

**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