

Board meeting minutes November 12 , 2005

IRISH BEACH WATER DISTRICT MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS SATURDAY, November 12, 2005

I. OPEN MEETING

1. **CALL TO ORDER AND ROLL CALL:** President Steve Whitaker called the regular meeting of the Irish Beach Water District Board of Directors to order at 10:09am at the Fire House in Irish Beach (Manchester). Present were Directors Heinzer, Poling, Murray, Pasqualetti and Whitaker. Also present was Charles Acker, Facility Manager and Dorothy Cong, Office Manager. Members of the public in attendance were Dorothy Engle, Betty Winters, Jim Albert, Sue Whitaker, Gene Cady and Jassowski.

2. **APPROVAL OF MINUTES of the Regular Meeting of the Board of Directors held on Saturday, September 10, 2005.** Director Poling moved and Director Heinzer seconded the motion that the minutes from the September 10, 2005 meeting be approved as presented. The minutes were so approved.

3. COMMUNICATION AND CORRESPONDENCE:

4. PUBLIC INPUT:

Public input was offered and none was given.

5. REPORTS:

A. Treasurer - Report on Finances/Approval of Expenditures: Treasurer Judy Murray provided a recap of the District's cash balances covering checking, regular reserves and restricted reserves. The District is in good financial standing. Treasurer Murray provided the Board with a copy of the end of year Budget vs. Actual which illustrated the District did a good job of keeping within the budget targets for the most part. Director Poling moved to accept the Treasurer's report as presented. Director Heinzer seconded the motion and the report was so accepted unanimously. Treasurer Murray presented a copy of all expenditures for the months of September and October for board review. Director Poling moved and Director Heinzer seconded the motion that the expenditures be approved and they were so approved unanimously.

B. Water: Facility Manager Charlie Acker reported the following highlights:

1) The most significant item over the past two month period was completion of installation of a controller for Tank #2. The first controller purchased was not powerful enough, but can be used for the Lower Diversion. Larger controllers were purchased and now pump station A turns on and off automatically when it senses that Tank #2 needs to be filled.

2) The remainder of the work was basically routine operating and maintenance.

C. Safety: President Whitaker reported that the safety committee met. The topic of the month was driver's safety.

6. OLD BUSINESS

A. Status of annexation of the Irish Beach Volunteer Fire Department by the Redwood Coast Fire Protection District (Heinzer). Director Heinzer reported on the status of the annexation stating that all data required by LAFCO to date has been submitted by all parties involved, i.e.: Irish Beach Water

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District, Redwood Coast Fire Protection District and South Coast. He noted that the issue of the funds for emergency services received annually by the Irish Beach Water District would have to be considered by the California State Board of Equalization to determine if that money will pass on to Redwood Coast upon annexation. He further commented that the Board of Equalization may take as long as two years to make a decision.

B. Status of Environmental Impact Reports (EIRs) for Mallo Pass and Irish Gulch (Acker): NTR

C. Status of responses to State Water Resources Control Board (SWRCB) regarding water permits for Mallo Pass and Irish Gulch (Whitaker / Acker) President Steve Whitaker wrote a letter to the SWRCB providing updated information regarding water measurements taken at Mallo Pass in October 2005.

D. Status of acquiring easements for Mallo Pass development from: A. Stornetta and B. Zamboni (Acker / Whitaker): NTR regarding easements. Facility manager Acker reported that with the new technology of boring, a water line along Highway 1 may be more cost effective to pursue than paying for easements. Director Poling suggested that if the District can commit to the original plan, then perhaps it can adequately address the corporation yard issue. The Board directed Mr. Acker to provide a comprehensive report on the Mallo Pass water line at the January 14th Board meeting.

E. Status of Well Exploration Project (Acker): Facility Manager Charles Acker provided a copy of the final report of the Electro seismic Survey completed August 20, 2005. The geophysical survey was done near the existing Unit #9 well and near tank #4. According to the report, several sites located near the existing well may provide from between 8 to 15 gallons per minute and will be the best place to drill. The Board directed Operations to pursue drilling a second well adjacent to the current well. This project will be undertaken in the spring or early summer.

F. Status of installation of fire hydrants (Acker) Mr. Acker reported all the sites have been determined and the utilities have been marked. Three of the hydrants can be installed under the District's existing encroachment permit. Charlie and Paul, along with an assistant provided by Paulson, will put in the hydrants. The Beach Road and Rapelje hydrants will requiring boring under the County road and will require a specific permit.

G. Status of safety issues resulting from outside consultant on-site visit (Whitaker): President Whitaker reported that most of the Priority 1 items have been taken care of and the District would begin working on Priority 2 items.

H. Issue of Zamboni annexation to IBWD territory (Acker / Whitaker 5 mins): The District delayed preparing the letter to the Zamboni's as directed by the Board at the September 10th meeting. The Zamboni's response to the District was that they did not feel they had sufficient time to make a decision regarding annexation and felt that November 19th was too early to cease providing them water. The Board reconsidered. Director Heinzer moved and Director Poling seconded the motion that a letter be written to the Zamboni's saying water will be cut off by January 31, 2006 unless they agree to annex. All Directors' agreed.

7. NEW BUSINESS:

A. Consideration of draft resolution 2005- 2 documenting the approval of the District's budget and water rates for Oct 1, 2005 – Sept 30, 2006 Fiscal Year (Murray): Treasurer Judy Murray presented Resolution 2005-2 which formally accepted the District's budget and new water rates for fiscal year Oct. 1, 2005 – Sept. 30, 2006. Director Poling moved to approve the resolution. Director Pasqualetti seconded the motion.

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The vote was as follows: Ayes: Poling, Heinzer, Whitaker, Pasqualetti and Murray. There were no Noes or Abstentions.

B. Consideration of Fire Budget for Fiscal Year 2005-2006 (Murray): Director Poling moved the Board adopt the fire budget as presented and waive the resolution. Director Heinzer seconded the motion. The vote was unanimously in favor - Ayes: Poling, Heinzer, Whitaker, Pasqualetti and Murray.

C. Consideration of draft resolution 2005-_____ documenting approval of the District's Fire Budget for the Oct 1, 2005 – Sept 30, 0206 fiscal year (Murray): This resolution was waived (see "B" above).

D. District Investments (Murray): Treasurer Judy Murray reported that she has been in contact with Mr. Bob Wheat who works with Edward Jones in Fort Bragg. He works extensively with non profit organizations and investing "project" based funds. He is willing to come to the January board meeting to give the Board a presentation.

E. Consideration of extending interim agreement with Redwood Coast Fire Protection District to serve the Irish Beach area until implementation of annexation or June 30, 2006 whichever comes first. Director Poling moved to authorize Director Heinzer to execute the new extension of the interim agreement to June 30, 2006 or annexation, whichever comes first. Director Pasqualetti seconded the motion and it passed unanimously.

F. Acceptance of officially engineered IBWD map (Cong): Director Pasqualetti moved to accept the map engineered by Herman Associates as the official map of Irish Beach Water District boundaries. Director Heinzer seconded the motion and it passed unanimously.

G. Report of *ad hoc* committee regarding acquisition of a truck for District operations (Heinzer – Pasqualetti): There was some discussion whether the District should resolve its storage problems regarding where to park a truck prior to purchasing one. Director Whitaker affirmed that he felt it crucial the District purchase a truck now and felt that a temporary structure could be put up to protect it in the interim. Director Pasqualetti volunteered to look into temporary protection. Director Heinzer is to proceed to find a surplus truck from the State of California if one is available that meets the needs of the District.

H. Replacement of Irish Gulch Raw Water Line (see pg. 6 Bartle Wells Associates Engineer's Report) (Acker): Facility Manager Charles Acker informed the Board that the existing pipeline was becoming very fragile and susceptible to ongoing breaks. Mr. Acker stated that he believed it should be replaced with a 3" polyethylene pipe on the surface. Brelje and Race, engineers of the District Water Master Plan, suggested putting the pipe underground. The District believes this is impractical and far too costly. The pipe is purchased in rolls and can be pulled up the canyon by winch. Mr. Acker will acquire the help of the California Department of Forestry crew at Parlin Forks Conservation Camp to work on the project. Mr. Acker said Operations will begin this project in 2006. The Board directed Mr. Acker to provide a cost estimate for the pipe for the project.

I. Condition of Tank #1 and consideration of replacing tank vs. repairing roof (Acker): Mr. Acker reported that he and Paul decided to take a closer look at Tank #1 as they noted there was deterioration toward the top of the tank that was not noted in prior reports. Their findings of serious deterioration at the upper level of the tank indicate that it is *not* feasible to replace the top of the tank as the District had been considering. Mr. Acker already got an estimate from Columbian TecTank. The estimate, which includes material, erection and freight, is \$80,889. There will be additional fees included such as taking down Tank #1, disposal of steel, locating a geologist to do the required geological study, constructing a concrete ring with anchor bolts, etc. Director Poling moved and Director Heinzer seconded the motion that Mr. Acker prepare a detailed feasibility study of the cost of replacing Tank #1. This study will be based upon the Columbia TecTank estimate, plus include all ancillary items filled in to the best extent possible by the next board meeting on January 14, 2006.

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J. Water Emergency Planning for situations such as earthquakes, drought, flooding and contamination of county water (Acker): The District recently received a letter from the Grand Jury of the County of Mendocino inquiring into its emergency procedures. Mr. Acker stated the District has several emergency procedures, some of which are very old and outdated. He said he would go through them and bring them up to date. Dorothy volunteered to prepare a response to the County of Mendocino Grand Jury.

K. Consideration of adoption of Series 5000 policies, BOARD MEETINGS: (committee)

Policy 5010: Board Meetings: Director Poling moved to adopt Policy 5010 except add (See Sec. 5010.5 at the end of section 5010.1) Director Heinzer seconded the motion which passed unanimously.

Policy 5020: Agenda: Director Poling moved to adopt Policy 5020 as written. Director Pasqualetti seconded the motion and it passed unanimously.

Policy 5030: Meeting Conduct: Tabled

Policy 5040: Actions and Decisions: Tabled

Policy 5050: Review of Decisions: Director Poling moved to adopt Policy 5050 as written. Director Heinzer seconded the motion and it passed unanimously.

Policy 5060: Minutes: Director Poling moved to accept Policy 5060 as modified. Director Pasqualetti seconded the motion and it passed unanimously. The modifications were: Sec. 5060.1.1 "Secretary" changed to "Office Manager"; "keep" changed to "review all". Sec. 5060.1.2: Added the following at the end of the paragraph; "Once minutes have been accepted and approved by the Board, the recordings shall be erased.

Policy 5070: Rules of Order: Tabled

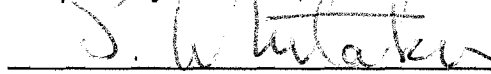
Director Pasqualetti suggested the Board hold meetings once a month until the District gets through all the policies. Director Heinzer seconded the motion. Following discussion, the Board determined that two meetings would be scheduled for the sole purpose of reviewing policies. The dates are Saturday, February 11, 2006 and Saturday, April 1, 2006.

8. Adjourn to Executive Session: The Board adjourned to closed session for the purpose of conference with real property negotiators. The property is the corporation yard on Acquistapace Road.

9. Reconvene to Open Session: The Board reconvened to open session at 2:08 pm. President Whitaker reported that the board had discussed negotiating for use of the corporation yard under the restricted grant deed.

10. Adjournment: It was moved and seconded that the meeting adjourn at 2:10pm.

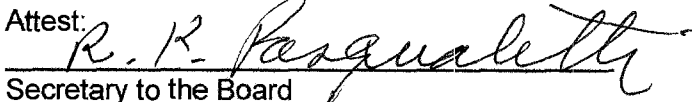
Respectfully submitted,



Steve Whitaker, Vice President

Prepared by Dorothy Cong

Attest:



Secretary to the Board



Minutes of Special Meeting November 12 , 2005

IRISH BEACH WATER DISTRICT MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS SATURDAY, November 12, 2005

I. OPEN MEETING

1. CALL TO ORDER AND ROLL CALL: President Steve Whitaker called the special meeting of the Irish Beach Water District Board of Directors to order at 9:30am at the Fire House in Irish Beach (Manchester). Present were Directors Heinzer, Poling, Murray, Pasqualetti and Whitaker. Also present was Charles Acker, Facility Manager and Dorothy Cong, Office Manager. Members of the public in attendance were Dorothy Engle, Betty Winters, Jim Albert, Sue Whitaker, Gene Cady and Mr. Jassowski.

2. PUBLIC INPUT:

Public input was offered and none was given.


Director Poling moved and Director Heinzer seconded the motion that any defects in noticing Directors be waived. The motion passed unanimously.

3. ADJOURN TO EXECUTIVE SESSION: The Board adjourned to executive session at 9:35am.

4. Reconvene to Open Session: The Board reconvened to open session at 10:05am. President Whitaker reported that the Board had appointed Mr. Charles Acker as District negotiator for an easement associated with the Inn Site. He stated that Mr. Acker was directed to prepare a letter to all interested parties stating that the District needs a 10' easement to supply water to the Inn Site. Because of the location of the large water main, the District recommends the easement be between Lots 46 and 47 in Unit #1. Further, the easement and installation of the water line to the Inn Site will be at the expense of the Inn Site developer. Mr. Bill Moores expressed that an easement between Lots 46 and 47 would probably not be workable and would prefer it be between Lots 47 and 48. Mr. Acker responded that locating the easement between Lots 46 and 47 was suggested because of convenience, but the location can certainly be negotiated.

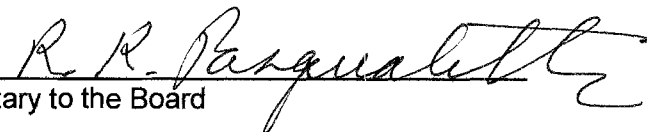
10. Adjournment: Director Poling moved and Director Heinzer seconded the motion that the special meeting be adjourned at 10:08am.

Respectfully submitted,



Steve Whitaker, Vice President
Prepared by Dorothy Cong

Attest:


Secretary to the Board

Board meeting minutes January 14, 2006

IRISH BEACH WATER DISTRICT MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS SATURDAY, January 14, 2006

I. OPEN MEETING

1. **CALL TO ORDER AND ROLL CALL:** President Steve Whitaker **called** the regular meeting of the Irish Beach Water District Board of Directors to order at 10:20am at the Fire House in Irish Beach (Manchester). Present were Directors Heinzer, Murray, Pasqualetti and Whitaker. Director Poling was absent by prior arrangement. Also present was Charles Acker, Facility Manager and Dorothy Cong, Office Manager, arrived late due to road conditions. Members of the public in attendance were Dorothy Engle, Jim Albert, Sue Whitaker, Al and Loretta Thompson and Donald Jassowski.

2. **APPROVAL OF MINUTES of the Regular Meeting of the Board of Directors held on Saturday, November 12, 2005.** Director Heinzer moved and Director Murray seconded the motion that the minutes from the November 12, 2005 meeting be approved as presented. The minutes were so approved.

3. COMMUNICATION AND CORRESPONDENCE:

Dorothy stated the context of the Mendocino County Auditor-Controller's letter to Mr. William Moores regarding Mr. Moores issue with paying the first installment of property taxes in full on his Unit #9 parcels. Mr. Dennis Huey concluded "the assessments are legitimate and the tax bills are due and payable as billed."

4. PUBLIC INPUT:

As a member of the public, Russell Pasqualetti mentioned he had read information about the State dipping into what we call "Augmentation Funds". These are the funds received by the fire department for emergency services.

5. REPORTS:

A. Treasurer - Report on Finances/Approval of Expenditures: Treasurer Judy Murray provided a recap of the District's cash balances covering checking, regular reserves and restricted reserves. The District is in good financial standing. Treasurer Murray provided the Board with a copy of the end of the current Budget vs. Actual. Director Heinzer moved to accept the Treasurer's report as presented. Director Pasqualetti seconded the motion and the report was so accepted unanimously.

B. Water: Facility Manager Charlie Acker reported the following highlights:

1. In December the District gathered water samples for lead and copper testing.
2. Excessive rains put a temporary halt to some projects. Much of the time the District was being sustained by the Unit 9 Well. This requires a lot more monitoring of the chlorine flow to ensure there is sufficient chlorine by the time the water gets to Tank #1.
3. Paul and Charlie did a damage assessment of District water facilities on the hill. Fortunately there was no significant damage.

C. Safety: President Whitaker reported that the safety committee met. The topic of the month was holiday stress.

6. OLD BUSINESS

A. Status of annexation of the Irish Beach Volunteer Fire Department by the Redwood Coast Fire

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Protection District (Heinzer). Director Heinzer reported on the status of the annexation stating that it appeared as though the annexation would be presented to the Board of Equalization in February or March of 2006.

B. Status of Environmental Impact Reports (EIRs) for Mallo Pass and Irish Gulch (Acker): NTR

C. Status of responses to State Water Resources Control Board (SWRCB) regarding water permits for Mallo Pass and Irish Gulch (Whitaker / Acker) NTR

D. Status of acquiring easements for Mallo Pass development from: A. Stornetta and B. Zamboni (Acker / Whitaker): It appears as though easements are already covered in the original Mallo Pass project. The District may follow the original plan or some sort of a "hybrid" between the original and an alternative.

E. Status of Well Exploration Project (Acker): The District would like to drill a new well this year. Director Whitaker will write to Bill Moores for clarification relative to his offer for an easement near the existing well in exchange for water at the rate of 500 gallons per day a later date for a parcel he does not as yet own. It does not appear at this time as though where the District wishes to drill is within the existing easement.

F. Status of installation of fire hydrants (Acker) Mr. Acker reported the District has not been able to work on this project due to the storms.

G. Status of safety issues resulting from outside consultant on-site visit (Whitaker): President Whitaker reported that most of the Priority 1 items have been taken care of and the District would begin working on Priority 2 items.

H. Zamboni annexation to IBWD (Acker / Whitaker 5 mins): Mr. Zamboni was given a deadline of January 31, 2006 to decide whether or not to annex with the District. The District has received nothing from him and unless it does, will cease providing water on that date.

I. Status regarding acquisition of a truck for District Operation (Heinzer – Pasqualetti 5 mins): Director Heinzer reported that the State of California does not turn over equipment like it used to. The District will need to send a letter with the District's letterhead stating that it wishes to be advised when a surplus truck becomes available. The downside of a District vehicle is maintenance. Director Pasqualetti provided material about shed to cover a truck.

J. Replacement of Irish Gulch Raw Water Line (Acker 10 mins): NTR

K. Feasibility of replacing Tank 1 (Acker 10 mins): Cliff Raziki, a civil engineer, looked at Tanks 1 and 3. When the tanks were originally put up, very little engineering had to be done. Now the District would have to meet earthquake requirements. Mr. Raziki did not like the platform for Tank 1 as it is falling toward to the gulch. He also did not like the steepness of the hill to the north of the facility. The weakest area around Tank 1 is the northeast corner where the gate is. Tank 3 area poses even more difficulty than Tank 1. In both cases, a geotech study will need to be done.

Because of the potential precariousness of the tank site, it *may* be that it is not suitable for a 210,000 gallon tank and the District would have to put in a smaller tank. The storage would have to be made up somewhere else, but all the sites are tenable. Mr. Raziki is developing a proposal and the District will have to await the outcome of the geotech study to determine its options.

Mr. Raziki pointed out that the District will have to modify the discharge of water from the treatment grounds and put it further down the hill.

Board meeting minutes January 14, 2006

L. Water Emergency Planning for situations such as earthquakes, drought, flooding and contamination of county water (Acker / Whitaker 5 mins): Mr. Acker brought copies of the District's existing emergency plans which need to be modified. Since the plans were prepared, much has changed. In addition, there is now a requirement that emergency plans must be compatible with the Standardized Emergency Management System (SEMS). The safety committee is working on the modification to bring the District into compliance.

M. Easement over MCP properties for water line to serve Inn Site (Acker 5 mins): Mr. Acker wrote a letter to MCP with a copy to Bill Moores dated Dec. 6, 2005. At this point it remains to be seen what are the terms of any easement MCP may grant to serve the Inn Site.

7. NEW BUSINESS:

A. Presentation by Mr. Bob Wheat of Edward Jones regarding District Investments (Murray 15 mins): Mr. Wheat of Edward Jones in Fort Bragg gave the Board a detailed presentation of investment opportunities. He provided a sample portfolio within the guidelines of the District's financial policy whereby the District will earn significantly more than it is at present. The Board will study Mr. Wheat's analysis and make a decision regarding investments.

B. Consideration of adoption previously tabled policies, BOARD MEETINGS: (committee). The policies were tabled again until the Feb. 11, 2006 board meeting.

C. Election of Officers: Director Whitaker nominated Director Murray for Treasurer. Director Pasqualetti seconded the motion. All favored. Director Poling was absent.

Director Murray nominated Director Poling as Vice President. Director Heinzer seconded the nomination. All favored. Director Poling was absent.

Director Murray nominated Director Whitaker as president. Director Heinzer seconded the nomination. All favored. Director Poling was absent.

Director Whitaker nominated Director Pasqualetti as Secretary. Director Murray seconded the nomination. All favored. Director Poling was absent.

D. Filling vacancy as a result of resignation of one board member: Director Heinzer submitted his resignation from the Board for health reasons to be effective January 17, 2006. Dorothy explained the various deadlines. She will notify the County of Mendocino and also ensure a notice is placed in the ICO and in each of the kiosks. A committee will be selected at the President's discretion to review any applicants that apply. At the March 11, 2006 Board meeting, the Board will appoint a new member.

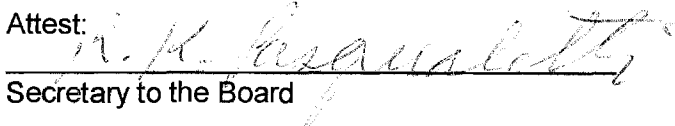
8. Adjournment: Director Pasqualetti moved and Director Heinzer seconded the motion that the meeting adjourn at 1:30pm.

Respectfully submitted,



Steve Whitaker, ~~Vice~~ President
Prepared by Dorothy Cong

Attest:



Secretary to the Board

Irish Beach Water District

15401 Forest View Road
Post Office Box 67
Manchester, California 95459
Phone (707) 877-3275 Fax (707) 877-3275

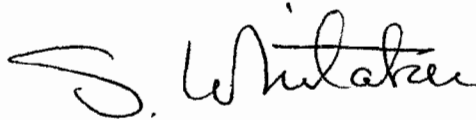
January 27, 2007

Frank McMichael
Executive Officer
LAFCO
200 S. School Street
Ukiah, CA 95482

Dear Mr. McMichael:

The Directors of the Irish Beach Water District (Donald Jassowski, Judy Murray, Russel Pasqualetti, Kathy Poling, Stephen Whitaker) were called to a special meeting on January 27, 2007 to consider the election of a special district representative to LAFCO (agenda attached). There was a quorum of three members (Murray, Pasqualetti, Whitaker) at the meeting, and the vote for Richard Shoemaker (see attached ballot) was unanimous.

Sincerely,



Stephen Whitaker, President
Board of Directors

Cc: Dorothy Cong
Attached: Agenda, ballot

BALLOT AND REPORT OF VOTE FOR SPECIAL DISTRICT REPRESENTATIVE—2006

VOTE FOR ONLY ONE NOMINEE

Nominee: **Charles (Tony) Orth**.....
Member of Brooktrails CSD and Nominated by Brooktrails CSD

Nominee: **Richard Shoemaker**
Member Russian River Flood Control & Water Conservation Improvement District and Nominated by Redwood Valley County Water District

Nominee: **Richard Ruff**.....
Member Hopland PUD and Nominated by Hopland PUD

The Board of Directors of (full name of district) Irish Beach Water District
met on (date) 27 Jan 2007 for a duly noticed regular meeting to consider their vote for Special District Representative to LAFCO; Agenda Item consideration of candidates for LAFCO

Upon a motion by Judy Murray and a second by Russ Pasqualetti for nominee Richard Shoemaker, a recorded roll call vote was held. Passed and adopted on

(date) 27 Jan 2007 by the following vote, to wit:

Ayes: Judy Murray, Russel Pasqualetti, Stephen Whitaker

Nays: _____

Abstains: _____

Dated 27 Jan 2007 Signed: Stephen Whitaker

Chairman: (print name) STEPHEN WHITAKER

Attest: R. K. Pasqualetti

Each district has one vote and must choose one of the three nominees. Each District can vote for only one nominee. The vote for a nominee must occur at a duly noticed (agendized) regular meeting of the Board of Directors of the District and must reflect the majority vote of a recorded motion and roll call vote of the Board. To be counted as valid all lines of the ballot and report must be completed. Your ballot report must be received at LAFCO by 1:00 pm on Monday, February 5, 2007 to be valid. Any ballot report received after this time and date will not be counted. Votes will be counted by the Executive Committee of LAFCO. The person who receives the most votes will be declared the winner.

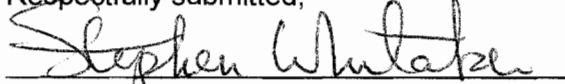
Minutes of Special Meeting January 27, 2007

IRISH BEACH WATER DISTRICT
MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, January 27, 2007

I. OPEN MEETING

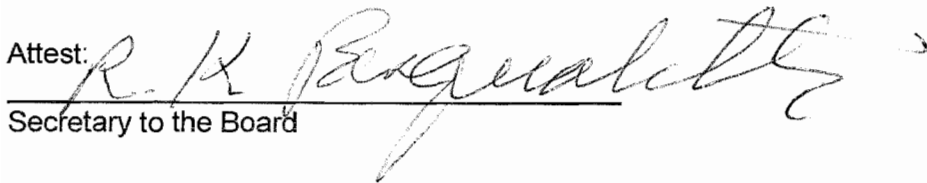
1. **CALL TO ORDER AND ROLL CALL:** President Steve Whitaker called the special meeting of the Irish Beach Water District Board of Directors to order at 1:00pm at the Fire House in Irish Beach (Manchester). Present were Directors Murray, Pasqualetti and Whitaker which constituted a quorum.
2. **PUBLIC INPUT:**
Public input was offered and none was given.
3. **New Business:**
 - A. Consideration of candidates for LAFCO.
Three candidates were running for the office of Special District Representative to LAFCO. Director Murray moved and Director Pasqualetti seconded the motion that the Irish Beach Water District Board of Directors vote for nominee Richard Shoemaker. The vote was as follows: Ayes: Murray, Pasqualetti and Whitaker. There were no Nays or Abstentions. Two Directors were absent.
4. **Adjournment:** It was moved and seconded that the special meeting be adjourned at 1:10pm.

Respectfully submitted,



Steve Whitaker, President
Prepared by Dorothy Cong

Attest:



Secretary to the Board

**IRISH BEACH WATER DISTRICT
MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS
Saturday February 10, 2007**

I. OPEN MEETING

1. **CALL TO ORDER AND ROLL CALL:** President Steve Whitaker called the special meeting of the Irish Beach Water District Board of Directors to order at 10:00am at the Fire House in Irish Beach (Manchester). Present were Directors Jassowski, Poling, Whitaker, Murray and Dorothy Cong, the District's Office Manager. Charles Acker, Operations Manager arrived later. Also present was Teri Jo Barber, the District's Environmental Consultant and Matthew Emrick, District Special Counsel for water rights. Members of the public present were Al Thompson, Suzanne Whitaker and Pauline Zamboni.

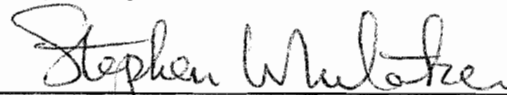
2. **PUBLIC HEARING:** The purpose of the special meeting was to conduct a public hearing to receive comments and to allow the public to learn information regarding the nature and status of the District's application for renewal of its water rights permits in Mallo Pass and Irish Gulch.
 - A. **Opening Remarks:** President Steve Whitaker gave some brief opening remarks explaining the District is a California Special District, where its water comes from, when the District's permits were granted and the number of current hookups.

 - B. **IBWD Water Project Overview:** Teri Jo Barber, the District's Environmental Consultant and author of the Negative Declaration document, presented a power point overview which provided a summary of the project. Prior to her presentation she urged members of the audience to pick up several handouts she had prepared for the meeting that would aid them in following her presentation. Ms. Barber's summary briefly explained water rights history of appropriative diversions and an estimate of what the Irish Beach subdivision water needs will be at full build out. She explained that the Mallo Pass permit is threatened with revocation, but that the District is proceeding to apply for its full needs at both creeks. She emphasized that the District has authorized several alternatives toward minimizing environmental impacts (mitigation alternatives A-G in the report). Teri Jo further explained the purpose of her report, showed several maps and photos included in the report that illustrate where the points of diversion were located, etc., discussed the environmental setting, and demonstrated existing and projected water use illustrated with graphs and charts.

 - C. **Public Input:** Members of the public were offered the opportunity to make comments and/or ask questions. Pauline Zamboni, a neighbor just north of the Irish Beach subdivision who has riparian rights in Mallo Pass Creek, asked several questions, most of which had been answered satisfactorily for her during the overview by Teri Jo Barber. Mrs. Zamboni stated that she would prepare a written comment to the District by the deadline, February 17th. The only other public comment was by Mr. Al Thompson who inquired what the District planned to do if the Mallo Pass Water Rights were revoked. President Whitaker, indicating that a revocation order has not yet been received, responded that the District would probably have to rely on well water.

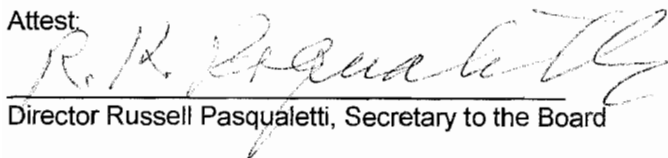
3. **ADJOURNMENT:** It was moved and seconded the motion that the meeting be adjourned at 11:15am.

Respectfully submitted,



Steve Whitaker, President
Prepared by Dorothy Cong

Attest:



Director Russell Pasqualetti, Secretary to the Board

Board meeting minutes March 11, 2006

IRISH BEACH WATER DISTRICT MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS SATURDAY, March 11, 2006

I. OPEN MEETING

1. CALL TO ORDER AND ROLL CALL: President Steve Whitaker called the regular meeting of the Irish Beach Water District Board of Directors to order at 10:00am at the Fire House in Irish Beach (Manchester). Present were Directors Murray, Pasqualetti and Whitaker. Director Poling was absent by prior arrangement. Also present was Charles Acker, Operations Manager. Dorothy Cong, Office Manager, was absent by prior notification. Several members of the public were in attendance.

2. APPROVAL OF MINUTES of the Regular Meeting of the Board of Directors held on Saturday, January 14, 2006 and the Special meeting held on Saturday, February 11, 2006. Director Murray moved and Director Pasqualetti seconded the motion that the minutes from the January 14, 2006 meeting be approved as presented. The minutes were so approved. Director Murray moved and Director Pasqualetti seconded the motion that the minutes from the special board meeting held on Saturday, February 11, 2006 be approved as presented. The minutes were so approved.

3. COMMUNICATION AND CORRESPONDENCE:

President Steve Whitaker read portions of Mr. William Moores letter dated February 10, 2006 in which Mr. Moores brought up issues with regard to placement of an easement over MCP property to provide water to the Inn Site. MCP and the Irish Beach Water District have already signed and accepted an easement between lots 46 and 47 in Unit 1 for the purpose of providing water to the Inn Site. President Whitaker stated he would prepare a letter to Mr. Moores requesting that he provide supporting documentation regarding the 3 points he addressed in his letter.

4. PUBLIC INPUT:

As a member of the public, Russell Pasqualetti requested that the District explain in more detail the District's rate structure and clarify by use of a pie chart. He also wishes the fees charged by Redwood Coast for fire service be provided in a newsletter.

5. REPORTS:

A. Treasurer - Report on Finances/Approval of Expenditures: Treasurer Judy Murray provided a recap of the District's cash balances covering checking, regular reserves and restricted reserves. The District is in good financial standing. Treasurer Murray provided the Board with a report of the current Budget vs. Actual. There were no significant deviations from the budget to date. Treasurer Murray stated that she and Dorothy would schedule a meeting with Mr. Bob Wheat of Edward Jones in Fort Bragg to begin preparation of an investment portfolio for the District. Director Pasqualetti moved to accept the Treasurer's report as presented. President Whitaker seconded the motion and the report was so accepted.

B. Water: Facility Manager Charlie Acker reported the following highlights:

1. The District hired an engineer to look at Tank #1 and Tank #3 in preparation for replacing them. Relative to the hillside where Tank #1 is situated, the engineer immediately told the District to stop discharging water on the hillside. Charlie redesigned the way "bypass" water was discharged. It is now routed into an area where it cannot cause any erosion problems.

2. Paul and Charlie worked on a number of projects within the treatment plant to streamline water movement. They replumbed the bypass operation installing a 3-way valve inside the plant. The

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meter that measures water going into Tank #1 was also relocated and it now reflects the amount of water actually going into the tank. Prior to this modification, distorted data was being sent to the State by the Water Eye which caused one of the regulators to call with concerns about the high turbidity level.

3. Operations completed "safety" rewiring inside the treatment plant so the District is now in compliance with the on-site consultants suggestions.

C. Safety: President Whitaker reported that the safety committee met. Time was spent modifying Policy 3010 "Illness and Prevention" into a workable document for our operation.

6. OLD BUSINESS

A. Status of annexation of the Irish Beach Volunteer Fire Department by the Redwood Coast Fire Protection District (Heinzer). NTR

B. Status of Environmental Impact Reports (EIRs) for Mallo Pass and Irish Gulch (Acker): The District received a letter from Katherine Mrowka of the State Water Resources Control Board regarding its failure to comply with providing the SWRCB the CEQA documentation the agency had requested 1 ½ year ago pertaining to Permit 15580 "Irish Gulch Tributary ..." Mr. Acker had a hydrologist in mind to prepare the document, but it was never done. President Whitaker requested Charlie to locate an environmental consultant right away. A response is due the SWRCB by March 24, 2006 providing information as to when the CEQA will be completed. Mr. Acker noted that if the District got a "license" for the Irish Gulch Tributary, then there would be no necessity to periodically do the CEQA documents. This will be something on which an environmental consultant can advise the District.

C. Status of responses to State Water Resources Control Board (SWRCB) regarding water permits for Mallo Pass and Irish Gulch (Whitaker / Acker) See above.

D. Status of acquiring easements for Mallo Pass development from: A. Stornetta and B. Zamboni (Acker / Whitaker): It appears as though easements are already covered in the original Mallo Pass project. It does not appear at this time that the District will need to negotiate any easements with Stornetta and Zamboni.

E. Status of Well Project (Acker): The District has an easement where the current well is located. The current well started production years ago at the rate of 35 gpm. It is now down to 12 gpm and the District feels it needs at the very least to drill an additional well to replace the current one. Mr. Acker was given the responsibility to negotiate with Mr. Moores for an additional easement should the District need one to achieve that end. The District would prefer to come to a negotiated agreement for an easement as opposed to go through "condemnation proceedings."

F. Status of fire hydrant project (Acker) Mr. Acker reported the District has all of the materials. Three of the hydrants can be installed by Charlie and Paul and they will work on them once the rains have subsided. The two additional hydrants, the Rapelje hydrant the one to be installed down the beach road, will require boring under Irish Beach Drive. Mr. Acker is attempting to package the projects requiring boring (in both Irish Beach and Elk) so that they can be undertaken at one time and therefore be less costly. This work will be done in the summer.

G. Status of safety issues resulting from outside consultant on-site visit (Whitaker): NTR.

H. Status regarding acquisition of a truck for District Operation (Pasqualetti 5 mins): NTR

I. Replacement of Irish Gulch Raw Water Line (Acker 10 mins): NTR

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J. Feasibility of replacing Tank 1 (Acker 10 mins): Mr. Acker reported that a geotech consultant from RGH Consultants, Inc. was here on Thursday, March 9, 2006 and analyzed the locations of both Tanks #1 and #3. The report documenting his findings should be ready for the next regular board meeting.

K. Water Emergency Planning for situations such as earthquakes, drought, flooding and contamination of county water (Acker / Whitaker 5 mins): The water board was requested by the Grand Jury on the County of Mendocino to update its emergency plan. Thus far there has been no progress. However, Dorothy contacted CSDA who informed the District it would be willing to send a consultant to Irish Beach to assist with updating emergency procedures. The question arose regarding powering the treatment plant in the advent of an emergency. The possibility of use of solar energy came up. Charlie was requested to contact a solar contractor to see what could be done at the treatment plant in terms of solar energy, and also look into the possibility of the use of solar energy to power the pump for the well in times of emergency.

7. NEW BUSINESS:

A. Consideration of adoption of previously tabled policies:

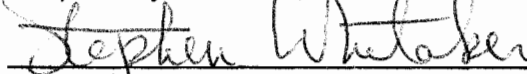
Policy 3010: Illness and Prevention Program. President Whitaker covered the policy in detail stating several of line items were struck by the safety committee in an effort to scale down the policy. It is much too detailed. All policies were tabled until the next board meeting.

B. Consideration of accepting proposed legal fees by Meyers Nave / or engaging another law firm. Director Murray moved and Director Pasqualetti seconded the motion that the board adopt the new fees as requested by Meyers Nave. President Steve Whitaker appointed Director Kathy Poling to chair an *ad hoc* committee to look into the possibility of engaging another law firm to handle the District's needs.

C. Discussion and possible action regarding an appointment to the Irish Beach Water District Board of Directors. Director Pasqualetti moved and Director Murray seconded the motion that the Board of Directors appoint Mr. Donald Jassowski to the position of Director to replace the vacancy resulting from the resignation of Jon Heinzer. The motion was approved unanimously and Mr. Jassowski was so appointed. His term will end in August of 2007.

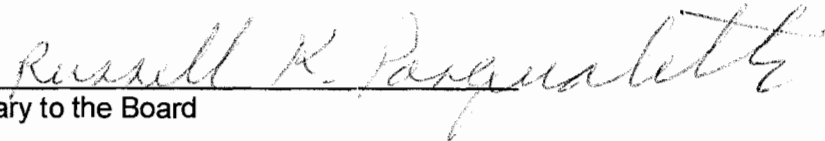
8. Adjournment: Director Pasqualetti moved and Director Heinzer seconded the motion that the meeting adjourned at 12:30pm. (2)

Respectfully submitted,



Steve Whitaker, Vice President
Prepared by Dorothy Cong

Attest:


Secretary to the Board

**IRISH BEACH WATER DISTRICT
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, May 13, 2006**

I. OPEN MEETING

1. CALL TO ORDER AND ROLL CALL: President Steve Whitaker called the regular meeting of the Irish Beach Water District Board of Directors to order at 10:03am at the Fire House in Irish Beach (Manchester). Present were Directors Jassowski, Murray, Pasqualetti, Poling and Whitaker. Also present was Charles Acker, Operations Manager and Dorothy Cong, Office Manager. Several members of the public were in attendance.

2. APPROVAL OF MINUTES of the Regular Meeting of the Board of Directors held on Saturday, March 11, 2006. Director Pasqualetti moved and Director Murray seconded the motion that the minutes from the March 11, 2006 meeting be approved as presented. The minutes were so approved.

3. COMMUNICATION AND CORRESPONDENCE:

A. President Steve Whitaker read his letter of response to Mr. William Moores letter dealing with the water line easement to the Inn Site.

B. Office Manager Dorothy Cong read a memo the District received from the auditor's office relative to Mr. William Moores complaint about his taxes on unit #9. His issue was the fact that the District and the Count of Mendocino have different fiscal years.

4. PUBLIC INPUT:

Input was offered but none given.

5. REPORTS:

A. Treasurer - Report on Finances/Approval of Expenditures: Treasurer Judy Murray provided a recap of the District's cash balances covering checking, regular reserves and restricted reserves. The District is in good financial standing. Treasurer Murray provided the Board with a report of the current Budget vs. Actual. There were no significant deviations from the budget to date. Treasurer Murray stated that she had been in contact with Mr. Wheat of Edward Jones investment firm in Fort Bragg. Due to health issues a meeting was delayed. She and Dorothy will meet with him at the earliest possible time to establish an investment account for the District. Director Pasqualetti moved and Director Poling seconded the motion that the Treasurer's report be accepted as presented.

B. Water: Facility Manager Charlie Acker reported the following highlights:

1. Operations installed a radio controlled remote switch that keeps the water level up at Tank #2. It is finally working properly.

2. Paul and Charlie have been working on cleaning up the interior of the treatment plant. Aside from moving around some things, they have been painting.

3. The District experienced a prolonged rainy period and was able to get through most of it relying on the Unit #9 well. However, it did point out how vulnerable the District may be should a significant leak occur during such a rainy period. This stresses the practicality of drilling an additional well to supplement during periods when the treatment plant cannot "make" water.

C. Safety: President Whitaker reported that the safety committee met. The topic at the March meeting was electrical safety. Also discussed were Respect in the Workplace and Back Injury Prevention. No new progress has been made in completing safety items suggested by the outside consultant.

Remaining on the list to complete soon is roadside training and lights in the backyard at the plant. These will be accomplished as time permits.

6. OLD BUSINESS

A. Status of annexation of the Irish Beach Volunteer Fire Department by the Redwood Coast Fire Protection District (Heinzer). Per Fred Patten in a memo to IBWD: It appears as though all mapping updates will be completed soon. The District's contract with RCFPD for emergency services terminates in June. An extension to the interim agreement has been prepared. Director Poling moved to extend the contract agreement through June 30, 2007. Director Pasqualetti seconded the motion. Those in favor were: Directors Poling, Jassowski, Whitaker, Murray and Pasqualetti.

B. Status of Environmental Impact Reports (EIRs) for Mallo Pass and Irish Gulch (Acker): The contract has been signed with Ms. Teri Jo Barber, Hydrologist, who will be working on the Environmental Impact Reports. She will first communicate with SWRCB staff to inform them the EIRs are in the process of being prepared.

C. Status of Well Project (Acker): Operations Manager Charles Acker stated there was nothing to report. He said he would meet with Mr. William Moores prior to the next meeting to discuss the possibility of an easement or easements.

D. Status of fire hydrant project (Acker) Mr. Acker reported the District has installed one fire hydrant on Pomo Lake Drive. He stated that he will get the assistance of a member of the Paulson crew for the next two installations.

E. Status regarding acquisition of a truck for District Operations (Jassowski 5 mins): Director Jassowski was asked if he could locate the proper State of California department that handles surplus trucks.

F. Replacement of Irish Gulch Raw Water Line (Acker 10 mins): NTR

G. Feasibility of replacing Tank 1 (Acker 10 mins): RGH Consultants, Inc. provided the District with the results of their preliminary geologic study for Tanks #1 and #3. They recommend the District get a detailed geologic and geotechnical study prior to replacement of the tanks. They suggest that 2 borings be done at each site that extend to 140' each. If the sites are found to be geologically stable, then RGH will provide a further proposal for additional services for tank pad preparation. Charlie spoke with Paulson who suggested doing the borings after which he would submit a price for pad preparation. Director Poling moved the Board of Directors authorize the expenditure of funds from the assessment fund set aside to do the boring as suggested by RGS for Tanks #1 and #3. Director Pasqualetti seconded the motion. All directors voted in favor.

H. Water Emergency Planning for situations such as earthquakes, drought, flooding and contamination of county water (Acker / Whitaker 5 mins): Dorothy will follow up with California Rural Water Association (CRWA) regarding a consultant "on-site" visit to assist the District in the updating of emergency procedures.

7. NEW BUSINESS:

A. Consideration of adoption of previously tabled policies:

Policy 5040: Actions and Decisions: Director Poling moved the policy be accepted as written. Director

Jassowski seconded the motion. All favored and the policy was thus accepted.

Policy 3042: Employment of Outside Contractors and Consultants: After considerable discussion Director Jassowski volunteered to redraft the policy for the next board meeting.

Policy 3070: Encroachment Permits: Director Poling moved the District charge \$200 and strike Section 3070.1.3. Director Jassowski seconded the motion and the policy was adopted as modified.

Policy 3010: Illness and Prevention: The board tabled this policy for further review.

B. Consideration of engaging another law firm (Poling 5 mins). Director Poling expressed that she had compared the Rapport proposal and hourly rate schedule against what the District is currently paying and in her opinion there was no advantage in changing representation. Director Poling recommended the District remain with Meyers Nave. All concurred.

C. Fire Hydrant to homes on "down" beach road:

A. Easement: Charlie stated that the District's existing easement would be adequate and the District would not be required to get any type of permit to replace or repair existing facilities.

B. Survey regarding "Point Arena Mountain Beaver" habitat: Director Poling stated that a survey is only required if you wish to conduct work in its dwelling place during a given 3 month period.

Following additional discussion, Operations Manager suggested the District install a 2" hydrant where the existing water line reaches the beach road. This will provide sufficient water pressure.

D. Newsletter (Cong): Dorothy suggested it was time to issue another newsletter to District customers. Judy Murray will provide a financial report. Charlie will provide information regarding operations progress. Dorothy will write several items, i.e.: fire, brush control, septic reminder, policies, district rates, ...

8. Adjournment: It was moved and seconded the meeting be adjourned at 12:57pm.


Respectfully submitted,



Steve Whitaker, ~~Vice~~ President

Prepared by Dorothy Cong

Attest:



Secretary to the Board

**IRISH BEACH WATER DISTRICT
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, July 8, 2006**

I. OPEN MEETING

1. CALL TO ORDER AND ROLL CALL: President Steve Whitaker called the regular meeting of the Irish Beach Water District Board of Directors to order at 10:09am at the Fire House in Irish Beach (Manchester). Present were Directors Jassowski, Murray, Pasqualetti, Poling and Whitaker. Also present was Charles Acker, Operations Manager and Dorothy Cong, Office Manager.

2. APPROVAL OF MINUTES of the Regular Meeting of the Board of Directors held on Saturday, May 13, 2006. There was one correction to the minutes (pg 3 Sec B change "here" to "her." It was moved and seconded the minutes be approved as corrected. The minutes were so approved.

3. COMMUNICATION AND CORRESPONDENCE:

A. A response was prepared to Mr. Rapport stating the District was not taking him up on his offer to be the District's attorney.

B. Bill Moores sent a letter to the District asking a letter be written to the Mendocino County Planning Department stating the District was willing and able to provide water service to two new parcels he will be creating by splitting parcels 132-320-42 and 132-320-43 each in half. Dorothy was directed to draft a letter to Bill requesting the contract and specific references whereby the District is bound to provide service to these new parcels.

4. PUBLIC INPUT:

Speaking as a member of the public, Russell Pasqualetti wanted to know exactly where the water districts easement is on his property. Per Charlie, it extends for 5' along his property line.

5. REPORTS:

A. Treasurer - Report on Finances/Approval of Expenditures: Treasurer Judy Murray provided a recap of the District's cash balances covering checking, regular reserves and restricted reserves. The District is in good financial standing. Treasurer Murray provided the Board with a report of the current Budget vs. Actual. Treasurer Murray stated that she and Dorothy met with Mr. Bob Wheat of Edward Jones and all investment funds have been transferred from Washington Mutual to Edward Jones. Six accounts have been opened – 3 for District operating reserves and 3 for District Assessment reserves. Judy stressed that District funds are now invested according to Policy 3035. Director Jassowski moved and Director Poling seconded the motion that the Treasurer's report be accepted as presented.

B. Water: Facility Manager Charlie Acker reported the following highlights:

1. The most significant activity was the repair of two leaks: One was a sizeable leak in Unit 4 on May 30. The second was a leak in Unit 2 repaired on June 9. The cause of these leaks was thin transite causing the pipes to get brittle over time.

C. Safety: President Whitaker reported that the safety committee met in May but not in June. Trainers from the County of Mendocino Department of Transportation will provide "Roadside Training" to Irish Beach personnel and Elk County Water District personnel on July 20, 2006 at the Rex Dunning Firehouse in Irish Beach.

6. OLD BUSINESS

A. Status of annexation of the Irish Beach Volunteer Fire Department by the Redwood Coast Fire Protection District. Per a letter from Frank McMichael of LAFCO, there will be a public hearing regarding annexation at LAFCO's regular meeting on September 4, 2006.

B. Status of Environmental Impact Reports (EIRs) for Mallo Pass and Irish Gulch (Acker): Ms. Teri Jo Barber, Hydrologist, who was hired by the District to work on the Environmental Impact Reports and the District's water permit renewals for both Irish Gulch and Mallo Pass was in attendance. She needed some key information from the Board in order to proceed with her work for both the Mallo Pass and Irish Gulch permits.

1) How much water does the District wish to extract on the Irish Gulch permit?

After much discussion, Charles Acker, Operations Manager, and the Board recommended using the amount that Guy Schott from the Department of Health Services suggested when he did his study for renewal of the treatment plant permit. Mr. Schott did an extensive analysis and permitted the District for 58 gpm (57 gallons being the amount the treatment plant is able to process.) This equates to 36 gpm from the Lower Diversion and 22 gpm from the upper diversion. It was pointed out that this amount was far less than what the original permit called for.

2) Ms. Barber wanted to know when the District intends to move on development of Mallo Pass.

The Board has been of the opinion that it was being prudent in not developing Mallo Pass until such time as it was actually needed due to A) slow build out within the subdivision over which the water board has no control, B) financing, and 3) the District currently has sufficient water from Irish Gulch to provide 358 households @ 300 gallons per day and there are only 180 active connections. Ms. Barber explained that we are under appropriate right and it "we don't stick the straw in we may lose our appropriate right." A great deal of discussion followed.

A) The Board agreed to begin moving forward to develop Mallo Pass by putting in a diversion, a pipe line of the appropriate size for the subdivision and a small treatment plant at the corporation yard. Planning is to commence as soon as possible and to be completed by 2012.

3) Ms. Barber needs to know how much water the District wishes to extract from Mallo Pass.

A) Director Poling moved that the Board direct President Steve Whitaker to perform an analysis of Mallo Pass water extraction factoring in full build-out of Irish Beach subdivision on the basis of 480 households @ 300 gallons per day including the 10 units for the Inn Site @ 500 gpd without considering any contribution from either Irish Gulch or the well. This figure will provide the number Ms. Barber needs for the Mallo Pass water permit renewal. Director Pasqualetti seconded the motion. It passed unanimously. The consideration is to request sufficient water from Mallo Pass to run the entire subdivision should a worse case scenario occur, i.e. well runs dry and water flow in Irish Gulch suddenly terminates or gets contaminated or destroyed for some unforeseen reason.

B) The Board agreed to have the *ad hoc* committee comprised of Steve Whitaker and Charlie Acker review Ms. Barber's rough draft. The final draft is to be ready for complete board review at the regular meeting on Saturday, September 8, 2006.

C. Status of Well Project (Acker): NTR

D. Status of fire hydrant project (Acker) NTR

E. Status regarding acquisition of a truck for District Operations (Jassowski 5 mins): Director Jassowski located two State offices that have surplus equipment sales. He received documentation and forms from the State Agency for Surplus Property. The Board requested Mr. Jassowski to complete the forms. A Resolution will be on the agenda for the next meeting. This will enable the District to get on a list for a truck that has been surplus.

F. Replacement of Irish Gulch Raw Water Line (Acker 10 mins): The Board requested this item be

removed from the agenda at this time.

G. Feasibility of replacing Tank 1 (Acker 10 mins): Operations Manager Charlie Acker said he has been playing phone tag with the geologist who is to do the borings and soil analysis at Tanks #1 and 3. The Board emphasized it wants the borings done shortly as authorized at the Board meeting in May.

H. Water Emergency Planning for situations such as earthquakes, drought, flooding and contamination of county water (Acker / Whitaker 5 mins): Mr. Roger Bennett from California Rural Water Association will be on-site in Irish Beach on Thursday July 13 at 10:00am to provide the District with information pertaining to emergency planning.

7. NEW BUSINESS:

A. Consideration of adoption of previously tabled policies:

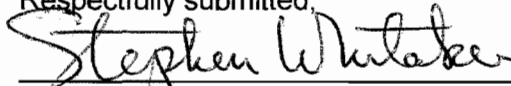
Policy 3010: Illness and Prevention: Director Poling expressed that she was not in favor of such an extensive policy – that it was too much for a small district. No decision made.

Policy 3042: Employment of Outside Contractors and Consultants: Director Jassowski prepared a draft policy. Director Poling volunteered to review the draft for the next board meeting.

B. Draft Budget: Board Secretary Dorothy Cong prepared a very rough draft budget. It was not discussed because the budget committee had not met. The committee needs to meet prior to the next board meeting.

8. Adjournment: It was moved and seconded the meeting be adjourned at 12:57pm.

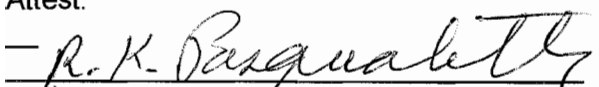
Respectfully submitted,



Steve Whitaker, Vice President

Prepared by Dorothy Cong

Attest:


Secretary to the Board

**IRISH BEACH WATER DISTRICT
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, September 9, 2006**

I. OPEN MEETING

1. CALL TO ORDER AND ROLL CALL: President Steve Whitaker called the regular meeting of the Irish Beach Water District Board of Directors to order at 10:05am at the Fire House in Irish Beach (Manchester). Present were Directors Jassowski, Pasqualetti, Poling and Whitaker. Director Murray was absent with prior notice. Also present was Charles Acker, Operations Manager and Dorothy Cong, Office Manager. Members of the public present were Dorothy Engle, Sue Whitaker, John Acquistapace and Bill Moores.

2. APPROVAL OF MINUTES of the Regular Meeting of the Board of Directors held on Saturday, July 8, 2006. Director Poling moved and Director Jassowski seconded the motion that the minutes be approved as read. The minutes were so approved.

3. COMMUNICATION AND CORRESPONDENCE: NTR

4. PUBLIC INPUT:

Speaking as a member of the public, Kathy Poling questioned whether Operations, when testing the fire hydrant in front of her house, might be able to point the water flow in a direction other than her driveway. Charlie Acker expressed they did try to avoid making a mess in the driveway and would attempt to do better.

5. REPORTS:

A. Treasurer - Report on Finances/Approval of Expenditures: In the absence of Treasurer Judy Murray, Dorothy Cong provided a recap of the District's cash balances covering checking, regular reserves and restricted reserves. The District remains in good financial standing. The Board was provided a report of the current Budget vs. Actual, Check Register, Balance Sheet and a summary sheet of the District's investments. Director Poling moved and Director Jassowski seconded the motion that the Treasurer's report be accepted as modified (the investment summary sheet did not accurately reflect the District's investments as they appeared on the Balance Sheet.)

B. Water: Facility Manager Charlie Acker reported the following highlights:

1. In August a leak developed in Unit 4 that was repaired by Operations.
2. The flow level of Irish Gulch remains very high (can't even measure it) due to an abundance of rainfall last year.
3. Operations completed testing of all the fire hydrants in the District.
4. In July Charlie met with Roger Bennet from the California Rural Water Association regarding Emergency Procedures. Mr. Bennet provided some templates the District may use to upgrade its emergency procedures.
5. In July the County of Mendocino Department of Transportation provided "Roadside Safety Training" to Operations personnel from Irish Beach and Elk. This is part of an effort to comply with California and County requirements for proper traffic control and noticing when roadside work is in progress.

C. Safety: President Whitaker reported that the safety committee met in July and August and covered the "Safety Takes Charge" and "Housekeeping" manuals provided by our insurance company. Further Mr. Whitaker elaborated on the status of District safety projects (*all priority 1 projects completed with the*

exception of items related to Tanks #1 and 3) emphasizing the need for a storage space for tools, a truck to carry equipment, hand washing facility near the port-a-potty, ...

6. OLD BUSINESS

A. Status of annexation of the Irish Beach Volunteer Fire Department by the Redwood Coast Fire Protection District. President Whitaker reported that LAFCO sent out notices to all property owners of a public hearing to be held in Ukiah on October 2 regarding the reorganization of emergency services between Redwood Coast Fire Protection District and Irish Beach Water District. Unless sufficient protests are received by LAFCO, annexation will be a reality following that meeting.

B. Status of Environmental Impact Reports (EIRs) for Mallo Pass and Irish Gulch (Acker): Teri Jo Barber, Ridge to River Hydrologist contracted by the Irish Beach Water District to prepare EIRs for Mallo Pass and Irish Gulch, provided the Board with a comprehensive project description in advance of the meeting. Ms. Barber required the District to provide her with 1) the amount of water it is asking for, 2) how to divide the water, and 3) the septic situation in Irish Beach.

Regarding #3 the Board explained that septic tanks be inspected every 5 years to see if they needed pumping. Notices were mailed to homeowners letting them know it was time for a septic check.

The Board directed President Whitaker to re-calculate flow rates from Mallo Pass Creek and determine the split between Irish Gulch and Mallo Pass. He will also provide the total amount of water the District is requesting for the Mallo Pass water permit and forward this information to Ms. Barber within a few days.

The question arose as to when the District would be able to start construction on the Mallo Pass project. Ms. Barber stated that work can be started as soon as the EIR is completed and the permit has been renewed. Construction will require a Coastal Development permit.

Since the water board meeting held July 8, 2006, the Irish Beach Water District received a notice from the State Water Resources Control Board (SWRCB) Division of Water Rights that the SWRCB was denying the District's petition for an extension of time on Permit 16622 and that it would issue a notice of proposed revocation of Permit 16622. The District requested a hearing and to date has received no response from the SWRCB.

C. Status of Well Project (Acker): Mr. Acker reported that he called the County of Mendocino to inquire whether the District would need a permit to drill another well. He was informed that we qualify for an exemption because 1) the site is not in a wetlands, 2) it is outside the coastal zones, 3) it is replacing an existing facility and 4) it is not for increasing development. The project can be covered under a County Health Department permit. Mr. Acker then called the County Health Department who informed him that the driller would apply for the permit. Charlie has contacted a well driller and the District is on the list for the actual drilling. At this point, no date has yet been scheduled.

The current well has diminished significantly and at the end of this past season it only provided 10 gpm. When another well is drilled, the current one will be shut down and cleaned.

The District has an easement and if we drill within the easement there is no need for any special permission. If the District finds it must drill outside the easement, then it would have to speak with Mr. William Moores. President Whitaker suggested to Mr. Acker that he speak with Bill Moores and offer him 34 cents per square foot for an easement if the District needs to drill outside its existing space. Mr. Acker is responsible for writing a letter to Mr. Moores by September 16, 2006 regarding this issue.

D. Status of fire hydrant project (Acker) Mr. Acker stated he would talk to Paulson and try to schedule installation within the next two weeks. With Paulson working on the installation of two of the hydrants, the obligation to have proper compaction along the side of the road by the County of Mendocino is met. Charlie stated that he and Paul will install the hydrant on the beach road.

E. Status regarding acquisition of a truck for District Operations (Jassowski 5 mins): See Item 7D under New Business.

F. Replacing Tank 1 (Acker 10 mins): The District still has not had core samples taken at the sites of Tanks 1 and 3. Charlie reported he has tried twice to contact the company who will do the boring but has not received any response. President Whitaker suggested that he will contact a Mr. David K. Wood – a geologist – for a 2nd opinion regarding the Tank Project.

G. Water Emergency Planning for situations such as earthquakes, drought, flooding and contamination of county water (Acker / Whitaker 5 mins): Mr. Roger Bennett from California Rural Water Association was on-site on Thursday, July 13 and provided the District with information pertaining to emergency planning.

7. NEW BUSINESS:

A. Consideration of adoption of previously tabled policies:

Policy 3010: Illness and Prevention: Director Poling moved to table this policy. Director Pasqualetti seconded the motion. All favored and the policy is tabled. Dorothy will contact other small water districts to see what type of policy they have in place.

Policy 3042: Employment of Outside Contractors and Consultants: Director Pasqualetti moved to table the policy. Director Poling seconded the motion and all favored. Director Poling stated she would examine the Public Contract Code and would review it with Director Jassowski.

B. Audit review for Oct. 1, 2005 – Sept 30, 2006 (Cong / Murray) Each Director was provided a copy of the audit. It was not completely reviewed due to the need for clarification pertaining to a question regarding net assets on page 10. It will be reviewed again at the next board meeting on November 11, 2006.

C. Draft Budget for Fiscal Year October 1, 2006 – September 20, 2007 (Murray) There were too many unknowns at this point to pass the new budget. It was tabled until the November meeting.

D. Resolution 2006 - 2 authorizing District representatives listed on SP Form No. 202 (2/2000) to acquire federal surplus property from the California State Agency for Surplus Property (Jassowski) Director Jassowski had a stack of forms that he completed. Part of the packet included a resolution documenting district representatives who could acquire surplus property. The form was completed and signed. The vote was as follows: Ayes: Poling, Jassowski, Whitaker, Pasqualetti. Director Murray was absent. Director Jassowski was given the approval to mail the packet to the State so the District can be on a list to acquire a surplus vehicle.

E. William Moores request for District letter confirming the District will provide him with 2 additional hookups for parcels he is subdividing from parcels 132-320-42 and 132-320-43 (Poling) Director Poling inquired if Mr. Moores wished to make a public statement prior to proceeding and he declined. Director Poling then summarized the issue: Mr. Moores is planning to subdivide 2 parcels in Unit 9A splitting them in half and wishes to transfer 2 water connections from the acreage parcels to provide service for the two new parcels to be created. The question that arose is "What is the contract? [that allows this transfer]" Dorothy Cong, District Secretary, questioned Mr. Moores and he responded that Para. 6 of the 2002 Settlement Agreement was the applicable contract. Director Poling read the text of Paragraph 6 of the 2002 Settlement Agreement. She then stated that the intent of Paragraph 6 in "plain language" was referring only to the acreage parcels. She further expressed that the District sought advice from legal counsel and was advised that this paragraph does not apply outside the acreage parcels. Director Poling asserted that Mr. Moores request to

transfer 2 water connections from the acreage parcels to Unit 9A was denied as presented. She added that an alternative needs to be discussed to provide Mr. Moores the water connections.

Mr. Moores said that he is just asking the District to provide a letter to the County of Mendocino Planning Department stating the District will provide the service. President Whitaker moved that the District issue two letters, 1) to the County Planning Department stating that the parcels are within the service area and that water is available to provide service, and 2) to Mr. Moores stating that a letter is being issued to the County of Mendocino, but that the service is not being provided under the contractual obligation as quoted by Mr. Moores, but will be provided as a normal course of District business. Director Poling seconded the motion. All present favored and the motion carried.

F. Consideration of medical benefits for IBWD employees (Whitaker) President Whitaker said that he met with members of the water board from Elk and they expressed wanting a joint effort with IBWD to supply health insurance for Charlie and Rosie Acker. At present the Board does not have a policy relative to health insurance for its employees. Director Poling moved the Board appoint an *ad hoc* committee consisting of Steve Whitaker and Judy Murray to explore the feasibility of providing medical benefits for IBWD employees. Director Pasqualetti seconded the motion. All favored and the motion passed as stated.

G. Cleanup around meter boxes and shut off valves (Whitaker) Operations Manager Charles Acker said the operations personnel clean up around meter boxes and shut off valves and remove the brush.

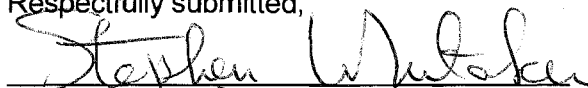
8. Adjourn to Executive Session:

A. Closed session for the purpose of discussing the issue of Public Employee Performance Evaluation of Operations Manager, Systems Operators, and District Secretary, pursuant to Gov't Code Section 54957.

9. Reconvene to Open Session: President Steve Whitaker adjourned the executive session and reconvened open session. President Whitaker announced that employee performance was discussed and payroll modifications suggested for the upcoming fiscal year.

10. Adjournment: It was moved and seconded the meeting be adjourned at 2:40pm.

Respectfully submitted,



Steve Whitaker, Vice President
Prepared by Dorothy Cong

Attest:


Secretary to the Board

11/11/06

**IRISH BEACH WATER DISTRICT
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, November 11, 2006**

I. OPEN MEETING

1. CALL TO ORDER AND ROLL CALL: President Steve Whitaker called the regular meeting of the Irish Beach Water District Board of Directors to order at 10:00am at the Fire House in Irish Beach (Manchester). Present were Directors Jassowski, Murray, Pasqualetti, Poling and Whitaker. Also present was Charles Acker, Operations Manager and Dorothy Cong, Office Manager. Fifteen members of the public attended the meeting.

2. APPROVAL OF MINUTES of the Regular Meeting of the Board of Directors held on Saturday, Sept 9, 2006. Director Pasqualetti moved and Director Jassowski seconded the motion that the minutes of the September 9, 2006 meeting be approved as presented. The minutes were so approved.

President Whitaker requested approval from the Board of Directors to reorganize the agenda placing items 7H and 6B at the beginning of the meeting. Item 7H dealt with whether to engage the legal services of Matthew Emrick as a specialist in water rights. Item 6B dealt with the EIRs for Mallo Pass and Irish Gulch as well as SWRCB denial of extension of Mallo Pass Water Permit. Director Poling moved the agenda be reorganized to accommodate this request. Director Pasqualetti seconded the motion. The motion passed unanimously. *(Note: for the purpose of the meeting minutes, agenda items are presented as they appear on the original agenda.)*

3. COMMUNICATION AND CORRESPONDENCE:

A. Director Jassowski noted that the District has received confirmation that it is now on the list for surplus property.

B. Mr. Whitaker reported that per instructions at the September meeting the District sent a letter to the County of Mendocino Planning Department and to Mr. William Moores regarding the William Moores project to create two new Unit 9A parcels.

C. Mr. Whitaker sent an additional letter in response to a general notice from the Planning Department regarding the project in 3B above.

4. PUBLIC INPUT:

There was no public input.

5. REPORTS:

A. Treasurer - Report on Finances/Approval of Expenditures: Judy Murray, District Treasurer, recapped the District's cash balances covering checking, regular reserves and restricted reserves. The District remains in good financial standing. The Board was provided a report of the Budget vs. Actual for the fiscal year, the current Check Register, Balance Sheet and a summary sheet of the Districts investments. Director Murray moved and Director Jassowski seconded the motion that the Treasurer's report be accepted as presented.

B. Water: Facility Manager Charlie Acker reported the following highlights for Sept. and Oct. 2006:

- 1) Completed hydrant testing
- 2) Installed water meter
- 3) Finished painting tanks in treatment plant
- 4) Had a bulk sale of water to Zamboni

- 5) Tank #3 developed a leak, had to be drained and the leak welded
- 6) Did lead and copper testing
- 7) Modified control valve system at Tank #4
- 8) Rebuilt chlorine system in treatment plant
- 9) Met with David Wood, geologist, regarding ground stability where tanks are located.

C. Safety: President Whitaker reported that the safety committee met in September and October and covered safety dealing with fires.

6. OLD BUSINESS

A. Status of annexation of the Irish Beach Volunteer Fire Department by the Redwood Coast Fire Protection District. Office Manager Dorothy Cong briefly covered annexation status. The LAFCO meeting was held in Ukiah on October 2, 2006. Following the meeting, the reorganization between RCFPD and IBVFD was complete according to Frank McMichael. On October 20, 2006 a meeting was held at the RCFPD firehouse in Manchester and the following was decided: 1) Pink slips for the two fire trucks to be provided to RCFPD, 2) Irish Beach to draft a check to RCFPD for the funds it has in the emergency fund account, 3) IB will provide RCFPD with its most current list of parcels from the latest file it received from the County of Mendocino, 4) RCFPD will follow up with LAFCO and the County of Mendocino regarding distribution of future Fund 211 monies to RCFPD, 5) RCFPD will prepare an article about the reorganization for the ICO. It was moved and passed unanimously that Steve Whitaker and Kathy Poling be appointed to an *ad hoc* committee to work with RCFPD in developing the final reorganization agreement.

B. Status of Environmental Impact Reports (EIRs) for Mallo Pass and Irish Gulch (Acker): President Steve Whitaker conferenced in Matt Emrick, the District's newly engaged attorney for the Mallo Pass water rights issue. Mr. Whitaker provided a summary overview of the Mallo Pass water right situation to bring Mr. Emrick up to date. Emphasis was placed upon the fact that the State Water Resources Control Board, in a memo dated October 16, 2006, denied the district an extension of time on permit 16622 (Application 24364) due to failure to commence development of the water source. The SWRCB is actively in the process of revoking the permit.

Mr. Emrick acknowledged the District was in a difficult situation. The SWRCB frowns upon people not developing their water rights. The concept of "cold storage" has been around since the turn on the 20th century. Mr. Emrick recommended meeting with the District to glean an understanding of the situation. He will then issue a memo with recommendations. Director Poling inquired if there was any precedent to have another opportunity to save the water rights. Mr. Emrick stated that the SWRCB will be looking for any new evidence from the District as to why it should obtain the water. The District will need to develop a new set of facts.

Mr. Acker offered that one new fact is that the District wishes to give Irish Gulch some rest and draw from Mallo Pass. It was noted that Irish Gulch is still a permit and Mr. Emrick suggested it should go to license. It was proposed the District might request full use of Irish Gulch and Mallo Pass, but in practicality take ½ from each in order to minimize the environmental impact.

A date and time were set (Friday, November 17, 2006 at 11:00am) for a meeting with Mr. Emrick on location in Irish Beach.

Terri Jo Barber, engaged by the District to prepare the Environmental Impact Reports for Mallo Pass and Irish Gulch, said that as of the present, the EIR for both are being rolled together. She needed to know 1) what the District does with the sediment that accumulates in the sump pump in Irish Gulch and 2) What the District does relative to septic tanks (the District requires that home owners have their septic tanks inspected/pumped once every 5 years and sends a notice to those who have not done so). Ms. Barber felt she would have the final EIR ready on Friday November 17th.

Mr. Acker stated he believed the District has a chance to save the water rights and will be able to develop a good argument why it is logical to maintain the permit. The District is mandated to serve all customers in the subdivision and cannot control development.

One further issue the District must address relative to water permits is the concept of "by-pass flow." How much water must be left in the creeks when there is a low flow?

C. Status of Well Project (Acker): Nothing new to report

D. Status of fire hydrant project (Acker) The District is on Paulson's list to provide labor when they are able to free up someone for the project.

E. Replacing Tank 1 (Acker 10 mins): David Wood of Aperio Inc. was hired in order to acquire a second opinion regarding District tank sites and wells. The locations of both tanks 1 and 3 are compromised because of the geologic situation. Mr. Wood suggested the District might want to replace tanks #1 and #3 with smaller tanks which would resolve the geology issues. Since this would decrease District storage capacity, he suggested a new tank site to make up the difference. There is already a location which the District owns which would seem to be perfectly suited for a new tank (#6). Tank #5 is crumbling and needs replacing. Mr. Wood suggested replacing it first – can be a plastic tank - and secondly install the new Tank #6. Regarding wells, Mr. Wood suggested drilling next to Tank #2. Data should be collected and analyzed prior to drilling adjacent to the existing well. There is also some potential around Tank #4. This study has provided the District some viable alternatives to consider in terms of water storage.

F. Water Emergency Planning for situations such as earthquakes, drought, flooding and contamination of county water (Acker / Whitaker 5 mins): NTR

G. Consideration of adoption of previously tabled policies:

<u>Policy #</u>	<u>Policy Title</u>	<u>Time</u>
3010	Illness and Prevention Program	5 min
3042	Employment of Outside Contractors and Consultants	5 min

Tabled.

7. NEW BUSINESS:

A. Audit review for Oct. 1, 2004 – Sept. 30, 2005 (Murray 5 min.) Treasurer Murray provided a brief summary and responded to Director Pasqualetti's concern. Director Poling moved to accept the audit. Director Pasqualetti seconded the motion. It passed unanimously and the audit was accepted as presented.

B. Draft Budget for Fiscal Year October 1, 2006 – September 30, 2007 (Murray) The Directors were provided with a summary of the budget which Treasurer Murray reviewed and explained.

C. Consideration of Draft Resolution 2006-3 documenting the approval of the District's budget for fiscal Year 2006-2007 and adoption of new water rates (Murray 10 mins) Director Pasqualetti moved the Board accept the budget. Director Poling seconded the motion. The vote was as follows: Ayes: Poling, Jassowski, Whitaker, Pasqualetti, Murray. There were no dissenting votes and the resolution passed as presented. This year's budget does *not* result in a change in water rates.

D. Resolution 2006 - 4 Revised and Updated Assessment and Operating Reserves for Inflation and Operating/Maintenance Activities (Murray 10 mins) Director Poling moved and Director

Pasqualetti seconded the motion the District approve the assessment and reserves as presented. The vote was as follows: Ayes: Poling, Jassowski, Whitaker, Murray and Pasqualetti. There were no dissenting votes. The resolution passed as presented.

E. Consideration of medical benefits for IBWD employees (Whitaker) NTR

F. Water Supply Requirements (Whitaker 5 mins) Tabled

G. Sale of Surplus Water (Whitaker) Jon Steiner, a resident of Irish Beach, sent a letter to the District inquiring about the sale of water to Larry Keatley. Mr. Steiner wanted to know several things, i.e.: name of individual and his business, how much he pays the District, whether it was in the best interest of the community, etc. Mr. Acker volunteered to prepare a response to Mr. Steiner's letter prior to the next meeting.

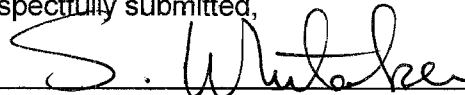
H. New Contract for legal services of Matthew Emrick (Whitaker 5 mins)

President Whitaker expressed that since the State Water Resources Control Board (SWRCB) Division of Water Rights denied the District's petition for an extension of time on Permit 16622 (Mallo Pass Permit) and further stated that it would issue a notice of proposed revocation of said Permit 16622, he believed the District needed to seek legal services to contest the SWRCB ruling. The District's regular counsel Adam Lindgren recommended Matthew L. Emrick who is a specialist in water rights. An Engagement Letter for Special Counsel Services was presented to the Board. Director Murray moved the Board accept the terms of the engagement letter of special counsel services of Matthew Emrick. Director Jassowski seconded the motion and it passed unanimously.

I. SDRMA Credit Incentive Program (Whitaker 5 mins): President Whitaker urged the board to review.

8. Adjournment: It was moved and seconded the meeting be adjourned at 2:11pm.

Respectfully submitted,



Steve Whitaker, Vice President
Prepared by Dorothy Cong

Attest:

— 
Secretary to the Board

**IRISH BEACH WATER DISTRICT
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, January 13, 2007**

I. OPEN MEETING

1. CALL TO ORDER AND ROLL CALL: Vice President Kathy Poling called the regular meeting of the Irish Beach Water District Board of Directors to order at 10:00am at the Fire House in Irish Beach (Manchester). Present were Directors Murray, Pasqualetti, and Poling. Directors Jassowski and Whitaker were absent with prior notification. Also present was Charles Acker, Operations Manager and Dorothy Cong, Office Manager. Several members of the public attended the meeting.

2. APPROVAL OF MINUTES of the Regular Meeting of the Board of Directors held on Saturday, November 11, 2006. Director Pasqualetti moved and Director Murray seconded the motion that the minutes of the November 11, 2006 meeting be approved as presented. The minutes were so approved.

3. COMMUNICATION AND CORRESPONDENCE:

A. A copy of Operation Manager Charlie Acker's response to Jon Steiner's inquiry regarding sale of water to Larry Keatley was included in the packet.

4. PUBLIC INPUT:

Roger Bean was present with a complaint about 1) the District having installed his water meter prior to him notifying the District and 2) having to pay water fees. The Board could not discuss the issue and Roger was told it would be an agenda item at the March 10, 2007 board meeting.

Vice President Poling stated that she hoped all Directors had completed their ethics class by December 31, 2006 so that the District would be in compliance.

Recess at 10:15am:

The Board approved a recess in order to present John Acquistapace with the "Golden Wrench Award" and to congratulate John for having completed 42 years of service with the District. Operations Manager Charlie Acker presented John with the award as well as a gold watch thanking John for his many years of service and wishing him and his family well. John retired effective December 31, 2006.

Resume meeting 10:25am

5. REPORTS:

A. Treasurer - Report on Finances/Approval of Expenditures: Judy Murray, District Treasurer, recapped the District's cash balances covering checking, regular reserves and restricted reserves. The District remains in good financial standing.

1) She reported that since the reorganization between IBWD and RCFPD has been completed, the "Fire/Water Reserve" account has been closed out and the funds transferred to the District's Operations Reserve account. This was done at the request of District auditor Wendy Boise.

2) Treasurer Murray pointed out that to date the District has earned \$14 thousand on its investments (some of which is unrealized gain/loss).

3) Judy pointed out that 55% of the assessment fund has been received from the County of Mendocino.

4) IBWD continues to receive emergency funds from the County of Mendocino. A check was issued to Redwood Coast FPD for the \$15,444 received. IBWD will continue to receive these emergency funds until all paperwork has been completed relative to the annexation.

The Board was provided a report of the Budget vs. Actual for the fiscal year, the current Check Register, Balance Sheet and a summary sheet of the Districts investments. Having reviewed the Treasurer's report and expenditures, Director Pasqualetti moved and Director Murray seconded the motion that the Treasurer's report be accepted as presented.

B. Water: Facility Manager Charlie Acker reported the following highlights for Nov. and Dec. 2006:

1) At the suggestion of consultant David Wood, Operations installed a "Monitoring System" at the Unit #9 well site which electronically monitors and checks the integrity of the well. Data can be downloaded onto a lap top and a variety of outputs are provided. The District will send the data to David Wood for an interpretation of the data. The purpose of the monitoring is to determine if the well is in a confined aquifer. Having installed the monitoring system, Operations discovered there was more water in the well than originally thought. It has been running at a sustained 14 gpm. A side benefit was that through viewing the monitored data, operations discovered a leak in a valve.

2) In December there were periods of very heavy rainfall and the treatment plant was able to sustain itself very well.

3) Heavy winds caused a tree to fall across the water line up Irish Gulch which operations repaired.

4) Lead and copper testing were completed. The results were below any action levels.

5) Operations manager Charlie Acker met with Gordon Moores regarding the possibility of drilling wells on his property. Gordon was amenable to the idea. Operations will scope out suitable locations and discuss them with Gordon.

Mr. Acker briefly covered the operations project list emphasizing that the tank situation is the highest priority at the present time. He also stressed that the District will be installing a test ozone system which will pretreat the water so the polymer will work more effectively.

C. Safety: President Whitaker provided meeting minutes of the Employee Safety Committee for the months of November and December. Booklets provided by the District insurance company were discussed. The topics for November were Holiday Safety and Off the Job Safety. In December meeting the notes concerning David Wood's comments about the general system were discussed and specific projects clarified.

6. OLD BUSINESS

A. Status of annexation of the Irish Beach Volunteer Fire Department by the Redwood Coast Fire Protection District. Director Poling pointed out the following:

1) The agreements are being worked on and are nearly ready. Ms. Poling stressed that she does not like to act as lawyer for the district and is working on the annexation and lease agreements as a Director only.

2) Pertaining to the lease agreement: three significant items need to be addressed in the agreement: 1) Termination date, 2) Lease amounts, and 3) Continued use of the firehouse by Irish Beach Water District and other organizations in Irish Beach for meetings.

Director Pasqualetti moved and Director Murray seconded the motion of a vote of confidence in Director Poling to represent the District and authorize her to make changes in the lease. Length of the lease will be 5 years with a 5 year option.

B. Status of Environmental Impact Reports (EIRs) for Mallo Pass and Irish Gulch (Acker):

1) Present at the meeting was Matthew Emrick, the District's counsel contracted as a specialist in water rights. He provided a summary of the Mallo Pass water rights issue for the board. He said that the State Water Resource Control Board denied the District an extension based upon lack of due diligence and failure to put the water in Mallo Pass to use. The next step by the SWRCB will be revocation of the water rights. A strategy needs to be developed to show the SWRCB facts that

demonstrate:

- A) District has been diligent
- B) District could not complete development due to obstacles not under its control
- C) District will show that should an extension be granted, it can put the water to use within a reasonable time.

Mr. Emrick, on the record with SWRCB as representing the Irish Beach Water District, will put together a timeline with supported facts. Of huge significance are the various law suits regarding Mallo Pass and Proposition 218. Of significance also are development of the Water Master Plan by Brelje and Race and the Engineering Report by Bartle and Wells. Director Poling requested Nik Epanchin to have the Secretary to the Architectural Committee, Jean Selk, go through their materials and find the rate of development in Irish Beach over the past several years. Mr. Emrick will be in touch with District staff for further information as required.

2) Teri Jo Barber, contracted by the Irish Beach Water District to prepare the Environmental Impact Reports for Mallo Pass and Irish Gulch, provided a power point presentation. She prepared a negative declaration and summarized the negative declaration process. Copies of the report have to be sent to the State Clearing House. She prepared a "notice of intent to adopt a mitigated negative declaration" instructing the District to post the notice in key locations, the local library and the local newspaper. A litany of agencies must also be notified, etc. Ms. Barber requested the District to designate a date for a hearing. Director Poling moved a special meeting, which will include a public hearing on the negative declaration, be held at 10:00am at the firehouse on Saturday, February 10, 2007. Director Murray seconded the motion and it passed unanimously.

All comments should have been received by the March 10 regular meeting of the Board of Directors and the District will adopt the mitigated negative declaration document at that time.

C. Water Supply Requirements (Whitaker) A copy of President Whitaker's analysis of water supply requirements was provided in the Director's packet. No discussion ensued.

D. Status of Well Project (Acker): Mr. Acker reported that he and Paul had met with Gordon Moores and Mr. Moores was positive about providing easements on his properties. The District offered also to compensate at fair market value.

E. Status of fire hydrant project (Acker) NTR

F. Status of Storage Facilities (Acker): Mr. Acker provided a summary of the status of the District's storage facilities:

1) Tank #1: A geological firm had misgivings about the geologic structure of the site. A second firm was hired and the consultant (David Wood) suggested a reduction in size of the tank would reduce the geologic concerns.

2) Tank #3: The situation with Tank #3 is even more critical than Tank #1. It actually had a leak and sliding is occurring on the north side of the tank. The suggestion again by David Wood was to put in a smaller tank and do some erosion control.

Replacing of these two tanks will result in loss of storage. This will need to be increased somewhere else. The suggestion is to develop a new Tank #6.

7. NEW BUSINESS:

A. Election of District Directors in 2007. Resolution 2007 - 1, regarding particulars concerning the conduct of the 2007 election of district directors and all future general district elections by all-mailed ballot elections. Dorothy Cong covered the specifics pertaining to the upcoming election which will occur on August 28, 2007. She explained that 4 directorship will expire this year. They are Poling, Jassowski, Murray and

Whitaker. Election packets may be picked up in Ukiah at the Registrar's office starting on Monday, May 7th and must be returned completed to the Registrar by 5:00pm on Friday, June 1. If an election is required, ballots would be mailed on July 30th.

Although the District had already passed a resolution in 2005 requesting the County of Mendocino to conduct all future elections, it was determined a new resolution was necessary due to some fuzzy wording regarding the question whether or not all future general district election should be conducted by mailed ballot. Director Poling read Resolution No. 2007 - 1. Director Murray moved to adopt the resolution with the following change in wording in item #3. It should read: "The Board of Directors directs the ballot for the 2007 election or any future election if a 2007 election is not held, to include the question: 'Shall the mailed ballot be used to conduct all future general district elections?'" Director Pasqualetti seconded the motion and it passed unanimously with a vote as follows: Ayes: Murray, Pasqualetti, Poling. There were no abstentions or nays. There were two directors absent, Whitaker and Jassowski.

B. Consideration of Installing Tank #6 (Acker 10 mins) Operations Manager Charlie Acker had previously explained the District's change of direction pertaining to the storage facilities of Tank #3 and #1 (see above under Old Business 6F). Reduction of storage capacity of those tanks requires an increase in capacity at another location. The attractive thing about adding an additional tank is that the District already owns the parcel where it would be placed. However, it appears the parcel may not be large enough to accommodate District needs and the District may need to seek an easement from the adjacent property owner, Gordon Moors. The new tank would be slightly higher in elevation than the existing Tank #3, but would work very well in providing storage and distribution.

C. Consideration of Resolution 2007-2 concerning the use of assessment funds for upgrading the water storage system (Whitaker/Acker 5 mins): Because of a modification of the District's Water Master Plan in terms of storage capacity due to geological and other considerations, the District verified with Bartle & Wells engineer Douglas Dove whether the District might be able to utilize assessment funds toward the construction of this new Tank #6. Mr. Dove's response was that the District could use the assessment funds designated for System-Wide capital improvement for the Tank #6 improvements. He further recommended that the District adopt a formal resolution stating the reasons for constructing a new tank as opposed to the original options. Director Poling read the Resolution. Director Murray moved and Director Pasqualetti seconded the motion that the resolution be adopted with changes as suggested by Director Poling. The resolution passed unanimously. The vote was as follows: Ayes: Murray, Pasqualetti, Poling. There were no abstentions or nays. There were two directors absent, Whitaker and Jassowski.

D. Rate change requirements (Cong 5 mins): A Supreme Court decision in *Bighorn-Desert View Water Agency v. Verjil* (2006) held that Proposition 218 applies to water-service fees. As a result, the IBWD Board of Directors must modify the manner in which it raises or lowers monthly water rates. In the future the District will have to notice each property owner who will be affected by the rate change and hold a public hearing. The Board of Directors directed Dorothy Cong to prepare a policy dealing with rate changes.

E. Consideration of purchase of lap top for Irish Beach Water District (Acker/Whitaker 5 mins): Operations Manager Charlie Acker expressed that he had purchased a lap top which he uses primarily for Irish Beach and Elk data. The installation of the monitoring system at the Unit #9 well site plus other uses of the lap top specifically for data collection prompted President Steve Whitaker to suggest that the District purchase a lap top for this purpose as opposed to an employee providing his own equipment for District business. Director Poling suggested that the purchase of a lap top be placed in the budget for the next fiscal year. Director Pasqualetti volunteered to locate a suitable lap top.

8. Adjournment: Director Poling moved and Director Pasqualetti seconded the motion that the meeting be adjourned at 1:05pm. It was so adjourned.

K. Palms

Respectfully submitted,

Kathleen C. Poling

~~Steve Whitaker~~, Vice President

Prepared by Dorothy Cong

Attest:

— *Dorothy Cong*

Secretary to the Board

**IRISH BEACH WATER DISTRICT
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, March 10, 2007**

I. OPEN MEETING

- 1. CALL TO ORDER AND ROLL CALL:** Vice President Kathy Poling called the regular meeting of the Irish Beach Water District Board of Directors to order at 10:00am at the Fire House in Irish Beach (Manchester). Present were Directors Murray, Pasqualetti, Jassowski and Poling. Director Whitaker ^{was} ~~were~~ absent with prior notification. Also present was Charles Acker, Operations Manager and Dorothy Cong, Office Manager in addition to Matt Emrick, District legal consultant for water rights, and Teri Jo Barber, Environment Consultant. Several members of the public attended the meeting.

Prior to proceeding with the meeting, Vice President Poling moved she be authorized to call consultants out of order. Director Pasqualetti seconded the motion. All favored and the motion passed.

- 2. APPROVAL OF MINUTES of the Regular Meeting of the Board of Directors held on Saturday, January 13, 2007, the Special Meeting held on January 27, 2007 and the Special Meeting / Public Hearing held on February 10, 2007.** Director Jassowski moved and Director Pasqualetti seconded the motion that the minutes of the three meetings be approved as presented. The minutes were so approved.

3. COMMUNICATION AND CORRESPONDENCE:

A. Included in the packet was a letter from Dean Wolfe to the District and a letter from Dean Wolfe to Mr. William Moores. Dean was reinforcing to Mr. Moores that he should not be contacted for any questions relating to water board issues. In Dean's letter to the Board of Directors he expressed that he does not wish to respond to water board issues and requested that Mr. Moores direct his questions to the water board.

4. PUBLIC INPUT:

Public input was offered but none given.

5. REPORTS:

A. Treasurer - Report on Finances/Approval of Expenditures: Judy Murray, District Treasurer, recapped the District's cash balances covering checking, regular reserves and restricted reserves. The District remains in good financial standing. She kept her report short in the interest of proceeding with the audit review (See New Business A)

B. Water: Facility Manager Charlie Acker reported the following highlights for January and February 2007:

The most significant events during the past two months were leaks:

- 1) There was a loss of 110,000 gallons of water in Tank #4 due to a faulty valve located at Tank #3 which automatically sends water from Tank #4 to Tank #3. The valve got stuck emptying Tank #4 as well as the pipe from Tank #4 to Tank #3. Operations temporarily repaired the valve which will need to be rebuilt. They also took advantage of the empty Tank #4 to clean it.
- 2) The second leak was caused by someone hitting a fire hydrant in Unit #5 causing a loss of water at the rate of 1,000 gallons per minute.
- 3) The third leak occurred in Unit 7 due to a break in a water main. This leak caused operations personnel to have to work by flashlight in the freezing cold and rain until nearly midnight. The repair was completed the following day.

The remainder of operations work was normal maintenance and operating.

C. Safety: President Whitaker provided meeting minutes of the Employee Safety Committee for the meetings held on Jan. 25, 2007 and Feb. 20, 2007. Booklets provided by the District insurance company were discussed. The topics for January were "Slips, Trips and Falls" and "Preventing Injuries from Hazardous Chemicals." The February safety session topic was "Real Life Back Safety."

6. OLD BUSINESS

A. Status of annexation of the Irish Beach Volunteer Fire Department by the Redwood Coast Fire Protection District. Director Poling pointed out the following:

- 1) Both parties have signed the Annexation Agreement and a copy is in our files.
- 2) The Lease Agreement has been prepared but has not yet been signed by both parties.

B. Consideration of Adoption of Negative Declaration to appropriate surface water from Irish Gulch and Mallo pass Creek (Barber/Emrick/Soluri 15 mins):

Present at the meeting was Teri Jo Barber, contracted by the District to prepare the Environmental Impact Report (Mitigated Negative Declaration) for Mallo Pass and Irish Gulch, as well as Matthew Emrick, District counsel specializing in water rights issues.

Teri Jo Barber stated that 5 letters were received commenting on the project. Replies were prepared by Teri Jo in conjunction with Matt Emrick. Letters received were:

1) Mr. William Moores, who did not oppose the proposed volume of water (121 gpm) but considers it minimal.

2) Mrs. Pauline Zamboni who had questions about whether studies had been done, method and route for extracting water, where piping and power lines would be laid, pumping station, water agency responsible for review and acceptance of the project, noise, etc ...

3) Rick Miller of the County of Mendocino Department of Planning and Building Services stressed the need for issuance of a Coastal Development Permit.

4) Michael Long, Field Supervisor of the U.S. Fish and Wildlife Service stated that the District had misidentified the species of red-legged frog in the project area. The Northern red-legged frog is not listed in the Endangered Species Act of 1973. They also stressed that because of the likelihood that the Point Arena Mountain Beaver may inhabit the areas where transmission lines, power lines, etc. will be constructed, a survey will have to be conducted by an expert before the design is completed.

5) Tracie Nelson representing the California Department of Fish and Game (DFG) requested a field visit which took place on February 26, 2007. Board President Steve Whitaker, Teri Jo Barber, Matt Emrick, Pat Soluri (partner of Matt Emrick) and Terri Nelson visited the Upper and Lower Diversions in Irish Gulch and the proposed point of diversion at Mallo Pass. Of note:

A. There is a total barrier to fish migration in Irish Gulch due to the Highway One culvert.

B. DFG has jurisdiction over all surface water impoundments.

C. DFG prefers the point of diversion (POD) be downstream in Mallo Pass (west of the highway). A 1988 memo from the DFG stated that there would be no impact on the fish in Mallo Pass creek if the diversion was west of the highway. It further stated that there would be no significant impact on the fish in Mallo Pass creek if no more than 150 gallons per minute were diverted at the east POD.

D. DFG stated that a "1600 streambed alteration agreement" would be required in order to divert water from Mallo Pass.

E. DFG encourages IB to develop ground water.

F. DFG wants IB to consider more storage (difficult because of places to construct tanks).

G. DFG interested in maintenance of minimum by-pass flows (under 5% at all times of the year). In a good faith effort to demonstrate the District is attempting to work with the DFG and be environmentally concerned, Teri Jo and Matt Emrick revised the amount of water to be drawn from Mallo Pass creek downward from 121 gpm to 63 gpm, now splitting the water between Irish Gulch and Mallo Pass as opposed to allowing the full amount for full build out. The DFG does not like the double

allocation. The Board was very concerned about this severe drop in the amount of water being requested which prompted a great deal of discussion. Director Don Jassowski emphasized that if the District is under the guideline (5%) and the water is needed, then why not request the amount we need? There was also concern expressed that if we request 63 gpm the DFG may want to negotiate even lower. Director Poling suggested the Board reject the new proposed amendment and adjust back to 121 gpm. Teri Jo stated that the DFG is concerned about the low flow months during the summer when the District might be pulling as much as 25% of the water from the stream.

Vice-President Kathy Poling moved the Board adopt **Resolution 2007-3 Approving Application to the State Water Resources Control Board for the Extension of Permit 16622 Mallo Pass Creek and 15580 for Irish Gulch and Adopting A Mitigated Negative Declaration in Support of the Extensions** as amended. Ayes: Directors Poling, Murray, Jassowski and Pasqualetti. Director Whitaker was absent. There were no dissenting votes.

The amendments were: 1) Delete mitigation E because salmon migration is blocked by Highway One culvert downstream.

2) Mitigation B revised to read that water will be drawn from: Mallo Pass at 121 gpm (0.269 cfs) up to 195 afa. Irish Gulch Upper POD at 34.6 gpm (0.077 cfs) up to 56 afa; Irish Gulch Lower POD at 62 gpm (0.138 cdf) up to 100 afa.

Matt Emrick stated that a "Notice of Determination" will have to be filed with the County of Mendocino. The Board directed Dorothy Cong to issue a check for the filing fees. Mr. Emrick will assist Teri Jo in preparing the form. Teri Jo will be responsible for filing the material with the County of Mendocino. Director Poling moved to designate Charlie as the responsible person to sign the forms. Director Pasqualetti seconded the motion and it passed unanimously.

C. SWRCB Denial of Extension of Mallo Pass 'Water Permit 16622 (Barber/Emrick/Soluri/Acker 30 mins:) This item was not discussed specifically but was rolled into Old Business "B" above.

D. Status of Well Project (Acker): The District is still waiting for the surveyor to schedule a date to survey District sites.

E. Status of fire hydrant project (Acker) Charlie reported that Paulson would be on-site to install the hydrants on Monday, March 12.

F. Status of Storage Facilities (Acker): Mr. Acker provided a summary of the status of the District's storage facilities:

Woody's Weld All met with Charlie to assess Tanks 1 and 3 for repair. Mr. Acker expressed that he was encouraged by the meeting and that both tanks can be repaired as well as brought up to code to meet OSHA standards. Special steel has been ordered to repair Tank #1. The work will be done on a time and material basis. Mr. Acker noted that this effort will modify the urgency of replacing the tanks.

7. NEW BUSINESS:

A. Audit Review for FY Oct 1, 2005-Sept 30, 2006 (Boise/Murray 10 mins): District Auditor Wendy Boise reviewed the essence of the audit with the Board. She stated that she had no negative comments. She expressed that she was very pleased with the Board's decision to change its investments in accordance with District Policy 3035 "Investment of District Funds", and stated that District investments have been doing very well. Director Pasqualetti moved to accept the audit as presented. Director Jassowski seconded the motion. All favored and the audit was so accepted.

B. Consideration of Roger Bean request not to install water meter and pay monthly fees until he notifies the water district he is ready (Bean 5 mins) Tabled until the next meeting.

C. Election of Officers of the Board (Poling 5 mins)

The proposed slate for officers of the Board was as follows:

President: Steve Whitaker

Vice President: Don Jassowski

Treasurer: Judy Murray

Secretary: Russell Pasqualetti

Director Jassowski moved and Director Murray seconded the motion that the above slate be voted in. The vote was as follows: Ayes: Directors Poling, Murray, Jassowski and Pasqualetti. Board President Steve Whitaker was absent. There were no dissenting votes.

D. Consideration of locating a repeater at Tank #3 for high-speed wireless service by Esplanade.us (Whitaker/Marshall Sayegh – 5 mins)

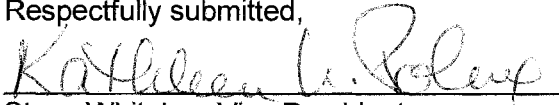
Art Sanchez and Marshall Sayegh of Esplanade were in attendance to propose installation of a repeater on or near Tank #3. If Esplanade could install a repeater, the District would have free service. Esplanade would provide the equipment and maintain it as well. Further they would be able to provide an antennae which would allow wireless connection i.e. laptop and possible wireless communication to enhance electronic monitoring capability. Several agencies, including the Point Arena Lighthouse, have Esplanade's service and are pleased with it. Director Don Jassowski moved to approve the principal of exchanging equipment on Tank #3 in exchange for services. Director Pasqualetti seconded the motion and all favored. Mr. Acker was directed to meet with Esplanade to talk about the details.

E. Consideration of purchase of a pipe locating device (Acker 5 mins): Operations Manager Charles Acker presented the difficulty operations had in finding the water line in Unit #7 when they were working on repairing the leak. He suggested purchasing a pipe locating device that would facilitate locating water lines. The cost is under \$3,000.00. Director Pasqualetti moved the District appropriate the necessary funds and Director Jassowski seconded the motion. The motion passed unanimously.

F. Consideration of audit contract engagement for next three years with Wendy Boise (Murray): The Board expressed that they have been pleased with Ms. Boise service over the past three (3) years as District auditor. Director Murray moved the District accept Ms. Boise proposal of \$3,900.00 per year for the next three (3) years. Director Pasqualetti seconded the motion and it passed unanimously.

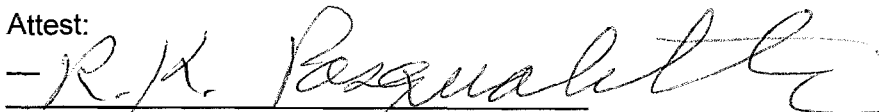
8. Adjournment: It was moved and seconded that the meeting be adjourned at 1:30pm. It was so adjourned.

Respectfully submitted,


Steve Whitaker, Vice President

Prepared by Dorothy Cong

Attest:


Secretary to the Board

**IRISH BEACH WATER DISTRICT
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, May 12, 2007**

I. OPEN MEETING

1. CALL TO ORDER AND ROLL CALL: President Steve Whitaker called the regular meeting of the Irish Beach Water District Board of Directors to order at 10:00am at the Fire House in Irish Beach (Manchester). Present were Directors Murray, Pasqualetti, Poling and Whitaker. Director Jassowski was absent with prior notification. Also present was Charles Acker, Operations Manager and Dorothy Cong, Office Manager in addition to Teri Jo Barber, Environmental Consultant. Matt Emrick, District legal consultant for water rights, was conferenced in by telephone at the pertinent part of the meeting. Members of the public in attendance were Dorothy Engle, Betty Winters, Pauline Zamboni, Paul DeVaul, Dewey Rogers, Annette Fromwiller, Sonya Keasberry, Sue Whitaker and Roger Bean.

2. APPROVAL OF MINUTES of the Regular Meeting of the Board of Directors held on Saturday, March 10, 2007. Director Poling moved and Director Murray seconded the motion that the minutes of the March 10, 2007 meeting be approved as corrected (changed "were" to "was" Sec. I. 1 line 4). The minutes were so approved.

3. COMMUNICATION AND CORRESPONDENCE:

A. Included in the packet was a memo from Mr. William Moores questioning the amount of money transferred to the District operations account effective with the annexation of emergency services to Redwood Coast Fire Protection District, the logic of the transfer, and how he thought these funds should be used. Included also was the District response that these funds went into an Operations Reserve Account for use to finance projects as needed, etc.

4. PUBLIC INPUT:

Public input was offered but none given.

5. REPORTS:

A. Treasurer - Report on Finances/Approval of Expenditures: Judy Murray, District Treasurer, recapped the District's cash balances covering checking, regular reserves and restricted reserves. She drew to the Board's attention that funds had been transferred from the Mallo Pass and System Wide investment accounts to cover expenses on projects that fell within those categories. The District remains in good financial standing. She pointed out that the District will need to begin budget preparation for the next board meeting.

B. Water: Facility Manager Charlie Acker reported the following highlights for March and April 2007:

Most operations activities were simply normal business. Some specific activities appear later on the agenda.

Charlie brought to the District's attention that in 1995 (Resolution 95-4) a "Zero Discharge Resolution" was passed. This resolution states that there is a "zero discharge limit with respect to the disposal of waste or activity which might contaminate or degrade the quality of waters of the State flowing through the Irish Beach Water District."

Although the resolution was passed in light of a fuel dump contamination on the acreage parcels, Charlie expressed that it also deals with chemicals used for vegetation control. In essence it is illegal to use toxic chemicals such as Roundup within Irish Beach. Residents are required to get a permit from the water district to use such chemicals and they must pay for a study to show what they are using is all right.

C. Safety: President Whitaker addressed safety explaining that the safety committee met and covered the issues of "Bloodborne Pathogens" and "Incident Reporting." He explained further that the safety meeting has evolved into a forum for discussion regarding the status of various operations projects, many of which were and are related to safety.

6. OLD BUSINESS

A. Consideration of Revising Negative Declaration passed at Board Meeting on 3/10/07 to appropriate surface water from Irish Gulch and Mallo Pass Creek:

1) Resolution 2007- 3 Amending Application to State Water Resources Control Board for the Extension of Permit #16622 Mallo Pass Creek and Permit #15580 for Irish Gulch (Whitaker):

Present at the meeting was Teri Jo Barber, contracted by the District to prepare the Environmental Impact Report (Mitigated Negative Declaration) for Mallo Pass and Irish Gulch, and via conference phone Matthew Emrick, District counsel specializing in water rights issues.

At the March 10 water board meeting, the board passed Resolution 2007-3 adopting the Mitigated Negative Declaration prepared by Teri Jo Barber. The Board also modified *upward* the amount of water to be drawn from Mallo Pass as it appeared in Exhibit 5 MM-B.

The committee delegated by the Board consisting of President Whitaker, Charlie Acker, ^{MAT EMRICK} and Terri Barber had analyzed District needs and concluded IBWD would draw water from "Mallo Pass at 63 gpm up to 102 afa and from Irish Gulch at 22 gpm (upper) and 36 gpm (lower) up to 35.5 and 58 afa, respectively" (See MM-B dated Mar. 8, 2007). At the Mar. 10 meeting, the board modified *upward* the amounts to be drawn from its resources to: Mallo Pass at 121 gpm up to 195 afa and from Irish Gulch (upper) at 34.6 gpm up to 56 afa and Irish Gulch (lower) 62 gpm up to 100 afa (See MM-B dated Mar. 10, 2007). Upon further reflection, this upward modification was not acceptable to the team; thus the topic was readdressed at this May 12 board meeting. President Steve Whitaker did a power point presentation providing a comprehensive overview of District water needs assuming a maximum of 502 connections (full build out) at 300 gallons per day. Extensive discussion ensued.

Resolution 2007-3 was amended and restated. Changes to the resolution essentially reverse the upward amounts the board voted in at the March meeting and revert back to post March 10 meeting amounts. (*Note: the Resolution itself does not contain water amounts*). (See "Amended and Restated Resolution 2007-3.") Director Pasqualetti moved that Resolution 2007-3 be amended and restated to withdraw the words *and addendum* in paragraph 8 and to add an additional paragraph 11 (see Resolution 2007-3 as amended on May 12.) Director Murray seconded the motion. The vote was as follows: Ayes: Poling, Murray, Whitaker and Pasqualetti. There were no abstentions or nays. Director Jassowski was absent.

There remained discontent with the amount of water to be drawn from District resources as shown in the March 8, 2007 version of MM-B. President Whitaker emphasized that when the State Water Resources Control Board revokes the District's Mallo Pass permit #16622 and a hearing is scheduled, it is very important for the District to go into the hearing with statistics and accurate factual information it can support without a doubt. Of particular concern to President Whitaker are the current 10% conveyance and process losses and the 5% estimated for commercial (of which there are none).

The Board suggested the team meet prior to the July 14th board meeting and come up with what it deems will be numbers the State Water Resources Control Board may accept.

B. Status of Well Project (Acker): NTR.

C. Status of fire hydrant project (Acker) Charlie reported that three hydrants have been installed. There remains a 4th to be done on the beach road.

D. Status of Storage Facilities (Acker): Mr. Acker reported that repair work on Tank #1 would start this coming week.

E. Status of locating a repeater at Tank #3 for high-speed wireless service by Esplanade.us (Acker): Director Poling moved this item be tabled because she received information that Tank #3 is 'illegal.' She wishes to research the problem. Charlie stated he would provide her with a copy of the District's easement.

F. Election (Cong): Dorothy reminded everyone to pick up their packets at the County Election's office if they have not done so.

7. NEW BUSINESS:

A. Consideration of Resolution 2007 - 4 Modifying Charges for Delinquent Accounts (Cong): Dorothy stated that the purpose of this resolution was to bring District policy in line with the new billing system which will be going live for the June billing period. It states that an account will be considered delinquent and assessed a penalty of 10% of availability, usage and any other charges if not paid within 30 days. This differs from current

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procedure in that an additional fee is not assessed against the old past due amount. Director Murray moved to accept the resolution as presented. Director Pasqualetti seconded the motion. The vote was as follows: Ayes: Poling, Whitaker, Murray and Pasqualetti. Director Jassowski was absent. There were no dissenting votes. The resolution passed.

B. Policy 2010: Hours of Work, Overtime and Call Outs (Murray): Directory Murray presented the board with a draft policy. The board suggested she make several revisions to present at the next board meeting on July 14.

C. Consideration of Roger Bean's request not to install water meter and pay monthly fees until he notifies the water district he is ready (Bean 5 mins) When Mr. Bean paid his hookup fee and submitted his application, he requested the District not to install a meter on his property until he notified us because he did not want heavy equipment to damage the meter box or meter. Since no real construction work was taking place, the District did not bill Mr. Bean for more than one year. When he actually commenced work on his garage, billing began. Mr. Bean took exception and refused to pay his water bill. He said he was complying with District requirements for water on his site for fire protection by getting water from a neighbor a couple of lots away. President Whitaker pointed out that Mr. Bean signed the Water Hookup Application which clearly refers to having a service connection installed before construction – "I/we are planning to start construction of a house on my/our Irish Beach lot:" Director Poling moved that the District respectfully deny Roger Bean's request not to pay monthly fees. Directory Murray seconded the motion. The vote was as follows: Ayes: Directors Murray, Whitaker and Poling. Abstain: Director Pasqualetti. Director Jassowski was absent. The motion carried.

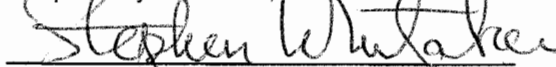
8. EXECUTIVE SESSION:

A. Closed session for the purpose of considering employment for a part-time water treatment and distribution operator Gov't Code Section 54957(b).

9. Reconvene to Open Session: President Steve Whitaker adjourned the executive session and reconvened open session. President Whitaker announced that the District was pleased to hire Dewey Rogers for said part-time operations position.

10. Adjournment: Director Poling moved and Director Pasqualetti seconded that the meeting be adjourned at 2:05pm. It was so adjourned.

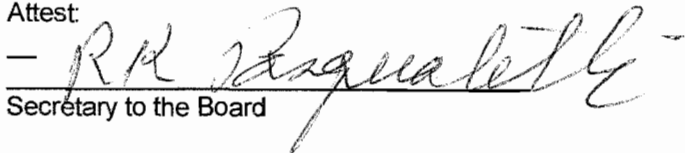
Respectfully submitted,



Steve Whitaker, Vice President

Prepared by Dorothy Cong

Attest:



Secretary to the Board

**IRISH BEACH WATER DISTRICT
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, July 14, 2007**

I. OPEN MEETING

1. CALL TO ORDER AND ROLL CALL: President Steve Whitaker called the regular meeting of the Irish Beach Water District Board of Directors to order at 10:06am at the Fire House in Irish Beach (Manchester). Present were Directors Jassowski, Murray, Pasqualetti, Poling and Whitaker. Also present was Charles Acker, Operations Manager and Dorothy Cong, Office Manager in addition to Teri Jo Barber, Environmental Consultant, and Matt Emrick, District legal consultant for water rights. Members of the public in attendance were Nik Epanchin, Dewey Rogers, Al Thompson, Pauline Zamboni, Gene Cady, Paul DeVaul, Kathy Edelbrock, Betty Winters, the Vickeries and Margaret Ballou.

2. APPROVAL OF MINUTES of the Regular Meeting of the Board of Directors held on Saturday, May 12, 2007. Director Poling moved and Director Pasqualetti seconded the motion that the minutes of the May 12, 2007 meeting be approved as corrected (added Matt Emrick to the "committee": see pg.2, A.1. par. 3). The minutes were so approved.

3. COMMUNICATION AND CORRESPONDENCE:

A. President Whitaker noted Matt Emrick sent the District a memo saying hourly rates would be revised downward from \$225 to \$195 per hour effective July 1, 2007.

B. Mendocino Co. Counsel Office is willing to provide training regarding Brown Act, Public Records Act and Ethics or Sexual Harassment.

C. AB 1260 passed Senate Local Gov't Committee: This is in response to "Bighorn" court decision which found that a water agency's charges for on-going water delivery are subject to Proposition 218. AB1260 prescribes some modifications to that decision. As of this time there has been no vote by the legislature.

4. PUBLIC INPUT:

Complaint by Steve Whitaker that meeting minutes out of date on IBIC website.

5. REPORTS:

A. Treasurer - Report on Finances/Approval of Expenditures: Judy Murray, District Treasurer, recapped the District's cash balances covering checking, regular reserves and restricted reserves. The District remains in good financial standing. The report reflected normal operating business as usual. Some individuals wanted to know how much water Mr. Keatley was taking from the fire hydrant. Unfortunately the income received for these water sales did not appear in this month's material (It usually does). Judy pointed out that the District will need to begin budget preparation for the next board meeting.

B. Water: Facility Manager Charlie Acker reported the following highlights for May and June 2007:

Most operations activities were simply normal business. Some specific activities appear later on the agenda.

Mr. Acker noted the following "highlights" over the past two month period:

1) Tank #1 was repaired. Woody's Welding repaired a rotten area on the tank.

2) Tank #5 was replaced previously and during this period the old tank #5 was removed.

3) Consumer Confidence Report for 2002 through 2006 was sent out. The District is current.

4) Measurements were done for the Upper Diversion, Lower Diversion and Mallo Pass. Irish Gulch measurements show the District is in good shape for water at this point.

5) All fire hydrants were tested.

6) A minor leak was repaired in Unit #7.

7) Tank #2 was cleaned.

C. Safety: President Whitaker addressed safety explaining that the safety committee met and covered the issues of

"Ticks and Mosquitoes" and "Safe Driving."

D. Other: Dorothy Cong reported that a new door has been installed in the firehouse with a more secure lock. The skylights were sealed. She also reported that conversion of the billing system from the old DOS based software to a Windows based software has been completed.

6. OLD BUSINESS

A. Consideration of Mallo Pass Creek Study Group analysis:

1. Action plan vis-a-vis SWRCB (Emrick): Matt Emrick, District Counsel specializing in water rights, prepared a document pertaining to the history of the Mallo Pass Water permit. He opened by stating that SWRCB has denied the District's extension for the permit and a revocation is in the works. Based upon Mr. Emrick's research he believes many of the conclusions reached by the SWRCB when it denied IBWD's extension appear not to be correct. There is a SWRCB order to give the District a hearing and Mr. Emrick's document will be heavily relied upon for that proceeding.

Mr. Emrick stated that there were three things the District needs to show the SWRCB in order to extend its water permit for Mallo Pass.

A) *"Due diligence."* Mr. Emrick noted that substantial steps had been taken by William Moores to develop Mallo Pass since the original permit was granted in 1974, i.e.: flow measurements, coastal permit, Cal Trans permit, quality testing, engineering plans, some preliminary construction, etc.. Details may be found in Mr. Emrick's final document.

B) *Obstacles to putting to beneficial use.* Mr. Emrick noted a series of very significant events that impeded the development of Mallo Pass. County Counsel would not allow Irish Beach Water District to financially assist William Moores stating to do so would be an unlawful use of public funds. Moores granted the permit to the District. Once the permit was granted there followed a series of five lawsuits against the District which took several years to resolve. Three of the lawsuits had to do with Mallo Pass, etc. Irish Beach Water District has only been in a position to develop Mallo Pass from 2002 – 2003. Details may be found in the final document.

C) *Timeframe demonstrating development if permit extension granted.* The District must develop a plan illustrating specifically what it will do to develop Mallo Pass and when it will do it.

2. Water requests and CEQA document (Whitaker): President Whitaker presented the details of a June 1, 2007 meeting of the Mallo Pass Creek Study Group (Steve Whitaker, Teri Jo Barber, Matt Emrick and Charlie Acker). The purpose of the document was to provide background material to substantiate the following extractions of water from Irish Gulch and Mallo Pass.

Upper Diversion on Irish Gulch: 22 gpm

Lower Diversion on Irish Gulch: 36 gpm.

Mallo Pass Creek: 48 gpm

President Whitaker emphasized that when SWRCB holds the hearing with Irish Beach Water District, he wants to present figures to them that can be substantiated and Mr. Whitaker feels comfortable with the above extractions. However, there remains confusion with all the variables concerning water production, storage, loss, etc. and the Board did not wish to make a decision at this time.

3. Consideration of engaging a fisheries biologist (Barber): Teri Jo Barber suggested an independent study be undertaken by a qualified person regarding the fish migration issue in Mallo Pass. She suggested a Mr. Bill Trush who is well know to the SWRCB and whose fees are about \$120 per hour. She thought it would be a good idea to engage Mr. Trush's services for a day to analyze the fish issue as well as possibly get his thoughts on the concept of a dam. The Board approved Teri Jo contact Mr. Trush. Teri Jo Barber had also suggested the possibility of constructing a dam to collect water during the wet season and store it for use only during the summer months (not collect it during the summer) so water would not need to be extracted from the stream at that time. Further study is necessary to determine if this would be a viable project to undertake.

Recess called at 11:50am and meeting reconvened at 12:10pm. Director Pasqualetti had to leave at this point.

B. Status of Well Project (Acker): Charlie Acker reported:

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1) The District has a complete description of the two parcels being considered as a site for a well. Paul DeVaul had contacted Welty to survey the parcels, but the cost would be exorbitant. Mr. Acker believes the boundaries can be located for a more reasonable price. Charlie recently spoke with a surveyor who will look at the two parcel descriptions and teach Charlie how to interpret compass bearings.

2) Mr. Acker also reported that sufficient electronic data has been accumulated at Well #9 to send to David Wood (previously hired to analyze District well and tanks) for analysis. From the data collected, Mr. Woods should be able to determine whether or not the current well is in a confined aquifer and whether it would be feasible for the District to dig a second well at the same site.

C. Status of fire hydrant project (Acker) NTR

D. Status of Storage Facilities (Acker): Mr. Acker reported that repair work on Tank #1 and Tank #3 has been completed with products that provide strength and are corrosion resistant. This will ensure the District several additional years before having to replace these tanks.

E. Election (Cong): Dorothy reported for the public record that Katrina Bartolomie, Assistant Registrar of Voters, notified the District that due to insufficient nominees for the water board, there would not be an election. The candidates, Poling, Whitaker, Jassowski and Pasqualetti, will be appointed by the Board of Supervisors prior to August 28, 2007. Terms of office will commence December 7, 2007. Mr. Jassowski's term ends the first Friday in December 2009. Poling, Whitaker and Murray terms end the first Friday in December of 2011.

7. NEW BUSINESS:

A. 1.) Water Hook-Up Unit 1 Lot 48 and on-going saga and

2.) Watering of plants on Inn Site from Moores' home in IB (Whitaker): President Whitaker reported that William Moores had made an illegal connection to the District's water line located at the SW corner of Lot 48 in Unit 1. The District notified the Sheriff's Office and Sergeant Greg Stefani examined the situation and filed a report. The connection was locked shut by the District and the irrigation line to the Inn Site property was disconnected. Following this Mr. Moores wrote to the District requesting a hook-up at Unit 1, lot 48. The hookup was denied. Director Poling held that a connection for water service at Unit 1 Lot 48 is intended to be used on that unit. Further Director Poling commented that it was apparent the illegal connection was not intended for use at said parcel, but for an area outside the subdivision. Director Poling moved that resolution 2007-6 denying Mr. William Moores a hookup for Unit 1 Lot 48 be adopted. The vote was as follows: Ayes: Poling, Jassowski, Whitaker and Murray. Absent: Pasqualetti. The resolution was adopted.

Shortly after removing the connection at Unit 1 Lot 48, the District became aware of a very sizeable leak (16 gpm causing a loss of 23,000 gals) was discovered that Bill Moores had connected his irrigation line to his home line. The Board recommended that Mr. Acker notify Greg Stefani about water being diverted from Bill Moores' home within the subdivision to the Inn Site outside of the subdivision. The Board also authorized President Whitaker to send another letter to the District Attorney and that the District seek legal advice from District counsel Adam Lindgren.

B. Policy 2010: Hours of Work, Overtime and Call Outs (Murray): NTR

C. Consideration of Resolution prepared by SDRMA and CSDA approving form and authorizing execution and delivery of a 6th amended joint powers agreement (Cong): The context of the updates was read by President Whitaker. Director Poling moved and Director Murray seconded the motion that the resolution be adopted. The vote was as follows: Ayes: Poling, Jassowski, Whitaker and Poling. Absent: Director Pasqualetti.

D. Consideration of rate increase on water usage in excess of 300 gpd: Director Whitaker expressed that the District consider establishing "tiered" billing for water usage. For example, usage up to 18,000 within a billing period would be charged "X" amount and the amount in excess of 18,000 would be charged "Y" amount. The thought was that this might encourage people not to waste water. The Board did not wish to make a determination at this time, but would consider the concept.

E. Budget (Murray): Director Murray emphasized that the District needed to have a budget prepared for the next board meeting. It was emphasized that due to the current restraints on changing rates the District would elect to stay

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within the limits of its current budget for the coming fiscal year 2007-2008.

F. Consideration of contributing to a Medical insurance program for employees (Whitaker): Currently all IBWD employees with the exception of Charlie Acker, have health insurance through their retirement. The Elk County Water District is considering a program whereby a portion of an employee's salary will be donated to a health insurance program before taxes. The thought is that IBWD may wish to do likewise. Dorothy was directed to get in touch with Mr. Kennedy, a member of the Board of Directors of the Elk County Water District, to inquire how this is handled.

G. Resolution 95-4 establishing a zero discharge limit of contaminates that might degrade the quality of waters of the state flowing through the Irish Beach Water District (Whitaker): President Whitaker prepared a single page summary of Resolution 95-4. The motivation behind the resolution was based upon the potential use of toxic chemicals in association with timber harvesting operations in the District's watershed. In addition, however, the resolution may pertain to homes and gardens within the subdivision as the District's lower diversion in Irish Gulch is downstream from many of them. In effect the resolution stated that anyone wishing to use a substance that might possible contaminate the waters must 1) secure a permit from the District for a filing fee and 2) develop and conduct a monitoring plan and bear the cost of said plan. President Whitaker requested members of the board to review Resolution 95-4 and his document summarizing the resolution prior to the next board meeting on Saturday, Sept. 9, 2007.

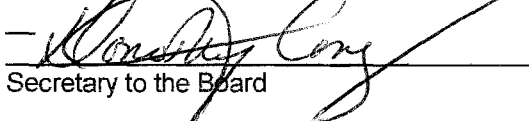
9. Adjournment: Director Poling moved and Director Jassowski seconded that the meeting be adjourned at 1:25pm. It was so adjourned.

Respectfully submitted,



Steve Whitaker, President
Prepared by Dorothy Cong

Attest:



Secretary to the Board

**IRISH BEACH WATER DISTRICT
MINUTES OF THE SPECIAL MEETING
OF THE BOARD OF DIRECTORS
Saturday February 10, 2007**

I. OPEN MEETING

1. **CALL TO ORDER AND ROLL CALL:** President Steve Whitaker called the special meeting of the Irish Beach Water District Board of Directors to order at 10:00am at the Fire House in Irish Beach (Manchester). Present were Directors Jassowski, Poling, Whitaker, Murray and Dorothy Cong, the District's Office Manager. Charles Acker, Operations Manager arrived later. Also present was Teri Jo Barber, the District's Environmental Consultant and Matthew Emrick, District Special Counsel for water rights. Members of the public present were Al Thompson, Suzanne Whitaker and Pauline Zamboni.

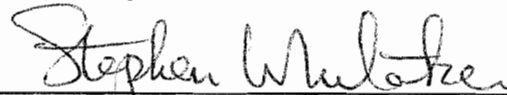
2. **PUBLIC HEARING:** The purpose of the special meeting was to conduct a public hearing to receive comments and to allow the public to learn information regarding the nature and status of the District's application for renewal of its water rights permits in Mallo Pass and Irish Gulch.
 - A. **Opening Remarks:** President Steve Whitaker gave some brief opening remarks explaining the District is a California Special District, where its water comes from, when the District's permits were granted and the number of current hookups.

 - B. **IBWD Water Project Overview:** Teri Jo Barber, the District's Environmental Consultant and author of the Negative Declaration document, presented a power point overview which provided a summary of the project. Prior to her presentation she urged members of the audience to pick up several handouts she had prepared for the meeting that would aid them in following her presentation. Ms. Barber's summary briefly explained water rights history of appropriative diversions and an estimate of what the Irish Beach subdivision water needs will be at full build out. She explained that the Mallo Pass permit is threatened with revocation, but that the District is proceeding to apply for its full needs at both creeks. She emphasized that the District has authorized several alternatives toward minimizing environmental impacts (mitigation alternatives A-G in the report). Teri Jo further explained the purpose of her report, showed several maps and photos included in the report that illustrate where the points of diversion were located, etc., discussed the environmental setting, and demonstrated existing and projected water use illustrated with graphs and charts.

 - C. **Public Input:** Members of the public were offered the opportunity to make comments and/or ask questions. Pauline Zamboni, a neighbor just north of the Irish Beach subdivision who has riparian rights in Mallo Pass Creek, asked several questions, most of which had been answered satisfactorily for her during the overview by Teri Jo Barber. Mrs. Zamboni stated that she would prepare a written comment to the District by the deadline, February 17th. The only other public comment was by Mr. Al Thompson who inquired what the District planned to do if the Mallo Pass Water Rights were revoked. President Whitaker, indicating that a revocation order has not yet been received, responded that the District would probably have to rely on well water.

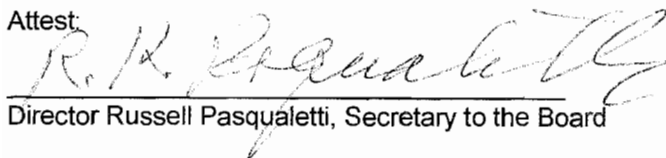
3. **ADJOURNMENT:** It was moved and seconded the motion that the meeting be adjourned at 11:15am.

Respectfully submitted,



Steve Whitaker, President
Prepared by Dorothy Cong

Attest:


Director Russell Pasqualetti, Secretary to the Board

**IRISH BEACH WATER DISTRICT
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS
SATURDAY, September 8, 2007**

I. OPEN MEETING

1. CALL TO ORDER AND ROLL CALL: President Steve Whitaker called the regular meeting of the Irish Beach Water District Board of Directors to order at 10:00am at the Fire House in Irish Beach (Manchester). Present were Directors Jassowski, Murray, Pasqualetti, Poling and Whitaker. Also present was Charles Acker, Operations Manager and Dorothy Cong, Office Manager. Members of the public in attendance were Marilyn Jassowski, Cathy Azevedo, Karl and Diane Taylor, Dorothy Engle, Pauline Zamboni, John and Kathleen Bradbury, Ron and Julie Trathen, Tom Hunolt, Leon Drolet, Patrick Robards, Su Whitaker, Gordon Moores, Vera Lee Kaiser, Lu and Jim Vickery, Nik Epanchin, Dewey Rogers, Paul DeVaul.

2. APPROVAL OF MINUTES of the Regular Meeting of the Board of Directors held on Saturday, July 14, 2007. Director Poling requested that Resolution 2007-6 be added as an attachment to the minutes. Director Jassowski moved the minutes be approved with the above addition. Director Murray seconded the motion. The minutes were approved as changed (adding Resolution 2007-6).

3. COMMUNICATION AND CORRESPONDENCE:

A. Dean Wolfe had issued a memo to the Board Secretary regarding water rates and Dorothy responded to his questions and concerns briefly detailing rate history and explaining significant reasons for the rates being what they are.

4. PUBLIC INPUT:

1. Mr. Tom Hunolt expressed that he wanted anything the District is going to vote on be posted in the kiosks in Irish Beach. It was explained to Mr. Hunolt that board agendas are posted at least 72 hours prior to a meeting in each of the 3 kiosks, at the rental office, at the firehouse as well as emailed to members of the public.

2. Steve Whitaker mentioned the District needs a web site. He further brought up the possibility of putting the Directors packets on the web site. There was agreement that the District needs a web site as has been mentioned from time to time for several years. There was also some brief discussion regarding the Director's packets, but since this was not an agenda item no decision could be made.

At this time Director Jassowski moved to change the agenda to take up the emergency item of Tom Hunolt's intent to drill a well on his property adjacent to his home in Irish Beach located on O'Rorey's Place. Directory Murray seconded the motion and all favored.

Hunolt Well: President Whitaker provided some brief background information pertinent to this issue relating that the District's Well Ordinance was rescinded with the 1994 lawsuit. However, in 2002 the District passed Resolution 2000-7 "An Urgency Resolution Adopting A Moratorium On The Drilling Of Wells Within District Boundaries." Mr. Hunolt stated that he had approached the District about the District providing water service to his two lots adjacent to his home. (The lots are not within the District service area, but are within the District boundaries (its sphere of influence.)

In August of 2005 Mr. Hunolt was informed he would have to "buy-in" to the District at over \$4,000 per parcel. The District did not hear anymore from Mr. Hunolt about this. On Friday September 7, 2007 it was noticed that equipment for drilling a well was moving into place on Mr. Hunolt's property on O'Rorey's Place. The District's position was that since there is currently a moratorium in place prohibiting the drilling wells within its boundaries, Mr. Hunolt cannot drill his well. Mr. Hunolt said he had a permit and would begin drilling his well on Monday, September 10th regardless. The discussion terminated with Mr. Hunolt saying he was going to drill and the District saying he could not, but that it would refer the issue to District counsel and check with the Planning Department of the County of Mendocino.

5. REPORTS:

A. Treasurer - Report on Finances/Approval of Expenditures: Judy Murray, District Treasurer, recapped the

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District's cash balances covering checking, regular reserves and restricted reserves as well as a list of deposits and expenditures for the months of July and August. Dorothy Cong assisted Treasurer Murray in covering the details of the Fiscal Year to Date report provided in the packet. Ms. Murray noted that the District is in good financial standing. The report was approved as presented.

B. Water: Facility Manager Charlie Acker reported the following highlights for July and August:

1) The most significant issue Operations dealt with during the months of July and August was the repair and painting of Tanks 1 and 3. Prior to the last board meeting Woody's Weld All repaired Tank #1. Then Operations personnel removed rust and prepped the tanks for painting. An outside company was hired to paint both tanks and they are now in satisfactory condition for another few years.

2) There were 2 significant leaks in Unit 7 and a leak in Unit 4 that needed repair.

3) New meters have been ordered to enable the District to get a better grasp on water production and use/loss.

Included in the Directors packet were some interesting reports provided by the new billing system that break out water usage into groups by gallons used and the percentage within the groups.

C. Safety: President Whitaker addressed safety explaining that the safety committee met on August 21, 2007 and covered the issues of "MSDS sheets." These sheets provide crucial safety information pertaining to the chemical products district personnel handle.

Following the safety portion of the meeting the committee examined a document prepared by Steve Whitaker that deals with meters and meter calibrations in the Irish Beach Water District distribution system. The effort is to get a better understanding of water production vs. water loss.

6. OLD BUSINESS

A. Consideration of Mallo Pass Creek Study Group analysis:

1. Emrick document in preparation for SWRCB hearing: (Whitaker) A draft document was provided to each director at the meeting. Discussion was tabled since no one had the opportunity to study the material.

2. Water conveyance/loss issue (Whitaker): President Whitaker summarized for the public in attendance background information about Permit 16622 for Mallo Pass for water rights. The permit has expired and the District request for an extension was denied by the State Water Resources Control Board. The District received notice from the SWRCB that Permit 16622 will be revoked and a hearing scheduled. At this point the District has not yet received the revocation notice. President Whitaker emphasized his desire to present figures to the State Water Resources Control Board that can be substantiated. After much analysis by the committee responsible for determining the amount of water to extract from both Irish Gulch and Mallo Pass Creek, President Whitaker believes his document on Water Supply & Water Permits has the most realistic extractions and the best chance of passing the SWRCB. They are as follows:

Upper Diversion on Irish Gulch: 22 gpm

Lower Diversion on Irish Gulch: 36 gpm.

Mallo Pass Creek: 48 gpm

Conveyance loss: 5%

Director Jassowski expressed that President Whitaker's conveyance loss of 5% appears low and that in fact, based upon data received from Operations and Dorothy, the actual loss appears to be more like 40%. There remains confusion with all the variables concerning water production, storage, loss, etc. Director Jassowski volunteered to be the project manager to do a study to more accurately determine production vs. usage vs. loss.

Director Poling moved this item be tabled. It is directly related to the Emrick document which the Board has not had the opportunity to study. The board was instructed to study the Emrick document and Steve Whitaker's paper pertaining to water extraction prior to the next meeting.

3. Consideration of engaging a fisheries biologist (Whitaker): No report is yet available, but President Whitaker emphasized that a fisheries analyst can determine the impact of fish migration when the District removes

water from Mallo Pass.

B. Status of Well Project (Acker): Charlie Acker reported:

1) Mr. Acker distributed graphs based upon electronic data accumulated at Well #9. The graphs show the relationship between water pumped vs. water in the ground. The water returns to a stable level when pumping is completed. This seems to demonstrate there is more water likely in the aquifer. The graphs and data will be sent to David Wood (an engineer previously hired by the District) for professional analysis. As stated in the past, from the data collected, Mr. Woods should be able to determine whether or not the current well is in a confined aquifer and whether it would be feasible for the District to dig a second well at the same site. Parcel boundaries still remain to be determined by a survey.

C. Status of fire hydrant project (Acker) Mr. Acker reported that the only remaining fire hydrant to be installed is the one on the beach road which Operations personnel will install as time permits.

D. Status of Storage Facilities (Acker): Mr. Acker reported that since the repair work has been completed on the existing tanks, storage is all right for awhile. Parcel boundaries still need to be determined by a survey in order to establish where a potential Tank #6 may be placed.

Short 10 minute recess called by President Whitaker at 12:25pm)

7. NEW BUSINESS:

A. 1.) Water Hook-Up Unit 1 Lot 48 and on-going saga (Whitaker)

2.) Export of water from District (Whitaker): President Whitaker summarized the original incident of the water hookup at Unit 1 Lot 48. (See past meeting minutes for more explanation). At the July meeting President Whitaker was requested by the Board to prepare a second letter to District Attorney Meredith J. Lintott. This letter stated that Mr. Moores was exporting water from within the District to a location outside the District service area. He further stated in his letter that it clearly appeared to the District that Mr. Moores was attempting to avoid a "buy-in" fee of about \$4,000.00 plus monthly availability charges of \$56.84 in addition to an assessment fee of \$199 per year. Mr. Whitaker included in his letter pertinent code violations as provided by the District's counsel Adam Lindgren. The District is now awaiting response from the District Attorney.

B. Policy 2010: Hours of Work, Overtime and Call Outs (Murray): Director Murray presented the Board with a revised Policy based upon board critique of her original document. Director Murray moved and Director Pasqualetti seconded the motion that the policy be approved with one correction (remove the word "and" on line 1 of paragraph 2010.5.3. All favored and the policy was approved as modified.

C. Consideration of rate increase on water usage in excess of 300 gpd: This agenda item stirred a great deal of public interest. Many in attendance felt the District had sufficient water at this time and there was in fact no need to establish a "tiered" rating system. Mr. Acker expressed that most districts have a water conservation plan and that certain criteria will trigger the need to conserve water. He said he would get a copy of an existing conservation plan prior to the next board meeting.

D. Budget for 2007-2008 fiscal year (Murray): Board Treasurer Murray presented a preliminary draft budget for the October 1, 2007 – September 30, 2008 fiscal year. Dorothy explained details concerning anticipated income and expenditures. Treasurer Murray moved and Director Pasqualetti seconded the motion that the preliminary draft budget be approved subject to additions for wage and salary increases. All favored and the budget was so approved.

E. Resolution 95-4 establishing a zero discharge limit of contaminants that might degrade the quality of waters of the state flowing through the Irish Beach Water District (Whitaker): Included in the Directors packet was a copy of Resolution 95-4, President Whitaker's comments pertaining to said resolution in addition to comments from Director Jassowski. This agenda item also stimulated a great deal of active discussion. Most residents felt it was not enforceable and went to extremes such that people could not use fertilizers on their gardens or round up on their weeds. The question was asked whether any contaminants actually showed up in the periodic water testing. Mr. Acker said the state regulator would be in Irish Beach in a few days and he will ask the regulator about this resolution and provide Steve

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Whitaker with the feedback. Director Jassowski will then be responsible for preparing a modification of the resolution.

8. ADJOURN TO EXECUTIVE SESSION:

A. Closed session for the purpose of discussing the issue of Public Employee Performance Evaluation of Operations Manager, Systems Operators, and District Secretary, pursuant to Gov't Code Section 54957.


9. RECONVENE TO OPEN SESSION:

President Steve Whitaker adjourned the executive session and reconvened open session. President Whitaker announced that employee performance was discussed and payroll modifications suggested for the upcoming fiscal year.

10. ADJOURNMENT:

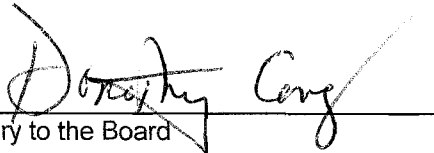
Director Poling moved the board meeting be adjourned. Director Jassowski seconded the motion. All favored and the meeting was so adjourned at 3:15pm.

Respectfully submitted,



Steve Whitaker, President
Prepared by Dorothy Cong

Attest:

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Secretary to the Board