

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

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

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

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

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

**6. OLD BUSINESS.**

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

- 2. APPROVAL OF MINUTES:** President Drolet made a motion to approve the meeting minutes as submitted. The motion was seconded by Director Reidenbach. Roll call to vote: President Drolet, aye; Director McCormick, aye; and Director Reidenbach, aye. Motion carried.
- 3. COMMUNICATIONS AND CORRESPONDENCE:** Legal Counsel Emrick advised the Board that William Moores' attorney will submit a written request asking the IBWD Board to consider signing an agreement to stay issues regarding the road maintenance agreement. Legal Counsel Emrick will forward the attorney's written request to the Board for the next Board Meeting's discussion.
- 4. PUBLIC INPUT:** None.

## 5. REPORTS:

### A. TREASURER'S REPORT:

Cash Balance: \$14,515

Operations Reserve: \$0.00

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

<40 Year Reserve: \$0.00

System Wide Capital Improvement: \$0.00

>40 Year Equipment Reserve: \$193,827

Alternate Water Development Fund: \$412,284

Total Unrestricted Assets: \$665,974

Accountant/Clerk Murray reported the following:

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

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

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

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

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

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

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

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

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

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

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

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

## **6. OLD BUSINESS:**

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

## **7. NEW BUSINESS: None**

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

**CONVENED EXECUTIVE SESSION:**

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

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

**RETURNED TO OPEN SESSION AND REPORT:**

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

**Respectfully submitted:**

**Attest:**

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**Leon Drolet, President**

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**Jan McCormick, Secretary of the Board**

**Date:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Prepared by: Connie Sackman, Clerk/Secretary**