose of updating, and further discussion at the next Board meeting.

ADJOURNMENT: Vice President Drolet moved to adjourn the public session of the Board meeting. Director McCormick seconded the motion. Roll call to vote: Director Reidenbach, aye; Director McCormick, aye; Director Drolet, aye; and Director Ellison, aye. Motion carried. Meeting adjourned at 11:56 A.M. The next Board meeting will be scheduled for Saturday, January 13, 2018.

CONVENED EXECUTIVE SESSION:

8. EXECUTIVE (CLOSED) SESSION: No reportable action was taken.

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9: (1 POTENTIAL CASE).

Respectfully submitted,

Attest:

Leon Drolet, Vice President

Jan McCormick, Secretary of the Board

Prepared by Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
January 13, 2018

1. **CALL TO ORDER AND ROLL CALL:** Vice President Drolet called the Regular Meeting to order at 10:08 A.M. on Saturday, January 13, 2018, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: Vice President Drolet, Director McCormick, Director Reidenbach, and Director Ellison; Charles Acker, District General Manager; Connie Sackman, Clerk/Secretary, and District's Legal Counsel, Matthew Emrick. Absent was Judy Murray, Accountant/Clerk.
2. **APPROVAL OF MINUTES:** Director McCormick made a motion to approve the meeting minutes of November 11, 2017. Director Reidenbach seconded the motion. Roll call vote: Vice President Drolet, aye; Director McCormick, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** After discussion, a decision was made that correspondence should be addressed to the president of the Irish Beach Water District.
4. **PUBLIC INPUT:** None.
5. **REPORTS:**

A. TREASURER'S REPORT:

CashBalances: \$19,748
Operations Reserve: \$0.00
< 40 Year Reserve: \$0.00
System Wide Capital Improvement: \$0.00
>40 Year Equipment Reserve: \$193,827
Alternate Water Development Fund: \$412,284

Vice President Drolet made a motion that, due to Account/Clerk Murray's absence, the Treasurer's Report will be discussed for approval at the next Board meeting, and moved to approve the list of checks issued as submitted. Director McCormick seconded the motion. Roll call to vote: Director Reidenbach, aye; Vice President Drolet, aye; Director McCormick, aye; and Director Ellison, aye. Motion carried.

B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS: General Manager Acker reported the following for September, October, and November 2017:

- November: Attended Board meeting, evaluated small amount of leakage at Cypress Point and vacuumed the PG&E box, confirmed cancellation of the mediation meeting regarding litigation, processed regular water samples, conducted system checks, processed LT 2 and polymer samples.
- December: Processed state required tri-annual lead and copper water tests, organized and processed extensive chemical testing for LT 2, Well 9, Well 5 and Irish Gulch, Processed monthly reports, processed delivery of supplies, checked systems.
- January: Attended safety meeting, took phone calls from William Moores, checked valves on Cypress Point, Processed LT 2 water sample test. Processed monthly report data, installed new modem, took out tree limbs that were blocking the internet coverage, attended board meeting.

- C. **SAFETY COMMITTEE:** District General Manager Acker reported the attendance and completion of written tests by employees at the following Safety Committee Meeting.

January 5, 2018: “Communications Breakdown” and “Stairways and Ladders”

Attendees: General Manager Charlie Acker, Treatment Plant Operator Dewey Rogers, and Maintenance Employee Paul DeVaul.

- D. **LEGAL COUNSEL:** Counsel Emrick, the Board, and General Manger Acker discussed the maintenance responsibilities for locking the gates on the Alta Mesa Road. It was discussed that after Cal Fire completes their assessment of the Alta Mesa Road conditions, the Board will make their determination regarding locked gates for the road.
- E. **DIRECTORS:** In remembrance of former Director Kathleen Poling, the Board discussed her services to the Board. It was decided to research installing an engraved plaque on the Water District’s redwood bench for Kathleen Poling. Clerk/Secretary Sackman was directed by the Board to research purchasing a plaque and engraving. This agenda item will be further discussed at the next Board meeting.

New Business 7.C. was rescheduled for discussion and/or action after 6.E.

7. NEW BUSINESS:

- C. **DISCUSSION AND OR ACTION: POMO LAKE STATUS. MAINTENANCE ISSUES AND RESPONSIBILITIES FOR LAKE AND DAM. UPDATE ON RECENT MAINTENANCE. (DROLET/EMRICK/ACKER).** IBIC President Wolfe made a presentation using a timeline summation, graphic timeline chart, and agreement documentation that described the history of responsibility for maintenance of Pomo Lake and the dam. After the Board’s discussion, Director McCormick made a motion to form an ad hoc committee, consisting of Director Reidenbach, Director Ellison, and General Manager Acker, to review all documentation available and present their findings to the Board at the next meeting for further discussion as to whether or not to turn over or agree to IBIC’s ownership of the dam and other structures. The motion was seconded by Director Reidenbach. Roll call to vote: Director Ellison, aye; Vice President Drolet, aye; Director McCormick, aye; and Director Reidenbach, aye. Motion carried.

IBIC Director Robards presented the following information regarding recent maintenance of the dam and Pomo Lake: A maintenance plan was started in late 2015, with a representative from the California Department of Fish and Game, conducting a survey of Pomo Lake and the recreational area. In the beginning of 2016 actions were taken to remove older trees; improve the walking trails around Pomo Lake; remove cattails from Pomo Lake; and, with the exception of grasses, remove all vegetation from the surface of the dam. The next priority is to have a dam expert to assess existing vegetation and its impact on the dam.

6. OLD BUSINESS:

- A. **DISCUSSION AND OR ACTION: FINANCING OPTIONS FOR FUTURE CAPITAL PROJECTS, WATER SOURCE DEVELOPMENT, AND UPDATE ON PROCURING AN ENGINEER’S ASSESSMENT FOR MASTER PLAN DEVELOPMENT. (ACKER/EMRICK).** Counsel Emrick stated that organizations for an engineer’s assessment have been researched, and the results will be presented for discussion at the next Board meeting to determine what would need to be accomplished in order to formulate a master plan for future capital projects.

- B. DISCUSSION AND OR ACTION: UPDATE ON ROAD MAINTENANCE AGREEMENT AND CORRESPONDENCE REGARDING ROAD MAINTENANCE. (EMRICK/ACKER).** Counsel Emrick stated that the issues related to the validity of the road maintenance agreement have been put on hold as part of the on-going litigation.
- C. DISCUSSION AND OR ACTION: WATER SERVICE CONNECTION TO SERVE GORDON MOORES' ACREAGE PARCEL, DISCUSSION AND CONSIDERATION OF BUY-IN FEE RESOLUTION 2009-2, AND PRESENTATION OF HOW TO REGULATE WATER USAGE FOR AGRICULTURAL SITUATIONS. (EMRICK/ACKER).** Counsel Emrick stated that water was supplied for the acreage parcel, but the water usage was canceled for the purposes intended. The Board decided that the water connection will remain for other potential water usage.
- D. DISCUSSION AND OR ACTION: CONNECTION OF TANK 2 WELL. (ACKER).** General Manager Acker stated that the Tank 2 Well connection comes under the staid road maintenance agreement. As the road maintenance agreement has been put on hold due to litigation, the Tank 2 Well connection will be further discussed after the litigation proceedings have been concluded.

7. NEW BUSINESS:

- A. DISCUSSION AND OR ACTION: RESOLVE THE VACANCY OF THE PRESIDENT OF THE BOARD OF THE IRISH BEACH WATER DISTRICT. (DROLET).** Vice President Drolet discussed with the Board the need to nominate officers for the Board for the year 2018. Director McCormick made a motion that Vice President Drolet serve as President of the Board, Director Ellison serve as Vice President of the Board, Director McCormick as Secretary of the Board, and Director Reidenbach serve as Member at Large of the Board. Motion seconded by Director Reidenbach. Roll call vote: Vice President Drolet, aye; Director McCormick, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.
- B. DISCUSSION AND OR ACTION: ENVIRONMENTAL PROTECTION AGENCY (EPA) INCIDENT ACTION CHECKLIST, RESEARCH AND PLAN OF ACTION. (DROLET/EMRICK/ACKER).** The Board discussed the forming of a committee, consisting of Vice President Drolet, General Manager Acker, Counsel Emrick, and a private contractor who is familiar with the standards of fire safety planning, to compile a wild fire evacuation and water availability plan for approval. This agenda item will be further discussed at the next Board meeting.

ADJOURNMENT: Vice President Drolet moved to adjourn the public session of the Board meeting. Director McCormick seconded the motion. Roll call to vote: Director Reidenbach, aye; Director McCormick, aye; Director Drolet, aye; and Director Ellison, aye. Motion carried. Meeting adjourned at 12:26 P.M. The next Board meeting will be scheduled for Saturday, March 10, 2018.

CONVENED EXECUTIVE SESSION:

- 8. EXECUTIVE (CLOSED) SESSION:** No reportable action was taken.
 - A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.**
 - B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9: (1 POTENTIAL CASE).**

Respectfully submitted,

Leon Drolet, Vice President

Date: _____

Prepared by Connie Sackman, Clerk/Secretary

Attest:

Jan McCormick, Secretary of the Board

Date: _____

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
March 10, 2018

1. **CALL TO ORDER AND ROLL CALL:** President Drolet called the Regular Meeting to order at 10:02A.M.on Saturday, March 10, 2018, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: President Drolet, Director McCormick, Director Reidenbach, and Director Ellison. Employees in attendance were: District General Manager Acker, Accountant/Clerk Murray, Clerk/Secretary Sackman, and District’s Legal Counsel Emrick.
2. **APPROVAL OF MINUTES:** Corrections were noted to change the following: 7.C. second paragraph replaced “Planning Board of Mendocino County” with “California Department of Fish and Game.” Also replaced “In 2016” with “In the beginning of 2016.” Director McCormick made a motion to approve the meeting minutes with the changes as noted. The motion was seconded by Director Ellison. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** President Drolet stated that any communications or correspondence requires a two weeks advance notice in order to be discussed at a board meeting, or will be postponed until the next board meeting. It was decided by the board that a notice will be stated on all future meeting agendas as follows: Communications and correspondence to be presented at a board meeting, if received less than two weeks before the meeting, will not be part of that board meeting’s agenda, and will be included in the next board meeting’s agenda.
4. **PUBLIC INPUT:** None.
5. **REPORTS:**

A. TREASURER’S REPORT:

Cash Balance: \$18,525
Operations Reserve: \$0.00
*Emergency Response Augmentation: \$20,938 (payment in 2017-2018)
<40 Year Reserve: \$0.00
System Wide Capital Improvement: \$0.00
>40 Year Equipment Reserve: \$193,827
Alternate Water Development Fund: \$412,284

Accountant/Clerk Murray reported the following:

*Emergency Response Augmentation: The \$27,708 paid in 2016-2017, was reported for the last period January, 2018 Treasurer’s Report separately, because these funds are not operating funds and cannot be spent on Water District expenditures, with the exception of repair/maintenance of the Manchester Firehouse. These funds are “passed through” to RCFPD in accordance with LAFCO’s agreement when the fire district was annexed to RCFPD.

All operating expenditures were normal for January through March 2018. The list of checks issued shows \$27,707.90, which is the 2016-2017 installment payment to RWCFPD. Director McCormick made a motion to approve Treasurer’s Reports for January and March 2018, and the list of checks issued for January 9, 2018 through

March 9, 2018. The motion was seconded by Director Reidenbach. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.

B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS: General Manager Acker reported the following for January, February, and March 2018:

January: Attended board meeting, checked tanks, prepared for winter weather, conducted backwash's, inspected Tank 3 for maintenance requirements, conducted storm recovery requirements, and checked tanks and wells.

February: Processed monthly reports, conducted hydrant testing for Units 2 & 3, implemented a numbering system for hydrants, conducted backwashes, performed meter repair, performed line flushing, processed water sample tests, increased upper diversion water flow, checked low rate of water pressure, repaired raw water pipe, repaired Tank 3 float, replaced C12 pump, ordered parts, marked customer's U-2 line, attended safety meeting, and repaired fencing.

March: Performed hydrant testing for units 8 and 9, processed water sample testing, relocated Vacuum unit, prepared for board meeting, and completed SWRCB reports.

C. SAFETY COMMITTEE: General Manager Acker reported the attendance and completion of written tests by employees at the following Safety Committee Meeting:

February 23, 2018: "Sexual Harassment" and "Back Protection"

Attendees: General Manager Acker, Treatment Plant Operator Rogers, and Maintenance Employee DeVaul.

D. LEGAL COUNSEL: Counsel Emrick discussed the on-going litigation schedule with the Board of Directors.

E. DIRECTORS: Director Reidenbach discussed the need for customers to have a contact list of IRISH BEACH WATER DISTRICT's employees for billing and emergency contact. The board decided that a contact list will be added in the next billing statements. It was also discussed that IRISH BEACH WATER DISTRICT's main phone number provides a message giving contact numbers as well.

The board discussed changing the next board meeting date to Saturday, May 19, 2018. Director McCormick made a motion to cancel the regular board meeting scheduled for Saturday, May 12, 2018, and schedule a special meeting for Saturday, May 19, 2018. The motion was seconded by Director Reidenbach. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.

6. OLD BUSINESS:

A. DISCUSSION AND OR ACTION: PLAQUE AND ENGRAVING IN MEMORY OF KATHY POLING. (DROLET/McCORMICK/REIDENBACH/ELLISON/MURRAY/SACKMAN). After the board's discussion, IBIC President Wolfe, present in the audience, volunteered to have a plaque engraved in memory of Kathy Poling on one of IBIC's benches located in the Pomo Lake area.

B. DISCUSSION AND OR ACTION: FINANCING OPTIONS FOR FUTURE CAPITAL PROJECTS, WATER SOURCE DEVELOPMENT, AND UPDATE ON PROCURING AN ENGINEER'S ASSESSMENT FOR MASTER PLAN DEVELOPMENT. (EMRICK/ACKER). After discussion with the board, Counsel Emrick stated he will present proposals from one or two engineering firms at the next board meeting.

- C. **DISCUSSION AND OR ACTION: UPDATE ON ROAD MAINTENANCE AGREEMENT AND CORRESPONDENCE REGARDING ROAD MAINTENANCE.(EMRICK/ACKER).**On hold as part of on-going litigation.
- D. **DISCUSSION AND OR ACTION: CONNECTION OF TANK 2 WELL. (ACKER).**On hold until after the litigation proceedings have been concluded.
- E. **DISCUSSION AND OR ACTION: ENVIRONMENTAL PROTECTION AGENCY (EPA) INCIDENT ACTION CHECKLIST, RESEARCH, AND PLAN OF ACTION. (DROLET/ACKER/EMRICK).** Counsel Emrick stated that he will bring a former fire chief, as a potential consultant, to the next board meeting to discuss grants and a fire protection plan.
- F. **DISCUSSION AND OR ACTION: POMO LAKE STATUS. MAINTENANCE ISSUES, RESPONSIBILITIES FOR LAKE AND DAM, AND AD HOC COMMITTEE FINDINGS. (REIDENBACH/ELLISON/DROLET/EMRICK/ACKER).** Director Reidenbach opened the discussion by stating that the ad hoc committee reviewed and discussed the pertinent documents at their initial meeting. Director Reidenbach had a follow up meeting with IBIC President Wolfe. Counsel Emrick and the board discussed water and property rights during the board meeting. It was decided that IBIC's President Wolfe would provide a copy of the grant deed of the property to IRISH BEACH WATER DISTRICT to substantiate IBIC property ownership. IRISH BEACH WATER DISTRICT's and IBIC's Boards would then attempt to come to an agreement regarding a potential lease or license of the District's Pomo Lake water rights to IBIC for a specified period of time as surplus property to replace the present 1990 Agreement. The Board directed Counsel Emrick to prepare a draft of a lease/license, including all the necessary documents, for distribution to the board before the next board meeting, for discussion at the next board meeting.

7. NEW BUSINESS:

- A. **DISCUSSION AND OR ACTION: COMPLETION OF STATEMENT OF ECONOMIC INTEREST FORM 700, ETHICS TRAINING, AND THE BROWN ACT. (MURRAY/EMRICK).** Accountant/Clerk Murray stated board members are required to complete Form 700, and Form 700 to be provided to the County of Mendocino Accessor-Clerk-Recorder's office no later than Monday, April 2, 2018. The ethics training program is provided on the designated website for new board members. Counsel Emrick stated he will provide related Brown Act and conflict of interest information to facilitate the training.
- B. **DISCUSSION AND OR ACTION: IRISH BEACH WATER DISTRICT'S HERBICIDE POLICY. (ACKER).** General Manager Acker discussed with the board Resolution No. 95-4, which established a zero discharge limit with respect to the disposal of waste or activity which might contaminate or degrade the quality of waters of the state flowing through the Irish Beach Water District. This discussion focused on the chemical glyphosate, an ingredient in the brand name Roundup. As glyphosate was added to California Proposition 65, as a potentially cancerous chemical, the board will discuss at the next meeting methods of distributing this information to the Irish Beach Community, and possible independent testing for this chemical for IRISH BEACH WATER DISTRICT.

ADJOURNMENT: President Drolet moved to adjourn the public session of the board meeting. Director McCormick seconded the motion. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried. Meeting adjourned at 12:48 P.M. The next board meeting will be scheduled for Saturday, May 19, 2018.

CONVENED EXECUTIVE SESSION:

- 8. **EXECUTIVE (CLOSED) SESSION:** No reportable action was taken.

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPHS (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9: (1 POTENTIAL CASE).

Respectfully submitted:

Attest:

Leon Drolet, President

Jan McCormick, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
May 19, 2018

1. **CALL TO ORDER AND ROLL CALL:** President Drolet called the Special Meeting to order at 10:02A.M.on Saturday, May 19, 2018, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: President Drolet, Director McCormick, Director Reidenbach, and Director Ellison. Employees in attendance were: District General Manager Acker, Accountant/Clerk Murray, Clerk/Secretary Sackman, and District's Legal Counsel Emrick attended by telephone from his office at 6520 Lonetree Blvd., #1009, Rocklin, CA.
2. **APPROVAL OF MINUTES:** Director McCormick made a motion to approve the meeting minutes as submitted. The motion was seconded by Director Ellison. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** In response to W. Moores letter dated November 11, 2017, General Manager Acker, Counsel Emrick, and the Irish Beach Water District Board discussed the letter as follows: General Manager Acker stated that the maintenance of the lock for the gate is in question due to the lock disappearing from the gate, as well as use of the road for emergency fire purposes. The lock for the gate is presently in place. The gate is currently functional, but difficult to open and close. Repair of the gate is considered a one-time only Irish Beach Water District maintenance project with a completion date to be determined. Counsel Emrick and the Board discussed the following: the Alta Mesa Road Maintenance Agreement is considered null and void due to the need for a new agreement to be drawn up, to include all those responsible for the road maintenance.

The Irish Beach Water District Board, General Manager Acker, and Counsel Emrick discussed correspondence from Bill Moores, dated April 23, 2018, regarding Unit #9 road - Alta Mesa Road Unraveling: It was decided that General Manager Acker will schedule a professional contractor to submit an assessment report for repaving of the road and weight bearing concerns. The Board will reply to Bill Moores after receiving the report and deciding on a procedure for repair of the road if possible. Road repair may relate to the underlying road base, which is Mr. Moores' responsibility.

4. **PUBLIC INPUT:** None.
5. **REPORTS:**
 - A. **TREASURER'S REPORT:**

Cash Balance: \$27,977
Operations Reserve: \$0.00
*Emergency Response Augmentation: \$34,622 (payment in 2017-2018)
<40 Year Reserve: \$0.00
System Wide Capital Improvement: \$0.00
>40 Year Equipment Reserve: \$193,827
Alternate Water Development Fund: \$412,284

Accountant/Clerk Murray reported the following:

All operating expenditures were normal for March to May 2018, and shows a recap of our balances. A note at the bottom of the Cash Statement states: expenses are 54% of Budget, and October 2017 to May 2018 at 58% of Budget, with a net income to date of \$7,759, which shows a modest increase in cash flow. Currently this year has not shown any major expenditure, and Irish Beach Water District's current operating budget is on target. The list of checks issued shows three employee pay periods. The large expense of \$1,000 was paid to Kemper Enterprises, the new water testing organization. Director McCormick made a motion to approve the Treasurer's Report for March through May 18, 2018, and the list of checks issued for March 1, 2018 through May 18, 2018. The motion was seconded by President Drolet. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.

B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS: General Manager Acker reported the following for March, April, and May 2018:

March: Attended board meeting, prepared for storms, checked tanks and wells, conducted backwashes, made fence repairs, collected LT2 and bacteria sample tests, and collected C12 test samples for units 1, 4, 7, 8, and 9.

April: Conducted tank and well checks, collected bacteria and C12 test samples, conducted backwashes, processed monthly reports, prepared for storms, checked upper roads for storm damage, attended safety meeting, and conducted a plant re-start procedure.

May: Painted water hydrants, performed water sample testing for water taps, delivered polymer, collected sample tests for bacteria, received level 1 assessment, attended Redwood Coast Fire District meeting regarding fire grants, checked chlorine levels, attended safety meeting, processed annual report for June 1st due date, and prepared for Irish Beach Water District's May 19, 2018 Board Meeting.

C. SAFETY COMMITTEE: General Manager Acker reported the attendance and completion of written tests by employees at the following Safety Committee Meetings:

April 20, 2018: "Respect for People"

Attendees: General Manager Acker, Treatment Plant Operator Rogers, Maintenance Employee DeVaul, and Clerk/Accountant Murray.

May 18, 2018: "Heat Stress"

Attendees: General Manager Acker, Treatment Plant Operator Rogers, and Maintenance Employee DeVaul.

D. LEGAL COUNSEL: Counsel Emrick discussed the on-going litigation schedule with the Board of Directors.

E. DIRECTORS: Director Reidenbach described a large collection of water situated on property near the Cypress Point Road area. General Manger Acker stated he has noted this, and will be checking again to schedule repairs for a possible leak. The Board discussed giving a tour of the facilities to those interested, in addition to a tour with a Redwood Coast Fire District representative for fire safety measures.

6. OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: FINANCING OPTIONS FOR FUTURE CAPITAL PROJECTS, WATER SOURCE DEVELOPMENT, AND UPDATE ON PROCURING AN ENGINEER'S ASSESSMENT FOR MASTER PLAN DEVELOPMENT. (EMRICK/ACKER).**
Counsel Emrick stated this is on hold, as he and General Manager Acker are in the process of contacting engineers to obtain bids from them. Counsel Emrick and General Manager Acker will have an update at the next meeting.
- B. DISCUSSION AND OR ACTION: UPDATE ON ROAD MAINTENANCE AGREEMENT AND CORRESPONDENCE REGARDING ROAD MAINTENANCE.(EMRICK/ACKER).** On hold as part of on-going litigation.
- C. DISCUSSION AND OR ACTION: CONNECTION OF TANK 2 WELL. (ACKER).** On hold until after the litigation proceedings have been concluded.
- D. DISCUSSION AND OR ACTION: ENVIRONMENTAL PROTECTION AGENCY (EPA) INCIDENT ACTION CHECKLIST, RESEARCH AND PLAN OF ACTION. (DROLET/ACKER/EMRICK).** President Drolet stated that this item is incorporated into New Business. 7. A.
- E. DISCUSSION AND OR ACTION: POMO LAKE STATUS. MAINTENANCE ISSUES, RESPONSIBILITIES FOR LAKE AND DAM, AND AD HOC COMMITTEE FINDINGS. (REIDENBACH/ELLISON/DROLET/EMRICK/ACKER).** Counsel Emrick stated he has submitted a draft proposal agreement to IBIS President Wolfe, received comments from President Wolfe regarding the draft proposal agreement, discussed with President Wolfe about having a meeting at Irish Beach Water District's next meeting to discuss further information provided by IBIS and Irish Beach Water District, and also to discuss moving forward with an agreement.
- F. DISCUSSION AND OR ACTION: Irish Beach Water District's HERBICIDE POLICY: (ACKER).**
After General Manager Acker discussed with the Board the chemical ingredient glyphosate in the herbicide Roundup, the Board decided to provide information to Irish Beach property owners regarding the use of Roundup, as stated in California's Proposition 65, and the Water District's Resolution No. 95-4, which stipulates the restrictions of using hazardous contaminants.

7. NEW BUSINESS:

- A. CALFIRE GRANT PROGRAM FOR POTENTIAL BRUSH AND TREE REMOVAL, ETC. FOR FIRE PROTECTION PURPOSES AND COORDINATION WITH REDWOOD COAST FIRE PROTECTION DISTRICT. (DROLET/ACKER/EMRICK).** The Board discussed arranging a tour of the upper Alta Mesa Road with representatives from Cal Fire and Redwood Coast Fire District to decide on a plan for fire prevention and applying for grants for fire prevention. It was concluded that President Drolet and General Manager Acker will make the meeting arrangements.

ADJOURNMENT: President Drolet moved to adjourn the public session of the board meeting at 11:33A.M and the Executive Session convened at 11:35 A.M.

8. CONVENE EXECUTIVE SESSION:

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPHS (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9: (1 POTENTIAL CASE).

EXECUTIVE (CLOSED) SESSION: No reportable action was taken.

RETURNED TO OPEN SESSION AND REPORT:

President Drolet closed the executive session and reconvened the open (public) session of the Irish Beach Water District at 11:51 AM. and stated that there were no reportable actions to report regarding existing litigation. President Drolet moved to adjourn the board meeting Director McCormick seconded the motion. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried. Meeting adjourned at 11:53 A.M. The next board meeting will be scheduled for Saturday, July 14, 2018.

Respectfully submitted:

Attest:

Leon Drolet, President

Jan McCormick, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
July 14, 2018

- 1. CALL TO ORDER AND ROLL CALL:** President Drolet called the Regular Meeting to order at 10:01 A.M. on Saturday, July 14, 2018, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: President Drolet, Director McCormick, and Director Reidenbach. Director Ellison was absent. Employees in attendance were: District General Manager Acker, Accountant/Clerk Murray, Clerk/Secretary Sackman, and District's Legal Counsel Emrick.

President Drolet made a motion to close the Open Session at 10:02 A.M. and open the Closed Session. Motion seconded by Director McCormick. Roll call to vote: President Drolet, aye; Director McCormick, aye; and Director Reidenbach, aye. Motion carried.

President Drolet made a motion to close the Closed Session at 10:21 A.M. and open the Open Session. Motion seconded by Director Reidenbach. Roll call to vote: President Drolet, aye; Director McCormick, aye; and Director Reidenbach, aye. Motion carried.

President Drolet made a motion to move Item Old Business 6.E. to the beginning of the meeting. Motion seconded by Director Reidenbach. Roll call to vote: President Drolet, aye; Director McCormick, aye; and Director Reidenbach, aye. Motion carried.

6. OLD BUSINESS.

E. DISCUSSION AND OR ACTION: POMO LAKE STATUS. MAINTENANCE ISSUES, RESPONSIBILITIES FOR LAKE AND DAM, AND AD HOC COMMITTEE FINDINGS. (REIDENBACH/ELLISON/DROLET/EMRICK/ACKER). The IBWD Board and IBIC President Wolfe and IBIC Director Robards discussed Pomo Lake with regard to maintenance issues and responsibilities for the lake and dam. It was decided that Legal Counsel Emrick would draft a proposal to be presented to the IBIC Board by Director McCormick at IBIC's Board Meeting on July 28, 2018. After IBIC has review the proposal, IBWD will discuss any issues raised by the IBIC Board, and have a goal for the proposal's completion by IBWD's November Board Meeting.

- 2. APPROVAL OF MINUTES:** President Drolet made a motion to approve the meeting minutes as submitted. The motion was seconded by Director Reidenbach. Roll call to vote: President Drolet, aye; Director McCormick, aye; and Director Reidenbach, aye. Motion carried.

- 3. COMMUNICATIONS AND CORRESPONDENCE:** Legal Counsel Emrick advised the Board that William Moores' attorney will submit a written request asking the IBWD Board to consider signing an agreement to stay issues regarding the road maintenance agreement. Legal Counsel Emrick will forward the attorney's written request to the Board for the next Board Meeting's discussion.

- 4. PUBLIC INPUT:** None.

5. REPORTS:

A. TREASURER'S REPORT:

Cash Balance: \$14,515

Operations Reserve: \$0.00

*Emergency Response Augmentation: \$34,622 (payment in 2017-2018)

<40 Year Reserve: \$0.00

System Wide Capital Improvement: \$0.00

>40 Year Equipment Reserve: \$193,827

Alternate Water Development Fund: \$412,284

Total Unrestricted Assets: \$665,974

Accountant/Clerk Murray reported the following:

All operating expenditures were normal for May to July 2018, and the Treasurer's report shows a recap of our balances. A list of checks issued shows: A check for Kemper Enterprises, IBWD's new water reporting vendor, is higher due to the extra testing required. A check for Downey/Brand is for appellate services, and represents four months of service fees. Director McCormick made a motion to approve the Treasurer's Report for May through July, 2018, and the list of checks issued for May 18, 2018 through July 14, 2018. The motion was seconded by Director Reidenbach. Roll call to vote: President Drolet, aye; Director McCormick, aye; and Director Reidenbach, aye. Motion carried.

B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS: General Manager Acker reported the following for May, June, and July 2018:

May: Prepared for the annual report, due June 1st, conducted backwashes, completed annual reports, repaired fences, and processed LT-2 water sample tests.

June: Attended the Redwood Coast Fire District meeting to discuss fire protection grants, processed sampling taps, mowed designated areas, processed chlorine delivery, noted high usage at Tank 4, processed filling Tank 4, processed LT-2 water sample tests, checked water loss at Tank 4 and tested for leak, retested for Tank 4 water leak, rechecked water loss at Tank 4, determined source of leak at outlet valve, processed upper diversion water tests for LT-2 and W5, and completed consumer confidence report and notice regarding prohibited Roundup usage within the Irish Beach Community.

July: Dug out Tank 4 drain valve, removed roots from stuck riser pipe, attended safety meeting, processed LT-2 water sample testing, Treatment Plant Operator Rogers discovered the source of the leak for Tank 4 and prepared for repair, and prepared for and attended board meeting.

C. SAFETY COMMITTEE: General Manager Acker reported the attendance and completion of written tests by employees at the following Safety Committee Meetings:

July 6, 2018: "Emergency Action Plan" and "Housekeeping Safety"

Attendees: General Manager Acker, Treatment Plant Operator Rogers, Maintenance Employee DeVaul, and Clerk/Accountant Murray.

D. LEGAL COUNSEL: Counsel Emrick discussed the on-going litigation schedule with the Board of Directors.

E. DIRECTORS: The following information was provided by the IBWD Board of Directors: The Irish Beach Water District has a vacancy due to the resignation of Director Harley. As this Board vacancy has been longer

than 90 days since Mr. Harley's resignation, the County Board of Supervisors must appoint a candidate to fill this vacancy; therefore, the Irish Beach Water District requests the appointment of Kenneth Terry to fill this Vacancy. Clerk/Accountant Murray is directed by the Board to file the necessary papers to facilitate this appointment with the County Elections Department.

President Drolet and General Manager Acker discussed with the Board the NEST supplies stored in IBWD's fire house. General Manager Acker stated that the Elk Water District has a system and location for storing emergency supplies. It was concluded by the Board that General Manager Acker will coordinate with NEST and the Elk Water District for the transfer of NEST emergency supplies to the Elk Water District's location.

6. OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: FINANCING OPTIONS FOR FUTURE CAPITAL PROJECTS, WATER SOURCE DEVELOPMENT, AND UPDATE ON PROCURING AN ENGINEER'S ASSESSMENT FOR MASTER PLAN DEVELOPMENT. (EMRICK/ACKER).**
Counsel Emrick stated this is on hold, as he and General Manager Acker are in the process of contacting engineers to obtain bids from them. Counsel Emrick and General Manager Acker will have an update at the next meeting.
- B. DISCUSSION AND OR ACTION: UPDATE ON ROAD MAINTENANCE AGREEMENT AND CORRESPONDENCE REGARDING ROAD MAINTENANCE.(EMRICK/ACKER).** On hold as part of on-going litigation.
- C. DISCUSSION AND OR ACTION: CONNECTION OF TANK 2 WELL. (ACKER).** On hold until after the litigation proceedings have been concluded.
- D. DISCUSSION AND OR ACTION: ENVIRONMENTAL PROTECTION AGENCY (EPA) INCIDENT ACTION CHECKLIST, RESEARCH, AND PLAN OF ACTION. (DROLET/ACKER/EMRICK).** After the Board's discussion, President Drolet made a motion to have Mike Kaslin, former section chief for Cal Fire, do a study for IBWD's needs for wild fire protection with an initial expense for a report of the study findings not to exceed \$5,000, with an expected completion date by September's Board Meeting. Roll call to vote: President Drolet, aye; Director McCormick, aye; and Director Reidenbach, aye. Motion carried
- F. DISCUSSION AND OR ACTION: IBWD'S HERBICIDE POLICY: (ACKER).** General Manager Acker reported to the Board, in accordance with the Water District's Resolution No. 95-4, that a notice restricting the use of Roundup within the Irish Beach Community will be an attachment to the next billing statements.
- G. CALFIRE GRANT PROGRAM FOR POTENTIAL BRUSH AND TREE REMOVAL, ETC. FOR FIRE PROTECTION PURPOSES AND COORDINATION WITH REDWOOD COAST FIRE PROTECTION DISTRICT. (DROLET/ACKER/EMRICK).** General Manager Acker discussed with the Board the joining with other fire districts within Mendocino County to assist in applying for larger grants. This topic will be discussed further at the next board meeting.

7. NEW BUSINESS: None

ADJOURNMENT: President Drolet moved to adjourn the public session of the board meeting at 12:00 P.M. and the Executive Session convened at 12:02 P.M.

CONVENED EXECUTIVE SESSION:

8. EXECUTIVE (CLOSED) SESSION: No reportable action was taken.

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPHS (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9: (1 POTENTIAL CASE).

RETURNED TO OPEN SESSION AND REPORT:

President Drolet closed the executive session and reconvened the open (public) session of the IBWD at 12:10 P.M. and stated that there were no reportable actions to report regarding existing litigation. President Drolet moved to adjourn the board meeting. Director McCormick seconded the motion. Roll call to vote: President Drolet, aye; Director McCormick, aye; and Director Reidenbach, aye. Motion carried. Meeting adjourned at 12:12 P.M. The next board meeting will be scheduled for Saturday, September 8, 2018.

Respectfully submitted:

Attest:

Leon Drolet, President

Jan McCormick, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
September 8, 2018

1. **CALL TO ORDER AND ROLL CALL:** President Drolet called the Regular Meeting to order at 10:00 A.M. on Saturday, September 8, 2018, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: President Drolet, Director McCormick, Director Reidenbach, and Director Ellison. Employees in attendance were: District General Manager Acker, Accountant/Clerk Murray, Clerk/Secretary Sackman, and District's Legal Counsel Emrick.
2. **APPROVAL OF MINUTES:** Director Ellison made a motion to approve the meeting minutes as submitted. The motion was seconded by Director McCormick. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Reidenbach, aye; and Director Ellison, Aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** A communication was received from Irish Beach property owner, Casey Dyson, requesting to be appointed to the IBWD vacant director position and also requesting a special election. Clerk/Accountant Murray discussed with the Board that a special election would have to be held during the next election period, which is August 2019, due to the expired time of 90 days from the date of the vacancy of the director position. Clerk/Accountant Murray informed the Board that she would communicate this information to Casey Dyson.

There were three additional communications regarding Pomo Lake status, which were moved to Public Input.

4. **PUBLIC INPUT:** A guest present at the Board meeting asked about an IBWD fire protection plan. Counsel Emrick and General Manager Acker stated: Mike Kaslin, former section chief for CalFire, has assessed the issue in question, and will present his study at the next IBWD Board meeting.

Regarding the Pomo Lake Status: IBIC President Wolfe presented a proposal to the IBWD Board and Counsel Emrick for discussion. After discussion, it was determined that the proposal would be further reviewed by the IBWD Board and Counsel Emrick for discussion and action at the next Board Meeting.

The three communications/correspondence received concerned the Pomo Lake status, which will be addressed in these meeting minutes and posted to the IBWD website.

5. REPORTS:

A. TREASURER'S REPORT:

Cash Balance: \$13,554
Operations Reserve: \$0.00
*Emergency Response Augmentation: \$37,475 (payment in 2017-2018)
<40 Year Reserve: \$0.00
System Wide Capital Improvement: \$0.00
>40 Year Equipment Reserve: \$193,827
Alternate Water Development Fund: \$412,284
Total Unrestricted Assets: \$670,303

Clerk/Accountant Murray reported the following:

All operating expenditures were normal for July to September 2018, and the Treasurer's report shows a recap of our balances. The IBWD Budget Committee has a vacancy that needs to be filled in order to put together a budget for the coming fiscal year. President Drolet volunteered to fill the Budget Committee vacancy.

Clerk/Accountant Murray stated that a motion needed to be made to adopt last year's 2017-2018 budget as the proposed budget for fiscal year 2018-2019. She further explained that the budget is the legal framework that the Board approves to allow expenditures to be made for operation of the District such as payroll, utilities, plant operation, etc. Without a budget the District has no pending authority to continue to provide fiscal operation of the District. Therefore, by approving last year's budget as this year's proposed budget, the District can continue day to day operations until the final budget is approved in November 2018. The Budget Committee will bring the final budget for approval at the next Board meeting. Director Reidenbach made a motion to adopt the proposed budget for Fiscal Year 2018-2019. The motion was seconded by President Drolet. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Ellison, aye; and Director Reidenbach, aye. Motion carried.

Clerk/Account Murray reported that there was nothing out of the ordinary for the Checks Issued Report. After reviewing the Checks Issued Report President Drolet made a motion to approve the Cash Statement Report for September 2018 and the Checks Issued Report for the period of July 4 through September 8, 2018. The motion was seconded by Director McCormick. Roll call to vote: President Drolet, aye; Director Ellison, aye; Director McCormick, aye; and Director Reidenbach, aye. Motion carried

A guest in the audience questioned Clerk/Accountant Murray regarding audits on the website.

Clerk/Accountant Murray stated that the audit for Fiscal Year 2015-2016 will be published on the website by the following week. The Fiscal Year 2016-2017 audit is in progress at the CPA's office, which will bring the audits up to date.

B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS: General Manager Acker reported the following for July, August, and September 2018:

July: Repaired water leak at an Alta Mesa location, installed Tank 4 valve riser, assessed leak at Mallo Pass Court, processed monthly report, processed LT-2 water sample tests, conducted tree trimming, corrected power outage, completed backwash, and conducted tank and well checks.

August: Repaired water leak and replaced riser located at Mallo Pass Court, conducted a refill at Mallo Pass Court, processed monthly reports, processed LT-2 water sample tests, completed water leak at Mallo Pass Court location, processed backwashes, processed systems check, assessed a connection at Acquistapace Street location, attended safety meeting, met with AT&T- USA at Acquistapace Street location, attended special meeting regarding Pomo Lake, conducted weed cutting, and contacted by locator at Acquistapace Street location.

September: Repaired water leak at Cypress Point location, processed LT-2 water sample tests, prepared for IBWD Board meeting, and attended IBWD Board meeting. Discussed with the Board at the IBWD Board meeting the following: replacement of water meters with more efficient electronic water meters, completion of a survey to determine which Irish Beach community properties should have back flow systems installed, installing upgraded computer software for water systems' monitoring and the alarm system, and Alta Mesa Road patch repair.

C. SAFETY COMMITTEE: General Manager Acker reported the attendance and completion of written tests by employees at the following Safety Committee Meeting:

August 28, 2018: “Ergonomics”

Attendees: General Manager Acker, Treatment Plant Operator Rogers, Maintenance Employee DeVaul.

D. LEGAL COUNSEL: Counsel Emrick stated the following: The Pomo Lake status was discussed under Public Input at the present meeting. The Board will discuss the IBWD proposal with Counsel Emrick, and proceed with further discussion and action at the next Board meeting.

E. DIRECTORS: Special Election: This item will be further discussed at the next Board meeting.

6. OLD BUSINESS:

A. DISCUSSION AND OR ACTION: FINANCING OPTIONS FOR FUTURE CAPITAL PROJECTS, WATER SOURCE DEVELOPMENT, AND UPDATE ON PROCURING AN ENGINEER’S ASSESSMENT FOR MASTER PLAN DEVELOPMENT. (EMRICK/ACKER).

Counsel Emrick and General Manager Acker have contacted engineering firms, and will have those firms’ proposals presented to the Board at the next meeting.

B. DISCUSSION AND OR ACTION: UPDATE ON ROAD MAINTENANCE AGREEMENT AND CORRESPONDENCE REGARDING ROAD MAINTENANCE.(EMRICK/ACKER). On hold as part of on-going litigation.

C. DISCUSSION AND OR ACTION: CONNECTION OF TANK 2 WELL. (ACKER). On hold until after the litigation proceedings have been concluded.

D. DISCUSSION AND OR ACTION: ENVIRONMENTAL PROTECTION AGENCY (EPA) INCIDENT ACTION CHECKLIST, RESEARCH AND PLAN OF ACTION. (DROLET/ACKER/EMRICK). Counsel Emrick stated that Mike Kaslin, former section chief for CalFire, has been delayed due to recent wildfires, and is scheduled to present his study at the next Board meeting for IBWD’s needs for wild fire protection. An initial expense for a report of the study findings are not to exceed \$5,000.

E. DISCUSSION AND OR ACTION: CALFIRE GRANT PROGRAM FOR POTENTIAL BRUSH AND TREE REMOVAL, ETC. FOR FIRE PROTECTION PURPOSES AND COORDINATION WITH REDWOOD COAST FIRE PROTECTION DISTRICT. (DROLET/ACKER/EMRICK). Counsel Emrick stated that this item was addressed in Agenda Item 6.D. President Drolet stated: there will be further discussion with CalFire after Mike Kaslin’s study has been reviewed by the Board.

7. NEW BUSINESS: None

ADJOURNMENT: President Drolet moved to adjourn the public session of the board meeting at 11:08 A.M. and the Executive Session convened at 11:10 A.M.

8. EXECUTIVE (CLOSED) SESSION: No reportable action was taken.

CONVENED EXECUTIVE SESSION:

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.
- B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPHS (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9: (1 POTENTIAL CASE).

RETURNED TO OPEN SESSION AND REPORT:

President Drolet closed the executive session and reconvened the open (public) session of the IBWD at 11:25 A.M. and stated that there were no reportable actions to report regarding existing litigation. President Drolet moved to adjourn the board meeting. Director McCormick seconded the motion. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Ellison, aye; and Director Reidenbach, aye. Motion carried. Meeting adjourned at 11:29 A.M. The next board meeting will be scheduled for Saturday, November 10, 2018.

Respectfully submitted:

Attest:

Leon Drolet, President

Jan McCormick, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary