

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