

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

I. OPEN MEETING

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

5. REPORTS:

A. Treasurer - Ron Frame

1. stated that the reports spoke for themselves.

B. Water - Charles Acker reported

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

C. Safety - Charlie Acker reported

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

D. Fire Department - Rex Dunning reported

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

6. OLD BUSINESS

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

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

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

C. Kiosk: Director Heinzer reported

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

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

E. Replacement of billing system - status.

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

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

F. Repair of Alta Mesa Leak:

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

G. Review of 1994-1995 Budget:

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

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

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

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

I. Easement over District property to access lot:

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

7. NEW BUSINESS:

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

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

D. Rescue Vehicle Equipment:

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

H. Board meeting schedule for 1995:

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

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

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

B. Installation of water meter in IBIC picnic area:

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

G. Timber Harvest Plan:

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

C. Review of Availability and Usage Model:

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

E. Fire Department Account - combined or Separate:

1. Authorization/Resolution designating fire charges:

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

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

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

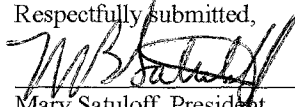
1. Personnel and payroll review: Due to time constraints this item was tabled and will be taken up at a future date.

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

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

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

Respectfully submitted,



Marv Satuloff, President

Prepared by Dorothy Cong

Attest:



Rudy Beran, Secretary

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