

**IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
November 14, 2020**

1. **CALL TO ORDER AND ROLL CALL:** President Terry called the Regular Meeting to order at 10:02 A.M. on Saturday, November 14, 2020. Roll call of directors in attendance were: President Terry, Director Ellison, Director Dyson, and Director Whitaker. Employees in attendance online were: General Manager Acker, Clerk/Accountant Murray, Clerk/Secretary Sackman, and Legal Counsel Emrick attended the meeting online with Zoom.
2. **APPROVAL OF MINUTES:** Director Whitaker made a motion to approve the Regular Meeting Minutes dated September 11, 2020, as submitted. The motion was seconded by Director Ellison. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye; and Director Whitaker, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** None...
4. **PUBLIC INPUT:** none.
5. **REPORTS:**

A. TREASURER'S REPORT:

November 2020:

Cash Balance: \$43,718

Operations Reserve: \$0.00

Emergency Response Augmentation: -\$0.00

System Wide Capital Improvement: \$0.00

>40 Year Equipment Replacement Fund: \$65,130

Alternate Water Development Fund: \$426,997

Total Assets both Restricted and Unrestricted: \$663,730

Clerk/Accountant Murray stated: This report is similar to the last report. Starting the new fiscal year with the checking account balance of \$43,718, accounts receivable of \$16,470, county tax rolls of \$1,983, accounts payable of -\$10,568 for a total for cash assets and other assets of \$51,503.15. Greater than 40 changed from \$58,475 to \$65,130 due to a \$5,000 payment plus interest on the IBWD loan repayment. Loan Receivable went down from \$125,000 to \$120,000 due to loan payment. Alternate water development fund stayed the same for total assets of \$663,730.15. Treasurer Murray also presented to the Board the Checks Issued Report for September 1, 2020 through November 6, 2020, for the Board's approval.

Clerk Accountant Murray requested the Board approve the purchase of a new computer for Clerk/Accountant Murray to replace the one that is ten years old and has become dysfunctional. The purchase of the replacement computer would be \$1,299.

Director Whitaker made the motion to approve the Treasurer's Report, checks issued from September 1, 2020 through November 6, 2020, and purchase of the replacement computer. The motion was seconded by Director Ellison. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye; and Director Whitaker, aye. Motion carried.

B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS: General Manager Acker discussed the need to augment the lower diversion of water to compensate for the continued draught, which caused less water flow from the upper diversion. Using the water from the lower diversion necessitated the need for a large chemical testing requirement by the State. Due to the increase in rain the lower diversion flow has been discontinued. Tank 3 lost two-thirds of its water due to a broken pipe, which was repaired and water was restored by pumping up from the South Gulch lower diversion to the well. Electronics will continue to be upgraded and transmittal of data to our main computer. General Manager Acker discussed with the Board the State requirement to do lead and copper testing to determine if there is any leaching from corrosion of household pipes into the water, and very favorably passed the tests. A replacement part was installed for the filter control system. General Manager Acker attended IBWD Board Meetings, completed sample testing, and processed system checks.

C. SAFETY COMMITTEE: General Manager Acker reported the attendance by employees and the completion of written tests at the Safety Committee Meeting: November 13, 2020: "Safety During the Holidays." Attendees: General Manager Acker, Treatment Plant Operator Dial, and Maintenance Employee DeVaul.

D. LEGAL COUNSEL: Legal Counsel Emrick stated that there was nothing to report at this meeting.

E. DIRECTORS: Resolution 2020-03 was signed into effect and read by Clerk/Accountant Murray pertaining to the retirement of Director Leon Drolet from the IBWD Board of Directors.

6. OLD BUSINESS:

A. DISCUSSION AND OR ACTION: ISRAEL/CURBELO WELL REQUEST.

(TERRY/EMRICK/ACKER). The Board of Directors reviewed the posted staff report. Director Whitaker made a motion to approve the drilling of the well with the conditions that were stipulated in the staff report. Motion seconded by Director Ellison. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye; and Director Whitaker, aye. Motion carried.

B. REVIEW AND DISCUSSION: UNAPPROVED WELL ON NICHOLS RANCH. A WELL DRILLED ON 4/30/2007 WAS TESTED ON 10/7/2008. RESULTS INDICATE THAT ENOUGH WATER IS AVAILABLE TO SUPPLY 6.24 CONNECTIONS AT 300 gpd. (WHITAKER). After discussion between the Directors and Mr. William Moores, it was decided by the Board that the notes from the County to Mr. Moores be presented to the Board for further review and discussion at the next board meeting

7. NEW BUSINESS:

DISCUSSION AND OR ACTION: APPOINTMENT (VIA VOTE OF DIRECTORS) OF NEW BOARD DIRECTOR TO SERVE THE REMAINDER OF DIRECTOR DROLET'S TERM. (IBWD DIRECTORS).

The Board of Directors interviewed the candidates Mel Kimsey and Susan Israel for the Board of Director vacancy position. The Board of Directors voted in favor of appointing Susan Israel to the position. Director Israel was sworn in and took the oath of office as a Director of the Board by Director/Secretary of the Board Whitaker. The swearing in form was signed by both Director/Secretary of the Board Whitaker and Director Israel.

ADJOURNMENT: President Terry moved to adjourn the Public Session of the Board Meeting at 11:45 A.M. and Director Dyson seconded the motion. Motion carried. The next Board Meeting will be scheduled for Saturday, January 9, 2021.

8. EXECUTIVE (CLOSED) SESSION: There was no Executive (closed) session following the Public Session.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____

**IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
January 9, 2021**

- 1. CALL TO ORDER AND ROLL CALL:** President Terry called the Regular Meeting to order at 10:11 A.M. on Saturday, January 9, 2021, using Zoom, a web-based video and audio conferencing tool, to meet online. Roll call of directors in attendance were: President Terry, Director Ellison, Director Dyson, Director Whitaker, and Director Israel. Employees in attendance online were: General Manager Acker, Clerk/Accountant Murray, Clerk/Secretary Sackman, and Legal Counsel Emrick attended the meeting online with Zoom.
- 2. APPROVAL OF MINUTES:** Director Whitaker made a motion to approve the Regular Meeting Minutes dated November 14, 2020, as submitted. The motion was seconded by Director Ellison. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye; Director Israel, aye; and Director Whitaker, aye. Motion carried.
- 3. COMMUNICATIONS AND CORRESPONDENCE:** An email was received from Mr. William Moores. Mr. Moores discussed the subject of the email with the directors as pertains to the IRISH BEACH WATER DISTRICT budget and funds to be raised to meet the needs of the IRISH BEACH WATER DISTRICT. Mr. Moores proposed a \$65.00 per month fee to be paid by the Irish Beach property owners to meet the Bid's expenses. After discussion the Board stated that this subject would be on the next meeting's agenda and an ad hoc committee was formed consisting of President Terry, Director Israel, General Manager Acker, and Clerk/Accountant Murray to address the issue and have further discussion/action during the next board meeting, with the following stipulation: President Terry requested that Mr. Moores, in addition to Mr. Moores formal request to the Board for the agenda item, for him to also include supporting documentation analyzing costs, as to how the \$65 fee would be calculated.
- 4. PUBLIC INPUT:** none.
- 5. REPORTS:**

A. TREASURER'S REPORT:

Treasurer Murray submitted a modified Treasurer's Report of current balances for unrestricted cash and restricted greater than 40 year equipment replacement reserve as follows:

January 1, 2021:

Cash in Bank: \$50,276

Greater than 40 year equipment replacement reserve, Cash: \$65,130

Loan Receivable: \$120,000

Total: \$235,406

Treasurer Murray presented a list of Capital Projects and suggested that the IRISH BEACH WATER DISTRICT refine the list of capital projects, obtain engineering reports for the projects, and request the landowners, in a proposition 218 election, to approve another capital projects special assessment to be collected via property tax bills.

Treasurer Murray requested a vote for approval of the Treasurer's Report, list of checks issued, and Resolution 2021-01 to add authorizations for post office box access, and Resolution 2021-02 for additional bank signature authorizations.

Director Whitaker made the motion to approve the Treasurer's Report and Checks Issued Report from November 1, 2020 through January 1, 2021. The motion was seconded by Director Ellison. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye for Treasurer's Report, and abstains for the Checks Issued Report; Director Whitaker, aye; and Director Israel, aye for Treasurer's Report and abstain for Checks Issued Report. Motion carried.

After the Boards discussion, Director Whitaker made a motion to approve Resolutions 2021-01 and Resolution 2021-02. The motion was seconded by Director Ellison. Roll call vote: President Terry, aye; Director Ellison, aye; Director Whitaker, aye; Director Dyson, aye; and Director Israel, aye. Motion carried.

- B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker discussed with the Board the following: Maintenance of the tanks, leak, and repair on the pipe line that goes from the upper diversion to the lower diversion, processing and transporting test samples to the lab in Santa Rosa, attended IRISH BEACH WATER DISTRICT Board Meetings, and processed system checks.
- C. SAFETY COMMITTEE:** General Manager Acker reported the attendance by employees and the completion of the following written tests at the Safety Committee Meeting: November 24, 2020: "Blood-Born Pathogens" and December 8, 2020: "Understanding Generations." Attendees: General Manager Acker, Treatment Plant Operator Dial, and Maintenance Employee DeVaul.
- D. LEGAL COUNSEL:** Legal Counsel Emrick stated that there was nothing to report at this meeting.
- E. DIRECTORS:** Director Dyson discussed with the Board and General Manager Acker the need to check for pesticide chemicals that might be coming into our water system from the marijuana grower.

6. OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: UNAPPROVED WELL ON NICHOLS RANCH (APN) 132-21-38 (-37) A WELL DRILLED ON 4/30/2007 WAS TESTED ON 10/7/2008. RESULTS INDICATE THAT ENOUGH WATER IS AVAILABLE TO SUPPLY 6.24 CONNECTIONS AT 300 GPD. DISTRICT TO CONSIDER POTENTIAL APPROVAL OF WELL. (WHITAKER/TERRY/EMRICK/ACKER).**
The Board and General Manager Acker discussed the Mendocino County Health Department's well application approval form for approval by the IRISH BEACH WATER DISTRICT. General Manager Acker was given approval to submit the form, check the box on the form that states "not allowed in our service area under conditions..." and include with the form an attached letter stipulating the conditions of approval by the IRISH BEACH WATER DISTRICT.

7. NEW BUSINESS:

- A. DISCUSSION AND OR ACTION: CALL FOR NOMINATIONS AND ELECTION OF CALENDAR YEAR 2021 BOARD OFFICERS FOR PRESIDENT, VICE PRESIDENT, SECRETARY, AND TREASURER. (DIRECTORS/MURRAY).** President Terry stated that the IRISH BEACH WATER DISTRICT policy states that the first meeting in January includes an annual organizational board meeting to elect the officers of the IRISH BEACH WATER DISTRICT Board. The following nominations and motions were made to elect officers for the calendar year 2021: President Terry designated Clerk/Accountant Murray to preside over the nominating of the IRISH BEACH WATER DISTRICT Board Officers.

Director Whitaker made a motion to nominate incumbent Kenneth Terry for President. Seconded by Director Israel. Roll call: Director Israel, aye; Director Whitaker, aye; Director Ellison, aye; Director Dyson, aye; and President Terry, aye. Motion carried.

Director Whitaker made a motion to nominate incumbent Joseph Ellison for Vice President. Seconded by President Terry. Roll call: Director Israel, aye; Director Whitaker, aye; Director Ellison, aye; Director Dyson, aye; and President Terry, aye. Motion carried.

President Terry made a motion to nominate incumbent Stephen Whitaker for Secretary. Seconded by Director Ellison. Roll call: Director Israel, aye; Director Whitaker, aye; Director Ellison, aye; Director Dyson, aye; and President Terry, aye. Motion carried.

President Terry stated that Clerk/Accountant Murray would continue to serve in the capacity of Treasurer.

B. DISCUSSION AND OR ACTION: LAFCO BOARD ELECTION (ACKER/TERRY/EMRICK).

General Manager Acker opened the discussion with the Board by giving background information on his recommendations for the LAFCO election of Tony Orth and Terry Gross. After discussion, President Terry concluded the discussion by asking for a motion to submit the ballot to elect to the LAFCO Board Tony Orth and Terry Gross. Director Dyson made a motion to elect Tony Orth and Terry Gross to the LAFCO Board. Motion was seconded by President Terry. Roll call: Director Israel, aye; Director Whitaker, aye; Director Ellison, aye; Director Dyson, aye; and President Terry, aye. Motion carried. President Terry stated that he would submit the election ballot as voted upon.

ADJOURNMENT: President Terry moved to adjourn the Public Session of the Board Meeting at 12:15 P.M. and Director Dyson seconded the motion. Motion carried. The next Regular Board Meeting will be scheduled for Saturday, March 13, 2021.

8. EXECUTIVE (CLOSED) SESSION: The Executive Closed Session Zoom Meeting was conducted after the close of the Regular Zoom Meeting.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
February 20, 2021

- 5. CALL TO ORDER AND ROLL CALL.** President Terry called the Special Meeting to order at 10:09 A.M. on Saturday, February 20, 2021, using Zoom, a web-based video and audio-conferencing tool, to meet online. Roll call of directors in attendance were: President Terry, Director Ellison, Director Dyson, Director Whitaker, and Director Israel. Employees in attendance online were: General Manager Acker, Clerk/Accountant Murray, Treatment Plant Operator Dial, Clerk/Secretary Sackman, and Legal Counsel Emrick attended the meeting online with Zoom.
- 6. MEETING PURPOSE: (TERRY).**President Terry opened the Special Board Meeting stating that Plant Manager Dial would be hosting today's meeting, and that the purpose of the meeting was informational about a proposal to address the short and long term capital requirements of Bid's aging water system.
- 7. AD HOC SUBCOMMITTEE. (TERRY/ISRAEL/ACKER/MURRAY).** Director Israel stated that at the last Regular Board Meeting this AD Hoc Subcommittee was appointed to study and identify what needs to be done on a short term and long term basis for replacing, maintaining, and paying for the IRISH BEACH WATER DISTRICT water system. The Ad Hoc Subcommittee agreed that initiating the process for a Proposition 218 assessment was the best way to proceed for funding the capital projects to modernize and maintain the IRISH BEACH WATER DISTRICT water system.
- 8. VIDEO OVERVIEW OF THE IRISH BEACH WATER DISTRICT. (ACKER).**General Manager Acker presented a power point video presentation showing a Google Earth Map of the units consisting of the IRISH BEACH WATER DISTRICT. The presentation included the location of pipes; wells; tanks; the history of the infrastructure improvements and maintenance; and a list of capital improvements and costs associated with those improvements to modernize, improve, and maintain the IRISH BEACH WATER DISTRICT water system.
- 9. CAPITAL IMPROVEMENT/MODERNIZATION PROJECT PRIORITIES. (ACKER)** General Manager Acker presented a video and discussed the priorities by showing a list of capital improvements and costs associated with those improvements to modernize, improve, and maintain the IRISH BEACH WATER DISTRICT water system.
- 10. TREASURER'S REPORT. (MURRAY).** No treasurer's report was presented.
- 11. FORMER PROPOSITION 218 FUNDING SOURCE. (MURRAY/EMRICK).**Treasurer Murray stated that many years ago a Proposition 218 assessment was collected through the Irish Beach community home owners' property tax bills for approximately \$250 each per year, and lasted for 15 years.
- 12. FINANCE COMMITTEE (DYSON/ELLISON/MURRAY/ACKER).** Treasurer Murray reported the following: the Finance Committee consists of Director Dyson, Director Ellison, General Manager Acker, and Treasurer Murray. During the Finance Committee Meeting Treasurer Murray briefed the Committee on what was needed to begin the process of initiating a Proposition 218 Assessment process, and discussed the capital projects' priorities to be financed through a Proposition 218 Assessment.

Director Whitaker made a motion to have the IRISH BEACH WATER DISTRICT issue a Request for Proposal (RFP) to at least three engineering companies in order to initiate a Proposition 218 assessment. The motion was seconded by Director Israel. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye; Director Israel, aye; and Director Whitaker, aye. Motion carried.

13. PUBLIC INPUT (Q & A). During the meeting guests posed the following questions:

Question: Where does the funding come from to pay for engineering reports? Treasurer Murray answered: The funding would come from the current budget – out of operations.

Question: This proportioning benefit has me concerned. Hasn't it been demonstrated that the entire system is interconnected and all the components somehow serve all users? Legal Counsel Emrick answered: The engineers that work on the projects will make that determination.

Question: Please explain where the agenda item suggests that the Water District will take action at today's meeting? Counsel Emrick answered: For today, the purpose is to direct staff to write up the Request for Proposal (RFP), based upon today's presentation. The final RFP would be approved at the March Board Meeting.

Question: Will this assessment be levied on lots/parcels? Treasurer Murray answered: Yes, every parcel.

Question: If there are 400+ lots and about 100+ houses, what are the chances that people who own multiple empty lots and do not have connections would vote yes on an assessment? Treasurer Murray answered: In our experience they would want to vote yes in order to have a viable water system when they build and for property value.

Question: Instead of going this route, can the Board just levy an assessment on everybody, such as a bill of \$500 per year, to avoid depending on engineering studies and going through an election process – avoid putting it on the tax bill? Counsel Emrick answered: A levy can't just be assessed, needs to have engineering reports and go through the balloting process.

Question: How long will this assessment last – how many years? Counsel Emrick answered: Generally they can last a certain amount of time based upon how long the time is needed to collect the funds to construct the projects.

Question: Should the benefit to the lot be considered based on the existence of the user? Many bare lots may be users' free for years or decades even. The bare lots should have a low standby until built on and then assessed normally once built on? Counsel Emrick answered: It would be up to the engineer's report. In some ways it's done where you just let the bare lots not have assessment and instead a connection fee – depends on how the courts go about it and the engineer thinks it's most prudent for all concerned.

Question: Every two months don't you collect some kind of capital charges for capital improvements? Treasurer Murray answered: No, every two months your water bill has an availability charge, which is the cost of our budget to make the water available when you turn on the tap. There is no capital charge on your water bill. We could have a rate increase, but that would be an increase for 200+ property owners instead of 450 parcel owners.

Question: How is unanticipated improvement costs handled? Counsel Emrick answered: It should be anticipated in the assessment itself – the engineer builds in a contingency for those occurrences.

ADJOURNMENT: President Terry moved to adjourn the public session of the Special Meeting at 11:49 A.M. Director Ellison seconded the motion. The next regular Board Meeting is scheduled for Saturday, March 13, 2021. No Executive (closed) session to follow this special meeting.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

**IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
March 13, 2021**

1. **CALL TO ORDER AND ROLL CALL:** President Terry called the Regular Meeting to order at 10:11 A.M. on Saturday, January 9, 2021, using Zoom, a web-based video and audio conferencing tool, to meet online. Roll call of directors in attendance were: President Terry, Director Ellison, Director Dyson, Director Whitaker, and Director Israel. Employees in attendance online were: General Manager Acker, Clerk/Accountant Murray, Clerk/Secretary Sackman, and Legal Counsel Emrick attended the meeting online with Zoom.
2. **APPROVAL OF MINUTES:** Director Whitaker made a motion to approve the Regular Meeting Minutes dated January 9, 2021, as submitted. The motion was seconded by Director Ellison. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye; Director Israel, aye; and Director Whitaker, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** A rate payer property owner, inquired if availability fees could be discontinued as the construction on their property had been postponed due to weather. Clerk/Accountant Murray advised them that IBWD's policy is that once water connection is installed, the water charges are not turned off unless it is a vacant lot and construction has been totally stopped. Clerk/Accountant Murray also advised the property owner that a letter could be written to the IBWD President to be discussed at the next Board meeting, but a letter has not been received from them.

4. **PUBLIC INPUT:** none.

5. **REPORTS:**

A. TREASURER'S REPORT:

Treasurer Murray reported the following: The audit for fiscal years 2018 and 2019 has been completed and posted to the IBWD.org website, as well as reported the State Controller and Special District Risk Management as required. Submitted the Treasurer's Report of current balances for unrestricted cash and restricted greater than 40-year equipment replacement reserve as follows:

March 1, 2021:

Cash in Bank: \$52,375

Accounts Receivable: \$10,468 (not including January and February 2021 billing of approximately \$30,000)

County Tax Rates: \$1,983

Accounts Payable: \$5,616

Greater than 40-year equipment replacement reserve, Cash: \$75,327

Loan Receivable: \$120,000

Total: \$195,327

Treasurer Murray discussed with the Board the IBWD's policy regarding past due accounts by property owner customers. Also discussed with the Board the IBWD's policy manual and was directed to update the policy manual and have it posted to the IBWD.org website.

Treasurer Murray requested a vote for approval of the Treasurer's Report and List of Checks Issued. Director Whitaker made the motion to approve the Treasurer's Report and Checks Issued Report from February 1, 2021 through March 1, 2021. The motion was seconded by Director Ellison. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye for Treasurer's Report and abstain for the Checks Issued Report; Director Whitaker, aye; and Director Israel, aye for Treasurer's Report and abstain for Checks Issued Report. Motion carried.

- B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker discussed with the Board the following: All system checks have been completed on the water filtration system. Monthly reports have been processed, and bacteria analysis had no problems. There is a generator at Tank 5 which is very important, as it provides power throughout the District during a winter storm or power safety shut off. A problem with this generator was discovered and repaired. Due to their age, the valves that operate during the back wash process, had replacement parts ordered, and all the valves were rebuilt. The old computer system is being replaced and will soon be put into service. Processed hydrant testing. A report was completed on the normal usage flow through each of the fire pressure zones for the District, which was accomplished due to IBWD's electronic meter reading, and submitted to a private company that is used by insurance companies to determine insurance rates. Processed and transported test samples to the lab in Santa Rosa, and attended IBWD Board Meetings.
- C. SAFETY COMMITTEE:** General Manager Acker reported the attendance by employees and the completion of the following written tests at the Safety Committee Meeting: February 16, 2021: "Slips, Trips and Falls" and March 9, 2021: "Respect: Recognizing Harassment." Attendees: General Manager Acker, Treatment Plant Operator Dial, and Maintenance Employee DeVaul.
- D. LEGAL COUNSEL:** Legal Counsel Emrick stated that there was nothing to report at this meeting.
- E. DIRECTORS: None.**

6. OLD BUSINESS: None

7. NEW BUSINESS:

- A. DISCUSSION AND OR ACTION: AD HOC SUBCOMMITTEE REPORT ON CAPITAL IMPROVEMENT/MODERNIZATION PROJECT PRIORITIES. (TERRY/ACKER/ISRAEL/MURRAY/EMRICK).**
- B. DISCUSSION AND OR ACTION: DEVELOPMENT OF NEW PROPOSITION 218 ASSESSMENT FOR FUNDING CAPITAL PROJECTS. CONSIDERATION OF R.F.P. (MURRAY/EMRICK).** President Terry commented that Items A. & B. would be combined and discussed together. President Terry opened the discussion by stating that at the last special meeting the Board voted unanimously to move forward with a Request for Proposal (RFP) to be sent to engineering contractors. Clerk/Accountant Murray reported the following: Request for Proposal (RFP) was mailed out to engineering firms. One RFP was received from Bartle Wells Associates. President Terry discussed with the Board, Clerk/Account Murray, and Counsel Emrick the following: The time line and other actions necessary to put a new Proposition 218 property assessment into action to begin in 2021. President Terry also stated that a Zoom Special Board Meeting will be scheduled to finalize and approve a RFP.

C. **DISCUSSION AND OR ACTION LETTER FROM WILLIAM MOORES DATED 2/14/2021, REGARDING BILLING PROPERTY OWNERS FOR CAPITAL IMPROVEMENTS. (TERRY/MURRAY/EMRICK).** The Board, Clerk/Account Murray, and Counsel Emrick discussed William Moores' proposal to assess every connection fee customer/property owner in the Irish Beach Community \$65.00 per month as an additional amount on their water bill for an indefinite period of time to take care of capital expense projects. After discussion, President Terry stated that a questionnaire/survey would be submitted to the rate payers asking their opinion/approval of going forward with a \$65 per month payment as an addition on their water bills, approve of a Proposition 218 property assessment for IBWD projects, or approval of both.

D. **DISCUSSION AND OR ACTION: ALTA MESA OVERLAY: CONSIERATION OF PROPOSALS TO DEFINE THE SCOPE, COST, AND TIMING OF REPAIR WORK. (BOARD/ACKER/MURRAY/STAFF/EMRICK).** After discussion, President Terry stated that the Board would conduct a Zoom Special Meeting in two weeks, which would address the Alta Mesa road overlay repair and pipe replacement for the 200 foot area of the road, and decide on the contractor who would do the work.

ADJOURNMENT: Director Whitaker moved to adjourn the Public Session of the Board Meeting at 12:42 P.M. and Director Ellison seconded the motion. Motion carried. The next Regular Board Meeting will be scheduled for Saturday, May 22, 2021, due to the second week being Mother's Day weekend.

8. **EXCUTIVE (CLOSED) SESSION:** The Executive Closed Session Zoom Meeting was conducted after the close of the Regular Zoom Meeting.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
March 27, 2021

- 5. CALL TO ORDER AND ROLL CALL.** President Terry called the Special Meeting to order at 10:00 A.M. on Saturday, March 27, 2021, using Zoom, a web-based video and audio-conferencing tool, to meet online. Roll call of directors in attendance were: President Terry, Director Ellison, Director Dyson, and Director Whitaker. Director Israel was absent. Employees in attendance online were: General Manager Acker, Clerk/Accountant Murray, Treatment Plant Operator Dial, Clerk/Secretary Sackman, and Legal Counsel Emrick attended the meeting online with Zoom.
- 6. MEETING PURPOSE: (TERRY).** President Terry opened the Special Board Meeting stating that the purpose of the meeting was to discuss for approval the contractor's cost estimate and timeline to perform the excavation, road base compaction and paving to facilitate replacement of approximately 200 feet of pipe starting at the Dial residence in the lane referred to as the Alta Mesa overlay.

After the Board's discussion, a motion was made by Director Ellison to approve the proposal from John Robertson, Contractor and move forward with the this project as described in paragraph 1, above. Motion was seconded by Director Whitaker. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, abstained; and Director Whitaker, aye. Motion carried.

ADJOURNMENT: President Terry moved to adjourn the public session of the Special Meeting at 10:19 A.M. Director Ellison seconded the motion. The next regular Board Meeting is scheduled for Saturday, May 22, 2021. No Executive (closed) session to follow this special meeting.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
April 17, 2021

7. **CALL TO ORDER AND ROLL CALL.** President Terry called the Special Meeting to order at 10:09 A.M. on Saturday, April 17, 2021, using Zoom, a web-based video and audio-conferencing tool, to meet online. Roll call of directors in attendance were: President Terry, Director Ellison, Director Dyson, Director Whitaker, and Director Israel. Employees in attendance online were: General Manager Acker, Clerk/Accountant Murray, Treatment Plant Operator Dial, Clerk/Secretary Sackman, and Legal Counsel Emrick was absent from the meeting.
8. **MEETING PURPOSE: (TERRY).** President Terry opened the Special Board Meeting stating that the purpose of this special meeting was to discuss for approval a Request for Proposal (RFP) and a Proposition 218 assessment to address the financial needs of the IBWD.

President Terry stated the purpose of the RFP is to have engineering firms do an assessment of the IBWD's financial situation, repair and replacement requirements. The designated engineering firm would then do an assessment and submit a report which would address the long-term needs of the District. The IBWD would then process a voting ballot for the Irish Beach parcel owners to approve the collecting of an annual property tax assessment through a Proposition 218 for approximately 15-30 years that would meet the long-term needs of our District.

After the Board's further discussion, it was decided to amend the Bartle Wells Association's RFP with the following added to paragraph 1 of their RFP: "Prepare a hands-on engineering analysis to independently analyze all aspects, both physical and financial, of the Irish Beach Water District's facilities including its financial impact on all parcel owners."

Director Whitaker made a motion to accept the Bartle Wells Association's RFP, with the added amendment. The motion was seconded by Director Israel. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, abstained; Director Israel, aye; and Director Whitaker, aye. Motion carried.

ADJOURNMENT: President Terry moved to adjourn the public session of the Special Meeting at 11:31 A.M. Director Ellison seconded the motion. The next regular Board Meeting is scheduled for Saturday, May 22, 2021. No Executive (closed) session to follow this special meeting.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

**IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
May 22, 2021**

1. **CALL TO ORDER AND ROLL CALL:** President Terry called the Regular Meeting to order at 10:02 A.M. on Saturday, May 22, 2021, using Zoom, a web-based video and audio conferencing tool, to meet online. Roll call of directors in attendance were: President Terry, Director Dyson, Director Whitaker, and Director Israel. Director Ellison was absent. Employees in attendance online were: General Manager Acker, Clerk/Accountant Murray, Clerk/Secretary Sackman, and Legal Counsel Emrick attended the meeting online with Zoom.
2. **APPROVAL OF MINUTES:** Director Whitaker made a motion to approve the Regular Meeting Minutes dated March 13, 2021, Special Meeting Minutes dated March 27, 2021, and Special Meeting Minutes dated April 17, 2021, as submitted. The motion was seconded by Director Israel. Roll call vote: President Terry, aye; Director Dyson, aye; Director Israel, aye; and Director Whitaker, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** None
4. **PUBLIC INPUT:** None.
5. **REPORTS:**

A. TREASURER'S REPORT:

Treasurer Murray submitted the Treasurer's Report, which showed a balance of \$63,595 in the operating cash account.

March 1, 2021:

Cash in Bank: \$63,953

Accounts Receivable: \$10,468

County Tax Rolls: \$1,983

Accounts Payable: \$2,080

Greater than 40-year equipment replacement reserve, Cash: \$75,327

Loan Receivable: \$120,000

Total: \$195,327

Treasurer Murray discussed with the Board the Irish Beach Water District's policy regarding past due accounts by property owner customers. After discussion, Director Dyson was directed by President Terry to have some suggested changes/amendments to the policy regarding delinquent payments for the next meeting.

The Board discussed water usage comparing past water usage and current water usage. It was noted that the current usage regarding leaks is better detected due to the electronic meter reading system.

Director Dyson discussed with the Board the Budget to Actual Report. Treasurer Murray stated that the Budget to Actual Report would be included in future board meeting packets.

- B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker discussed with the Board the following: Backwashing and routine testing accomplished, Tank 3 fittings repaired and fire connection installed, serviced filter valves, connected new lower diversion piping, removed old plumbing at Unit 9 well and cleaned UD intake, replaced piping at Unit 9 well head, removed well head piping at Tank 5 well, installed new connection plumbing at lower diversion, calibrated instruments, re-plumbed Tank 5 well head and did generator oil change, replacement of Tank 2 with a 3000 gallon temporary tank, removed Tank 2 roof to be replaced and in the process of getting a bid for Tank 2 roof replacement, completed annual reports to the Water Control Board and the Health Department, and attended Board and Safety Meetings.
- C. SAFETY COMMITTEE:** General Manager Acker reported the attendance by employees and the completion of the following written tests at the Safety Committee Meeting: May 21, 2021: “Housekeeping “and “Heat Stress.” Attendees: General Manager Acker, Treatment Plant Operator Dial, and Maintenance Employee DeVaul.
- D. LEGAL COUNSEL:** Legal Counsel Emrick stated that there was nothing to report at this meeting.
- E. DIRECTORS: NOTICE OF SPECIAL DISTRICT ELECTION. (MURRAY).** Clerk/Accountant Murray presented the following information to the Board: Mendocino County Registrar of voters has announced there will be a special district election on August 31, 2021, for two incumbent seats on the Irish Beach Water District Board of Directors with terms expiring in December 2021. Filing dates are from May 10, 2021 through June 4, 2021. If an incumbent fails to file, non-incumbent candidates have until June 9, 2021, to file. Incumbents have been sent information packets. Non-incumbent candidates should contact the Mendocino County Registrar of Voters at 707-234-6819 or email gravatts@mendocinocounty.org.

6. OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: AD HOC FACILITIES SUBCOMMITTEE REPORT ON CAPITAL IMPROVEMENT MODERNIZATION PROJECT PRIORITIES. (TERRY/ACKER/ISRAEL/MURRAY/EMRICK).** President Terry reported the following: The Ad Hoc Committee met in mid-May and discussed some of the ongoing projects. The subcommittee had nothing more to report at the Board Meeting.
- B. DISCUSSION AND OR ACTION: PROGRESS REPORT ON PROPOSITION 218 ENGINEERING STUDY AND PRELIMINARY RECOMMENDATIONS. (ACKER/MURRAY).** General Manager Acker reported the following: Several telephone conferences were made between General Manager Acker and Douglas Dove, Engineer with Bartles Wells Associates. Engineer Dove discussed that the engineering report will focus on repair of Tanks 2 and 4, as well as repair/replacement of the infrastructure of the system as needed. They will physically assess the system and have a report ready by mid-June for the public to view, consisting of a voting ballot process. The report will also include the priorities, anticipated costs, anticipated assessment level for each parcel, and which parcels are involved.
- C. DISCUSSION AND OR ACTION: ALTA MESA WATERLINE REPLACEMENT AND ROADWAY REPAIR PROGRESS. (ACKER).** General Manager Acker discussed with the Board the scheduling and procedures for the water pipe replacement and roadway repair.

7. NEW BUSINESS:

- A. **DISCUSSION AND OR ACTION: LETTER FROM PRESIDENT TERRY REGARDING PARCEL OWNERS VOTING BALLOT FOR APPROVAL OF A PROPOSITION 218 PROPERTY ASSESSMENT. (TERRY/MURRAY/EMRICK/DIRECTORS).**The Board of Directors and Clerk/Accountant Murray discussed the criteria for Proposition 218 Assessment for parcel owners, the projects eligibility for a Proposition 218, and the time line scheduling for ballot voting.
- B. **DISCUSSION AND OR ACTION: THE GOVERNOR’S DROUGHT DECLARATION. (DIRECTORS)** General Manager Acker discussed with the Board the Irish Beach Water District’s water conditions as it pertains to the draught and stated that the conditions for our community’s water supply is sufficient to sustain us with the community’s present level of water consumption.
- C. **DISCUSSION TO CONTINUE THE IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS MEETINGS ON ZOOM. (BOARD).** After the Board’s discussion and depending on the Governor’s reopening on June 15th, it was decided to have in-person meetings at the Firehouse and also have one computer at the in-person meetings to monitor those attending by Zoom. President Terry stated he would notify how attendance would be structured for the next meeting.

ADJOURNMENT: Director Dyson moved to adjourn the Public Session of the Board Meeting at 12:01 P.M. and Director Israel seconded the motion. Motion carried. The next Regular Board Meeting will be scheduled for Saturday, July 10, 2021.

8. EXECUTIVE (CLOSED) SESSION: The Executive Closed Session Zoom Meeting was conducted after the close of the Regular Zoom Meeting.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
15401 FOREST VIEW ROAD, POB 67, MANCHESTER, CA 95459
July 10, 2021

1. **CALL TO ORDER AND ROLL CALL:** President Terry called the Regular Meeting to order at 10:00 A.M. on Saturday, July 10, 2021, using Zoom, a web-based video and audio conferencing tool, to meet online. Roll call of directors in attendance was: President Terry, Director Dyson, Director Whitaker, and Director Israel. Director Ellison was absent. Employees in attendance online were: General Manager Acker, Plant Operator Dial, Clerk/Accountant Murray, Clerk/Secretary Sackman, and Legal Counsel Emrick attended the meeting online with Zoom.
2. **APPROVAL OF MINUTES:** Director Whitaker made a motion to approve the Regular Meeting Minutes dated May 22, 2021 and Special Meeting Minutes dated June 26, 2021, as submitted. The motion was seconded by Director Israel. Roll call vote: President Terry, aye; Director Dyson, aye; Director Israel, aye; and Director Whitaker, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** None
4. **PUBLIC INPUT:** None.
5. **REPORTS:**

A. TREASURER'S REPORT:

Treasurer Murray submitted the Treasurer's Report, which showed a balance of \$65,100 in the operating cash account.

June 7, 2021:

Cash in Bank: \$65,100

Accounts Receivable: \$51,187

County Tax Rolls: \$893

Accounts Payable: \$0

Greater than 40-year (pipe replacement project): \$42,712

Emergency Response Augmentation: \$40,336

Loan Receivable: \$120,000

Total: \$162,712

Treasurer Murray discussed the Cash Statement as of June 7, 2021, and the Checks Issued Report from May 1 through July 7, 2021, with the Board; and stated that there was not much change from the last reporting period except for the transfer of funds from the reserve for the pipe replacement project.

Treasurer Murray discussed with the Board the Water Budget vs. Actual Report: Budget income for calendar year-to-date at 75% vs. actual income year to date at 77%. Budget expense for calendar year to date at 75% vs. actual year to date expense at 66%.

A motion was made by Director Dyson to vote to accept the Treasurer's Report and Checks Issued Report for the period stated. The motion was seconded by Director Whitaker. Roll call vote: President Terry, aye; Director Dyson, aye; Director Whitaker, aye; and Director Israel, aye for Treasurer's Report and abstain for Checks Issued Report. Motion carried.

- B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker discussed with the Board the following: Tank 2 Roof replacement included removing the entire roof, using a temporary tank and researching roof replacement. Discussed the Alta Mesa Road project, which included pipe replacement and road re-paving. Toured the IBWD's system with Engineer Dove from Bartle & Wells Assoc. in preparation for the Bartle & Wells Report presented during the Special Meeting of June 26, 2021, regarding Proposition 218 and project priorities. An electrical circuit was removed. Processed Consumer Confidence Report. The Lower Diversion pump was made operational. Tanks 2, 3, and 5 had maintenance performed. Attended regular and special board meetings.
- C. SAFETY COMMITTEE:** General Manager Acker reported a safety meeting attended in the month of June. Attendees: General Manager Acker, Treatment Plant Operator Dial, and Maintenance Employee DeVaul.
- D. LEGAL COUNSEL:** Legal Counsel Emrick stated that there was nothing to report at this meeting.
- E. DIRECTORS.** Nothing to report.

6. OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: ALTA MESA WATER LINE REPLACEMENT AND ROADWAY REPAIR PROGRESS. (ACKER).** General Manager Acker reported that the pipe replacement and road re-paving has been completed, and all that remains is re-painting the yellow and white stripes on the road.

7. NEW BUSINESS:

- A. DISCUSSION AND OR ACTION: MENDOCINO COUNTYWIDE DROUGHT TASK FORCE. (TERRY/ACKER).** General Manager Acker reported that our water supply is more than adequate to supply the Irish Beach Community during this draught period, and are able to sell water to the water haulers for other communities. A contract is being drawn that will fine-tune the water haulers' requirements for purchasing water from IBWD. There will be more discussion at the next board meeting regarding IBWD's water sales to the water haulers. District Counsel Emrick discussed with the Board researching grant funding for system improvement for water storage retention; and Director Israel stated that she would do research and report back on this subject at the next board meeting.
- B. DISCUSSION AND OR ACTION: CONNECTION FEE. (TERRY).** President Terry and General Manager Acker discussed the need to update IBWD's connection fees by having a certified engineering report as a part of a master plan for the system.
- C. DISCUSSION REGARDING ANNOUNCEMENT OF PROPOSITION 218 PUBLIC HEARING, AUGUST 14, 2021. (TERRY/MURRAY).** President Terry opened the discussion by stating that the public hearing on August 14, 2021, satisfies a legal requirement for ballot voting and requested Treasurer Murray summarize the requirements for ballot voting and the public hearing. Treasurer Murray stated that the ballots would be mailed to property owners 45 days before the public hearing. During the public hearing property owners will have an opportunity to ask questions and change their vote. After the public hearing the votes are counted and there can be no more changes to the voting. If the majority of votes would be in favor of the Proposition 218 Assessment, IBWD will accept the vote by a resolution. The public meeting will be live in-person and also available by Zoom teleconferencing.

D. DISCUSSION AND OR ACTION: SYSTEM/POLICY FOR COLLECTION OF OVERDUE PAYMENTS. (DYSON/Terry/Murray).Treasurer Murray stated that Resolution 2002-02 allows for late payments to be collected through the property tax billing system. Also available is negotiation of payment plans for delinquent accounts. During discussion it was decided that the Finance Committee, consisting of President Terry, Director Dyson, and Treasurer Murray, would meet to discuss updating Resolution 2002-02, and continue this subject at the September board meeting.

ADJOURNMENT: Director Whitaker moved to adjourn the Public Session of the Board Meeting at 12:08 P.M.and Director Israel seconded the motion. Motion carried. The next Regular Board Meeting will be scheduled for Saturday, September 11, 2021.

8. EXECUTIVE (CLOSED) SESSION: The Executive Closed Session Zoom Meeting was conducted after the close of the Regular Zoom Meeting.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____

Prepared by: Clerk/Secretary Sackman

**IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
15401 FOREST VIEW ROAD, POB 67, MANCHESTER, CA 95459
August 14, 2021**

5. **CALL TO ORDER AND ROLL CALL:** President Terry called the Special Meeting to order at 10:00 A.M. on Saturday, August 14, 2021, using a web-based video and audio conferencing tool, to meet on-line and/or in person at the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance in person was: President Terry, Director Dyson, Director Israel, and Director Ellison. Director Whitaker attended via Zoom. Employees in attendance via Zoom were General Manager Acker and Plant Operator Dial. Attending in person were Clerk/Accountant Murray, Clerk/Account Clerk Dial, and Clerk/Secretary Sackman. Legal Counsel Emrick attended the meeting online with Zoom.

6. **DISCUSSION: OPENING OF THE MEETING TO PUBLIC COMMENTS FOR TOPICS NOT ON THE AGENDA. (TERRY).** The following comments were presented as follows: A comment from the public audience was a question regarding IBWD's contact information, which was answered as being located at IBWD.org., an inquiry and confirmation of receipt of a letter written to the Board by a member of the community, and a guest using Zoom brought up a discussion with the Board regarding the draught conditions and its impact on the Irish Beach Community.

7. **DISCUSSION: IRISH BEACH GENERAL MANAGER'S REPORT ON CURRENT WATER COLLECTION VOLUME AND STORAGE STATUS. (ACKER).** General Manager Acker presented the following: The State Water Resources Control Board has formulas that specify that water districts are required to meet a certain amount of water capacity to meet the number of houses. New permits for water can only be issued according to IBWD's water capacity/capability. Sale of water to water haulers will be determined by how the draught continues to affect IBWD's water supply.

8. **DISCUSSION: EXPLANATION OF THE PROPOSITION 218 PUBLIC HEARING PROTOCOL. (MURRAY).** Clerk/Accountant Murray discussed the protocol of the ballot processing during this Public Hearing and Special Meeting.

5. **DISCUSSION: OPENING OF THE MEETING TO PUBLIC COMMENTS. A MAXIMUM OF FIVE (5) MINUTES ALLOWED FOR EACH PRESENTATION. (TERRY).** Guests in the audience and also guests using Zoom presented for discussion the following: Combining lots and how that could affect the water supply during draughts; combining lots and how that would affect voting rights; a protest letter submitted challenging the legality of this special meeting and voting for the Proposition 218 Assessment; inquiry regarding the ability and process to disconnect from the IBWD; inquiry as to who is responsible for identifying lots that are buildable; a board member, speaking in the position as guest, discussed the opinion of being against Proposition 218; and a board member, speaking in favor of Proposition 218; a guest accused President Terry of notifying the company, that composed the engineering report for projects, to not take calls or answer inquiries from members of the community regarding the engineering report, which was denied by President Terry; Director Dyson spoke as a director in discussing the law suit by a resident against IBWD and his opinion of the 218 Proposition Assessment and President Terry voiced his rebuttal to Director Dyson's statements; a guest gave his opinion regarding the financial state of IBWD and why, instead of a Proposition 218 Assessment, IBWD should consider raising the billing rates; President Terry stated that at the next Board Meeting there would be a discussion regarding other options for raising funds; a guest gave her opinion as to

why she was in favor of the Proposition 218 Assessment, and also being in favor of raising rates for billing and connection fees;

- 6. **ACTION: FINAL AVAILABILITY TO SUBMIT VOTES AND/OR RESCIND OR CHANGE VOTES. (TERRY).** President Terry stated that there was no request to change votes

- 7. **ACTION: CLOSE PUBLIC TESTIMONY PORTION OF THE PUBLIC HEARING. (TERRY).** As there were no more comments, President Terry closed the Public Testimony portion of the public hearing at 11:30 A.M.

- 8. **ACTION: DIRECT THE OPENING OF SEALED BALLOTS AND TABULATION OF VOTES. (TERRY).** President Terry directed the opening and tabulation of the votes, to be conducted by Clerk/Accountant Murray, Clerk/Account Clerk Dial, and Clerk/Secretary Sackman.

- 9. **ADJOURNMENT: MEETING WILL ADJOURN FOR ONE HOUR UNTIL PRELIMINARY TABULATION OF VOTES IS COMPLETED. (TERRY).** President Terry stated the special meeting was adjourned for the preliminary tabulation of the votes, and would be reopened at completion of the tabulation.

- 10. **ACTION: OPENING AND TABULATING VOTES. VERIFICATION/CROSS REFERENCING OF PARCEL NUMBERS AND VOTES. (MURRAY/DIAL/SACKMAN).** Clerk/Accountant Murray, Clerk/Account Clerk Dial, and Clerk/Secretary Sackman commenced to open, tabulate, and verify votes.

- 11. **RESUME: MEETING WILL RESUME WHEN THE COUNTING OF BALLOTS HAS BEEN COMPLETED AND THE RESULTS WILL BE READ. (TERRY).** President Terry opened the meeting at 12:30 P.M. and read the results of the ballot count, stating that the Proposition 218 Assessment did not pass and read the results as follows: Unfavorable: 173, and Favorable: 167. Clerk/Accountant Murray stated that this was the result of the preliminary count, and there would also be a final count presented at the next Board Meeting.

- 12. **DISCUSSION AND ACTIONS: CLOSING REMARKS AND ADJOURNMENT. (TERRY).** President Terry adjourned the Special Meeting at 12:44 P.M. and stated the next Regular Board Meeting would be held on Saturday, September 11, 2021.

NO EXECUTIVE SESSION FOLLOWED THIS SPECIAL MEETING.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____

Prepared by: Clerk/Secretary Sackman

**IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
15401 FOREST VIEW ROAD, POB 67, MANCHESTER, CA 95459
September 11, 2021**

1. **CALL TO ORDER AND ROLL CALL:** President Terry called the Regular Meeting to order at 10:00 A.M. on Saturday, September 11, 2021, in person and using Zoom, a web-based video and audio conferencing tool, to meet online. Roll call of directors in person in attendance was: President Terry and Director Israel. Director Dyson, Director Whitaker, and Director Ellison were present with Zoom. Employees in person in attendance were: Treasurer Murray, Clerk/Secretary Sackman, and Clerk/Accountant Dial. Employees in attendance with Zoom were General Manager Acker, Plant Operator Dial. Legal Counsel Emrick attended the meeting online with Zoom.
2. **APPROVAL OF MINUTES:** President Terry made a motion to approve the Regular Meeting Minutes dated July 10, 2021 and Special Meeting Minutes dated August 14, 2021, as submitted. The motion was seconded by Director Dyson. Roll call vote: President Terry, aye; Director Dyson, aye; Director Israel, aye; Director Ellison, aye; and Director Whitaker, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** None
4. **PUBLIC INPUT:** None.
5. **REPORTS:**

A. TREASURER’S REPORT:

Treasurer Murray submitted the Treasurer’s Report, which showed a balance of \$65,100 in the operating cash account.

September 2, 2021:

Cash in Bank: \$59,086

ACCOUNTS RECEIVABLE/PAYABLE:

| | |
|---------------------------------------|------------------|
| Est Receivables not Booked: | \$62,063 |
| Accounts Receivable 9/2/21: | \$5,389 |
| County Tax Rolls: | \$139 |
| Accounts Payable: | \$0 |
| TOTAL UNRESTRICTED ASSETS: | \$126,677 |
| Emergency Response Augmentation: | \$40,336 |
| Greater than 40-year Reserve: | \$35,350 |
| Greater than 40 Year Loan Receivable: | \$120,000 |

| | |
|------------------------------|-----------|
| Alternate Water Development: | \$426,957 |
| TOTAL RESTRICTED ASSETS: | \$622,683 |
| TOTAL ASSETS: | \$749,360 |

Treasurer Murray discussed with the Board the Cash Statement as of September 2, 2021, and the Checks Issued Report from July 1 through September 2, 2021, and stated that there is now \$59,086 in the checking account. For July and August the billing has not been accomplished yet to finish out the fiscal year. The receivables is \$62,063, which brings it down to the total unrestricted of \$126,677, but there is \$20,000 to be transferred to Redwood Coast Fire District, and greater than 40 year replacement reserve down to \$35,350.

The loan receivables is the same of \$120,000, which we will make the payment as needed when we close the fiscal year. There is not much change in cash and receivables of \$749,360 when we close in September for the fiscal year.

Treasurer Murray stated that she did a comparison of current year to closing the fiscal year ending in September and predicts a close in deficit of approximately \$20,000. There was \$20,000 over budget due to engineering budget of \$6,000, expenditure of \$26,000 over by \$20,000.

A motion was made by Director Israel to vote to accept the Treasurer's Report and Checks Issued Report for the period stated. The motion was seconded by Director Ellison. Roll call vote: President Terry, aye; Director Dyson, aye; Director Whitaker, aye; Director Ellison, aye; and Director Israel, aye. Motion carried.

- B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker discussed with the Board the following: In covering some key items, mostly concerned the lower diversion, which had become the main water source currently. Some maintenance and parts replacement was completed for the lower diversion water system. There was some problem with water quality in the upper diversion, which was corrected with some adjustments. The paving project has been completed with the yellow and white strips being re-painted. Discussed the amount of water coming from the upper and lower diversions and confirmed that there is enough water for the community's needs. A calculation was done to determine how many houses could be supplied with the current water supply. It was determined that the amount of water available would cover 326 houses, which calculates to be more water available than is used. The water haulers purchase of water has been temporarily suspended until the supply of water increases, although private individuals may still collect water in 50 to 300 gal containers without affecting the District's water supply. General Manager Acker commented that the community is doing an excellent job of conserving water. The metered customers' water leakage has been reduced from twelve to one. Discussed a grant application in the process that if funds were approved would provide for repair of tanks and more storage. Also attended regular and special board meetings.
- C. SAFETY COMMITTEE:** General Manager Acker reported safety meeting attendance has changed to on-line safety meetings attended as individuals and will have been implemented by the next board meeting.
- D. LEGAL COUNSEL:** Legal Counsel Emrick reported that an oral argument on the appeal is scheduled for November 2, 2021, and notification will be received if the meeting will be conducted on line or in person.
- E. DIRECTORS.** President Terry reported that a notice has been posted in the kiosks and at IBWD.org for those property owners in Irish Beach who are interested in applying to replace Director Whitaker and Director Ellison, who will be resigning effective November 1, 2021.

6. OLD BUSINESS:

- A. **DISCUSSION AND OR ACTION: MENDOCINO COUNTYWIDE DROUGHT TASK FORCE. (TERRY/ACKER).** President Terry reported that the Mendocino Countywide Drought Taskforce Meeting was conducted by online Zoom and lasted 1 ½ hours. During the meeting water conditions at various communities were discussed and possible solutions to providing water to those communities most in need.
- B. **DISCUSSION AND OR ACTION: CONNECTION FEE. (TERRY).** President Terry, Board Directors, Treasurer, General Manager and Legal Counsel discussed the process of increasing the connection fee and decided to continue the discussion at the next Board Meeting
- C. **DISCUSSION AND OR ACTION: PROPOSITION 218 ASSESSMENT BALLOT RESULTS FROM PUBLIC HEARING. (TERRY).** President Terry discussed the results of the Proposition 218 failure to pass, projects that will need to be funded, and discussed during the budget presentation Item 7. B.
- D. **DISCUSSION AND OR ACTION: SYSTEM/POLICY FOR COLLECTION OF OVERDUE PAYMENTS. (DYSON/TERRY/MURRAY).** After discussion, it was determined by the Board that IBWD would continue with the established procedure of collecting overdue payments.

7. NEW BUSINESS:

- A. **DISCUSSION AND OR ACTION: APPLICATION AND RESOLUTION FOR SMALL COMMUNITY DROUGHT RELIEF PROGRAM FROM THE STATE OF CALIFORNIA, DEPARTMENT OF WATER RESOURCES FOR GRANT FOR SPECIFIC PROJECTS TO BE DETERMINED. (DIRECTORS/ACKER/STAFF.** General Manager Acker opened the discussion by stating that he, Plant Operator Dial, and Community Member Heather Hackett are asking the Board's permission to start the process of applying for a grant to be titled "Well Connection and Tank Restoration Grant." General Manager Acker stated that grants are offered by the California State Water Resources Control Board for drought relief. President Terry asked for a motion to pass a resolution to authorize the processing and submission of the grant application. The motion was made by Director Dyson and was seconded by Director Israel. Roll call vote: Director Dyson, aye; Director Israel, aye; Director Whitaker, aye; Director Ellison, aye; and President Terry, aye. Motion carried.
- B. **DISCUSSION AND OR ACTION: FISCAL YEAR OCTOBER 2021 TO SEPTEMBER 2022, PROPOSED BUDGET, INCLUDES AVAILABILITY INCREASE OF \$256 PER YEAR TO EACH CONNECTION TO ESTABLISH A RESERVE FOR REPAIRS, EQUIPMENT, AND OTHER INFRASTRUCTURE NEEDS. (MURRAY).** Treasurer Murray presented to the Board the new fiscal year budget for October 2021 to September 2022 as follows: The budget shows an increase in availability charges of \$22.22 per month, and water usage current charges of \$0.65 per 100 gallons of water used. There will be a public hearing special board meeting to determine budget approval. The increase will help to finance the needed infrastructure for the water system. During the discussion, the Treasurer stated she would research an amount to add to the budget for an increase in water usage also. President Terry discussed with the Board the need for an increase in the salaries for staff using the Consumer Price Index (CPI) guidelines. A motion was made by Director Ellison to direct our Treasurer to proceed with integrating a CPI budget increase of 3.2% to the 2021 to 2022 Fiscal Budget to be re-formulated and re-entered into the October 16, 2021, Public Hearing Special Board Meeting. The motion was seconded by Director Whitaker. All voted ayes. Motion carried.

ADJOURNMENT: Director Whitaker moved to adjourn the Public Session of the Board Meeting at 12:33 P.M. and Director Israel seconded the motion. Motion carried. The next Public Hearing Special Board Meeting will be scheduled for Saturday, October 16, 2021.

- 8. **EXCUTIVE (CLOSED) SESSION:** The Executive Closed Session Zoom Meeting was conducted after the close of the Regular Zoom Meeting.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____

Prepared by: Clerk/Secretary Sackman

Guest: "I believe the engineering report showed that the people that were connected paid a higher amount for the short term repairs and the longer term repairs spread more even across everybody."

President Terry: "...that perhaps our format could have been adjusted, there is always the potential to resurrect this proposition once again."

Guest: "What can be done to help with getting the word out in the case of the boil water notice?"

President Terry: "What we will do at our next Board Meeting: there will be an agenda item to specifically address this and form an ad hoc sub-committee to address communications relative to water contamination. This will be addressed at our next Board Meeting."

- 7. DISCUSSION AND OR ACTION: TALLY OF NEGATIVE DECLARATIONS TO PROPOSED AVAILABILITY CHARGE INCREASE TO OCCUR BY THE END OF DAY, 10/16/2021, AND POSTED ON THE DISTRICT'S WEBSITE, IBWD.ORG. (TERRY/MURRAY).** President Terry stated that we received only two (2) opposing mail-ins and two (2) on-line oppositions. Treasurer Murray stated that due to the low number of oppositions, the availability increase could be approved by the Board this date. The website will show the results of the rate increase by the end of the day.

Treasurer Murray stated that a motion by the Board to direct Treasurer Murray to bring a resolution to the November 13, 2021 Board Meeting to adopt the availability increase. Motion was made by Director Israel, and seconded by Director Whitaker. Three of the four directors approved the motion. The motion was carried

- 8. ANNOUNCEMENT: THE IBWD BOARD VACANCIES. (TERRY).** President Terry stated the following: We encourage any property owner of the Irish Beach Community to apply for the two Board vacancies. The two open seats will be selected from the availability of candidates on November 13, 2021. The remaining Board Members will select the two new Board Members from those who have submitted letters of interest. The letters of interest need to be received no later than November 3, 2021, either to my email address: k.terry@comcast.net or to: IBWD, P. O. Box 67, Manchester, CA 95459.

Director Whitaker moved to adjourn the Board Meeting at 11:45 A.M. Motion was seconded by Director Israel. All voted by saying aye. Motion carried and the special meeting was adjourned.

- 9. EXECUTIVE (CLOSED) SESSION:** No closed 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).**

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____



COMMUNICATIONS & CORRESPONDENCE



Correspondence: None