

MINUTES OF THE BOARD OF DIRECTORS OF IRISH BEACH WATER DISTRICT

Meeting November 8, 2008

I. CALL TO ORDER AND ROLL CALL: 10:00am (duration of meeting (5hr 25min 12 sec))

Directors in Attendance: Kathy Poling, Don Harley, Steve Whitaker, Judy Murray, and Don Jassowski.

Public in Attendance; Pauline Zamboni, Dorothy Engle, Mill Moores, Dean Wolfe, Karl Taylor, Diane Taylor, Al Thompson, Loretta Thompson, Gee Cady, Dewey Rogers, Paul DeVaul, Charlie Ackers, Dorothy Cong, Sonja Keasbury, Bette Winters,

2. APPROVAL OF MINUTES: 9-Sep-2008 Minutes (**Approved**)

3. COMMUNICATIONS AND CORRESPONDENCE: (**None**)

4. PUBLIC INPUT for items not on the agenda. The public will be given an opportunity to address concerns about agenda items as they occur in the agenda.

Kathy Welcomes new secretary,

Mr. Bill Moores requested resolution for hand-off of grant deed to district for Unit 8.

This will be on next agenda; Mr. Moores gave Annette grant deed for next agenda.

7A **New Business:** District Investments over view by Mr. Wheat reviewed with emphases on Asset allocation and investment performance.

District has written policy (96-2) on how investments are handled.

Over all the districts investments are in good standing.

Mr. Wheat commission is 2.5% for handling the districts investments

5 REPORTS

A. Treasurer (Murray 10 min.) 2007 2008 Budget: (**Approved**)

B. Water (Acker 5 min)

Charlie Acker mentioned minor leaks: Forest View Road, O'Rorey's and leak in support line.

Noted resolution 1986-2100 that property owners are responsible for repairs.

Thus confirming the necessity of said Projects:

1. GPS assessment for location mapping identifying line placement
2. Project to replace old lines
3. Well Project: project benefits under new well drilling project
4. Tank Replacement Project: project benefits under new well drilling project

C. Safety Committee – (Whitaker 5 min) reviewed safety sessions

D. Other N.A.

6. OLD BUSINESS:

A. Consideration of page 13 of William Moores application for annexation of the Inn Site specifically regarding when the applicant will be assessed the equivalent of 10 units at the date of "annexation" or "connection" to the District (Moores/Poling 10 mins)

Mr. Moores and Kathy Poling discuss language of the application for annexation / connection in reference to

1. Paying assessment once connected. "**Note Reference in: Bartle Wells Associates report for any new connections**" Steve Whitaker noted application-zoning codes are not stated correctly on application.
2. Zones on the application states *2c, however: application should state RL160/(*2c) The application needs to be correct and language needs to be approved before Continuing. Mr. Moores agreed to the changes of the parcels on application and changed them as requested from *2c to **RL160/(*2c)**. Steve Whitaker will further review before approval. Mr. Moores noted he would like to send payment off to LAFCO asap...

6 B.(moved under 6c)1 Status of State Water Resources Control Board Order Denying Petition for Extension of Time for Permit 15580 (Application 21902) Irish Gulch (Whitaker 10 mins)

B. Project Status of IBWD Well Drilling Project: (Acker 15 mins) Well drilling projects Meeting **on 22-Nov-2008** review flow testing
(Other projects that will benefit from this project i.e: tank replacement project)
Noted what Counties (department of Public Health) requirements for test approval are
72 hr allows 25% of volume capacity or
10 day allows 50% volume capacity sustainability.
Discussion was to authorize chemical and flow testing for verification of 50 gpm.
Special Authorization as follows:

Board Authorizes Flow Test Pumping and chemical testing for:

Well T2.

Well T5.

Well #9.

If flow test supports completion, then take Tk5 to completion.

6 B. 1 Status of State Water Resources Control Board Order Denying Petition for Extension of Time for Permit 15580 (Application 21902) Irish Gulch (Whitaker 10 mins)
(Tabled) Until after Special Meeting **22-Nov-2008**: Definition for Permit: Flexible.

License: You're locked down

7B: Consideration of abandonment of Mallo Pass Permit (Poling 5 mins)
(Tabled) Until after Special Meeting **22-Nov-2008** ****Note****New Hearing Date scheduled for 26-**Feb-2006**.
Kathy noted Water Lawyer's Legal advice and what are our options:

1. Abandonment
2. need more time
3. Ask for extension with explanation:

Item Of interest: Costs of moving forward: fees could be as high as 20,000.00 or low as 8,00.00, and if Ground Water Source can be confirmed and Under Prop 218: Voter approval of transfer of assessment monies.

D. Water conveyance issues (Jassowski 10 mins)) (Tabled)

E. Project Status of fire hydrant project (Acker 5 mins) **(Tabled)**

F. Project Status of Water Storage Facilities, i.e. potential new Tank #6 (Acker 5 mins))**(Tables)**

G. Project Consideration of a water conservation plan for the District (Jassowski/Acker 5 mins) **(Tabled)**

H. Consideration of drafting a new resolution or modifying old Resolution 95-4 pertaining to contaminants that might degrade the quality of waters of the state flowing through the Irish Beach Water District (Jassowski 5 mins)**(Tabled)**

I. Consideration of an accelerated tiered billing plan for water usage in Irish Beach (Jassowski) **(Tabled)**

J. Consideration of recommendation regarding William Moores project GP 8-2006/ R 12-2006 which contains several items such as: Board needs correct information and legal advise before approving.

- 1) Rezone several parcels

Application needs parcels to be properly identified as in Old Business 6A

- 2) Relocate existing plan density to other parcels in IBWD service area (i.e Inn Site to be moved to Nichols Ranch)

Applicant (William Moores) to submit additional information

(Steve to send note to John Speka and consult legal advise):

Application needs parcels to be properly identified as in Old Business 6A.

- 3) Construction of a permanent real estate vacation rental-real estate sales office plus Adequate parking space and relocate access road to "Inn Site"
Parcels 131-110-04 & 36.

Application needs parcels to be property identified as in Old Business 6A

K. Board consideration of Fred Tarr comments following District decision to accept Mr William Moores re-subdivision project in Unit 9A (Res-1-2006)

Boards authorizes Steve Whitaker to write a Letter to reference approval subject to condition set forth in memorandum and the applicant assuming the obligation of benefit assessment passed by the

District voters and Complies with condition set forth in number 8

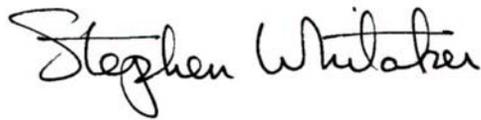
7. NEW BUSINESS:

- A. *(moved to under 4) over view of district investments: with Edward Jones (Mr Bob Wheat)*
- B. *(moved under 6c) Consideration of abandonment of Mallo Pass Permit (Poling 5 mins)*
- C. Policy 1060: District Web Site Content: (Fromwiller 5 mins)**(Tabled)**
- D. Consideration of new laptop printer and projector for administrative work (fromwiller) **(Approved)**
- E. Consideration of distribution of funds collected by the Engineered Assessment
Specifically for Mallo Pass (Poling 10 mins)**(Tabled)** until after Special meeting **22-Nov-2008**
- F. Consideration of drafting a resolution regarding well drilling within the boundaries of the Irish Beach Water District (Whitaker 10 mins) **(Tabled)**
- G. Resolution 2008-3_: Revised and Updated Assessment and Operating Reserves for Inflation and Operating/Maintenance Activities (Murray 5 mins.) **(Approved)**
- H. Consideration of Draft Resolution 2008-2_ Documenting the Approval of the District's budget for Fiscal Year October 1, 2008 - September 30, 2009 and adoption of Water Rates (Murray 5 mins) **(Approved)**
- I. Election of officers. Kathy suggested general manager position
President Steve Whitaker, vice president Don Jassowski secretary Don Harley, director Kathy Poling, treasury Judy Murry, vice president Don Jassowski

8. ADJOURNMENT. All eyes meeting adjourn

Assistance will be provided to Handicapped persons whom require it to participate in the meeting.

Respectfully submitted,



Steve Whitaker, President
Prepared by Annette Fromwiller

Attest:



Secretary to the Board

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SPECIAL IRISH BEACH WATER DISTRICT
MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
SATURDAY, November 22, 2008
(1 hour 23 minutes 24 sec)

1. Call to Order 10:02am:

Directors appearing by conference call (phone 877-694-8223)

Director: Kathy Poling Location: Martinez, California.94553

Director: Don Jassowski Not Available for this meeting, technical problems

Director Don Harley, Steve Whitaker, Judy Murray in attendance.

Public in Attendance Pauline, Ed Holyman, Carl Taylor, Charlie Acker, Al and Loretta Thompson, Fred, Renee. Sue Whitaker,

2. Consideration of abandonment of Mallo Pass Permit 1622

District received a Notice on Sep 28 from the state water board, the division of water rights of the proposed revocation of the Mallo Pass permit, The District issued a letter dated Feb 2007 requesting a hearing, Deadline (action) New hearing date: (26-Feb-2009).

Charlie Acker introduced Mr. Ed Holyman the hydrothist / geologist engineer whom has been hired to assist the district in the flow test process. Charlie Acker noted: that district is outside of the well testing period due to the time of year. Testing months are August, September and October. However County does allow extended testing periods if the accumulative rainfall is 6 inches; current rainfall is 5 inches.

Steve Whitaker summarizes well discharge and water usage:

10 gpm Unit 9 well

22 upper diversions

36 lower diversion (number from long term dry weather situation @ its minum)

Mallo Pass 48 gpm Resulting in supply to 502 homes@300 gal per day and with 10% process and conveyance losses. Actual usage: highest per day was in July and Aug 2005 at 260 gallons per day.

Average over many years: 120 gallons per day

Charlie Acker sent Mr. Holyman the pumping results from the old Unit 9 well for review and recommendations on sustaining 12-½ gpm. Mr. Holyman suggested it could pump more.

Static data:

Tk5 replacement well: pumping 20 hours at 68 pgm. (Realistic results are approx. 50 gpm)

Tk2 'deepest well': pumps 17 1/2 gpm from driller's tests (ready to start testing sequence now)

Unit 9 Well: pumps 12 ½ gpm (with the possibly of more gpm)

Charlie Acker also noted that the States ordinance provides different percentages of pumping rates such as:

10 days county allows 50% of sustainable discharge

3 days county allows 25% of sustainable discharge

Kathy Poling noted conversation with Matt Emeric towards what type of water source.

1) Percolation (All ground water is recharged by deep infiltration either stream or rain fall

2) Underground stream (which is regulated)

Mr. Holyman stated Tk5 (replacement well) is recharged by rainfall "percolation " of rainwater within a fractured system in the Fransician. It's clearly ground water, no stream source around it He made mention of the well statics as follows:

=

Unit 9 well; 12-½ gpm, maybe able to pump 20 gpm (more data as sequence pumping starts)
Tk2 from driller: 17-½ gpm (more data as sequence pumping starts)
Tk5: 50 gpm (fractured Fransician good discharged system)

Mr Hoymann states that 48 gpm is very realistic from tk5 (replacement well)

The Districts decision to the State Water Resource Control Board on the results findings would be:

- 1) The longer the test the more reliable the test is.
- 2) Noted dry rain fall on this testing period also that the county does allow extend testing with the accumulative of 6 inches of rain,

Mr Whitaker asked about existing Easement for tk5, Mr Acker stated Irish Beach has pre-existing easement. Also: Tk2 well is either on or close to an existing parcel that Irish Beach owns. Closest to Gordon Moores parcel and Charlie Acker stated Mr Gordon Moores would grant easement to parcel with certain minimal rights.

Kathy Poling made note of: District is not being asked to serve those customers, district is being asked of a planning agency if any problem to approve

Previous water plan was to secure 48 gpm from Mallo Pass.

Which the current Districts findings from the wells and the short term flow testing, this can be achieved from ground water resources at traction of the costs.

Mr. Holyman concludes the findings of ground water resources to secure 48 gpm.

Kathy Poling requests to send letter of intent to appear. not seconded

Motion to have a constraint of well production: Kathy Poling yes: Harley No, Whitaker no, Murray no, motion fails.

Don Harley Motion to approve abandonment: Judy Murray seconds

Role Call vote;

Don Harley eye, Judy Murray eye, Kathy Poling understands the reconsideration, Steve Whitaker eye, motion carries;

Motion;

The Irish Beach Water Districts approves the abandonment of the Mallo Pass permit 1622 if by December 1, 2008 the accumulative discharge of all three wells currently in operation is 60 gpm or more.

Next Meeting Agenda to discuss Mallo Pass assessment funds and assessment itself.

ADJOURNMENT:

Motion to adjourn: Poling yes, Whitaker yes, Harley yes, Murray yes: motion carries;

Assistance will be provided to Handicapped persons whom require it to participate in the meeting.

Respectfully submitted,



Steve Whitaker, President
Prepared by Annette Fromwiller

Attest:



Secretary to the Board

IRISH BEACH WATER DISTRICT
MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
SATURDAY, January 10, 2009

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 Poling, Jassowski, Harley, Whitaker and Murray. Public in attendance were: William Moores, Pauline Zamboni, Loretta Thompson, Marlyn Jassowski, Dorothy Engle, Al Thompson, Susanne Whitaker and Betty Winters. Staff in Attendance: Operations Manager Charlie Acker and Office Manager Annette Fromwiller
2. **APPROVAL MINUTES:** Approval of minutes 08-Nov-2008 and 22-Nov-2008 (TABLED)
3. **COMMUNICATION AND CORRESPONDENCE:** N/A
4. **PUBLIC INPUT:** NA
5. **REPORTS**
Treasurer Reports on finances and expenditures: Treasurer Murray stated report is delayed.
Water Reports: Operations Manager Charlie Acker reported some routine maintenance and minor leak issues and the under grounding of the power lines at Well #9 and that the fire hydrant project has been completed.
Safety Committee meeting minutes: President Whitaker provided meeting minutes held on November 22, 2008 and December 16, 2008. The subjects covered were Drugs in the work place and Hand Safety.
Other NTR
6. **PROJECTS:**
Status of fire hydrant project: Operations Manager Charlie Acker reported on the final hydrant was installed on the "lower" beach road and the project was completed.
Status of IBWD Well Drilling Project: Operations Manager Charlie Acker the chemical samples from Tk2 well were sent in to Analytical Laboratories for testing.
Status of Water Storage Facilities, i.e. potential new Tank #6. Operations Manager Charlie Acker intends to contact Mr. David Wood for his assistance with plan review.
Consideration of a water conservation plan for the District: NTR
Water conveyance issues: NTR
Consideration of an accelerated tiered billing plan for water usage in Irish Beach: NTR
7. **OLD BUSINESS**
 - A. **Letter to the Board from President Steve Whitaker.** President Whitaker stated that the purpose of his letter was to inform the Board that the letter of William Moores to Dorothy (Cong) dated October 25, 2008 contained a false statement concerning President Whitaker's interaction with Mendocino County Department of Planning and Building. It was suggested that the following policy be considered:

Letters and email messages received by Office Manager that deal with matters of substance, i.e., matters of Board Policy, should be returned to the sender with the request that a formal letter be sent to the Board of Directors.
 - B. **Status of Moores' project in Unit #8.** Director Poling requested that the deed be corrected with specifics as to what is being deeded to the District. All items need to be described in detail and the language of the deed needs to be *precise, correct and unambiguous*. Mr. William Moores request a resolution be written, which was denied until a new deed is submitted.
 - C. **Consideration of abandonment of Mallo Pass Permit:** (Tabled) to Executive Session
 - D. **Consideration of transferring of funds collected by the Engineered Assessment:**(Tabled) to executive session
 - E. **Status of State Water Resources Control Board Order Denying Petition for Extension of Time for Permit 15580(Application 21902).** The matter of license versus a permit was discussed at the meeting with Matthew L. Emrick, Operation Manager Charlie Acker and President Stephen Whitaker. Matt Emrick sent a petition for reconsideration to the State Water Resources Control Board in August 2008.

- F. **Consideration of drafting a new resolution or modifying old Resolution 95-4 pertaining to contaminates that might degrade the quality of waters of the state flowing through the Irish Beach Water District : NTR**

- G. **Consideration of recommendation of William Moores project GP 8-2006/ R 12-2006:** The Board concluded that it needs legal advice before making a recommendation. There are several parts to this proposal. **1).** Rezone several parcels: Application needs parcels to be properly identified as in Old Business 6(Nov 8 meeting) **2).** Relocate existing plan density to other parcels in IBWD service area (i.e. "Inn Site") to be moved to Nichols Ranch Applicant to submit additional information. President Whitaker to send (7. **OLD BUSINESS**) note to John Speka and obtain legal advice. Application needs the parcels to be properly identified as in Old Business 6A (Nov 8 meeting). **3).** Construction of a permanent real estate vacation rental, real estate sales office, plus adequate parking space and relocate access road to "Inn Site" Parcels 131-110-04 & 36. Application needs parcels to be properly identified as in Old Business 6A (Nov 8 meeting) Director Whitaker moves to table this aspect of item 7G and the motion carries unanimously

- H. **Consideration of a new resolution regarding well drilling within the boundaries of the Irish Beach Water District: NTR**

8. NEW BUSINESS:

- A. **Policy 3100 Adoption of New Policy for Home Owners who have long term renters.** Director Poling Suggest Office Manager Annette Fromwiller further evaluate situation and make alternate recommendations.
- B. **Policy 1060: District Web Site Content:** (Fromwiller)(Tabled)
- C. **William Moores' request that "all" communications from the District to agencies processing plans or permits for development are approved by a Board vote prior to sending to the agencies involved.**
The Board request that Mr. Moores send a formal request to the Board.
- D. **Discussion to appoint a negotiator to negotiate real property transactions.** Director Poling made a motion that this needs to be revisited after executive session, motion carried.

ADJOURN TO EXECUTIVE SESSION (12:01p.m.)

Motion to go to executive session: President Stephen Whitaker moves to adjourns to executive(closed) session, the motion carries unanimously.

Closed session for the purpose of discussing: Conferring with real property negotiations regarding easement for Well T5 and status of the water distribution system of the Nichols Ranch.

RECONVENE TO OPEN SESSION:

Directors in attendance: Director Poling, Jassowski, Harley, President Whitaker and Murray.
 Public in attendance: Pauline Zamboni, William Moores, Betty Winters, Dorothy Engle, Loretta Thompson, Al Thompson, Susanne Whitaker, MaryIn Jassowski.
 Staff in Attendance Operations Manager Charlie Acker and Office Manager Annette Fromwiller.

Director Poling reported on Boards action taken in executive (closed) session.

The Board will ask Bartle Wells Associates as an alternate to Mallo Pass to review their engineering assessment findings that supported District Prop 218 vote and whether or not the Board can transfer all or part of the funds currently set aside for the Mallo Pass water and well development program. Director Poling moved to have an ad-hoc committee of two to direct Bartle and Wells on that project. Director Jassowski seconded, Director Harley voted aye, all were in favor, motion carries. Ad-Hoc committee of two Director Poling and President Whitaker.

The board recommends approval of the Mr. Moores Density transfer subject to the following condition:
 That the Irish Beach Water District will not accept or be responsible for any water distribution system construction on the Nichols Ranch that is not constructed by the district or under the districts supervision including but not restricted to engineered plans, and installation by a license **"A" contractor.**

The Chairman is requested to sign the approval with the above condition.

Operation Manager Charlie Acker will be the District's negotiator regarding acquisition for T5 well development Status of water distribution system of the Nichols Ranch. Further Discussion on this will be made when the Board address's Old Business item 7G

OLD Business 7C Consideration of abandonment of Mallo Pass Permit. The board approved the abandonment of Mallo Pass permit. Director Poling will notify Matthew L. Emrick

ADJOURNMENT. Director Poling moved for adjournment, motion carried, meeting adjourned.

Respectfully submitted,



Steve Whitaker, President
Prepared by Annette Fromwiller

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Secretary to the Board

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Water conveyance issues: NTR

Consideration of an accelerated tiered billing plan for water usage in Irish Beach: NTR

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- H. **Consideration of a new resolution regarding well drilling within the boundaries of the Irish Beach Water District: NTR**

8. NEW BUSINESS:

- A. **Policy 3100 Adoption of New Policy for Home Owners who have long term renters.** Director Poling Suggest Office Manager Annette Fromwiller further evaluate situation and make alternate recommendations.
- B. **Policy 1060: District Web Site Content:** (Fromwiller)(Tabled)
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OLD Business 7C Consideration of abandonment of Mallo Pass Permit. The board approved the abandonment of Mallo Pass permit. Director Poling will notify Matthew L. Emrick

ADJOURNMENT. Director Poling moved for adjournment, motion carried, meeting adjourned.

Respectfully submitted,



Steve Whitaker, President
Prepared by Annette Fromwiller

Attest:



Secretary to the Board

**IRISH BEACH WATER DISTRICT
REGULAR MINUTES OF THE BOARD OF DIRECTORS
Saturday March 14 2009**

1. **CALL TO ORDER AND ROLL CALL:** Chair Stephen Whitaker called the regular meeting of the Irish Beach Board of Directors to order at 10:08 am at the Fire House in Irish Beach, Manchester, CA

In attendance were Directors Poling, Jassowski, Whitaker, Harley and Murray. District staff in attendance: Operations Manager Charlie Acker, Technician Dewey Rogers and Office Manager Annette Fromwiller. Members of the public President were Dorothy Engle, Sonja Keasberry, Al Thompson, Loretta A Thompson, Su Whitaker and Pauline Zamboni.

2. **APPROVAL OF MINUTES:** Director Jassowski moved approval of the minutes for the regular meeting held on 08-Nov-2008; Director Harley seconded the motion, which passed unanimously. Director Harley moved approval of the minutes for the special meeting held on 22-Nov-2008. Director Jassowski seconded the motion; all votes were in favor to approve the special meeting minutes. Director Poling moved not to approve the minutes of the regular meeting held on 10 Jan 2009. Director Harley seconded the motion, motion passed unanimously

3. **COMMUNICATION AND CORRESPONDENCE:**

Letter from President Stephen Whitaker to the Board of Directors concerning statements made by William Moores at the IBWD Board meeting on January 10, 2009.

President Stephen Whitaker wanted the board to make a decision on when items of substance come to the office manager that they be sent to the board of directors to address. Will be placed on the next agenda.

A letter was sent to President Stephen Whitaker from Mr. Kent Keebler stating that the district's request to inspect or pump his septic would not be done because of lack of use. Item will be placed on the next agenda. Operations Manager Charlie Acker reminded the Board that it was a requirement of The State Water Control Board. President Stephen Whitaker asked that Office Manager Annette Fromwiller to send Kent Keebler a letter.

4. **PUBLIC INPUT N/A**

5. **REPORTS:**

- A. Treasurer Reports on finances and expenditures:** Treasurer Murray reviewed a two-period financial report for the months of 01-Oct-2008 to 28-Feb-2009 . She pointed out that there was a decline in value due to unrealized investment loses. She reviewed the balance sheet; check register, general ledger and year-to-date budget. Director Poling moved to approve and Director Jassowski seconded the motion to approve the treasurer's report, motion passed unanimously.
- B. Water:** Operations Manager Charlie Acker reported the following:
- 1) Two leaks were reported in different locations on O'Rorey's Roost road.
 - 2) Discussion over the four items on the citation from the January testing and the letter to the customers about the finding and the TK2 well tests were completed. Director Poling suggested that a letter be sent to customers in the next billing stating that: "Water tests were completed to the satisfaction of the water control board". Both Operations Manager Charlie Acker and Office Manager Annette Fromwiller agreed.
 - 3) The CFD will loan a volunteer crew to clear defensible space up along the pipe trail that runs up the canyon and upper road.
 - 4) Charlie will meet with David Wood to assess both new wells on placement of tanks, lines and electrical.
 - 5) Placement of New Tank 6 on old well site is a possibility; it will require new pipes and electrical.
- C. Safety Committee:** President Stephen Whitaker provided meeting minutes of the Employee Safety Committee held on 27-Jan-2009. The Topic covered was "Ergonomics" Safe work habits in terms of body mechanics. February meeting was missed.
- D. Other: **N/A**

6. **OLD BUSINESS**

- A. 1.Fire hydrant project: Operations Manager Charlie Acker reported it is completed. President Stephen Whitaker had a sample of a pipe that fractured and emphasized how important a water distribution system is and the need to start thinking about an on-going project to up-grade the system. Operations Manager Acker said he could do an assessment.
- 2.Water Storage facilities: Operations Manager Charlie Acker met with hydrologist David Wood over options pertaining to a master plan and how it would fit into the districts economic model.
- 3.Water conservation: Director Jassowski went over information on how to be water smart and conserve. Operations Manager Charlie Acker explained how to read a water meter. Technician Dewey Rogers mentioned that the meters are read monthly by Technician Paul DeVaul to make us aware of potential leaks; if unusual usage is measured, it is reported immediately to the owner.
- 4.Water conveyance NTR
- 5.Accelerated tiered billing plan. Director Jassowski asked Office manager Annette Fromwiller if the current billing

software can be tiered usage. Office Manager Annette Fromwiller said she would check.(yes it can)

B. Status of project in Unit #8 (William Moores). (TABLED)

1. Need documents stating transfer of personal property pertaining to water conveyance system in Unit 8. William Moores (TABLED)
2. Time Line from President Stephen Whitaker (TABLED)

C. Consideration of transfer of funds collected by the Engineered Assessment, (Poling/Whitaker)(Tabled)

D. Status of the State Water Resources Control Board order-denying petition for an extension of Permit 15580 for Irish Gulch. President Stephen Whitaker read the letter dated Mar 9, 2009 from the State Water Resources Control Board denying time extension. Director Poling made a motion to have Operations Manager Charlie Acker assess the water usage. Director Jassowski seconded. and the motion passed unanimously.

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 District (TABLED)

F. Policy 3100 for Home Owners having long-term renters. Office Manager Annette Fromwiller said that the district already had a policy and a resolution that are satisfactory.

B. Resolution regarding well drilling within the boundaries of the Irish Beach Water District (TABLED)

C. Letter to Fred Tarr concerning Bill Moores' Re-Subdivision. Permit Application RES 1-2006. President Stephen Whitaker read the letter addressed to Fred Tarr on conditional approval.

7. NEW BUSINESS

A. ELECTION to the Board of Directors. President Stephen Whitaker reviewed the two upcoming directors seats: (Director Harley and Director Jassowski) notices need to be posted. Director Poling will review notices before posting and Office Manager Annette Fromwiller will post election notices.

B. Policy 1060: District Web Site Content: Office Manager Annette Fromwiller gave a demonstration of the Irish Beach Water District web site. Old site <http://www.ibwater.org> will be replaced by new site, which is <http://www.ibwd.org>.

C. Buy-in cost for New Parcels. Director Harley discussed the types of information to begin with the buy-in structure. It was questioned whether Unit 9 is part of the assessment and Office Manager Annette Fromwiller will verify before finalizing buy-in costs.

D. Policy concerning unpaid water bills. President Stephen Whitaker reviewed information about 15551 Forest View and the lien for non-payment of water. Solution was to remove lien from property and that Mr. Marshall agrees to pay a prorated amount starting Sep 3, 2008 to current. Office Manager Annette Fromwiller will send release of lien to Mendocino County and send revised water bill to Mr. Marshall.

8. ADJOURNED TO CLOSED SESSION: President Stephen Whitaker moved to closed session for the purpose of discussing the Status of the easement for Well T5 and the Status of the water distribution system on the Nichols Ranch.

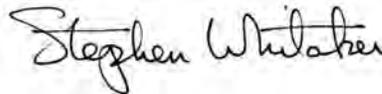
9. RECONVENE TO OPEN SESSION. 3.27pm

President Stephen Whitaker reconvened to open session at 3:27pm and reported on the closed session that the district's negotiator Operation Manager Charlie Acker will continue his negotiations on Well Tank 5 easement.

He also reported that the district's legal sub-committee continues to provide legal documents to the attorney on its current activities.

10. ADJOURNMENT President Stephen Whitaker moved to adjourn at 3:30pm, motion carried.

Respectfully submitted,



Steve Whitaker, President
Prepared by Annette Fromwiller

Attest:



Secretary to the Board

**MINUTES OF THE BOARD OF DIRECTORS
OF THE IRISH BEACH WATER DISTRICT
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
MAY 9, 2009**

1.Call to Order and Roll Call: President Stephen 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, CA. Director Appearing by teleconference call: Director Kathy Poling Location: Martinez California 94553. Directors in Attendance were Jassowski, Harley, and Whitaker. Director Murray was absent with prior notice. Staff members in attendance were Operations Manager Charlie Acker, Operations Technician Dewey Rogers and Office Manager Annette Fromwiller. Members of the Public in Attendance were Dorothy Engle, Al Thompson, Loretta Thompson and Marilyn Jassowski.

2.Approval of Minutes of the Regular Meeting of the Board of Directors held on January 10 2009 and Meeting Minutes held on March 14, 2009. Director Jassowski moved and Director Harley seconded the motion that the minutes for the meeting held on January 14, 2009 be approved with minor changes. All were in favor; motion carries. Director Harley moved and Director Jassowski seconded the motion that the minutes for the meeting held on March 14, 2009 be approved with minor changes. All were in favor; motion carries.

3. Communications and Correspondence: No communications were received

4. Public Input: No public input was given

EXECUTIVE SESSION: Adjourn to Closed Session:
Discuss the Status of Easement TK5.
Discuss Personnel Matters.

Reconvene to open session at 11:09am, at this time Director Poling asked to be excused from the rest of the meeting. Directors present were Jassowski, Harley and Whitaker, which constitutes a quorum. President Whitaker reported on the following from the closed session.

The Board communicated with the negotiator on the TK5 easement.

The Board approved a rate increase of \$3.16 for Dewey Rogers for his achievement of the water distribution certificate bringing his hourly rate to \$25.00.

The Board approved a pay increase of 5% to Office Manager Annette Fromwiller.

5. Reports:

A. Treasurer's Report: (TABLED)

B. Water: Operations Manager Charlie Acker reviewed David Wood's suggestions on the District layout of lines, tanks and the possibilities of connecting water mains.

Operations Manager Charlie Acker further reported on the following:

1. That the Cal Fire crew completed four days of brush clearing for the District.

2. Leak repairs were done for Mr. Hunolt on Sea Cypress and the beach road putting emphasis on the importance of water monitoring and conveyance needs.

3. The 2008 annual report was completed and sent to the State Water Resources Control Board.

4. Reviewed the language in the letter going out to the community to clarify any confusion over the letter that was sent in January on the completion of testing.

C. Safety Committee: President Stephen Whitaker reviewed three safety sessions:

1. Blood Borne Pathogens: Emphasis on washing your hands regularly.
2. Stress and the best way to deal with it.
3. Hazard communications for non-industrial employees: Topic was on industrial photocopies and their contaminants.

D. Other: None

6. Old Business:

A. Projects:

1. Water Storage Facilities: Operations Manager Charlie Acker reviewed his handout on his projection of tank replacement and asked about the budget available for those projects. Office Manager Annette Fromwiller said she would obtain the report.

2. Water Conservation: Director Jassowski reviewed some of his findings on rate structure and monitoring possibilities.

3. Water Conveyance/loss: Operations Manager Charlie Acker mentioned that TK3 monitoring would increase the district's ability to monitor water usage. The district's annual calculated conveyance loss is approximately 40%.

4. Accelerated Tiered Billing Plan: This was reviewed in projects 2 and 3 above.

B. Status of Project in Unit #8 (William Moores):

1. Need documents describing transfer of property pertaining to water conveyance system in Unit 8. (William Moores).

2. Time line from Stephen Whitaker. Stephen Whitaker reviewed the history of Mr. Moore's water conveyance system in Unit 8 beginning on May 5, 2008. The Board requires a grant deed for the transfer of equipment and a precise description of the equipment to be transferred. Stephen Whitaker will prepare a letter to Mr. Moores requesting the grant deed and the description of the equipment that was installed. A copy of this letter will be sent to both Director Kathy Poling and Operations Manager Charlie Acker.

C. Consideration of transfer of the funds collected by the engineered assessment (Poling/Whitaker) (TABLED)

D. Status of the State Water Resources Control Board denying petition for an extension of permit 15580 for Irish Gulch. (Whitaker) (NTR)

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. (Jassowski) (TABLED)

F. Resolution regarding well drilling within the boundaries of the Irish Beach Water District (Whitaker) (TABLED)

7. New Business

A. Election of two full terms on the Board of Directors. Notices have been posted in the ICO paper and kiosks around Irish Beach.

B. Buy-in cost for new parcels. Director Harley reviewed his findings and will talk to Doug Dove of Bartle Wells Associates.

- C. Letter from President Stephen Whitaker regarding letters and email messages received by the office manager that deal with matters of substance. Resolved see New Business D.
- D. The District has policy 1030.x on general complaints from customers and how they are to be handled. President Whitaker reviewed the policy, and concurs.
- E. Letter from Mr. Keebler about septic tank inspection and usage: Operations Manager Charlie Acker stated that the District is regulated by the State Water Quality Control Board as the licensee to oversee septic systems as part of a Wastewater Discharge System.

9. Adjournment: Director Harley moved and Director Jassowski seconded motion that board meeting be adjourned, motion carried meeting adjourned.

Respectfully submitted,



Stephen Whitaker, President
Prepared by Annette Fromwiller

Attest:



Secretary to the Board

**Minutes of the Board of Directors of Irish Beach Water District
Rex Dunning Firehouse, 15401 Forest View Road
Saturday July 11, 2009**

1. Call to order and roll call: President Stephen Whitaker called to order the regular meeting of the Irish Beach Water District Board of Directors at 10:01 am in the Firehouse, Irish Beach Manchester, CA. Directors in attendance were Jassowski, Whitaker, Harley, Murray and Poling. Staffs in attendance were Operations Manager Charlie Acker, Operations Technician Dewey Rogers and Office Manager Annette Fromwiller. Members of the public in attendance were Sonja Keasbury, Ron Whitney, Susan Rush, Su Whitaker, Williams Moores and Marilyn Jassowski.

2. Approval of minutes of the regular meeting of the Board of Directors held on May 10, 2009: Director Jassowski moved and Director Harley seconded the motion that the minutes for the meeting held on May 10 2009 be approved. Motion carried unanimously.

3. Communications and Correspondence: Nothing to report.

4. Public input: No input was given.

5. Reports:

A. Treasury report: Treasurer Murray reviewed the highlights of the Treasurer's report and noted that our equity has started to increase. Director Jassowski moved to approve Treasurer's report and disbursements. Director Harley seconded motion. Motion carried unanimously.

B. Water: Operations Manager Charlie Acker reported that normal repair maintenance was done. He also reported that a water sample was sent to another testing lab, Brelje & Race Laboratories Inc., due to the lab being open over the weekend this was so that the CCR (Consumer Confidence Report) could be completed by July 1 2009 and sent to customers. Office Manager Annette Fromwiller verified that CCR was sent. He said that the public can review the water testing regulations from the CA Department for Public Health and Safe Water compliance monitoring and that the Irish Beach Water District is in district 3.

C. Safety Committee: President Whitaker reviewed the two safety meetings. One meeting covered the storage and use of safety equipment and the other meeting covered the types of heatstroke.

D. Other. Nothing to report.

6. Old Business:

Projects.

A:

1. Water Storage Facilities: Operations Manager Charlie Acker commented on the District's need for replacement of tanks and other facilities.

2. Water conservation: (NTR)

3. Water Conveyance: (NTR)

4. Accelerated tiered billing plan. Director Jassowski requested that Office Manager Annette Fromwiller send him the monthly meter readings so that he can explore the tiered billing structure.

B. Status of Project in Unit #8 (William Moores).

1. Mr. Moores presented a grant deed and Director Poling reviewed the documents and exhibit A. Director Poling requested the layout of connections be added in as exhibit A-2. Director Jassowski moved to accept changing exhibit A-1 and adding exhibit A-2. Director Harley seconded the motion, Motion carried unanimously.

2. Time line from Stephen Whitaker. Director Whitaker presented a time line covering events from May 5, 2008 to June 25, 2009.
- C. Consideration of the transfer of the Mallo Pass funds collected by the engineered assessment. Director Poling moved to have this item transferred to the executive session. Director Harley seconded the motion. Motion carried unanimously.
- D. Status of the State Water Resources Control Board order denying the petition for an extension of permit 15580 for Irish Gulch. (Tabled).
- E. Resolution 95-4 establishing a zero discharge limit of contaminants that might degrade the quality of waters flowing through the Irish Beach Water district water shed. Director Jassowski reviewed his handout for the new draft resolution, which is meant to replace Resolution 95-4 (Tabled).
- F. Resolution regarding well drilling within the boundaries of the Irish Beach Water District. President Whitaker briefly reviewed his resolution for the development of wells and the Board agreed that legal counsel should consider the draft resolution.
- G. Mr. William Moores requested in an email dated May 20, 2009 that the board adopt a policy that district letters to agencies processing permits for development projects be approved by majority vote of the board after a public hearing on the proposed communication and to notify the permit applicant at least 10 days prior to the hearing and prior to any communications being sent to those agencies. (Moores)
Mr. Moores was not in attendance during this discussion. Director Poling noted that the District has a policy to indicate how the District will handle letters to agencies and responding to questions from agencies. Director Poling moved that Mr. Moores request be denied. Director Jassowski seconded the motion. Motion carried unanimously.
- F. Status of Unit 9a re-subdivision (res 1-2006). (Tabled)

7. New Business

- A. Election of two terms on the board of directors. Director Harley and Jassowski reapplied for the seats. There were no other candidates and the County of Mendocino does not require an election.
- B. Resolution concerning the buy-in cost for new parcels. Director Harley reported on the possibly to use the > 40 year capital asset value to determine costs. A new version of the resolution will be presented at the next meeting of the Board of Directors.

8. Executive (closed) session: adjournment to closed session at 12:47pm

1. Status of easement for well t5.
2. Old Business 6C Transfer of Mallo Pass Funds

Meeting Adjourn back to open session at 1:48pm.

President Whitaker reported the following from the closed session:

1. Status of the Tk5 easement.
That the board authorizes the District's negotiator to meet with Mr. Moores to inform him that the District will proceed with the development of Tk5 well with no further negotiations.
2. Old Business 6C: The transferring of the Mallo Pass funds.
That under prop 218, no public vote is required for the transfer of the Mallo Pass funds collected for water source development. Director Poling moved that the fund be transfer to an alternative water source development project fund. Director Jassowski seconded the motion. Director Poling volunteered to write the resolution.

Roll Call vote: Treasure Murray aye, Director Harley aye, and President Whitaker aye.
Director Jassowski aye, Motion carried unanimously.

Adjournment: Director Harley moved to adjourn the meeting. Director Poling seconded the motion.
The meeting adjourned at 3:54pm.

Respectfully submitted,



Stephen Whitaker, President
Prepared by Annette Fromwiller

Attest:



Secretary to the Board

**MINUTES OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
SATURDAY SEPTEMBER 12, 2009**

1. **Call to Order and Roll Call:** President 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, CA. September 12, 2009. Directors in attendance were Poling, Jassowski, Harley, Whitaker and Murray. Staffs in attendance were Operations Manager Acker, Operations Technician Rogers and Office Manager Fromwiller. Members of the public in attendance were John Sequest , Bobbie Crafford, Ron Whitney, Al Thompson and Su Whitaker.
2. **Approval of the Regular Meeting Minutes held on July 11 2009.** Director Poling moved to approve the minutes as corrected. All were in favor motion carries.
3. **Communication and Correspondence.** Letter from county collections officer Mrs. Simpson will be moved to the executive session item B the collections of the Mallo Pass Funds.
4. **Public Input: N/A**
5. **Reports:**
 - A. Treasurer Report on Finances and Expenditures:** Treasurer Murray reported on the District's cash balances covering checking, regular reserves, account receivables and noted nothing out of the ordinary except that not all of the September account receivables were posted. Treasurer Murray made mention that she will start the fiscal close budget preparation for the next board meeting. Director Poling moved to approve the treasurer's report as presented. Director Harley seconded motion. All were in favor motion carries.
 - B. Water.** Operations Manager Acker reported on the current status of the Tk5 well project and that the installation and electronics were complete and pumping tests are under way. He also mentioned that to meet the state water works standards a successful 10-day dry season test has to be done. He also announced that the District would start using a new lab for monthly testing called Brelje and Race Laboratories Inc.
 - C. Safety.** President Whitaker explained that the safety committee meets every month and one of the sessions covered was on driving distractions and the use of cell phones, text messaging with the emphasis around the dangers associated with electronic distractions. Another safety session covered was pro-active safety attitudes and that everyone must take responsibility for removing hazards that can cause accidents.
 - D. Other N/T**
6. **Old Business:**
 - A. Projects.**
 1. **Water Storage Facilities:** Operations Manager Acker reported that tank Tk6 has an undesirable elevation and after taking a second review of tank Tk3 it would better serve as the replacement tank and he talked about AquaStor a highly rated tank supplier and the types of tank they supplied. Operations Manager Acker said in order to replace Tk3; a Preliminary Geology report is needed. He reviewed the District's 2006 Preliminary Geology report and it was determined that the report had the information needed. Treasurer Murray made note that tank replacement was part of the engineered assessment report. Operations Manager Acker asked who owned the property closest to Tk3 because they would have to be notified of the District's plans to replace Tk3. President Whitaker informed the Board the owner was RJ Dial. Treasurer Murray made a motion to approve up to \$150,000.00 fund transfer to a Tk3 tank replacement project fund from either the System Wide or > 40 year funds pending an investment review and to withhold any further investment of funds collected. Director Poling seconded the motion. Motion carried unanimously.

2. **Water Conservation:** Director Jassowski reviewed his conservation plan and requested a more detailed monthly breakdown for accurate calculations. Operations Manager Acker stated that Technician DeVaul was asked to start breaking down system meter readings and applying production readings to the monthly meter readings. Those details will assist with further conservation efforts.
 3. **Water Conveyance/Losses.** Operation Manager Acker again noted the district's need for better monitoring for conveyance statistics.
 4. **Accelerated Tiered Billing Plan:** Director Jassowski reviewed his tiered rate billing plan structure and the reason for applying rates and revenues generated by tiered rates. He further reviewed rates and costs before and after applying tiered billing. Director Poling and Murray asked about the advantages and disadvantages as well as startup and maintenance involved for changes. Director Jassowski requested a technical manual and information about the District's billing system from Office Manager Fromwiller. The technical manual will be sent to Director Jassowski and a time will be set up to review the District's billing system. Feedback was also requested from the Directors on advantages, disadvantages and concerns over the tiered billing and that they are sent to Director Jassowski. This will be placed on the next agenda.
- B. **Status of the State Water Resources Control Board Order Denying the Petition for an Extension of Permit 15580 for Irish Gulch.** President Whitaker noted that there was nothing new to report.
 - C. **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.** Director Jassowski further reviewed his documentation from project 3 and 4 and made note that the Federal, County, and State have requirements for pollution and how handle as well to report it. Director Poling handed out a draft resolution to the Directors for review. This will be placed on the next agenda.
 - D. **Resolution regarding well drilling within the boundaries of the Irish Beach Water District. (Whitaker/Poling/Acker)** Legal opinion is needed to continue with this resolution. Director Poling will send it off to the District counsel. This will be placed on the next agenda.
 - E. **Policy 4040 Board President:** Add policy number 4040.3 that the President may need to correspond and communicate to the County or the State of California concerning business of Irish Beach Water District. President Whitaker reviewed the addition to policy 4040. Director Poling said that the District has a communication policy and that may be modified. Office Manager Fromwiller will send the IBWD policy manual to Directors for review and it will be placed on the next agenda.
 - F. **Resolution 2009-___ Buy in costs for new parcels.** Director Harley reviewed the resolution. President Whitaker and Director Jassowski requested that equations be added for clarity and be addressed at the next meeting. This will be placed on the next agenda.
 - G. **Resolution 2009- __1__ For the collections of funds from the Mallo Pass Engineered Assessment** Director Poling reviewed the resolution in detail and made note it will be referenced as an Alternate Water Development Fund. Poling made a motion to approve the resolution. Roll call vote: Poling aye, Jassowski aye, Whitaker aye, Harley aye, Murray aye, no noes, no absent. Motion carries to approve Resolution 2009-1.

7. New Business

- A. Letter from Mr. Moores requesting a Board vote on deeding back ownership of the water treatment plant site conveyed as part of the Mallo Pass Water Diversion Project. Mr. Moores was not present and the Board cannot vote on granting back the deed due to multiple grantors.

8. Executive (closed) session. Adjournment to closed session.

- A. Discussion of the well TK5 easement.
- B. Discussion of the collection of the Mallo Pass funds from the Engineered Assessment to address a letter from Mrs. Simpson of the County Collectors Office.
- C. Closed session Pursuant to Gov't Code Section 54957 for the purpose of discussing evaluation of performance of public employees - Operations Manager, Systems Operators and Office Manager/Secretary.

Returned from closed session: President Whitaker reported the following from closed session.

- A. That the Tk5 well project will continue to move forward.
- B. President Whitaker will email Mrs. Simpson a copy of the recently approved Resolution 2009-1 to clarify questions over the collection of the Mallo Pass assessment funds.
- C. No cost of living raises this year. President Whitaker will send each employee a letter of explanation.

Motion was made to adjourn meeting. All were in favor, meeting adjourned.

Respectfully submitted,

Stephen Whitaker, President
Prepared by Annette Fromwiller

Attest:

Secretary to the Board

**MINUTES OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
SATURDAY NOVEMBER 14, 2009**

CALL TO ORDER AND ROLL CALL: President Whitaker called the regular meeting of the Irish Beach Water District Board of Directors to order at 10:06am at the Fire House Manchester, CA. November 14, 2009. Directors in attendance were, Jassowski, Whitaker, Harley, and Murray which constitutes a quorum. Director Poling arrived later at 12:07pm for old business 7 B and the executive session. Staff in attendance were Operations Manager Acker and Office Manager Fromwiller. Public in attendance were Su Whitaker, Al Thompson, Loretta Thompson and Leslie Thomsen from Meyers Nave.

1. **APPROVAL OF THE REGULAR MINUTES HELD ON SEPTEMBER 12, 2009.** Director Jassowski moved and Treasurer Murray seconded the motion that the minutes from September 12, 2009 meeting be approved as presented. The minutes were so approved.
2. **COMMUNICATION AND CORRESPONDENCE:** President Whitaker read Mr. William Moores letter and indicated that his concerns would be addressed under the appropriate agenda item.
3. **PUBLIC INPUT: PUBLIC:** Public input was offered and none was given.
5. **REPORTS:**
 - A. **Treasurer's Report on Finances/Approval of Expenditures:** Treasurer Murray provided a recap of the District's cash balances covering checking, regular reserves, restricted reserves and account receivables. The District is in good financial standing. Director Harley moved to accept the Treasurer's report as presented. Director Jassowski seconded the motion. All were in favor; motion carried unanimously. Treasurer Murray requested that the published 2008 audit be placed on the next agenda for approval.
 - B. **WATER:** Operations Manager Acker reported the successful completion of the 10 day test on the well #5. He reviewed the new water works regulations dealing with the amount of water being tested from the well and gallons produced.
 - C. **SAFETY COMMITTEE:** President Whitaker reported that the safety committee met and two training sessions took place. One topic covered was on Chemical Safety, another topic covered was dealing with Back Safety and how to lift and bend your back without injury.
 - D. **OTHER: NTR**
6. **OLD BUSINESS:**
 - A. **PROJECTS.**
 1. **WATER STORAGE FACILITIES: (ACKER 10 MIN)** Operations Manager Acker reported on the tank3 replacement and two bids were requested from RGH and SHN consulting. If needed the District could make use of a less expensive tank to meet budget constraints. Further review will be done once the bids are in for the test holes associated with the new foundation.
 2. **WATER CONSERVATION: (JASSOWSKI 5 MIN)** Combined under tier rates
 3. **WATER CONVEYANCE (ACKER 5 MIN)** Operations Manager Acker talked about placing an outlet meter on tk3 for conveyance.
 4. **ACCELERATED TIERED BILLING PLAN (JASSOWSKI 3 MIN)** Combine with Conservation and Tier Billing. Director Jassowski reported that the District's software that is used to do the water billing called "Rvs Mosaics" can do tiered billing and that Office Manager Fromwiller will order two new updated manuals.
 - B. **STATUS OF THE STATE WATER RESOURCES CONTROL BOARD ORDER DENYING THE PETITION FOR AN EXTENSION OF PERMIT 15580 FOR IRISH GULCH.** President Whitaker talked about going from permit to license and reviewed the flow rates from the upper diversion (22 gallons/minute) and the lower diversion (36 gallons/minutes). President Whitaker asked Operations Manager Acker for electronic data that listed the flow from both the lower and upper diversions.
 - C. **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.** (JASSOWSKI 5 min). NTR

- D. **RESOLUTION REGARDING WELL DRILLING WITHIN THE BOUNDARIES OF THE IRISH BEACH WATER DISTRICT.** President Whitaker read the message from District's attorney. The legal opinion from Meyers Nave is that the district does not need a ground water management plan for the purpose of a resolution that would a) restrict the drilling of new wells to those certified and monitored by the district b) limited ground water extraction and use no more than 300 gal per day for single family resident not in drought conditions. President Whitaker cited water code 10750.4: *that nothing in this part requires a local agency overlaying a groundwater basin to adopt or implement a groundwater management plan or groundwater management program pursuant to this part.* President Whitaker will review this resolution in the next safety meeting with other personnel.
- E. **RESOLUTION 2009-__2__ BUY IN COSTS FOR NEW PARCELS.** Director Harley requested the updated District's asset replacement value, Treasurer Murray stated that is was \$1,711,740.00; Director Harley amended value from \$1,621,899.00 to \$1,711,740.00. Director Jassowski moved to accept with the amendment Treasurer Murray seconded. All were in favor; motion carried.
- F. **LETTER FROM MR WILLIAMS MOORES REQUESTING A BOARD VOTE ON: DEEDING BACK OWNERSHIP OF THE WATER TREATMENT PLANT SITE CONVEYED AS PART OF THE MALLO PASS WATER DIVERSION PROJECT.** President Whitaker referenced Mr. Williams Moore's letter and that the board cannot vote on deeding back the treatment plant due to multiple names being on the deed.

7. **NEW BUSINESS:**

- A. **POLICY 3095: COMMUNICATIONS POLICY THAT BOARD MEMBERS OR DISTRICT STAFF MAY NEED TO CORRESPOND AND COMMUNICATE TO THE COUNTY, THE STATE OF CALIFORNIA OR OTHER AGENCIES CONCERNING BUSINESS OF THE IRISH BEACH WATER DISTRICT.** President Whitaker read the policy and added revision 3095.3 that all correspondence from Board Members concerning business of the Irish Beach Water District should appear in the agenda package under the appropriate heading. President Whitaker as an example references his letter to the County Official John Speka and noted that it was included in the agenda package. Director Jassowski moved to approve as amended. Treasurer Murray seconded. The motion carried unanimously.
- B. **APPROVAL OF RESOLUTION 2009-__3__ FOR THE DISTRICTS WATER BUDGET 2009-2010 FISCAL YEAR.** Treasurer Murray reported on the 2009-2010 Water Budget and rate usage increased from 0.33cents to 0.37cent s per 100 gallons and that the monthly availability fee stays the same. Director Jassowski moved to approve the Water Budget as amended. Director Harley seconded motion. All were in favor; motion carried unanimously.
- C. **APPROVAL OF RESOLUTION 2009-__4__ REVISING AND UPDATING ASSETS LISTINGS, ASSESSMENT FEES AND OPERATING RESERVES FOR 2009-2010 FISCAL YEAR.** Treasurer Murray reviewed the District Assets and assessments and that the 2009 construction costs index was 5.67% and District can increase assessment up to 3% and that the fees were increased by 3% from \$204.99 to \$210.68 for 2009-2010. Director Jassowski moved to approve the District's Asset Listings. Director Harley seconded. All were in favor; motion carried unanimously.

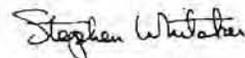
8. **EXECUTIVE (CLOSED) SESSION: 12:13 PM 1:21 PM**

- A. **Conference with Legal Counsel: Existing Litigation, pursuant to Government Code section 54956.9, subdivision (a): William H. Moores et al. vs. Irish Beach Water District, Mendocino County Case No. SC-UK-CV-G-09-0054665-000.**

Adjourn to open session at 1:57pm, President Whitaker reported the outcome from the executive session and that there was no reportable action taken from the conference with legal counsel on Mendocino County Case No. SC-UK-CV-G-09-0054665-000.

ADJOURNMENT: Director Harley moved to adjourn the meeting, Director Poling seconded. All were in favor; meeting adjourned.

Respectfully submitted,



Stephen Whitaker, President
Prepared by Annette Fromwiller

Attest:



Secretary to the Board

**MINUTES OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
SATURDAY JANUARY 9, 2010**

1. **CALL TO ORDER AND ROLL CALL:** President Whitaker called the regular meeting of the Irish Beach Water District Board of Directors to order at 10:03am at the Irish Beach Fire House at 15401 Forest View Road Manchester, CA. January 9, 2010. Directors in attendance were Poling, Jassowski, Whitaker, Harley and Murray. Staff in attendance were Operations Manager Acker, Operations Technician Rogers and Office Manager Fromwiller. Public in attendance were Jay Schmuecker, Bettye Winters, Marilyn Jassowski, Su Whitaker and Gordon Moores.
2. **APPROVAL OF THE MINUTES HELD ON NOVEMBER 14, 2009:** Director Jassowski moved to approve the minutes. Director Harley seconded. President Whitaker made minor corrections to item 6 E as to add dollar signs and comma's where appropriate and to item 7 B to add preceding zeros on cents. All were in favor to approve the minutes as corrected.
3. **COMMUNICATION AND CORRESPONDENCE: N/A**
4. **PUBLIC INPUT: N/A**
5. **REPORTS:**
 - A. **TREASURER'S REPORT:** Treasurer Murray provided a recap of the District's cash balances covering checking, regular reserves, restricted reserves and account receivables. Director Murray made note that the financials were not included and President Whitaker asked if they could be provided twice a year. Director Poling approved treasurers report as presented. Director Jassowski seconded. All were in favor to approve treasurers report.
 - B. **WATER:** Operations Manager Acker reported on water test results and new state regulations that are required. President Whitaker requested the water usage report have comma's for better reading and both Keatley Sales and water usage follow water reports.
 - C. **SAFETY COMMITTEE:** President Whitaker reported on these topics; holiday safety, slips and falls.
 - D. **OTHER:**
6. **OLD BUSINESS:**
 - A. **PROJECTS.**
 1. **WATER STORAGE FACILITIES:** Operations Manager Acker reported on alternative cost for tanks, both epoxy vs.glass lined tanks, and further reported on the tank 3 site prep and arborist's recommendations.
 2. **WATER CONVEYANCE:** Operations Manager Acker recapped on the water pumping tests and will be starting monthly comparison reports between build amount of water vs. the production amount and with the replacement of tank3 a monitoring device will be added.. He requested that a GPS device and GIS software be purchased to keep track of the Districts easements, locations of tanks, valves, etc. Director Poling requested a project plan for the purchase and Operations Manager Acker agreed.
 3. **WATER CONSERVATION/TIERED BILLING: (TABLED)**
 - B. **STATUS OF THE STATE WATER RESOURCES CONTROL BOARD ORDER DENYING THE PETITION FOR AN EXTENSION OF PERMIT 15580 FOR IRISH GULCH: N/T/R.**
 - C. **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:** Director Jassowski reported on the most current version of the resolution and what the State, Federal and County agencies require and how the District can incorporate regulations within the resolution to better educate the community.

D. RESOLUTION REGARDING WELL DRILLING WITHIN THE BOUNDARIES OF THE IRISH BEACH WATER DISTRICT: President Whitaker reviewed the latest version and it was agreed that more revisions will need to be done.

E. LETTER FROM MR. WILLIAM MOORES REQUESTING A BOARD VOTE ON: DEEDING BACK OWNERSHIP OF THE WATER TREATMENT PLANT SITE CONVEYED AS PART OF THE MALLO PASS WATER DIVERSION PROJECT. To be removed due to litigation.

7. NEW BUSINESS:

A. APPROVAL OF PUBLISHED AUDIT FISCAL YEAR 2007-2008: Director Murray reviewed the 2007-2008 Audit and the report as written by auditor Wendy Boise. Director Poling moved to approve the Audit report, Director Jassowski seconded. All were in favor.

B. REVIEW OF REDWOOD COAST FIRE DISTRICT LEASE FOR FIREHOUSE: Director Poling requested that it be on the agenda for the September 2011 meeting. All were in favor.

C. POLICY CONCERNING THE SAFETY COMMITTEE OF THE IRISH BEACH WATER DISTRICT. President Whitaker provided a sample of a safety meeting policy which will require all employees to lead in a discussion topic. It was agreed that the District should have a policy and President Whitaker requested Office Manager Fromwiller to write one.

8. EXECUTIVE (CLOSED) SESSION: Adjournment to closed session at 12:00 pm. Legal counsel appearing by phone: Leslie Thompson and Adam Lindgren from Meyer Nave.

A. Discussion of existing litigation, pursuant to Government Code section 54956.9, subdivision (a): William H. Moores et al. v. Irish Beach Water District, Mendocino County Case No. SC-UK-CV-G-09-0054665-000."

Return to (Open) Session: 1:24 pm. President Whitaker reported that both the Board and Legal counsel supplied information to continue the litigation for case No. SC-UK-CV-G-09-0054665-000.

Respectfully submitted,

Steven Whitaker, President
Prepared by Annette Fromwiller

Attest:

Secretary to the Board

**MINUTES OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
SATURDAY, MARCH 13, 2010**

1. **CALL TO ORDER AND ROLL CALL:** President Whitaker called the regular meeting of the Irish Beach Water District Board of Directors to order at 10:01am at the Irish Beach Fire House at 15401 Forest View Road Manchester, CA. March 13, 2010. Directors in attendance were Jassowski, Whitaker, Harley and Murray which constitutes a quorum. Director Poling was not present. Staff in attendance were Operations Manager Acker, Operations Technician Rogers and Office Manager Fromwiller. Public in attendance were Al and Loretta Thompson.
2. **APPROVAL OF MINUTES HELD ON JANUARY 9, 2010:** Director Jassowski moved to approve the minutes. Director Harley seconded. All were in favor.
3. **COMMUNICATION AND CORRESPONDENCE:** President Whitaker read one of the letters from Mr. William Moores on adopting a well drilling ordinance and moratorium. President Whitaker noted that it was a resolution that was being prepared not an ordinance which has been on the agenda for some time. He also reviewed another letter from Mr. Moores to Mr. Tarr which was not discussed in public due to its content being under litigation. President Whitaker read a notice from California Water Resources Control Board on a public hearing in Sacramento on April 27, 2010 on Assembly Bill 2121 which relates to restrictions on the North Coast Instream Flow. He then briefly explained some history on the Irish Gulch water supply.

4. **PUBLIC INPUT: N/A**

5. **REPORTS:**

A. TREASURER'S REPORT: Treasurer Murray provided a recap of the District's cash balance as of December and stated that the cash balances for the months of January through May will be noted in detail in the May Treasurer's report. Director Murray reviewed the checks issued and requested that those items be approved by the Board as of December and pointed out that the highest cost incurred were for legal expenses. Director Murray then further reviewed the regular reserves, restricted reserves and account receivables. Director Murray moved to approved checks as issued. Director Whitaker seconded. All were in favor to approve the checks issued as presented. Motion carried.

B. WATER: Operations Manager Acker reported on a significant number of leaks for the month of February. The causes of the leaks were found to be running toilets or irrigation systems left on. After reading the meters Office Manager Fromwiller did send out letters to those customers with high meter readings. Operations Manager Acker will review the water contract to adjust rates for Keatley Water Sales.

C. SAFETY COMMITTEE: President Whitaker reviewed the two monthly safety topics covered. One being on defensive driving and the other on ergonomics.

D. OTHER: N/A

6. **OLD BUSINESS:**

A. PROJECTS.

1. **WATER STORAGE FACILITIES:** Operations Manager Acker reviewed the process of obtaining the permit for Tank 3 and that the tank is being built. The tank profile was moved 20 feet which will cost the District less. The District will need to plant screening trees for the ones taken out and that owner Mr. R.J Dial will assist the District in properly recording the easement deed. The next steps on the project will be to remove the shed and the old tank, and to excavate the tank location.
2. **WATER CONVEYANCE:** Operations Manager Acker made note that our water usage numbers will be off due to the testing of the wells and tank replacement. By replacing Tank 3 which feeds a large part of the system, the new outflow meter will allow the District to gather better conveyance numbers.

- 3. WATER CONSERVATION:** Director Jassowski noted he'd like to see the Districts usage and pumped gallons for measuring conservation. Operations Technician Rogers stated that when he ran the usage numbers, our loss is about 30% and that a 10% loss is considered normal. Operations Manager Acker remarked that the formula requirement for build out is realistically at 200 gallons per household. This will be better measured once the meter is on the new Tank 3.
 - 4. ACCELERATED TIERED BILLING PLAN:** Director Jassowski noted that a proposition 218 vote may be needed to do tiered rates. The 45 days public notification is required and if 15% plus 1 of land owners protest then a prop 218 vote is required.
- B. STATUS OF THE STATE WATER RESOURCES CONTROL BOARD ORDER DENYING THE PETITION FOR AN EXTENSION OF PERMIT 15580 FOR IRISH GULCH.** President Whitaker remarked that at this point the District is waiting for the state requirement for the license. Director Jassowski asked about the environmental impact of the use of the well water verses stream water. Operations Manager Acker commented that analysis will need to be done once the requirements are set for the license.
 - C. 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.** Director Jassowski reviewed the modifications of the resolution that would meet the Districts needs for preservation. Operations Manager Acker made comment that he made a contact from the State Water Quality Control Board and that they should have some useful information for revising this resolution. President Whitaker requested that the resolution have more minor modifications and that it be forwarded to Director Poling for legal preparation.
 - D. RESOLUTION REGARDING WELL DRILLING WITHIN THE BOUNDARIES OF THE IRISH BEACH WATER DISTRICT.** Tabled
- 7. NEW BUSINESS:**
- E. SAFETY MEETING POLICY 3010:** Office Manager Fromwiller reviewed the safety policy that meets the District needs covering monthly safety meetings, material data safety sheets, proper tool use and accident reporting and request that it be accepted. Director Murray moved to accept safety policy 3010. Harley seconded. All were in favor, motion carried.
 - F. RCAC WORKSHOP ON GIS/GPS:** Director Jassowski reviewed some of the free RCAC workshops, resources and training that are available. The two classes attended covered rate setting and proposition 218, he handed Office Manager Fromwiller the booklets and asked them to be placed in the plant office for reference. President Whitaker was given the memory drive that contained that data and was asked to turn it over to the other Directors for copying.
 - G. GIS/GPS SOFTWARE PURCHASE:** Operations Manager Acker talked about the GIS software and the benefits the District would have if they purchased their own license and GPS device. Office manager Fromwiller reviewed some quotes that had been received and noted that the costs were about the same from each company and included annual maintenance. Director Murray made motion to approve the \$1,500.00 purchase for the GIS software and purchase the Tremble device in next stage. Director Jassowski seconded. All were in favor. Motion carried.

ADJOURNMENT: Director Whitaker made motion to adjourn the meeting. All were in favor meeting was so adjourned.

Respectfully submitted,

Steven Whitaker, President
Prepared by Annette Fromwiller

Attest:

**MINUTES OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
SATURDAY, MAY 22, 2010**

1. **CALL TO ORDER AND ROLL CALL:** President Whitaker called the regular meeting of the Irish Beach Water District Board of Directors to order at 10:05am at the Irish Beach Fire House at 15401 Forest View Road Manchester, CA. May 22, 2010. Directors in attendance were, Whitaker, Harley and Murray which constitutes a quorum. Director Poling and Jassowski were not present. Staff in attendance were Operations Manager Acker, Operations Technician Rogers and Office Manager Fromwiller. Public in attendance were Susan Rush and Lu Vickery.
2. **APPROVAL OF MINUTES HELD ON MARCH 13, 2010:** Director Harley moved to approve the minutes of March 13, 2010 as presented. Director Murray seconded. All were in favor, motion carries.
3. **COMMUNICATION AND CORRESPONDENCE:** Office Manager Fromwiller read the highlights of the updated will-serve letter to the Department of Real Estate for water services to Units 1, 2, 3 and 4 of Irish Beach Water District located within Mendocino County.
4. **PUBLIC INPUT: N/A**

5. REPORTS:

A. TREASURER'S REPORT INCLUDING PROPOSED BUDGET REVISION: Treasurer Murray provided a review of the District's cash balance as of April 2010, she made reference to the supporting material on the balance sheet. Treasurer Murray reviewed in detail the six month year-to-date vs. actual report. Director Murray made a motion to increase the rate of the Keatley Water Sales Contract to \$17.50 per 1,000 gallons. Director Harley seconded. All were in favor, motion carried. Operations Manager Acker will add a functioning water meter on that hydrant and Office Manager Fromwiller will send a contract for the rate increase to Mr. Keatley. Treasurer Murray then continued the year-to-date budget in detail with emphasis on legal fees being the highest incurred costs so far. A Board approval is needed to revise the current budget and before paying any further legal expenditures. Treasurer Murray made a motion to have a proposed budget revision at the next meeting in July. Director Harley seconded. All were in favor; motion carried. Treasurer Murray also made note that the District is still collecting funds from the county for the Redwood Coast Fire Protection District and that a request was made to stop those collections. Mrs. Ford the Mendocino County Auditor-Controller said a formal letter is needed from the Irish Beach Water District to the Auditor to stop collections. Treasurer Murray will draft a letter and send it to both the Mendocino County Auditor-Controller and Redwood Coast Fire Protection District. Director Harley made a motion to approve checks issued as well as accounts payable expenditures. President Whitaker seconded. All were in favor, motion carried.

B. WATER: Operations Manager Acker reported on routine repairs throughout the District. He highlighted the following: A broken pipe in the creek due to the heavy rains that was fixed and the temporary patch on Condo A was fixed by the owner's contractor. President Whitaker commented that the project for replacement of the current water line from the Upper Diversion to the Treatment Plant is on the list to be completed. Operations Manager Acker reported that Fort Bragg Electric broke a water main on Pomo Lake Drive in three places. It took Operations Technician Rogers and Acker 8 hours to fix; a bill will be sent to the contractor for reimbursement.

C. SAFETY COMMITTEE: President Whitaker reviewed the two monthly safety topics that were covered. One topic was "Bugs, Critters and their Hazards". The other was on Heat Stroke Stress and how to identify the difference between a Heart Attack and Heat Stroke.

D. OTHER: N/A

6. OLD BUSINESS:

A. PROJECTS.

1. **WATER STORAGE FACILITIES:** Operations Manager Acker reported that the Tank 3 permit is pending final approval from the Coastal Commission. The Tank 5 storage shed was constructed.
2. **WATER CONVEYANCE:** Operations Manager Acker again made note that once the new Tank 3 is in place that area of the system would be monitored giving better conveyance on that area of the system.
3. **WATER CONSERVATION: (Jassowski) Tabled**
4. **ACCELERATED TIERED BILLING: (Jassowski) Tabled**

- B. STATUS OF THE STATE WATER RESOURCE CONTROL BOARD ORDER DENYING THE PETITION FOR AN EXTENSION OF PERMIT 15580 FOR IRISH GULCH.** President Whitaker reviewed the status of the denial. At this point the district is waiting for the state respond. Director Harley asked about our pumping rate. Operations Technician Rogers stated our recovery rate depends on the season, however our minimum recovery rate is 26gpm. Operations Manager Acker made note that the biggest problem for quantifying the amount of water available is how the agencies differ between how they calculate the numbers needed between permit and license.
- C. 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. (JASSOWSKI) Tabled**
- D. RESOLUTION REGARDING WELL DRILLING WITHIN THE BOUNDARIES OF THE IRISH BEACH WATER DISTRICT. (WHITAKER) Tabled.**
- E. PURCHASE OF GIS/GPS DEVICE:** Operations Manager Acker talked about the costs of the different devices. He reviewed the GIS drawing of the Districts pipe location explaining the layers in regards to the pipes, photos and hydrants locations. He further made note that more options are available such as electrical and telephone lines and the benefits to the District in meeting the requirements set by State and local agencies. Director Harley mentioned that one of AB2121 requirements is to map locations of creeks and their outtakes. Operations Manager Acker also made note that the funds saved from the purchase of Tank 3 could be used for the purchase of the GPS device. Director Murray made a motion to approve an additional \$8,000 to purchase a GIS/GPS device from the system wide fund. Director Harley seconded. All were in favor; motion carried.

7. NEW BUSINESS:

- A. SEPTIC INSPECTIONS AND REGULATIONS:** Office Manager Fromwiller reported that the District has been keeping up-to-date with the septic inspections meeting the State Water Resources Control Board requirements. Operations Manager Acker also noted that the State Water Resources Control Board needs to have data readily available that can be in GIS. Office Manager Fromwiller further made note that some newer systems being put in the community are required to be treated every six months. President Whitaker asked about why they need treatment every six months and could that data be supplied to the Board.
- B. REPORT ON AB2121 WORKSHOP: THE INSTREAM FLOW GUIDELINES FOR NORTHERN CALIFORNIA STREAMS:** Director Harley reviewed the map of the creeks and streams within the Irish Beach Region and noted that AB2121 was written to turn all the creeks and streams back to their original spawning conditions. The criteria from this policy are very specific by region specifying when and where you can extract: this will affect Old Business 6 B "The Irish Gulch permit".
- C. DISCUSSION OF OUR MID-TERM PLANS FOR MORE WELLS:** President Whitaker reviewed items that Director Jassowski sent to the Board to systematically develop new wells to replace water anticipated to be lost due to AB2121. He also mentioned the number of working wells, geology, hydrology reports, deeded legal access and future requirements. Further discussion will be at the next meeting regarding this. Operations Manager Acker talked about the new State Water Works standards and the realistic maximum daily demands of water usage through meters. His calculations are approximately 389 gallons per day per connection with the potential of the state regulators numbers could be either higher or lower.

ADJOURNMENT: Director Murray made motion to adjourn the meeting. Director Harley second. All were in favor; meeting was so adjourned.

Respectfully submitted,

Stephen Whitaker, President
Prepared by Annette Fromwiller

Attest:

Secretary to the Board

**MINUTES OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
SATURDAY, JULY 10, 2010**

1. **CALL TO ORDER AND ROLL CALL:** President Whitaker called the regular meeting of the Irish Beach Water District Board of Directors to order at 10:01am at the Irish Beach Fire House at 15401 Forest View Road Manchester, CA. July 10, 2010. Directors in attendance were Whitaker, Jassowski, Harley and Poling which constitutes a quorum. Treasurer Murray was not present. Staff in attendance were Operations Manager Acker, Operations Technician Rogers and Office Manager Fromwiller. Public in attendance were Al Thompson and Bettye Winters.
2. **APPROVAL OF MINUTES HELD ON MAY 22, 2010:** Director Jassowski moved to approve the minutes of May 22, 2010 as presented. Director Harley seconded. Director Poling abstained. All were in favor. Motion carried.
3. **COMMUNICATION AND CORRESPONDENCE: N/A**
4. **PUBLIC INPUT: N/A**
5. **REPORTS:**
 - A. **TREASURER'S REPORT INCLUDING PROPOSED BUDGET REVISIONS:** Director Jassowski wanted to verify that enough notice was given to the public for the increases. Office Manager Fromwiller confirmed that it was posted 60 days prior to the meeting which is required to increase the availability fee. Further discussion was made by both Director Jassowski and President Whitaker as to what accounts the legal and litigation fees are being taken from. President Whitaker requested that before the 2010-2011 Budget is approved, a more precise breakdown of the legal expenses be presented to the Board. Office Manager Fromwiller agreed to have a breakdown at the next board meeting. Office Manager Fromwiller continued to review the cash statement, current expenditures and checks issued. President Whitaker inquired about the check to Redwood Coast Fire Protection District (RCFPD) and if the collection has stopped. Office Manager Fromwiller stated that the final documents were sent to both LAFCO and the Mendocino County Assessor waiting for a response. Director Harley moved to accept the Treasurer report, checks issued and expenditures as presented. Director Poling seconded motion. All were in favor. Motion carried.
 - B. **WATER:** Operations Manager Acker reported on the completion of the annual state report, the successful hearing of Tank 3 in June and the CCR (Consumer Confidence Report). Office Manager Fromwiller verified that the Consumer Confidence Report was sent out to the customers. Director Jassowski asked about what effects Tank 3 will have off line to the community. Operations Manager Acker commented on that some Fire Hydrant pressure will be diminished temporarily.
 - C. **SAFETY COMMITTEE:** President Whitaker reviewed the two monthly safety topics that were covered. One was knowing the causes of heat stroke. The second was on safety and using common sense. The emphasis was on being aware. President Whitaker recommended that more safety vests be purchased.
 - D. **OTHER: N/A**
6. **OLD BUSINESS:**
 - A. **PROJECTS.**
 1. **WATER STORAGE FACILITIES:** Operations Manager Acker reported on the status for the Tank 3 replacement and that the new tank is here and the old one is being torn down.
 2. **WATER CONVEYANCE:** Operations Manager Acker commented on that the District will have better metered conveyance once the new tank replacement projects are completed.
 3. **WATER CONSERVATION:** (JASSOWSKI) NTP
 4. **ACCELERATED TIERED BILLING:** (JASSOWSKI) NTP
 - B. **STATUS OF THE STATE WATER RESOURCE CONTROL BOARD ORDER DENYING THE PETITION FOR AN EXTENSION OF PERMIT 15580 FOR IRISH GULCH.** President Whitaker highlighted on the status of the denial and at this point the District is waiting for the state to respond. Director Jassowski wanted to know what effects would AB2121 have once passed. Operations Manager Acker and Director Harley both agreed that it has passed. Director Poling noted that: *Water code section 1259.4 added by AB2121 requires that the State Water Control Board adopt principles and guidelines for maintaining in-stream flows.* President Whitaker said that the board needs to look into how these principles and guidelines will affect the Irish Gulch renewal.

10-Jul-2010

- C. **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.** (JASSOWSKI) Tabled.
- D. **RESOLUTION REGARDING WELL DRILLING WITHIN THE BOUNDARIES OF THE IRISH BEACH WATER DISTRICT.** (POLING/ACKER/WHITAKER) Tabled until November meeting.
- E. **PURCHASE OF GIS/GPS DEVICE:** Already addressed.
- F. **REPORT ON AB2121 WORKSHOP: THE INSTREAM FLOW GUIDELINES FOR NORTHERN CALIFORNIA STREAMS:** Already addressed.
- G. **DISCUSSION OF OUR MID-TERM PLANS FOR MORE WELLS:** Director Jassowski reviewed some information on drilling and that the outcome of the added water code 1259.4 will dictate where to drill.
- H. **SEPTIC INSPECTIONS AND REGULATIONS:** Office Manager Fromwiller reported that the District has been keeping up-to-date with the 5 year septic inspections. She further commented on the non-standard septic systems in the District and as part of their permit the leach fields are being inspected and treated every 6 months. Yearly on the tanks. She made note of those systems, and will not send notices of the 5 year inspection requirements. Office manager Fromwiller will request from the community that their septic layouts be sent to the District or she will request them from the Department of Health so the District can have this data readily available.

8. NEW BUSINESS

- A. **WATER AUDITS AND LEAK DETECTION WORKSHOP:** Director Jassowski reviewed the information from the workshop. He reviewed the techniques on how water audits are done. He further reported on leak detection and the different systems available and costs involved.
- B. **APPROVAL OF THE FISCAL AUDIT 2008-2009:** The Board reviewed the Auditor's suggestions. Office Manager Fromwiller wanted the Board to know that Treasurer Murray commented on that there were no reportable material weaknesses. Director Jassowski asked about the Auditor's understanding of the legal status. President Whitaker stated; yes she does. Director Harley inquired whether the staff understood the Auditor's list of suggestions. Office Manager Fromwiller explained that one suggestion from the Auditor was to add the use of the bill pay in accounts payable which will address most of the concerns. Director Poling read another comment the Auditor mentioned in that when using templates pay attention to dates and references. Director Harley moved to approve the Fiscal Audit of 2008-2009. Director Jassowski seconded. All were in Favor. Motion carried.
- C. **PROPOSAL FOR CONTINUING AUDIT SERVICES FROM WENDY S. BOISE, CPA FOR THE NEXT THREE YEARS SEPTEMBER 30, 2010, 2011, 2012 FOR THE IRISH BEACH WATER DISTRICT.** Director Whitaker noted the three year service contract and the increased costs. Director Poling commented on what Treasurer Murray's said that, Wendy Boise works well with everyone. Director Harley also mentioned that the increase costs are driven by state regulations which require others to review the Audit. Operations Manager Acker mentioned that Wendy Boise works with a lot of the Special Districts. Director Jassowski move to approve the contract for the next three years. Director Poling seconded. All were in favor. Motion carried.

9. EXECUTIVE (CLOSED) SESSION: 11:50AM

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:

Subdivision (a) of California Government Code §54956.9: William H. Moores et al. v. Irish Beach Water District, MENDOCINO Superior Court No. SC-UK-CV-G-09-0054665-000.

Reconvene to Public (OPEN) Session at 12:34pm: President Whitaker reported that the discussion with the Districts Legal counsel on the existing litigation and that no actions were taken.

ADJOURNMENT: Director Poling made motion to adjourn the meeting. Director Harley seconded. All were in favor. Meeting was adjourned.

Respectfully submitted,

Stephen Whitaker, President
Prepared by Annette Fromwiller

Attest:

Secretary to the Board

**MINUTES OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT AT THE
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
SATURDAY SEPTEMBER 11, 2010**

1. CALL TO ORDER and ROLL CALL: President Whitaker called the regular meeting of the Irish Beach Water District to order at 10:05 a.m. on Saturday September 11, 2010 in the Rex – Dunning Firehouse at 15401 Forest View Road, Directors in attendance were Poling, Jassowski, Whitaker, Harley and Murray. Staff in attendance were Operations Manager Acker, Technician Rogers and Office Manager Fromwiller. Public in attendance were: Karl and Diane Taylor, Ernest Rodriguez SR. , Richard Sequest, Tom Near, Ron Sackman, Buzz Kavoian, Suzanne Whitaker, Ron Trathen, Bettye Winters, and Vera Lee Carter

2. APPROVAL OF MINUTES: JULY 10, 2010 AND A CORRECTION TO THE MAY 22, 2010- MINUTES ON OLD BUSINESS 6E: CHANGE SYSTEM WIDE FUNDS TO APPROPRIATE FUNDS.

Director Poling moved to approve the minutes of the regular meeting on July 11, 2010. Director Harley seconded. All were in favor. Motion carried. Director Murray made a motion to approve the corrected minutes of the regular meeting on May 22, 2010 under Old Business 6E, to “appropriate funds”. Director Jassowski seconded. Director Poling abstained. All were in favor. Motion carried.

3. COMMUNICATION AND CORRESPONDENCE: N/A

4. PUBLIC INPUT: Members of the public offer the following input:

1. Karl Taylor had questions on the budget and legal fees; however, he would delay his questions to that part of the agenda.
2. Buzz Kavoian asked the Board if there would be any special assessment due to the current lawsuit, what are the District plans for any settlement and how the suit could affect property values.
3. Ernest Rodriguez requested explanation of the legal expenditures and whether the increases were due to the legal expense. He then suggested a better way of communicating with the community.
4. Richard Sequest suggested more packets be available at the meetings and other accessible ways of getting the packets. He also asked if the minutes are available on the web site.
5. Al Thompson requested information concerning details of the items within the lawsuit.

4. PUBLIC DISCUSSION PROPOSED FISCAL 2010-2011 BUDGET INCREASE: DISCUSSION/ACTION OF PROPOSED INCREASE OF AVAILABILITY AND USAGE FEE’S

Treasurer Murray reviewed the budget and the different ways of reducing the Operating Budget. One option would be to eliminate some project expenses funded by the availability and another would be reducing the revenues to equal the expenditures. She explained that if the District did reduce the Budget about \$5,600.00 and make the revenues equal to expenditures then there would be no availability fee increase. A member of the public Ernest Rodriguez requested how the funds are used from the Operations Reserve and the Capital Assessment funds. Director Poling explained the difference between the funds and that the annual benefit assessment collections are not reflected in the “water” budget currently being discussed. Treasurer Murray then continued to review the Operating Budget and the use of those funds to maintain the system.

5. REPORTS:

A. Treasurer’s Report: Treasurer Murray reviewed the budget. A member of the public Diane Taylor asked about the status of the Mallo Pass Funds (AWDF). Director Whitaker briefly explained that the permit went back to the state and those funds have been set aside for other sources of water development and no decision has been made yet of what to do with those funds. Treasurer Murray reviewed in detail the Budget Year to Date highlighting the difference between the total and the year to date expenses. She then presented the checks issued for Board approval. Director Harley moved to approve the check register. Director Jassowski seconded. All were in favor. Motion carried.

B. Water: Operations Manager Ackers said that most of the work done for the month was for flow testing and the Tank 3 project. He reported on the Unit 1 lines which were flushed due to sand and testing of the fire hydrants were done. In September the water flow was measured from both the Upper and Lower diversion of Irish Gulch. Director Harley asked about ample Fire Hydrant locations. Operations Manager Acker believes that the District is up to code and if a member of the community feels there are areas in question, please contact the District so they can further investigate.

C. Safety Committee: President Whitaker made note to the safety minutes in the packet.

D. Other: N/A

6. OLD BUSINESS:

A. PROJECTS.

1. WATER STORAGE FACILITIES: Operations Manager Acker presented slides of the delivery and construction of the Tank 3 project, identifying the location, layout and remarked on how important it was to have a cooperating owner: Mr. R.J Dial and a reliable contractor which resulted in a smooth completion of the project. He noted that Tank3 would lead the way for the Tank 1 replacement.

2. WATER CONVEYANCE: Operations Manager Acker will place an electric meter on Tank 3 for better conveyance in that section of the system.

3. WATER CONSERVATION: NTR

4. ACCELERATED TIERED BILLING PLAN: NTR

B. STATUS OF THE STATE WATER RESOURCES CONTROL BOARD ORDER DENYING THE PETITION FOR AN EXTENSION OF PERMIT 15580 FOR IRISH GULCH. President Whitaker briefly reviewed the memo dated March 9, 2009. Director Jassowski commented on the new Water Codes 1259.4. 1259.2 covering the extraction of in stream water and he suggested that the District get legal interpretation on our extraction from Irish Gulch.

C.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. NTR

D.RESOLUTION REGARDING WELL DRILLING WITHIN THE BOUNDARIES OF THE IRISH BEACH WATER DISTRICT. President Whitaker asked if there were any feedback from the District's attorney concerning the resolution. Director Poling said she would forward that question to Meyers/Nave.

E.DISCUSSION OF OUR MEDIUM-TERM PLANS FOR MORE WELLS:

President Whitaker stated that his original estimate of drilling a well was significantly less then it would actually cost. Director Jassowski commented on that he did review some graphic maps of the District for possible locations, and drainage. Director Jassowski mentioned that the District needs a formal way of documenting and recording easements and deeds. Director Poling asked Operations Manager Acker to forward the T2 well easement to her.

7. NEW BUSINESS:

A.REVIEW CONFLICT OF INTEREST RESOLUTION 97-3 PER GOV.CODE SECTION §87306.5.

President Whitaker read the letter from the State and requested that the Board review the conflict of interest resolution and documents supplied by the State. Director Poling moved to accept the Resolution 97-3 as is. Director Harley seconded. All were in favor. Motion Carried.

B.PROPOSED BUDGET AND RESOLUTIONS FOR FISCAL YEAR 2010-2011 RATE INCREASES.

Treasurer Murray offered different Operating Budget proposals for review as discussed in the Open Public Discussion. After both Public and Board discussion Director Harley then suggested having a Budget Work Shop. Director Poling made a motion to have a Budget Workshop. Director Harley seconded. It was agreed to table this until the October 9, 2010 meeting. Treasurer Murray continued to review the District Asset listing Resolution 2010-1 and that the ENR increase for 2010 was 1.3% and per the voter approved increase of 3.0%, it was increased to 3.0%. Director Poling made a motion to approve Resolution 2010-1 for the 2010-2011 District Assets. Director Jassowski seconded. All were in favor. Motion carried.

C.FIRE HYDRANTS AND THE WATER DELIVERY TO THOSE HYDRANTS AT UNIT 8. Director Poling suggests that this be referred to the Fire Department.

D.PUBLIC HEARING TO CONSIDER RESOLUTION APPROVING A MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE CONTINUED OPERATION OF THE TANK 5 WELL FACILITIES AND USE OF GROUNDWATER IN ACCORDANCE WITH EXISTING PERMITS; AND RESOLUTION APPROVING CONTINUED OPERATION OF THE TANK 5 WELL FACILITIES AND USE OF GROUNDWATER (APN 131-100-17). (use of well).

At 12:46 P.M President Whitaker announced that the public hearing was in session for considering Resolution 2010-2; A Mitigated Negative Declaration of environmental impact under the California environmental quality act for the continued operation of the Tank 5 well facilities and use of the groundwater in accordance with the existing permit. Legal counsel Leslie Thomsen explained the letter from the State Clearing House and noted that no other state agencies had commented. She then reported on the letter dated August 26, 2010 from Mr. William Moores' attorneys commenting on this item, a memorandum from Operations Manager Acker and a communications from District consultant Bill Maslach replying to that letter; and noted that no other communications were received from the public. The public was offered the opportunity to comment and no comment was given. Director Poling moved to adopt Resolution 2010-2. Director Harley seconded. All were in Favor. Motion Carried. President Whitaker read Resolution 2010-3; for the continual use and operation of the T5 well facilities and the extraction of ground water. Director Poling moved to approve Resolution 2010-3. Director Harley seconded. All were in favor. Motion carried.

8. EXECUTIVE (CLOSED) SESSION. Adjournment to closed session at 1:00pm.

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.

B. CLOSED SESSION FOR THE PURPOSE OF DISCUSSING THE ANNUAL PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS AND COMPENSATION OF OPERATIONS MANAGER, SYSTEMS OPERATORS, AND DISTRICT SECRETARY; PURSUANT TO GOV'T CODE SECTION §54957 AND GOV'T CODE SECTION §54957.6 THE DISTRICT'S REPRESENTATIVE FOR PURPOSE OF COMPENSATION DISCUSSIONS WITH THESE UNREPRESENTED EMPLOYEES IS/ARE PRESIDENT WHITAKER.

President Whitaker announced that the public session was back in session at 2:37 PM and reported the following.

A. No actions were taken.

B. No personnel cost of living increases this year due to legal expenses.

ADJOURNMENT: Director Poling moved to adjourn meeting. Director Harley seconded. All were in favor. Meeting was adjourned.

Respectfully submitted,

Stephen Whitaker, President
Prepared by Annette Fromwiller

Attest:

Secretary to the Board

**SPECIAL MINUTES OF THE BOARD OF DIRECTORS
OF THE IRISH BEACH WATER DISTRICT
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
OCTOBER 9, 2010**

- 1. CALL TO ORDER AND ROLL CALL:** President Whitaker called the special meeting of the Irish Beach Water District at 10:10am on Saturday October 9, 2010. Directors in attendance were Poling, Jassowski, Harley, and Murray. Staff in attendance were Operations Manager Acker, Operations Technician Rogers, and Office Manager Fromwiller. Public in attendance were Leon Drolet, George Munson, Betty Munson, Tom Near, Ernest Rodriquez, Ron Trathen, Bettye Winters, Ron Sackman, Vera-Lee Kaiser, Sanja Keasberry, Buzz Kavoian, Diane L. Taylor, Lawrence J. Moglia, and Al Thompson.

Treasurer Murray reviewed the budget and the proposed 2010-2011 usage rate increase of \$0.39 cents per 100 gallons. The goal will be to have the current availability rate of \$61.49 stay the same. She then continued reviewing the budget and the distribution of funds used to run the District. President Whitaker requested that Treasurer Murray keep the **availability** fee the same and present back to the Board in November a detailed report of what was Budgeted vs. Actual for the fiscal year 2009-2010.

CONSIDERATION AND ADOPTION OF PROPOSED WATER BUDGET AND SETTING RATE AND AVAILABILITY CHARGES FOR THE FISCAL YEAR 2011 BEGINNING OCTOBER 1, 2010. Director Jassowski made a motion to have the availability fee stay the same and increase the usage rate to \$0.39 cents, which is a \$0.02 increase. Director Poling seconded the motion. All were in favor. Motion Carried. Public Input was offered as follows: Leon Drolet suggested that the report indicate what was actually spent vs. budgeted. Bettye Winters asked if the water budget would take care of legal expenses. The Board is considering a new engineering report and the possibility of a new Proposition 218 vote. Al Thompson asked about Liability insurance and at what point does it become frivolous. Mr. Hunolt asked why the Board sued. Mr. Rodriguez read one cause of action and requested comment. Mr. Moglia asked about communicating with Mr. Moores and Diane Taylor commented on the prior meetings Mr. Moores attended. Mr. Kavoian asked about negotiable legal fees and if the District has plans for a settlement. A member of the community suggested talking to Mr. Moores and Mr. Hunolt said he would.

ADJOURNMENT: Director Poling moved to adjourn meeting. Director Harley seconded. All were in favor. Meeting adjourned.

Respectfully submitted,

Stephen Whitaker, President
Prepared by Annette Fromwiller

Attest:

Secretary to the Board

**MINUTES OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT AT THE
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
SATURDAY NOVEMBER 13, 2010**

1. CALL TO ORDER and ROLL CALL: President Whitaker called the regular meeting of the Irish Beach Water District to order at 10:05 a.m. on Saturday, November 13, 2010, in the Rex – Dunning Firehouse at 15401 Forest View Road, Directors in attendance were Poling, Jassowski, Whitaker, Harley and Murray. Staff in attendance were Operations Manager Acker, Technician Rogers and Office Manager Fromwiller. Public in attendance were: Diane Taylor, Bettye Winters and Hunter.

2. APPROVAL OF MINUTES: Tabled

3. COMMUNICATION AND CORRESPONDENCE: Letter dated September 24, 2010 from the Law Office of Duncan M. James was included in the record with respect to the public hearing held on September 11, 2010 however because it was received after the meeting it wasn't reflected in the minutes.

4. PUBLIC INPUT: Public input was offered but none given.

5. REPORTS:

A. Treasurer's Report: Treasurer Murray reviewed the cash statement, checks issued, balance sheet and that the Budget vs. Actual report was up to date as of the end of September 2010. Having reviewed the Treasurer's report and expenditures, Director Harley moved to approve the check register and Director Jassowski seconded. All were in favor. Motion carried.

B. Water: Operations Manager Ackers briefly covered the work performed in the months of September and October relating to well testing, routine maintenance and cleaning of the tanks. He reported on the high turbidity event and the State Health Department requirements to lift the Boil Order. Suggestions were made to gather email addresses from the community. Office Manager Fromwiller will send out a request along with the next billing cycle.

C. Safety Committee: President Whitaker said the safety community did meet and the minutes are in the packet for review.

D. Other: N/A

6. OLD BUSINESS:

A. PROJECTS

1. WATER STORAGE FACILITIES: Operations Manager Acker reported Tank 3 near completion.

2. WATER CONVEYANCE: NTR.

3. WATER CONSERVATION: NTR

4. ACCELERATED TIERED BILLING PLAN: NTR

B. STATUS OF THE STATE WATER RESOURCES CONTROL BOARD ORDER DENYING THE PETITION FOR AN EXTENSION OF PERMIT 15580 FOR IRISH GULCH. President Whitaker said there was nothing new to report. Registering the dams will have to be done before May by Operations Manager Ackers. The Board then gave approval to Operation Manager Ackers to consult with Matt Emrick and report back to the Board. All were in favor. Motion Carried.

C. 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. NTR

D. RESOLUTION REGARDING WELL DRILLING WITHIN THE BOUNDARIES OF THE IRISH BEACH WATER DISTRICT. NTR

E. DISCUSSION OF OUR MEDIUM-TERM PLANS FOR MORE WELLS: Director Jassowski emphasized the continuing need to supply water to the community, the requirements and legal structure needed. President Whitaker and Operations Manager will work on options.

F. CONSIDERATION OF EFFECT OF NEW STATE WATER CONTROL BOARD POLICY FOR MAINTAINING INSTREAM FLOWS IN NORTHERN CALIFORNIA COASTAL STREAMS: Director Jassowski reviewed some issues that the District needs to address. Operations Manager will report back to the Board on the requirements needed.

G. CONFIRM RESOLUTION 2010-4 TO ADOPT FISCAL BUDGET, 2010-2011 RATES OF USAGE AND AVAILABILITY: Treasurer Murray reported that the availability charges of \$61.49 will stay the same and the water usage rate increases from \$0.37 cents to \$0.39 cents, a \$0.02 cents increase. Reduction to the operating budget allowed the availability charge to remain the same. Director Jassowski moved to approve the GPS device from less than 40 and Harley seconded motion. The motion was carried by the following roll call vote: Ayes: Poling, Jassowski, Whitaker, and Harley. Noes: Murray. Treasurer Murray moved to approve the resolution 2010-4 for fiscal period 2010-2011 and Director Poling second. All were in favor. Motion carried.

7. NEW BUSINESS:

- A. REVIEW OF THE IRISH BEACH WATER DISTRICT INVESTMENT POLICY #3035:**
Treasurer Murray and Director Harley will report back to the Board with a policy update.
- B. DISCUSSION ON THE WEB SITE CONTENT:** Office Manager Fromwiller will put the agenda packets up on the web site 72 hours prior to meeting. Items handed out at the meeting will be placed up on the web site under Meeting hand outs.

8. EXECUTIVE (CLOSED) SESSION. President Whitaker announced closed session at 12:20pm.

- A. DISCUSSION OF EXISTING LITIGATION, PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (A): WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO COUNTY CASE NO. SC-UK-CV-G-09-0054665-000.**

Reconvened to open session at 1:57pm.

- A.** President Whitaker reported that there were no reportable actions taken on Mendocino County Case No. SC-UK-CV-G-09-0054665-000.

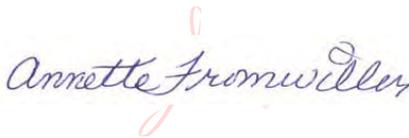
ADJOURNMENT: Director Poling moved to adjourn meeting and Director Harley seconded. All were in favor. Meeting was adjourned.

Respectfully submitted,



Stephen Whitaker, President
Prepared by Annette Fromwiller

Attest:



Secretary to the Board

**MINUTES OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT AT THE
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
SATURDAY JANUARY 8, 2011.**

1. **CALL TO ORDER and ROLL CALL:** President Whitaker called the regular meeting of the Irish Beach Water District to order at 10:08 a.m. on Saturday, January 8, 2011 in the Rex – Dunning Firehouse at 15401 Forest View Road, Directors in attendance were Poling, Jassowski, Whitaker, Harley and Murray. Staff in attendance were Operations Manager Acker, Technician Rogers and Office Manager Fromwiller. Public in attendance were: Karl Taylor, Gerald Trujillo, Al Thompson, Sue Whitaker.
2. **APPROVAL OF MINUTES:** Director Jassowski moved and Director Harley seconded the motion that the minutes for the meeting held on September 11, 2010 be approved as presented. There was one correction to the minutes for the special meeting held on October 9, 2010 (Item 1 change “acuals” to “actual”). Director Poling moved and Murray seconded the motion to approve the minutes with corrections. Director Poling moved and Director Harley seconded the motion that the minutes from November 13, 2010 be approved as presented. The minutes were so approved.
3. **COMMUNICATION AND CORRESPONDENCE:** President Whitaker reviewed the email dated November 11, 2010 from Mr. William Moores. Item #1 was addressed under communications on the November 13, 2010 minutes. In regards to item #2 there is no draft of a well ordinance, but there is a draft of a well resolution in the agenda packet in the meeting held in February of 2009 and no further discussion is needed. The Board reviewed the letter dated December 10, 2010 from Living Rivers Council on Maintaining the Instream Flows of Northern California Coastal Streams vs State Water Resources Control Board.
4. **PUBLIC INPUT:** Public input was offered but none given.
5. **REPORTS:**
 - A. **Treasurer’s Report:** Treasurer Murray recapped the cash statement, balance sheet and there were no reportable conditions. The Board was provided a report of the Budget vs. Actual dated up to December 31, 2010. Director Murray moved to approve the District expenditures and Director Harley seconded the motion to approved the treasurer’s report as presented. All were in favor. Motion carried.
 - B. **Water:** Operations Manager Acker said that Operations Technician Rogers is doing a great job of keeping the plant running smoothly during the storms. Tank 3 project is finished expect for planting trees west of the tank for screening.
 - C. **Safety Committee:** President Whitaker said the safety community met on January 6, 2011. Topics covered were washing hands and preventing strains and sprains.
 - D. **Other:** Reports covered water
6. **OLD BUSINESS:**
 - A. **PROJECTS**
 1. **WATER STORAGE FACILITIES:** Operations Manager Acker reported successful cleaning of tanks.
 2. **WATER CONVEYANCE:** Placement of an electronic meter on tank 3 to improve data monitoring.
 3. **WATER CONSERVATION:** Data monitoring (as mention above) will assist with conservation.
 4. **ACCELERATED TIERED BILLING PLAN:** NTR
 - B. **STATUS OF THE STATE WATER RESOURCES CONTROL BOARD ORDER DENYING THE PETITION FOR AN EXTENSION OF PERMIT 15580 FOR IRISH GULCH.** President Whitaker noted that Operations Manager Acker will be working on registering the dams before May and working with Matt Emrick on the requirements of going to license.
 - C. **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.** Director Jassowski will provide an updated resolution at the next meeting for the Board to review.
 - D. **RESOLUTION REGARDING WELL DRILLING WITHIN THE BOUNDARIES OF THE IRISH BEACH WATER DISTRICT.** NTR
 - E. **DISCUSSION OF OUR MEDIUM-TERM PLANS FOR MORE WELLS:** Director Jassowski emphasized that the District requirements and legal structure that will be needed to move forward.
 - F. **DISCUSSION OF THE INVESTMENT POLICY #3035:** Treasurer Murray and Director Harley will report back to

the Board at the next meeting on their findings.

At 11:26 a.m District's Legal Counsel arrived and Director Poling made a motion to move to executive session on Saturday January 8, 2011: For the Discussion of Existing Litigation, Pursuant to Government Code Section 54956.9, Subdivision (a): William H. Moores et al. v. Irish Beach Water District, Mendocino County Case No. sc-uk-cv-g-09-0054665-000.

7. NEW BUSINESS:

- A. DISCUSSION OF SURPLUSING PROPERTY: Operations Manager will not surplus the diatomaceous earth equipment.
- B. DISCUSSION OF SEPTIC INSPECTIONS: Board gave approval to Office Manager Fromwiller to send letters to each Unit 8 owner and if no action is taken by the owners, then approval is given for septic inspects and to apply 1/6 of the costs with administrative fees to each parcel.

8. EXECUTIVE (CLOSED) SESSION. President Whitaker announced closed session at 12:20pm.

- A. DISCUSSION OF EXISTING LITIGATION, PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (A): WILLIAM H. MOORES ET AL. VS. IRISH BEACH WATER DISTRICT, MENDOCINO COUNTY CASE NO. SC-UK-CV-G-09-0054665-000.

Reconvened to open session:

- A. President Whitaker reported that there were no reportable actions taken on Mendocino County Case No. SC-UK-CV-G-09-0054665-000.

ADJOURNMENT: Director Poling moved to adjourn meeting and Director Harley seconded. All were in favor. Meeting was adjourned.

Respectfully submitted,

Stephen Whitaker, President
Prepared by Annette Fromwiller

Attest:

Secretary to the Board

**MINUTES OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT AT THE
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
SATURDAY MARCH 12, 2011.**

1. CALL TO ORDER and ROLL CALL: President Whitaker called the regular meeting of the Irish Beach Water District to order at 10:08 a.m. on Saturday, March 12, 2011 in the Rex – Dunning Firehouse at 15401 Forest View Road, Directors in attendance were Poling, Jassowski, Whitaker, Harley and Murray. Staff in attendance were Operations Manager Acker, Technician Rogers and Office Manager Fromwiller. Public in attendance were: Tom Near, Mark Rapelje, Doug Dove, and Al Thompson. Legal Counsel Leslie Thomsen later joined by phone.

2. APPROVAL OF MINUTES: Director Jassowski moved and Director Harley seconded the motion that the minutes for the meeting held on January 8, 2011 be approved as presented. All were in favor. Motion carries.

3. COMMUNICATION AND CORRESPONDENCE: Director Poling made a public comment that the County Registrar has supplied a form so that Office Manager Fromwiller can pick up the Director Term Packet on or after **May 9, 2011**. The form must be returned with an original signature of the Director, but may be mailed via registered mail. Treasurer Murray welcomed the public to apply for any of the three terms coming up. Director Poling requested that any further correspondence related to an agenda item be addressed at the time that the agenda item is discussed as part of the meeting.

4. PUBLIC INPUT: Public input was offered but none given.

5. REPORTS:

A. Treasurer's Report: Treasurer Murray commented on the cash statement and reviewed the restricted and non-restricted funds availability and reported that there were no reportable conditions. Director Murray requested Board approval of the District expenditures. Director Poling moved to approve the Treasurer Report. Director Jassowski seconded the motion. All were in favor. Motion carries.

B. Water: Operations Manager Acker said that there was nothing out of the ordinary to report.

C. Safety Committee: NTR

D. Other: NTR

6. OLD BUSINESS:

A. PROJECTS

1. WATER STORAGE FACILITIES: Operations Manager Acker reported the Tank 3 project is still on schedule with finishing up tree removal, planting and drilling of holes into the foundation for earthquake tie-downs.

Tank 1 is next on the schedule. Director Murray will report back at the next meeting on the funds for that project.

2. WATER CONVEYANCE: Operations Manager Ackers stated that by placing more meters throughout the District flow monitoring will be greatly improve.

3. WATER CONSERVATION: Flow monitoring (as mentioned above) will assist with conservation.

4. ACCELERATED TIERED BILLING PLAN: NTR

B. STATUS OF THE STATE WATER RESOURCES CONTROL BOARD ORDER DENYING THE PETITION FOR AN EXTENSION OF PERMIT 15580 FOR IRISH GULCH.

President Whitaker noted that Operations Manager Acker will be working on registering the dams before May with Matt Emrick. Operations Manager Acker requested that an Ad-Hoc committee be formed to meet with Matt Emrick. The Board appointed; Director Jassowski, President Whitaker and Operations Manager Acker to meet with Matt Emrick to discuss Irish Gulch licensing requirements.

C. 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. Director Jassowski reviewed the resolution and the matter was tabled for further discussion at the next meeting.

D. RESOLUTION REGARDING WELL DRILLING WITHIN THE BOUNDARIES OF THE IRISH BEACH WATER DISTRICT. President Whitaker had nothing to report. He noted that Mr. William Moores letter on the subject will be retained for discussion when this agenda item is again set for further consideration.

E. DISCUSSION OF OUR MEDIUM-TERM PLANS FOR MORE WELLS: Tabled.

F. DISCUSSION OF THE INVESTMENT POLICY #3035: Tabled.

7. NEW BUSINESS:

A. RESOLUTION ACCEPTING IRISH BEACH WATER DISTRICT ENGINEER'S REPORT FOR DISTRICT-WIDE CAPITAL IMPROVEMENT ASSESSMENT UPDATE, AUTHORIZING CONDUCTING AN ASSESSMENT BALLOT PROCEEDING AND SETTING THE TIME AND PLACE OF A PUBLIC HEARING TO CONSIDER ADOPTING THE DISTRICT-WIDE CAPITAL IMPROVEMENT ASSESSMENT UPDATE FOR THE IRISH BEACH WATER DISTRICT.

Mr. Doug Dove from Bartle and Wells with Legal Counsel Leslie Thomsen by telephone presented the proposed updated 2011 Engineering Report for District Wide Capital Improvements which was being proposed for presentation to the property owners in support of an increase in the District's benefit assessment. After considerable discussion and review of the proposed resolution, Director Jassowski moved to approve **Resolution 2011-1**. Director Harley seconded. All were in favor. Motion carries.

8. EXECUTIVE SESSION:

A. DISCUSSION OF EXISTING LITIGATION, PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (A): WILLIAM H. MOORES ET AL. VS. IRISH BEACH WATER DISTRICT, MENDOCINO COUNTY CASE NO. SC-UK-CV-G-09-0054665-000.

President Whitaker announced to the Public the executive (closed) session will start momentarily to discuss the existing litigation.

Reconvened to open session at 11: 52 am:

President Whitaker reported that there were no reportable actions taken on Mendocino County Case No. SC-UK-CV-G-09-0054665-000.

ADJOURNMENT: Director Jassowski moved to adjourn meeting. Director Poling seconded. All were in favor. Meeting was adjourned.

Respectfully submitted,

Stephen Whitaker, President
Prepared by Annette Fromwiller

Attest:

Secretary to the Board

MINUTES OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT AT THE
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
SATURDAY MAY 14, 2011.

1. **CALL TO ORDER AND ROLL CALL:** President Whitaker called the regular meeting of the Irish Beach Water District to order at 10:09 a.m. on Saturday, May 14, 2011 in the Rex – Dunning Firehouse at 15401 Forest View Road, Directors in attendance were Poling, Jassowski, Whitaker, Harley which constitutes a quorum. Treasurer Judy Murray was absent. Staff in attendance were Technician Rogers and Office Manager Fromwiller. Public in attendance were: Leon Drolet, Tona Moore, Dean Wolfe, Patty Wolfe, Veralee Kaiser, Tom Near, Jim Vickery, Don & Carol Roji, Suzanne Whitaker, Shiela Moore, Legal Counsel Leslie Thomsen and Alison Lechowicz of Bartle&Wells.
2. **APPROVAL OF MINUTES:** Director Jassowski moved to accept the minutes of March 12, 2011. Director Poling seconded. All were in favor. Motion carries.
3. **COMMUNICATION AND CORRESPONDENCE:** NTR
4. **PUBLIC INPUT:** Public was given a chance for comment and none given.
5. **REPORTS:**
 - A. **Treasurer's Report:** In Treasurer Murray's absence Office Manager Fromwiller commented that there were no reportable conditions and requested Board approval of the District expenditures. Director Poling moved to approve the Treasurer's Report. Director Harley seconded the motion. All were in favor. Motion carries.
 - B. **Water:** Operations Technician Rogers reported that a 40' section of the raw water pipe in Irish Gulch was replaced due to a fallen tree and the lower diversion pump was put in place. He also commented that the Tank 3 earthquake tie-downs were complete and the Tank 2 project is on schedule.
 - C. **Safety Committee:** Tabled
 - D. **Other:** NTR
6. **OLD BUSINESS:**
 - A. **PROJECTS**
 1. **WATER STORAGE FACILITIES:** Operations Technician Rogers remarked that Tank 1 still needs to be replaced and the meter was placed on Tank 3.
 2. **WATER CONVEYANCE:** NTR
 3. **WATER CONSERVATION:** NTR.
 4. **ACCELERATED TIERED BILLING PLAN:** NTR
 - B. **STATUS OF THE STATE WATER RESOURCES CONTROL BOARD ORDER DENYING THE PETITION FOR AN EXTENSION OF PERMIT 15580 FOR IRISH GULCH.** President Whitaker reported that the Ad-Hoc committee met with Matt Emrick and, that Matt will continue to work with The State Water Resources Control Board for license requirements for Irish Gulch.
 - C. **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.** Director Jassowski reviewed the resolution along with the map which will be included as part of the resolution. The Board then approved **Resolution 2011-2** with one minor correction to Section 2 (e) **WASTE:** the removal of the word "any". Director Jassowski moved to approve the resolution with corrections. Director Harley seconded. All were in favor. Motion carries.
 - D. **RESOLUTION REGARDING WELL DRILLING WITHIN THE BOUNDARIES OF THE IRISH BEACH WATER DISTRICT.** NTR
 - E. **DISCUSSION OF OUR MEDIUM-TERM PLANS FOR MORE WELLS.** NTR.
 - F. **DISCUSSION OF THE INVESTMENT POLICY #3035:** Tabled.
7. **NEW BUSINESS:**
 - A. **APPROVAL OF FUNDS FOR THE (5 YEAR) SANITARY SURVEY:** Tabled.
 - B. **PUBLIC HEARING TO CONSIDER OBJECTIONS AND PROTESTS TO DISTRICT-WIDE CAPITAL IMPROVEMENT ASSESSMENT UPDATE, TABULATION OF BALLOTS FOR AND AGAINST SAID ASSESSMENT AND ADOPTION OF RESOLUTION LEVYING ASSESSMENT UPDATE.** President Whitaker announced at 10:30 am the opening of the public hearing and turned it over to Legal Counsel Leslie Thomsen. She explained how the counting process will work and will be performed by Office Manager Fromwiller and Operations Technician Rogers. Opportunity then was given to the public for comment. Mr. Dean Wolfe asked about how the votes are being tabulated as a percentage of total parcels in the community or total number of votes received. Mr. Jim Vickery gave comment that the Gualala Water District already has a legal fund set aside. Mr. Don Rojo asked where

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are our water sources coming from and how those sources are being distributed within the community. Mrs. Sheila Moore asked about the cost involved with licensing and developing the alternative water sources. Mr. Dean Wolfe asked how will the state calculate the average peak flow for the District licensing and if anything was factored into the current Engineering report in regards to monitoring the use of surface and well water. President Whitaker then announced at 11:08 a.m the close of the public hearing and if any members of the public wish to change their vote or to vote please do so at this time.

The public hearing and tabulation held on May 14, 2011 failed to pass the proposed new benefit assessment.

THE OFFICIAL COUNT AS OF 14-MAY-2011 WAS:

TOTAL BALLOTS RECEIVED AT THE END OF THE HEARING WAS 338.

112 VOTED YES.

214 VOTED NO.

10 NOT INDICATING A YES OR NO.

1 DISQUALIFIED DUE TO WRONG SIGNATURE.

1 DISQUALIFIED NOT LEGAL OWNER

**3 ARRIVED AFTER THE PUBLIC HEARING.

TOTAL BALLOTS RECEIVED: 341 AS OF 16-MAY-2011.

C. REQUEST APPROVAL OF A ONE TIME SALE OF WATER: BOB POOL REQUESTS TO PURCHASE "A ONE-TIME" TANKER OF WATER FOR AN EVENT BEING HELD IN JULY, 2011 ON THE STORNETTA'S RANCH WHICH THE PROCEEDS WILL GO TOWARDS THE SEARCH AND RESCUE: Board approved a one time purchase of water to Mr. Bob Pool. Office Manager Fromwiller will notify Mr. Pool and coordination will be done with Operations Manager Acker.

8. EXECUTIVE SESSION:

A. DISCUSSION OF EXISTING LITIGATION, PURSUANT TO GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (A): WILLIAM H. MOORES ET AL. VS. IRISH BEACH WATER DISTRICT, MENDOCINO COUNTY CASE NO. SC-UK-CV-G-09-0054665-000.

President Whitaker announced to the Public the executive (closed) session will start momentarily to discuss the existing litigation.

Reconvened to open session at 3:30 pm:

President Whitaker reported that there were no reportable actions taken on Mendocino County Case No. SC-UK-CV-G-09-0054665-000.

ADJOURNMENT: Director Jassowski moved to adjourn meeting. Director Poling seconded. All were in favor. Meeting was adjourned.

Respectfully submitted,



Stephen Whitaker, President
Prepared by Annette Fromwiller

Attest:

Secretary to the Board

MAY 14, 2011 Minutes

**MINUTES OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT AT THE
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
SATURDAY JULY 9, 2011.**

1. CALL TO ORDER AND ROLL CALL: President Whitaker called the regular meeting of the Irish Beach Water District to order at 10:16 a.m. on Saturday July 9, 2011 in the Rex – Dunning Firehouse at 15401 Forest View Road, Directors in attendance were; Poling, Jassowski, Whitaker, Harley and Murray. Staff in attendance were; Operations manager Acker, Technician Rogers and Office Manager Fromwiller. Public in attendance were; Al Thompson, Loretta Thompson, Legal Counsel Leslie Thomsen, Bettye Winters and Hunter.

2. APPROVAL OF MINUTES: Director Jassowski moved to accept the minutes of May 14, 2011 as corrected. Director Harley seconded. All were in favor. Motion carries.

3. COMMUNICATION AND CORRESPONDENCE: President Whitaker read the following communications: Mr. George Munson sent an email regarding the following; requested that the deposits are made upon receipt, to add a return envelope with the billing and the availability charge seems too high. Sheila Moore's email stated; since she pays her bills online sending an envelope would be extra paper and costs for no reason. Mr. Tarr's email inquiring about the District's Water utilization of ground water and the District's response to his inquiry. The three Directors have been re-instated for another 4 years. President Whitaker commented on the May Assessment tabulation of the yes and no votes.

4. PUBLIC INPUT: Mr. Al Thompson asked since the proposition did not pass what happens to the ADWF Fund and can that money be used for other devepelement.

5. REPORTS:

A. Treasurer's Report: Treasurer Murray reviewed the Cash Statement making comment on the Balance Sheets, Checks Issued and the Actual vs. Budgeted. Treasurer Murray prepared and handed out a detailed Budget Review Sheet then reported on the operating revenues and expenses, the cash reserves and noted that there were no reportable conditions and requested Board approval of the Treasury report and check register. Director Poling moved to approve the Treasurer's Report as presented including the check register. Director Jassowski seconded the motion. All were in favor. Motion carries.

B. Water: Operations Manager Acker reported the tracking of a leak in Unit 1 and the compiling of three state reports; The Consumer Confidence, Annual State Report and The Water Resources Control Board Reports which were completed. Operations Manager Acker then reported the communications from R.J Dial and after discussion; Director Jassowski moved to add an emergency agenda item New Business 7F: Consideration of authorizing a letter of intent to correct the easement location of Tank 3 and the abandonment of the alternate tank site referencing the three point's from Operations Manager Acker. Director Poling Seconded. All were in favor. Motion carries. Operations Manager Acker made comment that he now has a grade three operator's license.

C. Safety Committee: President Whitaker reported on the April safety meeting covering blood borne pathogens and the May's covering Heat Stress.

D. Other: NTR

6. OLD BUSINESS:

A. PROJECT

After Discussion the Board approved restructuring the agenda as to add continuing project reports under reports and projects on-going instead of projects.

1. WATER STORAGE FACILITIES: The discussion will be under New Business 7 F.

2. WATER CONVEYANCE: Operations Manager Acker has started to assess leakage loss.

3. MEDIUM TERM PLANS OF FOR MORE WELLS: Director Jassowski reported on the required criteria for planning more wells.

4. RESOLUTION REGARDING WELL DRILLING WITHIN THE BOUNDARIES OF THE IRISH EACH WATER DISTRICT: This will be discussed under New Business 7A.

B. CONSIDERATION OF REVISIONS TO INVESTMENT POLICY #3035: Treasurer Murray will bring back a revised investment policy #3035 at the next meeting.

7. NEW BUSINESS:

A. CONSIDERATION OF AVAILABLE OPTIONS TO CONTROL PRIVATE WELLS

WITHIN THE IRISH BEACH WATER DISTRICT: President Whitaker turned over the discussion to Legal Counsel Leslie Thomsen. This discussion of both state and county regulations of private wells and the authority the District has to protect its water sources

is helpful with writing resolutions.

B. CONSIDERATION OF FUND APPROVAL FOR THE (5 Year) SANITARY SURVEY:

Operations Manager Acker reported that the survey is a State requirement and needs to be completed by 2012. He requested the Board to approve funding in the next fiscal year's budget for about \$5,000.00. He made note by following the guidelines of the American Water Works Association (AWWA) it could be completed in-house by qualified individuals a considerable cost savings. Treasurer Murray will add that to next fiscal budget.

C. CUSTOMER REQUEST TO ADD RETURN ENVELOPES TO WATER BILLING AND TIMINGLY DEPOSITS: Office Manager Fromwiller will address Mr. Munson in regards to envelopes. President Whitaker will address Mr. Munson's other concerns.

D. CONSIDERATION OF RENEWAL OF CONTRACT FOR KEATLEY WATER SALES: Director Jassowski moved to approve the 2011-2012 contract. Director Harley Seconded. A roll call vote: Ayes: President Whitaker, Director Jassowski, Harley and Murray. Noes: Director Poling. Motion carries to approve the renewal of the 2011-2012 Keatley Water Sales contract and authorizing Operations Manager Acker to sign.

E. CONSIDERATION OF THE BOARD POSITION OF CANDIDATES FOR SDRMA OFFICIAL BALLOT: After discussion the Board has no position on the SDRMA authority. Director Jassowski moved to ignore the vote. Director Murray seconded. All were in Favor. Motion Carries.

F. CONSIDERATION OF A LETTER OF INTENT AUTHORIZING CHARLE ACKER TO CORRECT THE EASEMENT LOCATION OF TANK 3 AND ABANDONMENT OF THE ALTERNATE TANK SITE . After discussion the Board authorizes Operations Acker to write a letter of intent to correct the easement location of tank 3, the abandonment of the alternate tank site and the compensation of a water connection subject to legal review. Director Poling moved to authorize Mr. Ackers to write the letter of intent subject to legal counsel's review. Director Jassowski seconded. All were in favor. Motion carries,

8. EXECUTIVE SESSION:

President Whitaker announced the executive session at 12:45pm and the public was asked to leave.

A CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: Subdivision (a) of California Government Code §54956.9: William H. Moores et al. v. Irish Beach Water District, Mendocino Superior Court No. SC-UK-CV-G-09-0054665-000.

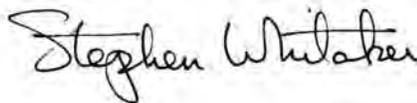
B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO SUBDIVISION (B) OF CALIFORNIA GOVERNMENT CODE §54956.9: 1 POTENTIAL CASE.

President Whitaker announced the reconvene to open session at 3:30pm and reported the following: Agenda Item 8 A; No reportable actions taken on Mendocino County Case No. SC-UK-CV-G-09-0054665-000

Agenda Item 8 B; No reportable actions were taken.

ADJOURNMENT: Director Poling moved to adjourn meeting. Treasurer Murray seconded. All were in favor. Meeting was adjourned.

Respectfully submitted,



Stephen Whitaker, President (9/10/2011 8:04:27 PM)
Prepared by Annette Fromwiller

Attest:

Secretary to the Board

July 9, 2011 Minutes

**MINUTES OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT AT THE
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
SATURDAY SEPTEMBER 10, 2011.**

1. CALL TO ORDER AND ROLL CALL: President Whitaker called the regular meeting of the Irish Beach Water District to order at 10:03 a.m. on Saturday September 10, 2011 in the Rex – Dunning Firehouse at 15401 Forest View Road, Directors in attendance were; Poling, Jassowski, Whitaker, Harley, and Murray. Staff in attendance were; Operations Manager Acker, Technician Rogers and Office Manager Fromwiller. Public in attendance were; Al Thompson, Loretta Thompson, Jan McCormick, Suzanne Whitaker, Gordon Moores, and Legal Counsel Leslie Thomsen.

2. APPROVAL OF MINUTES: Director Harley moved to accept the minutes of July 9, 2011 as corrected. Director Jassowski seconded. All were in favor. Motion carried.

3. COMMUNICATION AND CORRESPONDENCE: President Whitaker read the communications from R.J Dial about easements from the July 9, 2011 meeting which will be addressed under Old Business.

4. PUBLIC INPUT: Public input was offered; none was given.

A. Treasurer's Report: Treasurer Murray reviewed the Cash Statement, Balance Sheet, and Checks Issued. Treasurer Murray then reported on the Budgeted vs. Actual highlighting on the legal expenses spent for this fiscal year were \$77,000.00 and the actual budgeted amount was \$22,000.00. Treasurer Murray then requested Board approval of the Treasurer report and the check register. Director Harley moved to approve the Treasurer's Report as presented including the check register. Director Poling seconded the motion. All were in favor. Motion carried.

B. Water: Operations Manager Acker reported on the successful flushing of the line on Navarro Way after receiving a complaint of a high pH level. He commented that some of the distribution of water on Navarro Way goes through a concrete pipe which will cause a higher ph level. Director Jassowski inquired about the Tank 2 well. Operations Manager Acker explained he worked with both PG&E and the Land Surveyor, and it is waiting for legal opinion. He then requested Board approval to increase the rate for Keatley Water Sales. After Board discussion, Director Murray made a motion to increase the Keatley Water Sales rate from \$17.50 to \$19.00 per 1,000 gallons for 2011-2012. Director Jassowski seconded. All were in favor. Motion carried. Operations Manager Acker added as part of the water report, that a young man was spraying coyote brush on a lot that was upstream from the pond and he informed him of the resolution against spraying toxins. Operations Manager noted the chemical used was (Activator 85, Remedy Ultra by Dow Agro Sciences). Director Jassowski inquired about the toxicity of the chemical and then referenced Resolution 2011-2, "Discharge limits with respect to the disposal of waste or activity which might contaminate the waters within The Irish Beach Water District". A member of the audience Mr. Gordon Moores suggested publicizing a list of acceptable products that could be used by the property owners. Operations Manager Acker said he will research the chemical and report back to the board at the next meeting.

C. Safety Committee: President Whitaker explained that the safety minutes from July were left out from the last regular board meeting and those items covered were "Driven to Distraction" and "Trips, Slips, and Falls". He then reported on the August meeting covering Emergency Evacuation Procedures.

D. Other: NTR:

E. ON-GOING PROJECT REPORTS:

1. WATER STORAGE FACILITIES: Operations Manager Acker requested approval to start the planning stage of Tank 1 which would be to survey the land. After Board discussion, the Board approved a Land Survey. Operations Manager Acker will bring back to the Board a Project Plan outlining the costs.

2. WATER CONVEYANCE/LOSS: Operations Manager Acker reported that placing the meter on Tank 3 has increased the tracking of conveyance loses. Director Jassowski requested a monthly review of the usage and losses. Operations Manager Acker said that could be done.

3. MEDIUM TERM PLANS OF FOR MORE WELLS: Director Jassowski handed out a chart of the Irish Beach Water District connection history and future use. He then reported on the current connections and the assumptions for future build out. He continued to outline the water sources and the capacity needed to support new connections. Director Jassowski ended his report with: over-all the District is not in bad shape for water availability. However, the District still has uncertainty both with regard of the amount of water to be licensed for Irish Gulch and the question of what is happening with Tank 2 and Tank 5 wells.

6. OLD BUSINESS:

A. CONSIDERATION OF WELL DRILLING WITHIN THE BOUNDARIES OF IRISH BEACH

WATER DISTRICT: Director Poling requested this item to be moved to the executive session.

7. NEW BUSINESS:

A. CONSIDERATION OF REVISIONS TO INVESTMENT POLICY #3035: Treasurer Murray handed out a draft of the policy with changes highlighted in yellow. She requested the Board to review and make comments. She would bring back it back at the next meeting.

B. CONSIDERATION OF FUND APPROVAL FOR THE (5 YEAR) SANITARY

SURVEY: Operations Manager Acker reported that the survey is a state requirement and that he has access to a qualified group. The American Water Works Standards allows it to be done in-house which would be a considerable costs savings to the District. After Board discussion, the group will give a presentation to the Board.

C. CONSIDERATION OF DRAFT WATER BUDGET FISCAL 2011-2012: Treasurer Murray presented the draft water budget. Director Jassowski commented that the amount shown for legal expenses should be our best estimate based on recent experience and expected expenses. After board discussion, a public hearing will be held with the possibility of a rate and availability increase. Treasurer Murray will create a letter to be mailed to notify the customers. A Notice of Public Hearing will be posted at all Kiosks as well.

D. ACCEPT AND FILE AUDIT OF FINANCIAL STATEMENT ENDING SEPTEMBER 30, 2010: Treasurer Murray presented the fiscal audit for 2009-2010 and reviewed the management letter and bringing to the Board's attention pages 14 and 15 reading the two paragraph items; Commitments and Contingencies, and Litigation. She then emphasized page 7 paragraph 3 from Audit Wendy Boise stating; "In my option, the financial statements referred to above, present fairly, in all material respects, the financial position of the Irish Beach Water District as of September 30, 2010" meaning the District pass its Audit. Treasurer Murray then requested Board approval. Director Jassowski moved to approve the Fiscal Audit for 2009-2010. Director Harley seconded motion. All were in Favor. Motion Carries. President Whitaker signed the acknowledgment letter which would be sent back to Ms. Boise.

8. EXECUTIVE SESSION:

President Whitaker announced the executive session at 12:45pm and the public was asked to leave.

A CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: Subdivision (a) of California Government Code §54956.9: William H. Moores et al. v. Irish Beach Water District, Mendocino Superior Court No. SC-UK-CV-G-09-0054665-000.

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO SUBDIVISION (B) OF CALIFORNIA GOVERNMENT CODE §54956.9: 1 POTENTIAL CASE.

President Whitaker announced the reconvene to open session at 3:30pm and reported the following: Agenda Item 8 A & C; No reportable actions taken on Mendocino County Case No. SC-UK-CV-G-09-0054665-000

Agenda Item 8 B; No reportable actions were taken.

ADJOURNMENT: Director Poling moved to adjourn meeting. Treasurer Murray seconded. All were in favor. Meeting was adjourned.

Respectfully submitted,

Donald Jassowski

Donald Jassowski: Vice President
Prepared by Annette Fromwiller

Attest:

Annette Fromwiller

Secretary to the Board

September 10, 2011 Meeting

**SPECIAL MINUTES OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT AT THE
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
TUESDAY OCTOBER 4 2011.**

1. CALL TO ORDER AND ROLL CALL AT 11:33 AM: Vice President Jassowski called the special meeting of The Irish Beach Water District to order at 11:23 a.m. on Tuesday October 4, 2011 in the Rex – Dunning Firehouse at 15401 Forest View Road. Director attending by phone: Kathy Poling: Office of Poling & Poling 1838 Tice Valley Blvd., Suite A. Walnut Creek, CA. 94595. Directors in attendance were; Director Jassowski, Murray and Harley. Staff in attendance were: Operations Manager Acker, Office Manager Fromwiller. Public in attendance were; Kathy Edelbrock, Bobbie Crafford, Leon Drolet, Bettye Winters and Hunter, Dean and Patty Wolfe, Buzz Kovoian, Loretta Thompson and Ron Trethan.

2. CONSIDER APPOINTMENT TO FILL VACANCY ON BOARD: Vice President Jassowski announced the resignation of President Whitaker as of September 10, 2011 and the Board has 60 days to appoint a Director before The Board of Supervisors steps in and takes the District into election. Comments were given by members of the public: Mr. Buzz Kavoian asked about the deadline date for applying. Mrs. Bettye Winters regrets Director Whitaker resigning he put in a lot of time and did a lot of good. Mr. Dean Wolfe inquired that since it was an election year wouldn't the vacancy still go into election. Director Jassowski replied that the Board has scheduled another special meeting on November 5th which fails within the 60 days. Director Poling reminded the public that to serve on the board, you have to be a land owner and to send a letter of interest to Office Manager Fromwiller prior to the November 5th meeting or hand deliver it before the roll call at the Special November 5th which will put their name before the Board. Director Murray explained that the three Director seats that were up for election this year were re-instated due to not being contested. She continued to explain that the water District is under a California Special Water District and the Directors are elected by advoulm vote. Director Jassowski encourages members of the public to apply.

3. CONSIDERATION/ACTION OF THE FIREHOUSE LEASE: Vice President Jassowski reported that the Fire House lease is up for renewal in February 2012 and Redwood Coast Fire Protection District had contacted him for a discussion. However, no one had responded prior to this meeting. Director Poling proposed other uses for the Firehouse such as meetings. Operations Manager Acker offered other compromises such as; part use of the firehouse for storing the truck and the other uses for the Water District. Operations Manager will contact the Redwood Fire Protection District for further discussion. Director Murray commented that she would like to talk to the volunteers within the community for their input.

ADJOURNMENT TO EXECUTIVE SESSION at 12:01pm

4. EXECUTIVE CLOSED SESSION:

1. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

5. EXECUTIVE CLOSED SESSION:

2. PUBLIC EMPLOYEE APPOINTMENT: TITLE GENERAL COUNSEL

Reconvene to public session at 1:34 PM. Vice President Jassowski reported on the reportable events from the executive sessions in that Meyers Nave was released as legal counsel, and Mr. Matthew Emrick was appointed as the Districts new legal counsel.

ADJOURNMENT: Director Harley moved to adjourn meeting. Treasurer Murray seconded. All were in favor. Meeting was adjourned.

Respectfully submitted,

Donald Jassowski: Vice President
Prepared by Annette Fromwiller

Attest:

Secretary to the Board

Special Minutes of October 4, 2011

**SPECIAL MINUTES OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT AT THE
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
NOVEMBER 5, 2011.**

1. CALL TO ORDER AND ROLL CALL AT 10:05 AM: Vice President Jassowski call the special meeting to order on Saturday November 5, 2011 in the Rex – Dunning Firehouse at 15401 Forest View Road. Directors in attendance were; Jassowski, Murray and Harley which constitutes a quorum. Director Kathy Poling later appeared by phone at the following location: 1726 Stanley Dollar Dr., 2B, Walnut Creek, CA. Staff in attendance were: Operations Manager Acker, Office Manager Fromwiller. Public in attendance were; Leon Drolet, George Munson, Betsy Munson, Walter Salmen, Neelem Salmen, Ron Sackman, Bettye Winter and Hunter, Ron and Julie Trathen, Al Thompson, Su and Steve Whitaker, Jane & June Andrade, Ernest A. Rodriquez Sr., Gary & Susan Levenson-Palmer, Saja Keasberry, Kathy Edelbrock, Gregg Orlik, Ge Cady, Sharon & Patrick Robards, Lu Vickery, Dean & Patty Wolfe, Buzz Kovoian, Lori Trethan , Charles & Lause Ross, Vera Lee Kaiser and Gordon Moores.

2. APPROVAL OF MINUTES SEPTEMBER 10, 2011 AND OCTOBER 4, 2011: Vice President Jassowski move to approve the regular minutes of September 10, 2011 as presented and the special minutes of October 4, 2011 as presented. Director Harley seconded motion; all were in favor motion carried.

3. COMMUNICATIONS AND CORRESPONDENCE: Director Jassowski clarified that the public hearing for the availability fee increase will be continued at the January 2012 *meeting* because in order to increase any user fees under the Proposition 218 the provisions are as follows: 1) 45 day notice is given to all connected users on the system giving them the opportunity to vote. 2) A written 50% protest is needed from the 199 connected users on the system for it not to pass. Director Jassowski then continued to read the communication letters beginning with Mr. Kavoian's regarding several issues such as: requested clarity of the procedure on voting for the prop 218 availability increase, why a new legal attorney and what about the legal fees already paid and what the board is doing to stop the legal expenses. Director Jassowski then introduced Mr. Matt Emrick who is the Districts new legal attorney. **Mr. Emrick then explained that under the prop 218 provisions for this type of user fee increase; a majority protest of the 199 connected users is needed for it not to pass which is different than the annual benefit assessment collected by the county which is; a majority of the votes collected.** Director Jassowski then continued with Mrs. Julie Trathen's letter of ending the legal suit and opposes the availability fee increase *and she requested* the return of the Mallo Pass Funds. She had a complaint of high PH levels in the water and that Mr.Trathen has been adding extra chemicals to treat the higher PH level in the hot tubs leading to higher costs for maintenance. Mr. Dean Wolfe added he had noticed the smell of chlorine in the last few months. Operations Manager Acker addressed the ph level and explained the water flow process through the system and, has since made adjustments to the system to increase the flow. **Operations Manager Acker then encouraged the customers to call him immediately if they experience any water quality problems so he can address the problem accordingly.** Director Jassowski continued with Lori Brand Shepard's letter of protest against the availability fee increase, stopping legal costs and water quality issues with sand in the toilets. Operations Manager Acker responded that a leak was found coming from the meter to the house over in Unit 1 and was fixed. The letter from the RCFPD will be address later in the agenda. Mr. Hoffman's letter suggests that the Board be more aware and accountable of their decisions. Connie and Ron Sackman's letter had a list of items such as; why not have a mediator to end the lawsuit, having a community vote in hiring legal staff, and voting for any new policy via email. Archie and Janet Held opposed the availability increase and inquired about the funding from the 2002 benefit assessment and where it is being spent. The discussion then turned to projects funded from the 2002 benefit assessment; concrete pipes and what items have been completed. Mr. Nic Epanchin asked where the concrete pipes were located. Mr. Trathen inquired about the projects from the benefit assessment and what has been completed. Mr. Dean Wolfe then joined the discussion to explain that the 2002 benefit assessment is a structured assessment funded incrementally, and has named projects which are scheduled according. Mr. Ron Trathen requested an updated schedule of what has been completed. Mr. Nic Epanchin suggested having it as an agenda item. Director Jassowski then commented that it could be an action item on the agenda. He then continued with the letter to Leon Drolet from the board on thanking him for his consideration of serving on the board and will keep him in mind for future vacancies. Mrs. Patty Wolfe asked about the Job Descriptions of the Directors which would help with if someone was interested. Director Murray referenced policy number #4040 and #4050. Director Jassowski made reference to a letter from Mr. Steve Whitaker requesting consideration for the vacancy, which will be discussed later on the agenda. He continued with another letter from Mr. Kovian that the board be more open with the community and requested the following: 1) A signed and dated copy of the investment policy from Mr. Bob Wheat

with his acknowledgment of conforming to the policy. 2) A copy of the current investments. 3) A copy of the investments when first invested. Director Jassowski then continued with a letter from Christine Thomure regarding disclosure of the law suit when selling property in Irish Beach. The Meyer Nave letter of resignation. The discussion then changed to the agenda pocket. Mrs. Susan Levenson-Palmer asked if the board is required to put communications in the packet, she feels that the letters are inflammatory. Mrs. Neelam Salman would like to be added to the email list on getting the packet. The public consensus was to keep communications within the packet. Director Jassowski then stated as part of the Brown Act communications are required to be part of the packet. The discussion then ends.

4. PUBLIC INPUT: Mrs. Neelam Salman made comment that the board is very capable and she has no problem on paying extra however; she has a problem with paying extra due to legal fees. She requested the legal opinion on transferring the Mallo Pass to AWDF fund. She would like to have a copy of exhibit B, C, D, and F to make sense of the lawsuit and if the board has intentions of any settlement. Office Manager Fromwiller will give her a copy of the complete law suit and will post the suit on the districts *web site*. Mr. Kovain commented why the suit hasn't been settled. Mr. Emrick commented that an attempt was made to settle and then continued to give a brief report on a meeting with the negotiator for a settlement. The discussion then changed. Mr. Wolfe inquiring about the Unit 9 re-subdivision and if a hydrological report was done for Unit 9 and if so could he get a copy. Operations Manager Acker will send a copy to him. Mrs. Neelam Salman asked; is the Board going to try and recover any of the legal costs already incurred. Mr. Ernie Rodriguez Sr. and Mr. Kovain also requested board input for recovering any incurred legal costs. Mr. Wolfe gave option that some sort of strategy needs to be done to curtail the legal fees. Mr. Gordon Moores added he believes that if proper communications and process was done before hand the possibility of the suit could have been avoided. No other put input was offered and the discussion ends.

Director Jassowski then opened the public hearing at 12:17 pm on November 5, 2011 and made note that the board will incorporate the letters noted under communications and correspondance, and the public input as part of this public hearing. Mr. Dean Wolfe inquired about the funding goal for reserves. Treasurer Murray referenced the 2011-2012 assessment. No other public input was given. Director Murray moved to continue this public session to January 14, 2012. Director Harley seconded motion. Roll call vote: Jassowski aye, Harley aye and Murray aye. Motion carries.

5 REPORTS:

A.TREASURER'S REPORT: Treasurer Murray reported on the cash statement and then on to the Budget vs. Actual report with emphases on legal costs. Treasurer Murray moved to have the board approve the treasurer report and the current expenditures. Director Harley seconded. All were in favor. Motion carries.

B.WATER: Operations Manager Acker reported that the land surveyor and geologist have been scheduled to start the project for tank 1. Fire hydrants were painted and a new controller in UNIT 1 has been installed. He then reported that routine lab testing has been completed, and the Department of Public Health is scheduled to be on-site to perform their routine testing of the systems later this month.

C.SAFETY COMMITTEE: NTR

D.OTHER: NTR

E. ON-GOING REPORTS;

1. WATER STORAGE FACILITIES: Covered under the water report

2. WATER CONVEYANCE/LOSS: Operations Manager Acker will be scheduling a conveyance loss testing over at Tank 3.

3. MEDIUM TERM PLANS FOR MORE WELLS: NTR

6. OLD BUSINESS:

A. CONSIDERATION/ACTION: REVISED INVESTMENT POLICY #3035 REVISION: Director Murray requested approval of the revised investment policy and the section "rewritten" was under item #3035.8. Director Poling commented that "The policy was adopted from the California Small District advisory Board and The Irish Beach water district is a "California Special Water District" and **IS A** government agency. Director Murray moved to approve the revised investment policy #3035. Director Harley seconded. All were in favor. Motion carries.

B. CONSIDERATION/ACTION: RENEWAL OF FIREHOUSE LEASE: After discussion Director Jassowski will send a letter to Judy Seymour to put their proposal in written.

- C. **CONSIDER APPOINTMENT TO FILL VACANCY ON BOARD:** Director Murray moved to appointment Steve Whitaker to the vacant seat on the Board of Directors of the Irish Beach Water District. Director Harley seconded. All were in favor. Motion carries.

7. NEW BUSINESS:

- A. **CONSIDERATION/ACTION: ADOPTION OF PROPOSED WATER BUDGET SETTING RATE AND AVAILABILITY CHARGES FOR THE FISCAL YEAR 2012 BEGINNING OCTOBER 1, 2011 AND APPROVAL OF RESOLUTION 2011-___:** Treasurer Murray reported on the Budget and highlighted items for clarity such as Tank 3 which is one of the projects funded from the 2002 benefit assessment. After heavy discussion, Treasurer Murray made a motion to revise the proposed budget and resolution to reflect an increase of legal fees which increases the availability fee by \$5.00 bringing it to \$66.49 per month and to keep the current usage fee of \$0.39 per 100 gallons which will then be continued to the public hearing in January 2012. Director Poling seconded. All were in favor. Motion carries.
- B. **CONSIDERATION/ACTION: ADOPTION OF DISTRICT ASSETS FOR 2011-2012 FISCAL YEAR AND APPROVAL OF RESOLUTION 2011-3:** Director Murray moved to approve the Districts assets. Director Poling Seconded. Roll call vote: Murray aye, Harley aye, Poling aye, Jassowski aye. Motion carries.

8. EXECUTIVE (CLOSED) SESSION:

- A. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.**

Director Jassowski announced the opening of the public session at 3:35 pm on November 5, 2011 and reported that there were no reportable actions taken.

Adjournment: Director Murray moved to adjourn meeting. Director Harley seconded. All were in favor. Meeting was adjourned.

Respectfully submitted,

Donald Jassowski

Donald Jassowski: Vice President
Prepared by Annette Fromwiller

Attest:

Annette Fromwiller
Secretary to the Board

**MINUTES OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT AT THE
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
JANUARY 14, 2012.**

1. **CALL TO ORDER AND ROLL CALL AT 10:00 AM:** Vice President Jassowski called the regular meeting to order on Saturday January 14, 2012 in the Rex Dunning Firehouse at 15401 Forest View Road. Directors in attendance were; Poling, Jassowski, Murray and Whitaker which constitutes a quorum. Director Don Harley was absent. Staff in attendance were Operations Manager Acker, Office Manager Fromwiller, and Legal Counsel Matt Emrick. Public in attendance were: Gene Cady, Gary and Susan Levenson-Palmer, George Campbell, Leon Drolet, Sonja Keasberry, Bettye Winters and Hunter, Karl and Diane Taylor, Walter and Neelam Salmen, Dean and Patty Wolfe, Brain Carter, Vera Lee Kaiser, Lousie and Charlie Ross, Lu Vickery, John McGee, Nancy Epanchin, Joel and Patricia Kauffman, Al Thompson, and Su Whitaker.

It was moved and seconded to have Old Business 6 A moved to after the roll call so that a guest speaker from Redwood Coast Fire Protection District could give a presentation. Mrs. Vera Lee Kaiser then introduced guest speaker Mr. George Campbell. He reported on the behalf of the Redwood Coast Fire Protection District the options in renewing the lease of the Fire Station in Irish Beach. In his initial presentation, Mr. Campbell said the RCFPD had no intention of removing the fire engine from Irish Beach, and that he wanted to dispel that rumor. Several comments were given on replacement of the Fire Engine, the possible other storage sites, costs involved with relocating and funding needs. The consensus of those of the Irish Beach community in attendance was to keep the Fire Engine with discussion of where to store the engine if a newer, larger one was to be provided by RCFPD. Some important details came up during the far-reaching discussions. It was noted that it would be advantageous for fire protection purposes, especially in the event of power failure, for example, following an earthquake, to have installed provision for direct connection of the pumper units at each of the storage tanks. It was also noted that a connection at Pomo Lake which did not require driving over the dam would be of benefit. After extensive discussion the Directors agreed to form an ad-hoc committee of the following: Irish Beach Water District Director Steve Whitaker, President of the Irish Beach Improvement Club Leon Drolet, Irish Beach resident Dean Wolf, Redwood Coast representatives George Campbell and Judy Seymour, Volunteer Fire Fighters and residents of Irish Beach Brian Carter and Gene Cady. Director Poling then moved to extend the Redwood Coast Fire Protection District lease for another 6 months. Director Murray seconded the motion. All were in favor. Motion carried.

2. **APPROVAL OF MINUTES:** The Board approved the Minutes of the Special meeting on November 5, 2011 as corrected. The roll call vote was: Director Poling aye, Jassowski aye, Whitaker aye and Murray aye, Director Harley was absent.
3. **COMMUNICATIONS AND CORRESPONDENCE:** Communications from Mr. Kavoian suggested that the minutes of November 5, 2011 did not reflect what occurred and his request for investments was not provided. The other communications were addressed later in item 4, Public input.
4. **PUBLIC INPUT:** A question was raised about the possibility of asbestos in the water. Operations Manager Acker explained that asbestos tests are conducted, as required by the State and that Irish Beach water tests indicated none detected. A request was made that a map of the facility be placed on the Web site so that it would make it easier to follow discussions of facilities. Mrs. Salmen requested copies of the legal invoices from attorneys. Office Manager Fromwiller stated in 2009-2010 redacted invoices were handed out. Mr. Matt Emrick stated that they were public information upon being redacted to remove sensitive information on the District's legal strategy.

5. **REPORTS**

A. TREASURER'S REPORT: Treasurer Murray reviewed the cash statement, balance sheet, expenditures, and Budget vs. Actual. She then requested board approval of the treasurer report and current expenditures. Director Poling moved to approve the expenditures and the treasurer report as presented. Director Whitaker seconded. All were in favor. Motion carried.

B. WATER: Operations Manager Acker reported that the pump, controller and roof at station B were replaced and that other routine maintenance was done.

C. SAFETY COMMITTEE: NTR

D. OTHER: Irish Beach Water District Legal Counsel Matt Emrick presented a summary of the status of the existing litigation. He reported that the trial of Moores vs. IBWD is scheduled for February 17, 2012.

E. ON-GOING REPORTS;

1. WATER STORAGE FACILITIES: Operations Manager Acker reported that the Tank1 project is still on schedule.

2. WATER CONVEYANCE/LOSS: Discussed in the water report.

3. MEDIUM TERM PLANS FOR MORE WELLS: Director Jassowski reviewed some of the options that the district has and will continue his report at the next meeting.

6. OLD BUSINESS:

A. CONSIDERATION/ACTION: RENEWAL OF FIREHOUSE LEASE: This item was discussed after roll call.

Director Jassowski announced the opening of the public hearing to discuss the possibility of an availability fee increase for the 2011-2012 operating Budget. Public input was requested; none was presented. Office Manager Fromwiller then announced that 20 (10% of connected users) written protests were received. The provisions under proposition 218 for this type of increase are that it can be passed by the Board unless at least 50% of the 199 connected users protest the increase.

7. NEW BUSINESS:

A. CONSIDERATION/ACTION: ADOPTION OF PROPOSED WATER BUDGET SETTING RATE AND AVAILABILITY CHARGES FOR THE FISCAL YEAR 2012 BEGINNING OCTOBER 1, 2011 AND APPROVAL OF RESOLUTION 2011-4: Treasurer Murray introduced the 2011-2012 Budget proposal. After discussion, Treasurer Murray moved that the 2011-2012 budget be approved with the increase to the monthly availability charge from \$61.49 to \$66.49 starting January 1, 2012 and keeping the usage rate of \$0.39 cents per 100 gallons the same. Director Poling moved to approve the Resolution 2011-4. Director Whitaker seconded the motion. The roll call vote was: Director Poling aye, Jassowski aye, Whitaker aye, Murray aye. Director Harley was absent. Motion carried.

B. CONSIDERATION/ACTION: MR. HUNOLT'S REQUEST FOR REIMBURSEMENT OF WATER PURCHASED IN OCTOBER: The board reviewed Mr. Hunolt's request of \$13.00 reimbursement for bottled drinking water, claiming Irish Beach water was not fit for drinking for days. After discussion the board denied his request because; 1) proper notification was not given to the District at the time of the purported incidence so that the District could respond appropriately, 2) the District was not aware of any water quality issues during that time period. Office Manager Fromwiller was instructed to send Mr. Hunolt a letter informing him of the Board's decision.

C. CONSIDERATION/ACTION OF INDUCEMENTS BY IRISH BEACH WATER DISTRICT TO REDWOOD COAST FIRE PROTECTION DISTRICT TO ENABLE RETENTION OF THE FIRE ENGINE AT THE REX DUNNING FIREHOUSE, RESOLUTION 2012-____. TABLED.

8. EXECUTIVE (CLOSED) SESSION:

At this point the public session was recessed to enter the executive session.

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.

Director Jassowski announced the return to public session and reported that there were no reportable actions taken.

Adjournment: Director Poling moved to adjourn meeting. Director Murray seconded. All were in favor. Meeting was adjourned.

Respectfully submitted,

Donald Jassowski

Donald Jassowski: Vice President
Prepared by Annette Fromwiller

Attest: *Annette Fromwiller*

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT AT THE
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
MARCH 10, 2012.**

- 1. CALL TO ORDER AND ROLL CALL AT 10:03 AM:** Vice President Jassowski call the regular meeting to order on Saturday March 10, 2012 in the Rex – Dunning Firehouse at 15401 Forest View Road. Directors in attendance were; Poling, Jassowski, Whitaker and Harley which constitutes a quorum. Treasurer Judy Murray was absent. Staff in attendance were; Office Manager Fromwiller, Water Technician Dewey Rogers, and Legal Counsel Matt Emrick. Public in attendance were: Darryl Datwyler, Sonja Keasberry, Bettye Winters & Hunter, Nancy & Nic Epanchin, Susan Levenson-Palmer, Su Whitaker and Lu Vickery.
- 2. APPROVAL OF MINUTES:** The Board approved the Minutes of the Regular meeting held on March 10, 2012. Director Poling moved to approve the regular minutes. Director Whitaker seconded the motion. Roll call vote Director Poling aye, Jassowski aye, Whitaker aye, and Director Harley abstain. Treasurer Judy Murray was absent.
- 3. COMMUNICATIONS AND CORRESPONDENCE:** Communications from Office Manager Fromwiller stating she had placed the trial brief's on the District's web site. Director Whitaker gave a report from the Redwood Coast Fire Protection from Judy Seymour that they would like to place their signs on the Fire Station. The Board agreed that signs would be appropriate. Director Jassowski then read communications that was not included in the packet from Mendocino Coast Properties (MCP) requesting that the water treatment site property be deeded back to MCP property owners. Director Poling commented that it is under litigation and should be handled as such. Office Manager Fromwiller will send a letter to MCP reminding them of that.
- 4. PUBLIC INPUT:** N/A.
- 5. REPORTS**
 - A. TREASURER'S REPORT:** In Treasurer Murray absence Office Manager Fromwiller reviewed the cash statement, balance sheet, expenditures, and Budget vs. Actual. She then requested board approval of the treasurer's report and the current expenditures. Director Harley moved to approve the expenditures and the Treasurer's report. Director Whitaker seconded. Roll call vote Harley aye, Whitaker aye, Jassowski aye, Poling aye, Murray was absent. All were in Favor. Motion carried.
 - B. WATER:** In Operations Manager Acker's absence Water Technician Dewey Rogers gave the water report. He reported on that routine leak maintenance was done, the roof and a valve on pump station near Highway 1 was repaired. He reported that the depth of Well 9 was measured and more work will be done once Charlie is back.
 - C. SAFETY COMMITTEE:** NTR
 - D. OTHER:** Irish Beach Water District Legal Counsel Matt Emrick presented a summary of the status of the existing litigation. He reported that the trial of Moores vs. IBWD was scheduled for February 24, 2012 then rescheduled to March 2nd and the second day of trial will be on March 16th, 2012.
- 6. ON-GOING REPORTS;**
 - 1. WATER STORAGE FACILITIES:** Water Technician Rogers reported on that the geologists are scheduled to drill holes near Tank 1 for the geology report. The discussion then turned to the District's map that outlines tanks, pipes, and pressure zones. Director Jassowski led the discussion on the map identifying what tanks supply water to the Units. The discussion ended with that color codes should be added for clarity and placed up on the web.
 - 2. WATER CONVEYANCE/LOSS:** Water Technician Rogers reported on that the 2" pipe over on Pomo Lake was dug up and a meter placed in it for conveyance loss over in that area.
 - 3. MEDIUM TERM PLANS FOR MORE WELLS:** Director Jassowski reviewed the "draft" document outlining the connection history and future needs for new water sources. The discussion turned to tanks, the supply of water from both the current and backup wells, the permit of Irish Gulch going to license and the Treatment Plant and the turbidity during the raining season. The discussion ended with that the future is uncertain.

7. OLD BUSINESS:

- A. CONSIDERATION/ACTION: RENEWAL OF FIREHOUSE LEASE:** *There is a 6 month extension as of February 2012.* Director Jassowski turned over the discussion to chair member; Director Stephen Whitaker. He reported that the lease renewal was tabled at the last RCFPD meeting and that the committee that was formed did meet; it consisted of: Gene Cady, Judy Seymour, Leon Drolet, Dean Wolfe, Brian Carter and George Campbell. He reported on options to store the larger engine such as;

Rebuilding the current building, the purchase of land, area's within Irish Beach that could house the large engine and commented that a simple building or shell to store the engine would be acceptable. The voice of the community is to keep the older Fire Engine. The discussion then ended; the report will be added under on-going reports.

8. NEW BUSINESS:

A. CONSIDERATION/ACTION OF INDUCEMENTS BY IRISH BEACH WATER DISTRICT TO REDWOOD COAST FIRE PROTECTION DISTRICT TO ENABLE RETENTION OF THE FIRE ENGINE AT THE REX DUNNING FIREHOUSE, RESOLUTION 2012-____. TABLED.

B. CONSIDERATION/ACTION OF SCHEDULING PROJECTS AND FUNDING: TABLED

C. CONSIDERATION/ACTION OF DIRECTOR'S ROLES: Vice President Jassowski reviewed the templates of job descriptions for the board members and commented on that the District's policy book contains three, and the District has 5 seats. After discussion it will continue to the next regular meeting. It was requested that the By-Laws be forwarded electronically to all the Board members for review.

9. EXECUTIVE (CLOSED) SESSION:

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.

ADJOURN TO EXECUTIVE SESSION: Vice President Jassowski adjourns to executive session.

RECONVENE TO OPEN SESSION: Vice President Jassowski adjourned the executive session and reconvene to open session at 12:12 pm. He reported that there were no reportable actions taken.

10. ADJOURNMENT: Director Poling moved to adjourn the meeting. Director Harley seconded. All were in favor. Meeting was adjourned.

Respectfully submitted,

Donald Jassowski
Donald Jassowski: Vice President
Prepared by Annette Fromwiller

Attest:

_____*Don Harley*_____
Secretary of the Board

**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT AT THE
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
MARCH 31, 2012.**

1. CALL TO ORDER AND ROLL CALL AT 10:04 AM: Vice President Jassowski called the special meeting to order on Saturday March 31, 2012 in the Rex – Dunning Firehouse at 15401 Forest View Road. Directors in attendance were; Director appeared by phone: Kathy Poling, location: 1726 Stanley Dollar Dr. Walnut Creek, CA. Directors at the site were Whitaker, Harley, and Murray. Staff in attendance were: Office Manager Fromwiller, Operations Manager Acker, and Legal Counsel Matt Emrick. Public in attendance were: Gene Cady, Ernie Rodriquez, Dean and Patty Wolfe, Walter and Neelam Selmen, Karl Taylor, Gordon Moores.

A. CONSIDERATION/ACTION OF BARTLE & WELLS INVOICES: Treasurer Murray made a motion to pay the outstanding invoices directly to Bartle n Wells for the work they performed in 2010. Director Whitaker seconded to pay Bartle n Wells directly in the amount of \$6956.03 from the operating budget. Roll called vote; Poling aye, Jassowski aye, Whitaker aye, Harley aye, Murray aye. All were in favor. Motion carried.

B. CONSIDERATION/ACTION OF DIRECTOR'S ROLES: TABLED

2. EXECUTIVE (CLOSED) SESSION:

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.

ADJOURN TO EXECUTIVE SESSION: Vice President Jassowski adjourns to executive session at 10:46 am.

RECONVENE TO OPEN SESSION: Vice President Jassowski adjourned executive session and reconvened to open session at: 12:37 pm and reported that there were no reportable actions taken.

ADJOURNMENT: Motion to adjourn public session. All were in favor meeting adjourned.

Respectfully submitted,

Donald Jassowski: Vice President
Prepared by Annette Fromwiller

Attest:

Secretary of the Board

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT AT THE
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
MAY 12, 2012.

1. **CALL TO ORDER AND ROLL CALL AT 10:03 AM:** Vice President Jassowski call the regular meeting to order on Saturday May 12, 2012 in the Rex – Dunning Firehouse at 15401 Forest View Road at 10:03 am. Directors in attendance were; Poling, Jassowski, Whitaker, Harley, and Murray. Staff in attendance were; Operations Manager Acker, Office Manager Fromwiller and the District's Legal Counsel Matt Emrick. Public in attendance were: Gene Cady, Bettye Winters & Hunter, Dave Vierra, Susan Levenson-Palmer, Sonja Keasberry, Dean Wolfe, Gary Bowers, Su Whitaker and Susan Rush
2. **APPROVAL OF MINUTES:** Director Harley moved to approve the regular minutes held on March 10, 2012. Director Whitaker seconded. All were in favor. Motion carried. Director Whitaker moved to approve the special minutes held on March 31, 2012. Director Harley seconded. All were in favor. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** Vice President Jassowski read the communications from Steve Whitaker to Richard Heathcock on the use of herbicides on parcels within the District. He referenced the District's Resolution 2011-2 establishing the discharge limits within the District and it is based on both the county and state requirements. Susan Levenson-Palmer a member of the public asked if the proper authorities were notified and did the District have a procedure for reporting such a violation. After discussion it was conceded that any member of the community or District could notify the appropriate agencies if they suspect a violation. The District has growing concerns about the spraying herbicides within the community and the effects that it may have on the waters. Vice President Jassowski requested Director Whitaker to call the Department of Environmental Health and Agricultural commissioner to see what could be done for suspected violations within the Water District. He then read the operating standards of the Redwood Coast Fire Department and the criteria of being a volunteer fire fighter. The discussion leads to the moving of the rescue truck for meetings. A member of the public Gene Cady who is a volunteer fire fighter said that a class C license is required to move the large fire engine which is difference then moving the rescue truck. Director Poling made a motion to add an agenda item under New Business 8 E: Discussion of changing the meeting location. Harley seconded. Roll call vote; Poling aye, Jassowski aye, Whitaker aye, Harley aye and Murray aye. All were in Favor. Motion carried.
4. **PUBLIC INPUT:** Mr. Dean Wolfe raised his concerns about ph levels and he noted that he had spoke to Operations Manager Ackers about the levels. He continued to elevate (raise) the Board awareness on the removal and the handling of the asbestos pipes and, if the District has proper OSHA procedures for handling and removing those pipes. Director Poling said the pipe replacement would be discussed under agenda item: New Business 7A, Capital Projects Review. It was suggested that handling and the removal of asbestos pipes should be discuss at a safety community. Director Whitaker agreed the topic of safe handling procedures of asbestos pipes will be discussed. Vice President Jassowski and Operations Manager Acker will do a comprehensive study of the ph levels and asbestos and will report back to the Board. Mr. Dean Wolfe asked about if the District has plans for placement of filters throughout the district and about whole house filters. Operations Manager Acker said whole house filters can be used if a customer has concerns. Operations Manager Acker then made note; that the district follows the reporting requirements set by the state regulators and if a member of the public is looking for specific information, other then what is posted please contact him or Office Manager Fromwiller. No other public input was given. The discussion then ends.
5. **REPORTS**
 - A. **TREASURER'S REPORT:** Treasurer Murray reviewed the cash statement, balance sheet, expenditures, and Budget vs. Actual. She then requested a Board motion of where to drawn funds for the future legal fees. After a lengthy discussion, Director Poling made a motion to authorize Treasurer Murray to transfer funds from the unrestricted fund; **Less Than 40 Year** to the **Operating Reserves** to pay expenses including litigation. Director Whitaker seconded. All were in favor. Motion carried. Treasurer Murray will contact the Districts CPA/Auditor Mrs. Boise to verify the use of the restricted funds for the upcoming capital projects. Treasurer Murray then requested a board motion to approve the Treasurer's report along with the current expenditures. Director Whitaker moved to approve the Treasurer's report as presented. Director Harley seconded. All were in Favor. Motion carried.
 - B. **WATER:** Operations Manager Acker reported that leak work was done and they isolated an area over by Pomo Lake. He continued his report with routine water testing was done, as previously discussed with Mr. Wolfe

on pH levels and that the annual report to the Department of Public Health was completed. He ended his report on a positive note that the lot-line adjustment from Mr. Gordon Moore's was underway.

C. SAFETY COMMITTEE: Director Whitaker said that the committee did meet and two topics were covered. Director Whitaker mentioned that the topic of OSHA requirements for handling/removal of asbestos will be discussed at the next safety meeting.

6. **D. OTHER:** Irish Beach Water District Legal Counsel, Matt Emrick gave a brief report that the Judge did rule against the District however; no final statement of decision has been received from the court. Further explanation from a previous question from a member of the public Mr. Gary Bowers. Matt explained that yes, the District did try to settle. He continued to report on some of the court proceeding and that the evaluation phase was postponed to August and, transcripts should be available the middle of May. The discussion turns to the scope of water and easement rights, both plaintiffs and the water district's. Matt said "The Water District" has always contends that; the well 5 was a replacement to the failing well 9. The discussion turns to easements, replacement of wells and water supply to the community. The discussion ends on a positive note.

E. ON-GOING REPORTS;

1. **WATER STORAGE FACILITIES:** Operations Manager Acker reported that Tank 3 project is complete for the most part, except that planting of a few trees around the tank. He ended his report with he is waiting for the Tank 1 geologists report.

2. **WATER CONVEYANCE/LOSS:** Operations Manager Acker reported that the conveyance loss was high and as previously discussed, with the isolation of a leak this will help with conveyance loss. He ended his report with that Operations Technician Rogers tracks the loss monthly.

3. **MEDIUM TERM PLANS FOR MORE WELLS:** Vice President Jassowski made reference to the uncertainty of the wells, the permit of Irish Gulch going to license and the Treatment Plant's turbidity during raining seasons and District's requirements to keep water supplied to the community.

4. **RCFPD COMMITTEE UPDATE:** Director Whitaker the chair of the committee reported that the committee did not meet. He then announced that Carl Taylor a resident of Irish Beach is now on the Board of Directors of the Redwood Coast Fire Protection District. The consensus was that the fire engine would be housed in Irish Beach and to continue leasing the building to RCFPD. The discussion turned to the judiciary duties of RCFPD to provide service to the community if the bridge goes and keeping the fire engine housed, the fire fighters and volunteer's in Irish Beach would have access to the engine providing service to the community. The discussion ended with a subcommittee being formed of; Charlie Acker, Steve Whitaker, and Donald Jassowski for a pump station and adaptors on tanks to fit the fire hoses.

7. OLD BUSINESS:

- A. COMPLETION/ACTION OF RECORDING QUIT CLAIM/GRANT DEED EASEMENT FOR R.J DIAL.** The Board agreed that a resolution is needed for acceptance and to ratify the quit claim deed. Operations Manager Acker will bring it to the board for signatures. Operations Manager Acker request Board approval to temporary allow R.J Dial electrical access while building. The Board moved to temporary allow R.J Dial once building to use the electrical. Operations Manager Acker will coordinate that with R.J Dial.

8. NEW BUSINESS:

- A. CAPITAL PROJECTS REVIEW/ACTION TO PROCEED.** Treasurer Murray reported that clarity is needed from the engineering report on what **restricted fund** will the Tank 1 project replacement be drawn from. Director Poling read the 2002 engineering report identifying that the Tank 1 replacement was under System Wide and that the replacement of pipe lines, fences and etc are identified under the Greater than 40. Operations Manager Acker emphasized that Tank 1 needs to be replaced structurally and the roof is beyond patching. After discussion, the board

approved Treasurer Murray to get clarification from the District's Auditor if replacing the pipes from the Tank 1 project be taken from the Greater Than 40 restricted funds.

B. CONSIDERATION/ACTION OF DIRECTOR'S ROLES: Vice President Jassowski reminded the Board members that they will need to provide their job descriptions.

C. ELECTION OF THE 2012 FISCAL OFFICERS ROLES. Per the bylaws of Irish Beach Water District the elections of fiscal officers are required. The following were nominated to serve as President; Judy Murray nominated Donald Jassowski and Don Harley seconded. Don Harley nominated Donald Jassowski. Judy Murray seconded. The consensus was that Donald Jassowski has been doing an excellent job and should continue. Roll call vote for Donald Jassowski; Whitaker aye, Harley aye, Murray aye, and Poling aye. The Board elected Donald Jassowski to serve as President. Judy Murray nominated Kathleen Poling as Vice President. Donald Harley seconded. Roll call vote: Murray aye, Jassowski aye, Whitaker aye and Harley aye. The Board appointed Kathleen Poling to serve as Vice President. Judy Murray nominated Don Harley as Secretary. Kathleen Poling seconded. All were in favor. The Board elected Don Harley as Secretary. Kathleen Poling nominated Judy Murray for Treasurer. All were in favor. The board appointed Don Harley to serve as Secretary of the Board. Kathleen Poling nominated Judy Murray as Treasurer. All were in favor. The Board appointed Judy Murray to serve as Treasurer of the Board. Stephen Whitaker will serve as a Director. *Steve Whitaker reminded the Board that November will be his last meeting, his term ends in December 2012.* The New 2012 Fiscal Officers elected are: President Jassowski, Vice President Poling, and Secretary of the Board Harley, Treasurer Murray, and Director Whitaker.

D. CONSIDERATION OF PROPOSAL TO AMEND BYLAWS TO CHANGE DATE OF THE MAY'S MEETING IN LIEU OF MOTHER'S DAY. President Jassowski appointed Kathleen Poling to review the bylaws in lieu of changes and then present changes to the Board.

E. AGENDA ITEM ADDED: DISCUSSION ON WHERE TO HOLD THE WATER BOARD MEETINGS.

After discussion it was concluded that per the water code law, the meetings of the Irish Beach Water District will be held within the District, unless of an emergency meeting.

9. EXECUTIVE (CLOSED) SESSION:

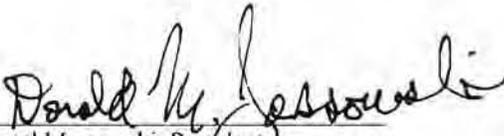
A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.

10. ADJOURN TO EXECUTIVE SESSION: President Jassowski adjourned the meeting to the executive Session at 1:45pm.

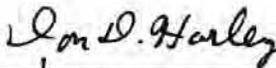
11. RECONVENE TO OPEN SESSION: President Jassowski adjourned the "closed" executive session and reconvene to public session at 3:12 pm. **He reported that there were no reportable actions taken.**

12. ADJOURNMENT: Director Poling moved to adjourn the meeting. Director Whitaker seconded. All were in favor. Motion carried. Meeting was adjourned.

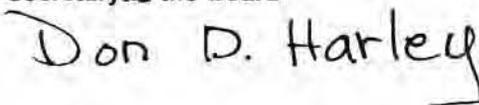
Respectfully submitted,


Donald Jassowski: President
Prepared by Annette Fromwiller

Attest:



Secretary to the Board



MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT AT THE
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
JULY 14, 2012.

1. **CALL TO ORDER AND ROLL CALL:** President Jassowski called the regular meeting to order on Saturday May 12, 2012 in the Rex Dunning Firehouse at 15401 Forest View Road at 10:03 am. Directors in attendance were; Poling, Jassowski, Whitaker, Harley, and Murray. Staff in attendance were; Operations Manager Acker, Office Manager Fromwiller and the District's Legal Counsel Matt Emrick. Public in attendance were: Sonja Keasberry, Bettye Winters, Su Whitaker, Ron Sackman, Vera Lee Kaiser, Dianne Taylor, Dave and Lynne Vierra, Dean Wolfe, Kathy Edelbrock and Gene Cady.
2. **APPROVAL OF MINUTES:** Vice President Poling requested the minutes be sent three weeks in advance. Treasurer Murray moved to accept the minutes as presented. Director Harley seconded. All were in favor. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** President Jassowski stated the District's Annual Compensation and Financial Reports were filed. No other communications were received.
4. **PUBLIC INPUT:** Public input was offered. None was given.
5. **REPORTS**
 - A. **TREASURER'S REPORT:** Treasurer Murray reported on the cash statement and balance sheet highlighting that, per Board Approval from the May 12, 2012 meeting \$10,000.00 was drawn from the Less Than 40 Year fund and transferred into the Operating Budget; and from the previous period transferred from the Operating Reserves into the Operating Budget. She noted the Budget vs. Actual on page 14, the fund transfer entry was to the Redwood Fire Protection District (RCFPD). Treasurer Murray requested Board approval of the check register and expenditures. Director Poling moved to approve the Treasurer's report and check register. Director Harley seconded. All were in favor. Motion carried.
 - B. **WATER:** Operations Manager Acker reported the following: (1) the iron gate on Hillcrest was repaired. (2) the media replacement (gravel, sand, and charcoal inside of the filter used at the plant) is under way: (3) The District's water monitoring vendor (Hach), stated that the Water Districts current data collection monitoring software, will no longer be supported in August. The new software called WIMS (water information management system) was being installed by (Hach) and a satellite service was purchased which keeps the District in compliance with the State Regulators. The annual software costs would be split with Elk giving a considerable monthly cost savings. Additionally, the land line 882-2892 will now be available for incoming calls. Operations Manager Acker stated that the annual report was sent to the State, a leak in Unit 7 was repaired, and other routine water maintenance was done. Additionally, he attended the planning department hearing on the boundary adjustment for the Tank 2 Project which was approved and, is moving onto the next steps.
 - C. **SAFETY COMMITTEE:** NTR
 - D. **OTHER:** Irish Beach Water District Legal Counsel Matt Emrick reported on the Courts decision highlighting a few points which lead to discussion from members of the public.
 - E. **ON-GOING REPORTS:**
 1. **WATER STORAGE FACILITIES:** This will be discussed under New Business 7 A.
 2. **WATER CONVEYANCE/LOSS:** Discussed earlier under Water Reports.
 3. **MEDIUM TERM PLANS FOR MORE WELLS:** N/A.
 4. **RCFPD COMMITTEE UPDATE:** Director Whitaker, Committee Chair, reported that the RCFPD will take the older engine out of service and no new one will be housed in Manchester leaving only the Squad in Irish Beach. A new lease agreement from RCFPD will be submitted to the Board for review.
 5. **PUMPING STATION TO BE ADDED FOR FIRE HOSE HOOKUP:** After discussion, the Board agreed that a pumping station isn't necessary if a connection was placed on the tanks to allow for an engine hookup.
6. **OLD BUSINESS:**
 - A. **COMPLETION/ACTION OF RECORDING QUIT CLAIM/GRANT DEED EASEMENT FOR RJ DIAL.** Vice President Poling presented a resolution 2012-__ to accept the easement. After review the Board agreed that Operations Manager Acker will take it to RJ Dial and back to the Board for signatures.

7. NEW BUSINESS:

A. CAPITAL PROJECTS REVIEW/ACTION TO PROCEED. After discussion, the Board found Tank 1 is disintegrating and the regulators are demanding that replacement be a priority. Vice President Poling made a motion to (1) authorize Operations Manager Acker to enter into contract for the replacement of Tank 1 as set forth in the bid from Darrell Thompson, Tank & Construction Inc. dated 5/30/2012; and (2) authorize Treasurer Murray to transfer funds from the Greater Than 40 Year fund to the System -wide fund to ensure sufficient funds to pay for the purchase, installation and testing of said tank. Terms will be determined at a later date. The roll call vote was unanimous. Motion carried.

B. CONSIDERATION OF CURRENT JOB DESCRIPTION OF THE BOARD OF DIRECTORS: President Jassowski reminded the Board to send their job descriptions to Office Manager Fromwiller to be included in the next meeting packet.

C. CONSIDERATION/ACTION TO ACCEPT THE FISCAL 2010-2011 AUDIT: Treasurer Murray reviewed the period ending September 30, 2011 Fiscal Audit findings and highlighted what the Auditor recommended. After Board discussion Treasurer Murray reported there were no reportable material weaknesses and requested Board approval. Director Poling move to approve the **Fiscal Audit Report Year Ending September 30, 2011**. Director Harley seconded. All were in favor. Motion Carried.

D. CONSIDERATION OF PROPOSAL TO AMEND BYLAWS TO CHANGE DATE OF THE MAY MEETING IN LIEU OF MOTHER'S DAY. After Board discussion it was agreed that Vice President Poling will submit a proposed amendment to the current by-laws of the Irish Beach Water District at a later time.

E. DISCUSSION ON CHANGING BANKS: Treasurer Murray prepared a Resolution for the Board to accept changing from JP Morgan Chase to the Redwood Credit Union and authorizing signatures on the account. After Board discussion there was a motion with findings that Treasurer Judy Murray, Secretary to the Board/Office Manager Annette Fromwiller, Operations Manager Charlie Acker, Director Steve Whitaker will be the approved signers on the account. The checking account will be moved from JP Morgan Chase to Redwood Credit Union. The roll call vote was unanimous. Motion carried. **Resolution 2012-2** was approved by the Board to change banks from JP Morgan Chase to Redwood Credit Union along with the approved signers on account. Treasurer Murray also stated that updated signatures are needed for the restricted Edward Jones accounts. The Board agreed that Treasurer Judy Murray and Secretary to the Board/Office Manager Annette Fromwiller will continue to be the authorizing signatures and Steve Whitaker will be taken off.

F. REVIEW CONFLICT OF INTEREST FORM 700: The Board reviewed the county supplied fact sheet. Director Poling moved that there were no changes to the Conflict of Interest Statement. Directory Harley seconded. All were in favor. Motion Carried. President Jassowski signed the form and it will be sent back to the Mendocino County Clerk Recorder's Office.

8. EXECUTIVE (CLOSED) SESSION:

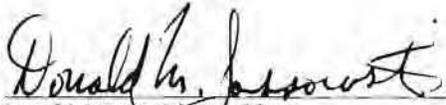
A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.

9. ADJOURN TO EXECUTIVE SESSION: President Jassowski adjourned the meeting to the executive session at 1:33pm.

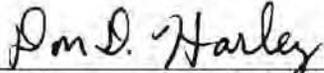
10. RECONVENE TO OPEN SESSION: President Jassowski adjourned the "closed" executive session and reconvene to public session at 3:00 pm. **He reported that there were no reportable actions taken.**

12. ADJOURNMENT: Director Poling moved to adjourn the meeting. Director Murray seconded. All were in favor. Motion carried. Meeting was adjourned.

Respectfully submitted,


Donald Jassowski, President
Prepared by Annette Fromwiller

Attest:


Don D. Harley: Secretary of the Board

**MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS
OF IRISH BEACH WATER DISTRICT AT THE
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD
SEPTEMBER 8, 2012**

1. **CALL TO ORDER AND ROLL CALL:** President Jassowski called the Regular Meeting to order on Saturday, September 8, 2012 in the Rex Dunning Firehouse at 15401 Forest View Road at 10:04 am. Directors in attendance were: Poling, Jassowski, Whitaker, Harley, and Murray. Staff in attendance were: Operations Manager Acker, Water Technician Rogers, Office Manager Fromwiller, and the District's Legal Counsel Matt Emrick. Public in attendance were: Leon Drolet, Al Thompson, Loretta Thompson, Bettye Winters, Gene Cady, Vera Lee Kaiser, Gary Levenson-Palmer, and Su Whitaker.
2. **APPROVAL OF MINUTES:** President Jassowski moved to approve the minutes with corrections of the Regular meeting held on July 14, 2012. Director Harley seconded. All were in favor. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** The District received correspondence relating to the Redwood Coast Fire Protection District and from Bill Moores. President Jassowski announced that those issues will be addressed later in the agenda.
4. **PUBLIC INPUT:** President Jassowski offered the public input. None was given. Treasurer Murray discussed the communications from Mr. William Moores on the Greater Than 40 Year Fund. She stated that she was working on that issue and will have a report for the next meeting. She further said that the Fund was not over collected.
5. **REPORTS:**
 - A. **TREASURER'S REPORT:** Treasurer Murray reported on the Actual vs. Budgeted for this fiscal year, the cash statement, the balance sheet, and checks issued. She requested Board approval of the check register and expenditures. Director Harley moved the Treasurer's report and check register. Director Whitaker seconded. All were in favor. Motion carried.
 - B. **WATER:** Operations Manager Acker reported that the Water District's new data collection software, WIMS, is making progress and the media filter replacement was completed. He then added by reporting that the coastal commission approved the lot line adjustment on Tank 2.
 - C. **SAFETY COMMITTEE:** Director Whitaker reported that the Safety committee met and a test was given at the end of each topic. The group score, 77% which should have been higher. Director Whitaker stated that the group needs to continue with safety meetings and stressed how important these meetings are. The other topic covered was the Back in Action. The message was to always keep the S shape curve in your back and push don't pull.
 - D. **OTHER:** Irish Beach Water District Legal Counsel, Matt Emrick, reported the motion for a new trial was made and was denied. He reviewed some of the items discussed by the Judge and that the court would be consolidating both phase 3 and 4; the new trial date is set for March 18, 2013. The discussion ends on a positive note with the statement of decision should be out soon.
 - E. **ONGOING REPORTS:**
 1. **WATER STORAGE FACILITIES:** Operations Manager Acker stated the Tank 1 replacement is still underway; drawings were supplied for his review.
 2. **WATER CONVEYANCE/LOSS:** Operations Manager Acker reported that the percentage of loss is going down. Water Technician Dewey Rogers reported that loses were down almost 30 %.
 3. **RCFPD COMMITTEE UPDATE:** Director Whitaker, Committee Chair, reported that the Committee did meet and the lease agreement for the Building to RCFPD will be discussed later under that agenda item.
6. **OLD BUSINESS:**
 - A. **DISCUSSION OF A DRAFT RENEWAL OF THE DISTRICT'S BUILDING LEASE TO RCFPD:** Director Jassowski made comments on the lease of the Building to RCFPD. After discussion the board agreed that it would be in the best interest of The Irish Beach Water District to have the lease rewritten. The Board then directed Director Whitaker to revise the lease and send it to Legal Counsel containing the following: 1) the lease continue. month-to-month ; 2) sufficient space to be provided in the building for the water district; 3) importance of a rescue squad/vehicle being housed for Irish Beach; 4) fair-market rent of the building space. Director Whitaker will bring it back to the board at the next meeting. Director Whitaker requested that a map of the Water District's Boundaries be placed on the District's website. Office Manager Fromwiller will place the map on the website.
 - B. **COMPLETION/ACTION OF RECORDING QUIT CLAIM/GRANT DEED EASEMENT FOR RJ DIAL:** The Board agreed again that, Operations Manager Acker will bring the Resolution 2012-(1) back to the Board for signatures.
 - C. **CONSIDERATION/ACTION TO ACCEPT DOCUMENTS FOR CHANGING BANKS FROM JP MORGAN CHASE TO REDWOOD CREDIT UNION:** Office Manager Fromwiller presented to the Board's Secretary, Don Harley, the Resolution from Redwood Credit Union for signature.
 - D. **DISCUSSION OF THE INN SITE ANNEXATION:** Director Whitaker reported from the meeting between LAFCO and Mendocino County Building and Planning in regards to the annexation of the Inn Site.

7. NEW BUSINESS:

A. CONSIDERATION OF CURRENT JOB DESCRIPTIONS FOR THE BOARD OF DIRECTORS: President Jassowski asked if there were any changes to policy 4040. Treasurer Murray made a motion to accept policy 4040 as amended. Director Whitaker seconded. The Board approved the amended Policy 4040.

B. DISCUSSION/ACTION ON INSTALLING FITTINGS ON IBWD STORAGE TANKS TO PERMIT DIRECT CONNECTION BY RCFPD FIRE PROTECTION VEHICLES: President Jassowski asked Operations Manager Acker the status of the fittings. Operations Manager Acker replied that the parts have been ordered and hopes to have installation completed soon.

C. CONSIDERATION/ACTION OF THE FISCAL 2012-2013 DISTRICT ASSETS AND RESOLUTION 2012-__: After discussion, Treasurer Murray will have the updated attachments for District Assets for the next meeting in November.

D. CONSIDERATION/ACTION OF THE FISCAL 2012-2013 OPERATING BUDGET AND RESOLUTION 2012-3: Treasurer Murray reviewed the Operating Budget and requested Board approval for the new usage rate increase from \$0.39 to \$0.44 per 100 gallons for the fiscal year. Director Poling made a motion to approve the usage rate increase from \$0.39 to \$0.44 cents per 100 gallons starting in September 2012. Director Whitaker seconded. All were in favor. Motion carried. Resolution 2012-3 was approved for the Fiscal Year 2012-2013 Usage Rate Increase.

E. DISCUSSION OF MEYERS NAVE INVOICES: Director Poling requested to verify that Bartle Wells was indeed paid by IBWD and not Meyers Nave. Treasurer Murray will verify and follow up at the next meeting.

F. DISCUSSION OF THE DISTRICT'S NEWSLETTER: Treasurer Murray requested clarification of who will write the District's Newsletter. Resolution 2002-4 states it must be approved by the Board before release. Operations Manager Acker volunteered to gather data for the Newsletter and will present it to the Board for approval.

G. CONSIDERATION OF THE REQUEST (BALLOU) TO DRILL A WELL ON NICHOLS RANCH: The Board agreed there was not enough information. Director Whitaker voiced his concerns over the District's water resources. The discussion included metered usage, septic systems, surface water, and the lower diversion of Irish Gulch. Director Whitaker will correspond with Mrs. Ballou for clarification.

8. EXECUTIVE (CLOSED) 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(B)

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION: SUBDIVISION (A) OF CALIFORNIA GOVERNMENT CODE §54956.9: WILLIAM H. MOORES ET AL. V. IRISH BEACH WATER DISTRICT, MENDOCINO SUPERIOR COURT NO. SC-UK-CV-G-09-0054665-000.

9. ADJOURN TO EXECUTIVE SESSION: President Jassowski adjourned the public meeting and convened to executive session at 1:33 pm.

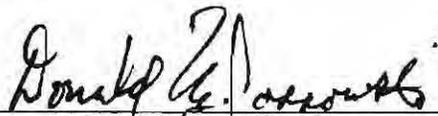
10. RECONVENE TO OPEN SESSION: President Jassowski adjourned the closed executive session and reconvened the public session at 3:00 pm.

8 A. President Jassowski reported that the Board approved a 3% cost-of-living increase for the employees starting October 2012.

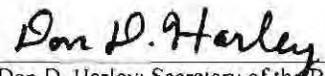
8 B. President Jassowski stated there were no reportable actions taken.

11. ADJOURNMENT: Director Whitaker moved to adjourn the meeting. Director Harley seconded. All were in favor. Motion carried.

Respectfully submitted,


Donald Jassowski: President
Prepared by Annette Fromwiller

Attest:


Don D. Harley: Secretary of the Board