

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