

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
November 10, 2018

1. **CALL TO ORDER AND ROLL CALL:** President Drolet called the Regular Meeting to order at 10:00 A.M. on Saturday, November 10, 2018, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: President Drolet, Director McCormick, Director Reidenbach, and Director Ellison. Employees in attendance were: District General Manager Acker and Clerk/Accountant Murray. District's Legal Counsel Emrick attended by phone. Clerk/Secretary Sackman was absent from the meeting.
2. **APPROVAL OF MINUTES:** President Drolet made a motion to approve the meeting minutes of September 8, 2018, as submitted. The motion was seconded by Director McCormick. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:**

Clerk/Accountant Murray presented a letter from a homeowner regarding water shut off without notice. Water was restored. Due to this communication, a notice will be included in the next customers' billing statements giving homeowners contact numbers for the Water District's staff and instructions to phone the District should customers encounter water usage problems.

A communication received from property owner Steve Whitaker, regarding zoning changes requested by property owner William Moores, was discussed. After discussion, Director Reidenbach agreed to represent the District by sending an email to the Planning Commission recommending denial of the requested zoning changes.

4. **PUBLIC INPUT:** Public input will be limited to five minutes for each person's input.

Regarding the Pomo Lake Status: IBIC President Wolfe presented a proposal to the IBWD Board and Counsel Emrick for discussion. After discussion, it was determined that the proposal would be further reviewed by the Irish Beach Water District Board and Counsel Emrick for discussion and action at the next Board Meeting.

The three communications/correspondence received concerned the Pomo Lake status, and will be addressed in these meeting minutes and posted to the Irish Beach Water District website.

5. **REPORTS:**

- A. **TREASURER'S REPORT:**

Clerk/Accountant Murray reported the following:

Cash Balance: \$42,089
Operations Reserve: \$0.00
Emergency Response Augmentation: \$35,029
System Wide Capital Improvement: \$0.00
>40 Year Equipment Replacement Fund: \$195,170
Alternate Water Development Fund: \$416,644
Total Assets both Restricted and Unrestricted: \$728,195

After review of the Cash Statement and the list of checks issued from September 8, 2018 through November 10, 2018, Director Reidenbach made a motion to accept the Cash Statement Report of November 2018, and the Checks Issued Report for the period of September 9, 2018 through November 10, 2018. Motion seconded by President Drolet. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Ellison, aye; and Director Reidenbach, aye. Motion carried.

A guest in the audience wanted a Budget to Actual Report. Accountant/Clerk Murray provided the guest with the report and announced that more information would be presented when the Budget was presented later in the agenda.

B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS: General Manager Acker presented the Board with his Operations Report. There was discussion as he reviewed his staff's activities since the last meeting. Of special note was the annual three year inspection from the State, resulting in a positive review for the District.

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

October 2, 2018: "Fire Safety"

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

D. LEGAL COUNSEL: Counsel Emrick reported that the date to file the briefs for the Moores' appeal has been moved to mid-January 2019. Pomo Lake status was discussed between members of the audience, board members, and District's Counsel Emrick. After extensive discussion, it was concluded that the date for the proposed combined IBIC and Irish Beach Water District meeting must be set as soon as possible. Director McCormick poled the Board on available dates and decided on the following possible dates of Sunday, November 18, 2018, Sunday, December 9, 2018, or Saturday, December 15, 2018. IBIC President Wolfe will poll his Board and choose a date that most of his Board can attend.

E. DIRECTORS: Director McCormick expressed the need for a more efficient method of posting to the website. Director Reidenbach agreed with that observation. Clerk/Accountant Murray stated she would email all of the Irish Beach Water District directors the updated protocols regarding posting to the website. President Drolet expressed concern regarding two water meters situated by the dam at Pomo Lake and Gazebo Park, which are not being read. General Manager Acker said he would instruct the staff water meter readers to read the meters so that usage could be tracked. Water from these meters is not being billed.

6. OLD BUSINESS:

A. DISCUSSION AND OR ACTION: FINANCING OPTIONS FOR FUTURE CAPITAL PROJECTS, WATER SOURCE DEVELOPMENT, AND UPDATE ON PROCURING AN ENGINEER'S ASSESSMENT FOR MASTER PLAN DEVELOPMENT. (EMRICK/ACKER).

Counsel Emrick and General Manager Acker stated the proposals have been delayed, and will be scheduled for presentation at the next Board Meeting. Connection fees will need to be increased due to the Water District no longer receiving funds from Proposition 218 Assessments.

B. DISCUSSION AND OR ACTION: UPDATE ON ROAD MAINTENANCE AGREEMENT AND CORRESPONDENCE REGARDING ROAD MAINTENANCE.(EMRICK/ACKER). On hold as part of on-going litigation. Proposed bid for repairing a portion of asphalt has not been received. Repair work will be postponed until weather conditions are warmer for road repair. General Manager Acker stated he is in the process of updating road conditions with photos and observations.

- C. **DISCUSSION AND OR ACTION: CONNECTION OF TANK 2 WELL. (ACKER).** On hold until after the litigation proceedings have been concluded. No change in status.
- D. **DISCUSSION AND OR ACTION: ENVIRONMENTAL PROTECTION AGENCY (EPA) INCIDENT ACTION CHECKLIST, RESEARCH AND PLAN OF ACTION. (DROLET/ACKER/EMRICK).** Proposal delayed by Butte County wildfires.
- E. **DISCUSSION AND OR ACTION: CALFIRE GRANT PROGRAM FOR POTENTIAL BRUSH AND TREE REMOVAL, ETC. FOR FIRE PROTECTION PURPOSES AND COORDINATION WITH REDWOOD COAST FIRE PROTECTION DISTRICT. (DROLET/ACKER/EMRICK).** No change in status.

7. NEW BUSINESS:

- A. **DISCUSSION AND OR ACTION: ACCEPT AND FILE AUDIT FOR FISCAL YEAR ENDING SEPTEMBER 30, 2016. COPY OF AUDIT ON WEBSITE WWW.IBWD.ORG. COPIES AVAILABLE AT BOARD MEETING. (MURRAY)** Clerk/Accountant Murray reviewed the completed audit received from Rick Bowers, CPA for fiscal year ended September 30, 2016. Clerk/Accountant Murray pointed out that the Independent Auditor’s Opinion expressed in his report stated: “In my opinion, the financial statements referred to above present fairly, in all material respects the respective financial position and cash flows thereof for the year then ended, in accordance with accounting principles generally accepted in the United States of America.” Clerk/Accountant Murray said this statement is what is called an unqualified opinion and that is what the State or any vendor or financing institution would be looking for in reviewing Irish Beach Water District’s financial status. Clerk/Accountant Murray also pointed out that the Statement of Changes in Net Position revealed a positive net change of \$11,459 before the receipt of the Proposition 218 Assessment of \$62,411, that Irish Beach Water District will no longer receive. Clerk/Accountant Murray also pointed out to the Board that she prepared the Management Discussion and Analysis and pulled together the three financial statements for Rick Bowers, CPA to audit. Motion was made by Director McCormick to accept and file the Audit for fiscal year ending September 30, 2016, received by Rick Bowers, CPA. Motion was seconded by Director Ellison. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Ellison, aye; and Director Reidenbach, aye. Motion carried. A motion was made by Director McCormick to accept the Engagement Letter from Rick Bowers, CPA to do the audit for fiscal year ending September 30, 2017, at the rate of \$5,600, with a report to be issued no later than June 30, 2019. The motion was seconded by Director Reidenbach. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Ellison, aye; and Director Reidenbach, aye. Motion carried.
- B. **DISCUSSION AND OR ACTION: APPROVE BUDGET FOR FISCAL YEAR ENDING SEPTEMBER 30, 2019, AND SET DATE FOR PUBLIC HEARING REGARDING PROPOSED INCREASE TO AVAILABILITY CHARGE. COPY OF DRAFT BUDGET ON WEBSITE IBWD.ORG. COPIES AVAILABLE AT BOARD MEETING. (MURRAY)** Clerk/Accountant Murray presented the Budget for the year 2018-2019. She reviewed several schedules and the detailed Budget Report with the Board. She explained the Budget calls for an increase in water usage rates for usage per 100 gallons from \$0.51 to \$0.57, a six cents increase. This increase is due to customers using less water. The budget also calls for an increase in the availability charge from \$66.49 per month per unit to \$78.87 per month per unit. This will result in additional revenue of \$30,000 for the new year, which will restore Irish Beach Water District’s operating reserve to \$10,000 and add \$5,000 to our Less than 40 year Equipment Reserve. The remaining \$15,000 is needed to increase the legal budget in 2018-2019. Director Reidenbach made a motion to add a public hearing to our scheduled January 12, 2019 regular meeting to allow the public to review the proposed increase per unit of \$12.38 per month to the availability charge and consider a majority protest. The motion was seconded by Director Ellison. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Ellison, aye; and Director Reidenbach, aye. Motion carried.

ADJOURNMENT: Director McCormick moved to adjourn the public session of the board meeting at 12:20 P.M. and the Executive Session convened at 12:24 P.M.

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

CONVENED EXECUTIVE SESSION:

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

RETURNED TO OPEN SESSION AND REPORT:

President Drolet closed the executive session and reconvened the open (public) session of the Irish Beach Water District at 12:47 P.M. and stated that there were no reportable actions to report regarding existing litigation. President Drolet moved to adjourn the board meeting. Director McCormick seconded the motion. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Ellison, aye; and Director Reidenbach, aye. Motion carried. Meeting adjourned at 12:49 P.M. The next board meeting will be scheduled for Saturday, January 12, 2019.

Respectfully submitted:

Attest:

Leon Drolet, President

Jan McCormick, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
REX DUNNING FIREHOUSE, 15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
November 18, 2018

5. CALL TO ORDER AND ROLL CALL: Vice President Ellison called the open Special Meeting to order at 1:00 P.M. on Sunday, November 18, 2018, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: Director McCormick, Director Reidenbach, and Vice President Ellison. Employees in attendance were: District General Manager Acker, Accountant/Clerk Murray, Clerk/Secretary Sackman. Absent were President Drolet and District's Legal Counsel Emrick.

A. OPEN SPECIAL MEETING REGARDING DISCUSSION OF POMO LAKE ISSUES: Director McCormick opened the discussion and stated that this Special Meeting itinerary will begin with opening the special open meeting for preliminary discussion at the Rex Dunning Firehouse, closing the Special Meeting at the firehouse, reopening the Special Meeting at 2:00 P.M. for a joint discussion with the Irish Beach Improvement Club (IBIC) and attendees at the Garcia Community Center, located at 43970 Crispin Road, Manchester, CA, closing the Special Meeting after discussion concludes with IBIC and attendees, reopening the Special Meeting for further discussion and action at the Rex Dunning Firehouse, and closing the Special Meeting after discussion and any action to be taken.

Director McCormick proposed the following statement from her titled "Statement on Behalf of IRISH BEACH WATER DISTRICT Board of Directors" for those in attendance, and for Vice President Ellison's and Director Reidenbach's approval, and to become familiar with the objective of the Special Meeting to follow at the Garcia Community Center:

"By making this statement on behalf of the Irish Beach Water Board, I am requesting that the IBIC Board of Directors agree, in conjunction with the Board of Irish Beach Water District, to pursue splitting the license, as you proposed in your MOU. The items set forth below are the areas that we already agreed upon.

IBIC's license would be for recreational use of Pomo Lake, including the care and maintenance of the works for the Pomo Lake Water Diversion including the dam, spillway, and piping and other surrounding property owned by the Club. IBIC would operate the lake and dam to provide adequate water for fire protection purposes.

The District's License would be for fire protection purposes. The District would have free and open access to the lake and dam necessary to exercise the District's license for fire protection services.

The agreement and splitting the license must comply with applicable law.

Thank you,
Jan McCormick, Director"

Vice President Ellison, Director McCormick and Director Reidenbach agreed that the statement from Director McCormick would be the objective and focus of the joint Special Meeting with IBIC to follow at 2:00 P.M., this date.

Director McCormick stated that if the IBIC agrees to pursue splitting the license with the Irish Beach Water District during discussion at the Garcia Community Center, then the Irish Beach Water District Board would

close the Special Meeting at the Garcia Community Center, reopen the Special Meeting at the Rex Dunning Firehouse, and discuss making a motion for splitting the license with IBIC and vote for approval.

Vice President Ellison made a motion to close the Special Meeting at the Firehouse and reconvene at the Garcia Community Center at 2:00 P.M., this date. Motion seconded by Director Reidenbach. Roll call to vote: Director Reidenbach, aye; Director McCormick, aye; and Vice President Ellison, aye. Motion carried.

B. ADJOURN TO MEETING WITH THE IRISH BEACH IMPROVEMENT CLUB (IBIC) AT 2:00 P.M. AT THE MANCHESTER COMMUNITY CENTER/GARCIA GUILD, 43970 CRISPIN ROAD, MANCHESTER, CA 95459, FOR FURTHER DISCUSSION OF POMO LAKE ISSUES.

At the Garcia Community Center at 2:01 P.M. IBIC President Wolfe opened the IBIC/IBWD meeting on behalf of the Irish Beach Improvement Club by introducing the IBIC Board members present and via phone, and Secretary Wolfe.

The Irish Beach Water District Vice President Ellison opened the IBIC/IBWD joint Special Meeting on behalf of Irish Beach Water District, noting Director McCormick and Director Reidenbach present; and employees General Manager Acker, Clerk/Accountant Murray, and Clerk/Secretary Sackman present. Absent from the meeting was President Drolet. It was noted that guests from the Irish Beach community were in attendance.

Irish Beach Water District Director McCormick began the joint Special Meeting by introducing the Irish Beach Water District Board members, present and absent, and reading her statement as presented in 1.A. above.

IBIC President Wolfe expressed concern regarding the litigation filed by the Irish Beach Water District in the Superior Court in Sacramento regarding the water diversion license for Pomo Lake that he said needed to be resolved. President Wolfe asked if it was necessary to summarize the history of this discussion. Director McCormick responded by saying that it was not necessary.

President Wolfe discussed that the IBIC would continue to pay for all normal expenses necessary for the diversion of Pomo Lake, and the Irish Beach Water District would pay for expenses incurred for their use of Pomo Lake. President Wolfe stated that splitting the license could not be agreed upon before the litigation matter was resolved. Director McCormick stated that the details of splitting the license could be negotiated after completing the first step of agreeing to pursue splitting the license.

President Wolfe brought up the subject of the IBIC and the Irish Beach Water District combining to become one organization. Director McCormick stated that it is always a good idea to consider new ideas, but this is not the purpose of today's meeting, which is to discuss and decide on an agreement to splitting the license. Director McCormick stated that the IBIC's MOU and her statement show common ground in the verbiage, and it is necessary to focus on that common ground. Director McCormick stated that a broader range of discussion can be included, but no decisions by the Irish Beach Water District can be made at this Special Meeting other than what is on the agenda.

President Wolfe discussed that the lawsuit brings up conditions that would have a negative impact on the IBIC. Director McCormick stated that the lawsuit was necessary due to the IBIC's application for ownership of the license, and only having a minimum amount of time for the Irish Beach Water District to respond to that application. Director McCormick also stated that the law suit has been filed, but not served, and there was an explanation of why the lawsuit was filed, which was posted on the website, posted in the kiosks, and enclosed with the billing statements.

A guest in the audience brought up concern regarding the dam washing out. President Wolfe stated that the IBIC has insurance to cover that liability, and that the amount of water in the dam is not enough for concern; and that the state, therefore, does not regulate it.

There was discussion regarding the legal fees as part of the Irish Beach Water District's budget and a proposed increase in water availability. As this was not part of the agenda, this discussion will be discussed at the next Irish Beach Water District Regular Meeting.

There was discussion regarding the use of the water and the license issued to the Irish Beach Water District in 1973. Director McCormick stated that the Irish Beach Water District is not focused only on having the license for fire protection. Irish Beach Water District is also concerned about setting a precedent for transferring water rights out of the Water District and to other private owners, and the need to maintain having water available for the Irish Beach Community.

A guest in the audience asked what the motivation was for the IBIC to request a transfer of the license to them. IBIC Director Robards discussed the following: It is a matter of property management. The IBIC's goal among other things was to bring Pomo Lake back to the health it had in the '70's and '80's. In order to do that, IBIC works with other agencies to obtain permits, and could do this more effectively with more management freedom.

President Wolfe made a motion to agree that the IBIC and the Irish Beach Water District would discuss and workout a division of the existing water license, with the stipulation that no agreement would be signed until the lawsuit is settled. President Wolfe stated the motion was open for discussion. A guest in the audience asked if this type of division of a water license has been done before. President Wolfe stated there is no difference between a water right between a district and private entities, and it is provided for in the State Water Resources Control Board (SWRCB) regulations. The Motion was seconded by Director Vierra, all of the IBIC's Board approved, and the motion carried.

Director McCormick stated that the Water District's Board will reconvene at the firehouse to make a motion to agree to splitting the license with the IBIC upon terms to be developed that comply with the law and are protective of IBIC and Irish Beach Water District.

President Wolfe stated that a sub-committee needs to be formed to negotiate the details of splitting the license.

Director Reidenbach stated that the Water District's Board meets every other month, and encouraged the attendance of members of the Irish Beach Community.

The IBIC/IBWD joint board meeting was closed by both Boards at 3:29 P.M.

- C. Vice President Ellison called to order the Irish Beach Water District Board to reconvene at the Rex Dunning Firehouse and continue the Special Meeting at 3:46 P.M. Director McCormick stated that all were present, except President Drolet and Counsel Emrick were absent. Guests in the audience were Su and Steve Whittaker.

Director McCormick stated for the record that the motion to pursue splitting the license that was passed by IBIC included the stipulation that "no agreement would be signed until the lawsuit is settled."

Director McCormick made the motion that Irish Beach Water District agree to pursue splitting the Pomo Lake/Moores Creek license with IBIC upon terms to be developed that comply with applicable law and are protective of the Water District. The motion was seconded by Vice President Ellison. Roll call to vote: Director Reidenbach, aye; Director McCormick, aye; and Vice President Ellison, aye. Motion carried.

Director McCormick announced that regrettably she was resigning from the Irish Beach Water District Board. The Board agreed to make an appointment to replace Director McCormick at the January 12, 2019 Regular

Meeting. The Board also agreed to continue to have Director McCormick edit the meeting minutes for an unspecified period of time. After discussion with the Board, Director McCormick submitted her written resignation with an effective date of December 12, 2018.

- 6. ADJOURNMENT:** Vice President Ellison moved to adjourn the Special Meeting of the Board. Director Reidenbach seconded the motion. Roll call to vote: Director McCormick, aye; Director Reidenbach, aye; and Vice President Ellison, aye. Motion carried. Meeting adjourned at 4:05 P.M. The next Regular Meeting will be scheduled for January 12, 2019.

Respectfully submitted:

Attest:

Joe Ellison, Vice President

Jan McCormick, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
January 12, 2019

3. **CALL TO ORDER AND ROLL CALL:** President Drolet called the Regular Meeting to order at 10:08 A.M. on Saturday, January 12, 2019, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: President Drolet, Director Reidenbach, and Director Ellison. Employees in attendance were: District General Manager Acker, Clerk/Accountant Murray, Clerk/Secretary Sackman, and District's Legal Counsel Emrick.
4. **APPROVAL OF MINUTES:** President Drolet made a motion to approve the Meeting Minutes dated November 10, 2018, as submitted. The motion was seconded by Director Reidenbach. Roll call to vote: President Drolet, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried. President Drolet stated that approval of the Special Meeting Minutes dated November 18, 2018, would be postponed until the next meeting.
5. **COMMUNICATIONS AND CORRESPONDENCE:** Communications regarding rezoning were presented and will be addressed when this item is discussed later in the meeting.
6. **PUBLIC INPUT:** Public input was limited to five minutes for each person. Guests in the audience expressed concerns regarding the rezoning of an Irish Beach property for timber cutting/logging, and requested that IBWD express to the County their concerns regarding zoning and the impact on safety issues and road maintenance. President Drolet assured the audience that IBWD is following this subject closely with the County and voicing IBWD's concerns. Legal Counsel Emrick is developing a plan to protect IBWD's facilities and water shed.

Regarding the Pomo Lake Status: IBIC President Wolfe presented a proposal to the IBWD Board and Counsel Emrick for discussion. After discussion, it was determined that the proposal would be further reviewed by the IBWD Board and Counsel Emrick for discussion and action at the next Board Meeting.

The three communications/correspondence received concerned the Pomo Lake status, and will be addressed in these meeting minutes and posted to the IBWD website.

5. REPORTS:

A. TREASURER'S REPORT:

Clerk/Accountant Murray reported the following:

Cash Balance: \$10,444
Operations Reserve: \$0.00
Emergency Response Augmentation: \$26,608
System Wide Capital Improvement: \$0.00
>40 Year Equipment Replacement Fund: \$195,970
Alternate Water Development Fund: \$416,644
Total Assets both Restricted and Unrestricted: \$691,660

After review of the Cash Statement and the list of checks issued from November 10, 2018 through January 12, 2019, President Drolet made a motion to accept the Cash Statement Report of January 2019, and the Checks Issued Report will be approved at the next meeting for the period of October 1, 2018 through January 12, 2019. Motion seconded by Director Reidenbach. Roll call to vote: President Drolet, aye; Director Ellison, aye; and Director Reidenbach, aye. Motion carried.

B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS: General Manager Acker presented the Board with a video presentation on completed projects, which included: Tank 3 and Tank 1 replacements, replacement piping going up the canyon, replaced piping for Unit 7, and major repairs to pipes located on Cypress Point and Arena Circle. The completion of these projects brought about an almost zero degree of pipe leakage. In the past these projects were funded by Proposition 218, which will no longer be available for the most part, and necessitates the need for an availability rate increase for ongoing and future projects.

Projects that are scheduled: replacing water meters with electronic water meters, which will be more efficient and accurate, and installing cross-connection devices where needed to ensure quality of water for properties located above the water main that also have hot tubs. The cost of the cross-connection devices will be shared by all with water meters, as everyone benefits by ensuring the quality of the water coming into the system.

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

December 11, 2018: “Before You Turn the Key” (about driving)

January 5, 2019: “Communications Breakdown” and “Stairways & Ladders”

Attendees: General Manager Acker, Treatment Plant Operator Rogers, Treatment Plant Operator Trainee Dickson, and Maintenance Employee DeVaul.

D. LEGAL COUNSEL: Counsel Emrick, the Board of Directors, General Manager Acker, Clerk/Accountant Murray, and members of the audience discussed legal fees in regard to past and present legal expenditures.

E. DIRECTORS: Director Reidenbach made a motion that 7. New Business be moved up for discussion and or action before 6. Old Business. Motion was seconded by President Drolet. Roll call to vote: President Drolet, aye; Director Ellison, aye; and Director Reidenbach, aye. Motion carried.

President Drolet stated that the IBWD policy states that the first meeting in January includes an annual organizational board meeting to elect the officers of the IBWD Board. The following nominations and motions were made to elect officers:

Director Reidenbach made a motion to nominate incumbent Leon Drolet for President. Seconded by Director Ellison. Roll call: President Drolet, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.

President Drolet made a motion to nominate incumbent Joe Ellison for Vice President. Seconded by Director Reidenbach. Roll call: President Drolet, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.

Director Ellison made a motion to nominate incumbent Anny Reidenbach for Secretary. Seconded by President Drolet. Roll call: President Drolet, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.

The Board approved the election of officers for a one-year term, with the change from the last term of Anny Reidenbach as Secretary.

7. NEW BUSINESS

A. DISCUSSION AND OR ACTION: PUBLIC HEARING REGARDING PROPOSED INCREASE TO AVAILABILITY CHARGE. (EMRICK/MURRAY/ACKER). Clerk/Accountant Murray opened the discussion with her presentation showing reports for the fiscal years 2018-2019 and 2017-2018, and explained the need to build up cash reserves for the 2018/2019 budget years, since last year was the last year of fifteen years for collection of the Prop 218 capital assessment charge on the property tax bills.

Clerk/Accountant Murray showed four other water district's charges, Elk, Point Arena, Sea Ranch, Gualala, and compared them with the current level of charges for Irish Beach water usage (standby plus usage rate). The result demonstrated that the proposed increased rate for Irish Beach is the second lowest of the five districts, with Elk being the lowest. The audience of 26 residents was then presented with a summary of 22 protests against the rate increase organized into eight categories, with an assessment and explanation of those protests. Counsel Emrick stated that an increase in fiscal year 2020 may not be necessary if the reserves are built up enough by the rate increase and other sources of revenue in fiscal year 2019.

After discussion, Director Reidenbach made a motion to approve a 10% increase for the current fiscal year, followed by a 10% increase for the following fiscal year. Motion was seconded by Director Ellison. Roll call to vote: President Drolet, aye; Director Ellison, aye; and Director Reidenbach, aye. Motion carried

B. DISCUSSION AND OR ACTION: STATUS OF PROPOSAL FOR POMO LAKE/MOORES CREEK LICENSE AGREEMENT. (EMRICK/DROLET/REIDENBACH/ELLISON/ACKER). After discussion it was decided that IBIC President Wolfe would coordinate with Director Ellison for a date to meet for further discussion.

C. DISCUSSION AND OR ACTION: REPLACEMENT OF IBWD DIRECTOR MCCORMICK. (EMRICK/MURRAY/DROLET). Replacement of Director McCormick was discussed and Counsel Emrick stated that IBWD has fifteen days to appoint a replacement from the date of posting the open position, and that the only requirement is to be a land owner in the Irish Beach Community. Clerk/Accountant Murray stated that if a director resigns more than 130 days before their election date, then the appointee would have a two year term to serve, and if less than 130 days then they would run for the short term and be qualified for reelection.

6. OLD BUSINESS:

A. DISCUSSION AND OR ACTION: FINANCING OPTIONS FOR FUTURE CAPITAL PROJECTS, WATER SOURCE DEVELOPMENT, AND UPDATE ON PROCURING AN ENGINEER'S ASSESSMENT FOR MASTER PLAN DEVELOPMENT. (EMRICK/ACKER).

Counsel Emrick and General Manager Acker stated the proposals have been delayed, and will be scheduled for presentation at the next Board Meeting. Connection fees will need to be increased due to the Water District no longer receiving funds from Proposition 218 Assessments.

B. DISCUSSION AND OR ACTION: UPDATE ON ROAD MAINTENANCE AGREEMENT AND CORRESPONDENCE REGARDING ROAD MAINTENANCE.(EMRICK/ACKER). On hold as part of on-going litigation. Proposed bid for repairing a portion of asphalt has not been received. Repair work will be postponed until weather conditions are warmer for road repair. General Manager Acker stated he is in the process of updating road conditions with photos and observations.

C. DISCUSSION AND OR ACTION: CONNECTION OF TANK 2 WELL. (ACKER). On hold until after the litigation proceedings have been concluded. No change in status.

D. DISCUSSION AND OR ACTION: ENVIRONMENTAL PROTECTION AGENCY (EPA) INCIDENT ACTION CHECKLIST, RESEARCH AND PLAN OF ACTION. (DROLET/ACKER/EMRICK. Continued at next meeting.

E. DISCUSSION AND OR ACTION: CALFIRE GRANT PROGRAM FOR POTENTIAL BRUSH AND TREE REMOVAL, ETC. FOR FIRE PROTECTION PURPOSES AND COORDINATION WITH REDWOOD COAST FIRE PROTECTION DISTRICT. (DROLET/ACKER/EMRICK). No change in status.

ADJOURNMENT: President Drolet moved to adjourn the public session of the board meeting at 12:32 P.M. and the Executive Session convened at 12:37 P.M.

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

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

RETURNED TO OPEN SESSION AND REPORT:

President Drolet closed the executive session and reconvened the open (public) session of the IBWD at 12:51 P.M. and stated that there were no reportable actions to report regarding existing litigation. President Drolet moved to adjourn the board meeting. Director Reidenbach seconded the motion. Roll call to vote: President Drolet, aye; Director Ellison, aye; and Director Reidenbach, aye. Motion carried. Meeting adjourned at 12:53 P.M. The next board meeting will be scheduled for Saturday, March 9, 2019.

Respectfully submitted:

Attest:

Leon Drolet, President

Anny Reidenbach, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
IRISH BEACH WATER DISTRICT OFFICE ADJACENT TO THE REX DUNNING FIREHOUSE,
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
January 19, 2019

7. **CALL TO ORDER AND ROLL CALL:** Director Reidenbach called the Special Meeting to order at 10:02 A.M. on Saturday, January 19, 2019, in the Irish Beach District Office adjacent to the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: President Drolet, Director Reidenbach, and Director Ellison. Employee in attendance was: Clerk/Accountant Murray.

8. **NEW BUSINESS:**

A. **DISCUSSION AND OR ACTION: APPOINT BOARD REPLACEMENT FOR RECENT VACANCY. (DROLET/REIDENBACH/ELLISON/MURRAY).** President Drolet requested that Director Reidenbach chair the meeting. Director Reidenbach stated that there were two applications for the position: Ken Terry, who submitted a written statement of his interests and qualifications to the Board; and Casey Dyson, who requested to be interviewed by telephone. Both candidates were not in attendance.

Director Reidenbach then placed a telephone call to connect Ms. Dyson to the meeting. IBWD Board members introduced themselves, and Ms Dyson introduced herself to the Board. In response to questions by Board members, Ms. Dyson stated what she would like to accomplish as a Board member, and said that her higher priority would be to serve the people. She stated that she would be available to attend all meetings of the Board. She also stated that she foresaw no conflicts of interest in serving on the IBWD Board. Director Reidenbach told Ms. Dyson that she would be notified of the Board's decision, and the telephone call was ended.

Board members discussed both candidates, and Director Reidenbach made a motion to appoint Ken Terry to the position. Director Ellison seconded the motion. Roll call to vote: President Drolet, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.

Clerk/Accountant Murray said she would send the required paperwork to Mr. Terry for him to be sworn into office. Clerk/Accountant Murray said she would inform Ms. Dyson of the Board's decision by email, and will submit a draft of the email to the Board for approval.

3. **ADJOURNMENT:** Director Reidenbach moved to adjourn the Special Meeting of the Board. Director Ellison seconded the motion. Roll call to vote: President Drolet, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried. Meeting adjourned at 10:38 A.M. The next Regular Meeting will be scheduled for March 9, 2019.

Respectfully submitted:

Attest:

Leon Drolet, President

Anny Reidenbach, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
March 9, 2019

- 1. CALL TO ORDER AND ROLL CALL:** President Drolet called the Regular Meeting to order at 10:03 A.M. on Saturday, March 9, 2019, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: President Drolet, Director Reidenbach, Director Ellison, and Director Terry. Employees in attendance were: District General Manager Acker, Clerk/Accountant Murray, Clerk/Secretary Sackman. District's Legal Counsel Emrick attended by phone.

Director Reidenbach performed the ceremonial swearing in of Director Ken Terry as a director of the Board of the Irish Beach Water District, and Director Terry affirmed his acceptance of the position.

- 2. APPROVAL OF MINUTES:** Director Terry made a motion to approve the Meeting Minutes dated November 18, 2018, as submitted. The motion was seconded by Director Reidenbach. Roll call to vote: President Drolet, aye; Director Reidenbach, aye; Director Terry, aye; and Director Ellison, aye. Motion carried. Director Reidenbach made a motion to approve the Special Meeting Minutes dated January 12, 2019, as submitted. The motion was seconded by Director Terry. Roll call to vote: President Drolet, aye; Director Reidenbach, aye; Director Terry, aye; and Director Ellison, aye. Motion carried. Director Ellison made a motion to approve the Meeting Minutes dated January 19, 2019, as submitted. The motion was seconded by Director Terry. Roll call to vote: President Drolet, aye; Director Reidenbach, aye; Director Terry, aye; and Director Ellison, aye. Motion carried.
- 3. COMMUNICATIONS AND CORRESPONDENCE:** Communications and correspondence from the Irish Beach Community was discussed, and the Board decided that in the next billing statement a note would be included advising Irish Beach property owners to address all correspondence to Irish Beach Water District, PO Box 67, Manchester, CA 95459. Furthermore, formal communications with the Irish Beach Water District concerning Board issues will be posted on the District website, www.ibwd.org. Correspondence received within a two week period of an upcoming board meeting will be included on the meeting agenda.

General Manager Acker discussed with the Board a phone message from a property owner of a parcel located south of the District on Highway One asking about bringing his property into the District. After discussion it was decided that General Manager Acker would write a letter to the property owner advising him of the procedures to follow.
- 4. PUBLIC INPUT:** Public input was limited to five minutes for each person. IBIC President Wolfe stated that he and the IBIC Directors were thankful for the Irish Beach Water District's Board of Directors' participation in the Pomo Lake license negotiations. The date for the next Pomo Lake license meeting with Director Ellison and General Manager Acker has been scheduled for March 13, 2019, at 3:00 P.M.

5. REPORTS:

A. TREASURER'S REPORT:

Clerk/Accountant Murray reported the following:

Cash Balance: \$26,664
Operations Reserve: \$0.00
Emergency Response Augmentation: \$26,792
System Wide Capital Improvement: \$0.00
>40 Year Equipment Replacement Fund: \$195,970
Alternate Water Development Fund: \$416,644
Total Assets both Restricted and Unrestricted: \$680,383

After review of the Cash Statement and the list of checks issued from November 1, 2018 through March 4, 2019, Director Reidenbach made a motion to accept the Cash Statement Report of March 2019, and the Checks Issued Report for the period of November 1, 2018 through March 4, 2019. Motion seconded by Director Ellison. Roll call to vote: President Drolet, aye; Director Ellison, aye; Director Terry, aye; and Director Reidenbach, aye. Motion carried.

Clerk/Accountant Murray introduced Resolution 2019-01: Resolution of the Board of the Irish Beach Water District Documenting the Approval of the District's FY2018-2019 Operating Budgets for Water. After review and discussion of Resolution 2019-01 a motion was made by Director Terry to adopt the Irish Beach Water District Resolution 2019-01. Motion seconded by Director Reidenbach. Roll call to vote: President Drolet, aye; Director Ellison, aye; Director Terry, aye; and Director Reidenbach, aye. Motion carried.

Clerk/Accountant Murray discussed with the Board the need to increase the fee for new meters and hook-up fees. Legal Counsel Emrick stated this subject will be further discussed under 6.A. Old Business.

Accountant Clerk Murray, General Manager Acker, and the Board discussed property owners' responsibility for excess water usage due to leaks. It was determined that if the excess usage was on the property owner's side of the meter the Water District would allow for partial payments spread over a year without incurring late fees.

B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS: General Manager Acker discussed with the Board the following: maintenance projects for Tanks 2 and 5 and the Unit 9 well, the upper road not sustaining any major damages or blockages due to the recent weather conditions, installing the new meters and advantages of more accurate meter readings, incorporating the installation of the cross-connection devices (where needed)during installation of the new meters, and upgrading the water treatment systems software.

C. SAFETY COMMITTEE: General Manager Acker discussed with the Board a visit from the safety inspector of the insurance company, and the attendance and completion of written tests by employees at the following Safety Committee Meetings:

December 11, 2018: "Before You Turn the Key" (about driving)

January 5, 2019: "Communications Breakdown" and "Stairways & Ladders"

March 5, 2019: "Working Outdoors"

Attendees: General Manager Acker, Treatment Plant Operator Rogers, Treatment Plant Operator Trainee Dickson, and Maintenance Employee DeVaul.

D. LEGAL COUNSEL: Counsel Emrick, stated there was nothing to report.

E. DIRECTORS: Director Reidenbach brought up for discussion the logging rezoning application by an Irish Beach property owner. After discussion regarding the past logging and the negative impact it had on Irish Beach Water District’s operations, Counsel Emrick proposed that he would submit a letter to the County Planning Department expressing the need to make sure certain mitigation measures are incorporated to protect Irish Beach Water District’s water source. Director Reidenbach stated that she would let Counsel Emrick know of the date that the County Planning Department will have their next meeting

6. OLD BUSINESS:

A. DISCUSSION AND OR ACTION: FINANCING OPTIONS FOR FUTURE CAPITAL PROJECTS, WATER SOURCE DEVELOPMENT, AND UPDATE ON PROCURING AN ENGINEER’S ASSESSMENT FOR MASTER PLAN DEVELOPMENT. (EMRICK/ACKER). Counsel Emrick and General Manager Acker discussed with the Board about obtaining cost estimates for a master plan update from engineering firms. This would be the first step in looking at financing options to replace funds that are no longer being received from Proposition 218 Assessments. General Manager Acker will contact at least two engineering firms for cost estimates.

7. NEW BUSINESS: No new business

ADJOURNMENT: President Drolet moved to adjourn the public session of the board meeting at 11:54 A.M. and the Executive Session convened at 11:57 A.M.

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

CONVENED EXECUTIVE SESSION:

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

RETURNED TO OPEN SESSION AND REPORT:

President Drolet closed the executive session and reconvened the open (public) session of the Irish Beach Water District at 12:11 P.M. and stated that there were no reportable actions to report regarding existing litigation. Director Terry moved to adjourn the board meeting. Director Ellison seconded the motion. Roll call to vote: President Drolet, aye; Director Ellison, aye; Director Reidenbach, aye; and Director Terry. Motion carried. Meeting adjourned at 12:13 P.M. The next board meeting will be scheduled for Saturday, May 11, 2019.

Respectfully submitted:

Attest:

Leon Drolet, President

Anny Reidenbach, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
May 11, 2019

1. **CALL TO ORDER AND ROLL CALL:** President Drolet called the Regular Meeting to order at 10:07 A.M. on Saturday, May 11, 2019, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: President Drolet, Director Reidenbach, and Director Terry. Employees in attendance were: Clerk/Accountant Murray, Clerk/Secretary Sackman, and District's Legal Counsel Emrick. Absent from the meeting were Director Ellison and District General Manager Acker.
2. **APPROVAL OF MINUTES:** President Drolet made a motion to approve the Meeting Minutes dated March 9, 2019, as submitted. The motion was seconded by Director Terry. Roll call to vote: President Drolet, aye; Director Reidenbach, aye; Director Terry, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** IBWD received a memorandum from the Department of Parks and Recreation, Office of Grants and Local Services (OGALS). The Board directed General Manager Acker and Clerk/Accountant Murray to evaluate the questionnaire for application.
4. **PUBLIC INPUT:** None.
5. **REPORTS:**
 - A. **TREASURER'S REPORT:**

Clerk/Accountant Murray reported the following:

Cash Balance: \$51,165
Operations Reserve: \$0.00
Emergency Response Augmentation: \$26,792
System Wide Capital Improvement: \$0.00
>40 Year Equipment Replacement Fund: \$170,970
Alternate Water Development Fund: \$416,644
Total Assets both Restricted and Unrestricted: \$673,373

Accounts Receivable of \$32,089, which includes the March and April billing period. The County tax rolls shows the delinquent customer charges that have been collected in the amount of \$2,505. Accounts Payable shows the amount owed to the Redwood Coast Fire District of \$-41,325. The total unrestricted assets are \$44,434, up from the last report in March of \$40,977. Restricted assets were reported as: Emergency Response of \$41,325, which is an increase of a second installment tax revenue of \$14,533. The greater than 40 year capital replacement is \$170,970, down by \$25,000, due to the smart meter replacement project. Systems Wide Capital improvement is \$0.00. The Alternate Water Development Fund remained at \$416,644.

Clerk/Accountant Murray presented the list of checks issued, pointing out that check #11662 to I flow for \$26,386 was for the purchase of 100 smart meters. Clerk/Accountant Murray asked for a motion to accept the Treasurer's Report and approve the list of checks issued.

After review of the Treasurer's Report and the list of checks issued from March 1, 2018 through May 11, 2019, Director Reidenbach made a motion to accept the Cash Statement Report of May 2019, and the Checks Issued Report for the period of March 1, 2018 through May 11, 2019. Motion seconded by Director Terry. Roll call to vote: President Drolet, aye; Director Terry, aye; and Director Reidenbach, aye. Motion carried.

Accountant/Clerk Murray reviewed with the Board a printout of this year's Budget vs. Actual Report. The District's fiscal calendar year is at 58%; however, collection for availability and water charges are at 42% because peak usage periods are yet to start until the summer season. On the expense side of the Budget to Actual Report: Source of Supply is under budget at 23.3%; Water Treatment is under budget at 32.5%; Transmission and Distribution is over budget at 88%, due to meter replacement project, which will be moved to a special project account; Customer Accounts is at 36%; Administration and General Reports is at 66% of budget, which is close to 58% of the fiscal calendar year. In summary, fiscal calendar is at 58%, Revenue is at 42%, and Expense is at 62%.

B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS: With General Manager Acker absent, Clerk/Accountant Murray reported to the Board the following: The smart meters are in the process of replacement, with forty meters installed so far. It has been determined that the smart meters will provide more accurate water meter readings. The unit 9 well pump was replaced by the IBWD crew at a significant savings vs. using the services of a contractor.

C. SAFETY COMMITTEE: Clerk/Accountant Murray reported the attendance and completion of written tests by employees at the following Safety Committee Meeting:

April 16, 2019: "Diversity in the Workplace"

Attendees: General Manager Acker, Treatment Plant Operator Rogers, Treatment Plant Operator Trainee Dickson, and Maintenance Employee DeVaul.

D. LEGAL COUNSEL: Counsel Emrick stated that IBWD's appellate brief for IBWD vs. Moores has been filed by the appellate attorney with the San Francisco Court of Appeals in Division One. A response to the appeal will be expected towards the end of August. The oral argument will be scheduled for a December/February timeframe.

E. DIRECTORS: Clerk/Accountant Murray discussed with the Board the procedures for electing directors to the Board. It was noted that Director Reidenbach would not be applying for re-election.

6. OLD BUSINESS:

A. DISCUSSION AND OR ACTION: FINANCING OPTIONS FOR FUTURE CAPITAL PROJECTS, WATER SOURCE DEVELOPMENT, AND UPDATE ON PROCURING AN ENGINEER'S ASSESSMENT FOR MASTER PLAN DEVELOPMENT. (EMRICK/ACKER). Counsel Emrick discussed with the Board restoring the water connection fees that IBWD had prior to the initiation of Prop. 218 assessments. Counsel Emrick proposed that engineering bids for determining the revision of connection fees be available at the next Board Meeting.

7. NEW BUSINESS: No new business

ADJOURNMENT: Director Terry moved to adjourn the Public Session of the Board Meeting at 10:47 A.M. Director Reidenbach seconded the motion, and the Executive Session convened at 10:50 A.M.

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

CONVENED EXECUTIVE SESSION:

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

RETURNED TO OPEN SESSION AND REPORT:

President Drolet closed the executive session and reconvened the open (public) session of the IBWD at 11:05 A.M. and stated that there were no reportable actions to report regarding existing litigation. Director Terry moved to adjourn the Board Meeting. Director Reidenbach seconded the motion. Roll call to vote: President Drolet, aye; Director Reidenbach, aye; and Director Terry. Motion carried. Meeting adjourned at 11:15 A.M. The next board meeting will be scheduled for Saturday, July 13, 2019.

Respectfully submitted:

Attest:

Leon Drolet, President

Anny Reidenbach, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
July 13, 2019

1. **CALL TO ORDER AND ROLL CALL:** President Drolet called the Regular Meeting to order at 10:05 A.M. on Saturday, July 13, 2019, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: President Drolet, Director Reidenbach, Director Ellison, and Director Terry. Employees in attendance were: General Manager Acker, Clerk/Accountant Murray, and Clerk/Secretary Sackman. Attending by telephone was District's Legal Counsel Emrick.
2. **APPROVAL OF MINUTES:** Director Ellison made a motion to approve the Meeting Minutes dated May 11, 2019, as submitted. The motion was seconded by Director Terry. Roll call to vote: President Drolet, aye; Director Reidenbach, aye; Director Ellison, aye; and Director Terry, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** General Manager Acker stated that the communication he received would be presented during his report under 5.B.
4. **PUBLIC INPUT:** None.
5. **REPORTS:**

A. TREASURER'S REPORT:

Clerk/Accountant Murray reported the following:

Cash Balance: \$65,007
Operations Reserve: \$0.00
Emergency Response Augmentation: \$41,325
System Wide Capital Improvement: \$0.00
>40 Year Equipment Replacement Fund: \$170,970
Alternate Water Development Fund: \$416,644
Total Assets both Restricted and Unrestricted: \$688,370

Accounts Receivable of \$33,244, which does not have the payroll expenses that were paid after July 1st. Accounts Receivable does have the billings for May and June as receivables. The > 40 Year is \$170,970, plus \$25,000 for the electronic meter replacements, to be paid back by the operating account. Clerk/Accountant Murray presented the list of checks issued, pointing out that check #11692 to Iflow for \$15,675.25 was for the purchase of additional electronic meters and equipment associated with the new meters. Clerk/Accountant Murray asked for a motion to accept the Treasurer's Report and approve the list of checks issued.

After review of the Treasurer's Report and the list of checks issued from May 1 through July 7, 2019, Director Reidenbach made a motion to accept the Cash Statement Report of July 2019, and the Checks Issued Report for the period of May 1, 2019 through July 7, 2019. Motion seconded by President Drolet. Roll call to vote: President Drolet, aye; Director Terry, aye; Director Ellison, aye; and Director Reidenbach, aye. Motion carried.

Clerk/Accountant Murray presented to the Board a printout of this year's Budget vs. Actual Report as follows: The District's fiscal calendar year is at 79%; however, collection for availability and water charges are at 54%. On the expense side of the Budget to Actual Report: Source of Supply is under budget at 36%; Water Treatment is under budget at 40%; Transmission and Distribution is over budget at 108%, due to the meter replacement project, which will be moved to a special project account. Customer Accounts are at 137%; and Administration and General Reports are at 78% of budget, which is close to 79% of the fiscal calendar year. In summary, the fiscal calendar is at 79%, Revenue is at 54%, and Expense is at 84%.

B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS: General Manager Acker reported the following: Monthly bacteria testing has been all clear. A series of 3-year chemical testing for Unit 9 Well has been completed. The Consumer Confidence Report was also completed and will be included with the next billing statements. The electronic meter project is going well, with only approximately 50 more to be installed. The new electronic meters register more accurate water usage, and a leak in the system can now be more readily detected. A problem with air getting into the system on Forest View Road was corrected. A communication with a property owner was discussed with the Board and Counsel Emrick regarding installing a water system for the two parcels on the west side of Highway One. A letter with information regarding water works standards will address this issue and Counsel Emrick will review the letter before mailing it to the property owner.

C. SAFETY COMMITTEE: General Manager Acker reported the attendance and completion of a written test by employees at the following Safety Committee Meeting:

June 18, 2019: "Customer Service"

Attendees: General Manager Acker, Treatment Plant Operator Rogers, Treatment Plant Operator Trainee Dickson, and Maintenance Employee DeVaul.

D. LEGAL COUNSEL: Counsel Emrick stated that Bid's appellate brief for IRISH BEACH WATER DISTRICT vs. Moores has been posted on the IRISH BEACH WATER DISTRICT website, www.Irish Beach Water District.org.. The Moores' opposition is expected to be filed within the next couple of weeks, and it will also be posted on the IRISH BEACH WATER DISTRICT website.

E. DIRECTORS: Clerk/Accountant Murray discussed with the Board the voter packet for the upcoming election of directors to the Board. She then presented to the Board for discussion and approval of the following: Resolution 2019-02, titled: A RESOLUTION OF THE IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS ADOPTED PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 4000 ET SEQUITER AND IN PARTICULAR SECTIONS 4108 AND 4104 CONCERNING THE CONDUCT OF THE 2019 ELECTION OF DISTRICT DIRECTORS BY ALL-MAILED BALLOT ELECTION. After the Board's discussion, Resolution 2019-02 was amended to change the wording in the fourth paragraph to read: "...of the appropriate election year" and Item 3 to read: "The Board of Directors directs Clerk/Accountant Judy Murray to prepare the mail ballots and conduct the 2019 District election, including retaining staff and volunteers as necessary." Director Terry moved to approve Resolution 2019-02 regarding the special election as amended. The motion was seconded by Director Reidenbach. Roll call to vote: President Drolet, aye; Director Terry, aye; Director Ellison, aye; and Director Reidenbach, aye. Motion carried.

6. OLD BUSINESS:

A. DISCUSSION AND OR ACTION: FINANCING OPTIONS FOR FUTURE CAPITAL PROJECTS, WATER SOURCE DEVELOPMENT, AND UPDATE ON PROCURING AN ENGINEER'S ASSESSMENT FOR MASTER PLAN DEVELOPMENT. (EMRICK/ACKER). Counsel Emrick discussed with the Board his actions regarding restoring the water connection fees that IRISH BEACH WATER DISTRICT had prior to the initiation of Prop. 218 assessments. Counsel Emrick proposed to coordinate with Clerk/Accountant Murray and General Manager Acker to gather information for the engineering firms to recalculate connection fees, and to have the firms submit their final proposals to the District. Counsel Emrick will bring more information to the September Board Meeting.

7. NEW BUSINESS:

A. REVIEW AND DISCUSSION: PROPOSED 2019-2020 DISTRICT BUDGET. PRESENTATION TO THE BOARD. CALL FOR BUDGET COMMITTEE TO REVIEW AND COMMENT FOR FINAL APPROVAL IN THE SEPTEMBER 2019 BOARD MEETING. (MURRAY/ACKER).

Clerk/Accountant Murray presented the proposed budget for 2019-2020 for review and discussion, and reported the following: The fiscal year ends September 2019 and the new fiscal year begins October 2019. The first page of the budget report shows an increase of \$0.01 for water usage charge. The availability charge

will increase to an additional \$5.73, which brings it to \$78.87 per month. This increase was approved at the public rate hearing held during the January 12, 2019, IRISH BEACH WATER DISTRICT Board Meeting.

Clerk/Accountant Murray and General Manager Acker discussed with the Board future greater than 40 capital projects, including: finalizing the electronic meter replacements, a software update for the computer monitoring system, the Alta Mesa Road paving project, Tank 2 roof replacement, and pipe replacements. Clerk Accountant Murray continued to discuss with the Board the total operating reserve for the operating budget. Also discussed was the labor distribution expense at 38% of the total budget, a comparison of 2018-2019 to the 2019-2020 budgets, and a plan to determine repayment of the loan taken from the greater than 40.

Clerk/Accountant Murray requested that the Budget Committee meet for further discussion of the proposed budget, and requested an IRISH BEACH WATER DISTRICT director be added to the Budget Committee. Director Terry volunteered to be appointed to the Budget Committee. Director Reidenbach made the motion to move the approval of the budget for 2019-2020 to the September Board Meeting, and add Director Terry to the Budget Committee. Motion seconded by Director Ellison. Roll call to vote: President Drolet, aye; Director Terry, aye; Director Ellison, aye; and Director Reidenbach, aye. Motion carried

ADJOURNMENT: President Drolet moved to adjourn the Public Session of the Board Meeting at 12:15 A.M. Director Ellison seconded the motion, and the Executive Session convened at 12:21 P.M.

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

CONVENED EXECUTIVE SESSION:

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

RETURNED TO OPEN SESSION AND REPORT:

President Drolet closed the executive session and reconvened the open (public) session of the IRISH BEACH WATER DISTRICT at 12:35 P.M. A.M. and stated that there were no reportable actions to report regarding existing litigation. Director Terry moved to adjourn the Board Meeting. Director Reidenbach seconded the motion. Roll call to vote: President Drolet, aye; Director Reidenbach, aye; Director Ellison, aye; and Director Terry, aye. Motion carried. Meeting adjourned at 12:37 A.M. The next board meeting will be scheduled for Saturday, September 14, 2019.

Respectfully submitted:

Attest:

Leon Drolet, President

Anny Reidenbach, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
September 14, 2019

1. **CALL TO ORDER AND ROLL CALL:** Vice President Ellison called the Regular Meeting to order at 10:03 A.M. on Saturday, September 14, 2019, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: Vice President Ellison, Director Reidenbach, and Director Terry. Employees in attendance were: General Manager Acker. Attending by telephone was District's Legal Counsel Emrick. Absent from the meeting were President Drolet, Clerk/Accountant Murray, and Clerk/Secretary Sackman.
2. **APPROVAL OF MINUTES:** Director Reidenbach made a motion to approve the Meeting Minutes dated July 13, 2019, as submitted. The motion was seconded by Director Terry. Roll call to vote: Vice President Ellison, aye; Director Reidenbach, aye; and Director Terry, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** None.
4. **PUBLIC INPUT:** Will be discussed later during the Board Meeting
5. **REPORTS:**
 - A. **TREASURER'S REPORT:** Due to Clerk/Accountant Murray's absence from the Board Meeting, Director Reidenbach made the motion to postpone the Treasurer's Report until the November 9, 2019, Board Meeting. Director Terry seconded the motion. Roll call to vote: Vice President Ellison, aye; Director Reidenbach, aye; and Director Terry, aye. Motion carried.
 - B. **WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker reported the following: Monthly bacteria testing has been all clear. A water system repair was completed. The project to replace water meters with new electronic meters has been completed, with the exception of one meter which requires a water main shut down to replace a valve on the water line. IBWD's IT employee has been able to transfer data from the new electronic meter readings into IBWD's billing system. A project to repair a water line is in the process of being repaired. Last winter's storm caused trees to hang over some of IBWD's equipment and a very reasonable bid has been received from a tree service contractor to trim the trees.
 - C. **SAFETY COMMITTEE:** General Manager Acker reported the attendance and completion of written tests by employees at the following Safety Committee Meeting:

August 20, 2019: "Ergonomics" and "Driven to Distraction"

Attendees: General Manager Acker, Treatment Plant Operator Rogers, and Maintenance Employee DeVaul.
 - D. **LEGAL COUNSEL:** Legal Counsel Emrick had nothing to report.
 - E. **DIRECTORS:** Director Reidenbach made a motion to formally accept the final results from the vote of August 27, 2019, election of Steve Whitaker and Brad Dyson to the IBWD Board, and the reinstatement of Director Terry to the IBWD Board. Motion seconded by Vice President Ellison. Roll call to vote: Vice President Ellison, aye; Director Reidenbach, aye; and Director Terry, aye. Motion carried.

The Board of Directors discussed the grants application with General Manager Acker. General Manager Acker stated that the grants application has been submitted, and he has not received results back on the application. This will be on the Agenda for the November Board Meeting.

6. OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: FINANCING OPTIONS FOR FUTURE CAPITAL PROJECTS, WATER SOURCE DEVELOPMENT, AND UPDATE ON PROCURING AN ENGINEER'S ASSESSMENT FOR MASTER PLAN DEVELOPMENT (EMRICK/ACKER).** Legal Counsel Emrick stated that due to delays caused by the recent Board Election, this topic will be continued for discussion at the November Board Meeting.
- B. DISCUSSION AND OR ACTION: FINAL APPROVAL OF PROPOSED 2019-2020 DISTRICT BUDGET (MURRAY/ACKER/TERRY).** Director Reidenbach made a motion that due to Clerk/Accountant Murray's absence at the Board Meeting, and the need for one more budget meeting, approval of the 2019-2020 final budget approval be postponed until the November Board Meeting. Motion was seconded by Director Terry. Roll call to vote: Vice President Ellison, aye; Director Reidenbach, aye; and Director Terry, aye. Motion carried.

7. NEW BUSINESS:

- A. REVIEW AND DISCUSSION: SEPTIC SYSTEM/LEACH LINES SETBACK FROM IBWD WATER MAINS (ACKER/EMRICK).** Brad and Casey Dysons' proposal to build a house on their property at 14920 Mallo Pass Drive prompted this discussion about the County's new rules and regulations for a twenty-five foot setback of the septic system/leach lines from the District water mains, instead of the former ten foot setback. General Manager Acker gave a brief overview of the history and location of the current water main that was installed around 1964. It passes close to a property line, then jogs forty-five degrees and goes under Highway 1. A long discussion took place between the Board, Legal Counsel Emrick, property owner Dyson, and guests in the audience about possible placement of the house, the size of the setback, and replacement of the old water main. Director Terry made a motion to form an ad hoc committee consisting of General Manager Acker, Director Reidenbach, and Director Terry to review a proposed agreement to be submitted by the Dysons, to mitigate issues in regards to the water main and septic system/leach lines setback. Motion seconded by Director Reidenbach. Roll call to vote: Vice President Ellison, aye; Director Reidenbach, aye; and Director Terry, aye. Motion carried.

ADJOURNMENT: Vice President Ellison moved to adjourn the Public Session of the Board Meeting at 11:A.M. Director Reidenbach seconded the motion. The Executive Session convened at 11:15 A.M.

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

CONVENED EXECUTIVE SESSION:

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

RETURNED TO OPEN SESSION AND REPORT:

Vice President Ellison closed the executive session and reconvened the open (public session of the IBWD at 11:25 A.M. and stated that there were no reportable actions to report regarding existing litigation. Vice President Ellison moved to adjourn the Board Meeting. Director Reidenbach seconded the motion. Roll call to vote: Vice President Ellison, aye; Director Reidenbach, aye; and Director Terry, aye. Motion carried. Meeting adjourned at 11:30 A.M. The next Board Meeting will be scheduled for Saturday, November 9, 2019.

Respectfully submitted:

Attest:

Joe Ellison, Vice President

Amy Reidenbach, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
September 28, 2019

1. **CALL TO ORDER AND ROLL CALL:** Vice President Ellison called the Special Meeting to order at 10:04 A.M. on Saturday, September 28, 2019, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: Director Reidenbach, Director Terry, and Vice President Ellison. Employees in attendance were: General Manager Acker, Clerk/Accountant Murray, and Clerk/Secretary Sackman. Attending by telephone was District's Legal Counsel Emrick. Absent from the meeting was President Drolet.
2. **DISCUSSION AND OR ACTION: SEPTIC/LEACH LINE SETBACK FROM IRISH BEACH WATER DISTRICT WATER MAINS (ACKER/EMRICK/ELLISON).** After discussion and agreement, Vice President Ellison made a motion for Legal Counsel Emrick to prepare a specific memorandum to be added to our policy for the adoption of the twenty-five foot setback for the Irish Beach Water District. Motion seconded by Director Reidenbach. Roll call to vote: Vice President Ellison, aye; Director Terry, aye; and Director Reidenbach, aye. Motion carried.
3. **DISCUSSION AND OR ACTION: NEW CAPITAL PROJECT TO REPLACE THE MAIN WATER LINE BETWEEN MALLO PASS DRIVE AND HIGHWAY 1, 14920 MALLO PASS DRIVE, AP 132-110-09 AND REVIEW OF PROPOSED LANDOWNER AGREEMENT(ACKER/EMRICK/ELLISON).** After further discussion with Legal Counsel Emrick and Brad and Casey Dyson about the twenty-five foot setback on their property, a motion was made by Director Terry to approve the proposed Agreement with final approval subject to adoption of the Agreement with the five Attachments at the IBWD November Board Meeting. Motion seconded by Director Reidenbach. Roll call to vote: Vice President Ellison, aye; Director Terry, aye; and Director Reidenbach, aye. Motion carried.

The Dysons requested a letter of acceptance of the Agreement be drawn up to take to the County Planning Department. Legal Counsel Emrick was directed by the Board to compose a letter of acceptance of the Agreement for the Dysons.

After the Board's discussion with Clerk/Accountant Murray, Director Terry made a motion to approve the Water District's project to replace the main water line between Mallo Pass Drive and Highway One using the Greater Than 40 Year Expense Account. Motion was seconded by Vice President Ellison. Roll call to vote: Vice President Ellison, aye; Director Terry, aye; and Director Reidenbach, aye. Motion carried.

4. **STATUS OF NEW WELL CONSTRUCTION PROPOSAL ON NICHOLS RANCH PROPERTY – WILLIAM MOORES.** Mr. Moores requested the Board's consent in his application for a drill permit that potentially could lead to a commercial well on his Nichols Ranch property, and he supplied maps showing the location. After discussion, a motion was made by Director Terry to form an ad hoc committee, consisting of Vice President Ellison, General Manager Acker and Legal Counsel Emrick, to further study the proposal and continue this discussion at the November Board Meeting. Motion was seconded by Vice President Ellison. Roll call to vote: Vice President Ellison, aye; Director Terry, aye; and Director Reidenbach, aye. Motion carried.

Legal Counsel Emrick stated he would communicate with William Moores about setting a date to meet with him and the ad hoc committee at the property. The purpose of the meeting would be to further study Mr. Moores proposal, in order to make recommendations during discussion of this agenda item at the November Board Meeting.

ADJOURNMENT: Vice President Ellison moved to adjourn the public session of the Special Meeting at 10:58 A.M. Director Reidenbach seconded the motion. The Executive Session convened at 11:05 A.M.

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

CONVENED EXECUTIVE SESSION:

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

RETURNED TO OPEN SESSION AND REPORT:

Vice President Ellison closed the Executive (closed Session and reconvened the Open (public) Session of the IBWD at 11:39 A.M., and stated that there were no reportable actions to report regarding existing litigation. Vice President Ellison moved to adjourn the Board Meeting at 11:40 A.M. Director Reidenbach seconded the motion. Roll call to vote: Vice President Ellison, aye; Director Reidenbach, aye; and Director Terry, aye. Motion carried. The next Board Meeting will be scheduled for Saturday, November 9, 2019.

Respectfully submitted:

Attest:

Joe Ellison, Vice President

Anny Reidenbach, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
November 9, 2019

1. **CALL TO ORDER AND ROLL CALL:** Vice President Ellison called the Regular Meeting to order at 10:01 A.M. on Saturday, November 9, 2019, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: Vice President Ellison, Director Reidenbach, and Director Terry. Employees in attendance were: General Manager Acker, Clerk/Accountant Murray, Clerk/Secretary Sackman, and Legal Counsel Emrick. Absent from the meeting was President Drolet.
2. **APPROVAL OF MINUTES:** Director Terry made a motion to approve the Regular Meeting Minutes dated September 14, 2019, and the Special Meeting Minutes dated September 28, 2019, as submitted. The motion was seconded by Director Reidenbach. Roll call to vote: Vice President Ellison, aye; Director Reidenbach, aye; and Director Terry, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** None.
4. **PUBLIC INPUT:** Will be discussed later during the Board Meeting
5. **REPORTS:**

A. TREASURER'S REPORT:

November 2019:

Cash Balance: \$19,737
Operations Reserve: \$0.00
Emergency Response Augmentation: \$41,418
System Wide Capital Improvement: \$0.00
>40 Year Equipment Replacement Fund: \$172,882
Alternate Water Development Fund: \$420,527
Total Assets both Restricted and Unrestricted: \$673,383

Clerk/Accountant Murray discussed the September and November 2019 Treasurer's Reports and Checks Issued Reports with the Board. The discussion included the cash flow which was impacted by checks issued for the appeals attorney, the electronic meter project, and tree removal services, in addition to the normal checks issued for ongoing expenses. Vice President Ellison made a motion to approve the Treasurer's Report for September and November 2019. Director Terry seconded the motion. Roll call to vote: Vice President Ellison, aye; Director Reidenbach, aye; and Director Terry, aye. Motion carried.

- B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker reported the following: Attended IBWD Board Meetings; repaired pipes across Highway 1; repaired hydrant at Tank 3; replaced pipes in two locations; installed new electronic meters at Unit 4 for Lot 38 and Gazebo Park; met with septic system contractor regarding the Dyson property's 25 foot setback, and relocation of the main water line; coordinated and completed a project with a contractor to remove several trees that were threatening a tank; processed samples for disinfecting, due to the extended power outage; ordered more propane for Tank 5; flushed a water line where sediment had occurred; completed sample testing; completed annual report; processed system checks, and repaired phone cable.

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

October 22, 2019: “Target Zero Proactive Safety Attitudes”

Attendees: General Manager Acker, Treatment Plant Operator Dickson, and Maintenance Employee DeVaul.

- D. LEGAL COUNSEL:** Legal Counsel Emrick is composing Draft Policy 3075, a policy regarding septic setbacks, and it will be on the agenda at the January Board Meeting for further discussion and possible inclusion into existing policy.

E. DIRECTORS:

Swearing in of Board Members Present: Director Reidenbach swore in the new IBWD board members Stephen Whitaker and Brad Dyson, and reinstated Kenneth Terry and Joseph Ellison to begin their terms on the first Friday of December 2019, to expire December 2023.

Discussion and Action: Final Results of August 27, 2019, District Election (Murray): Clerk/Accountant Murray stated that she sent in the original letter certifying the final results of the election to the Registrar of Voters for the county.

Discussion: Grants Application. Clerk/Accountant Murray reported to the Board that the grants application for the Irish Beach Water District was completed and submitted.

6. OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: FINANCING OPTIONS FOR FUTURE CAPITAL PROJECTS, WATER SOURCE DEVELOPMENT, AND UPDATE ON PROCURING AN ENGINEER’S ASSESSMENT FOR MASTER PLAN DEVELOPMENT (EMRICK/ACKER).** Legal Counsel Emrick reported that a summary of future capital projects will be provided by Clerk/Accountant Murray. More discussion is required regarding cost of connection fees to the customer. This topic will be continued for discussion at the January Board Meeting.
- B. DISCUSSION AND OR ACTION: FINAL APPROVAL OF PROPOSED 2019-2020 DISTRICT BUDGET (MURRAY/ACKER/TERRY).** Clerk/Accountant Murray discussed with the Board the proposed final budget for fiscal year 2019-2020, and Resolution 2019-03, which is the basis of the budget for usage and availability increases. The change to the budget is an increased water usage rate from \$0.57 to \$0.58 per one-hundred gallons, and the availability charge changed to \$157.73, for a 2-month period. Director Terry made a motion to approve the final budget for Fiscal Year 2019-2020 as presented in Resolution 2019-03. Motion was seconded by Director Reidenbach. Roll call to vote: Vice President Ellison, aye; Director Reidenbach, aye; and Director Terry, aye. Motion carried.
- C. REVIEW AND DISCUSSION: FINAL APPROVAL AND SUBJECT TO ADOPTION BY IBWD OF THE PROPOSED DYSON PROPERTY AGREEMENT FOR A 25 FOOT SEPTIC/LEACH LINE SETBACK FROM IBWD WATER MAINS (REIDENBACH/TERRY/ACKER/EMRICK).** General Manager Acker presented a detailed budget and map for the project of relocating the water mains. Director Reidenbach made a motion for the Board to direct General Manager Acker to coordinate with the Dysons to finalize the exhibits and stipulations of the Dyson Property Agreement. Motion seconded by Vice President Ellison. Roll call to vote: Vice President Ellison, aye; Director Reidenbach, aye; and Director Terry, aye. Motion carried.
- D. DISCUSSION AND OR ACTION: STATUS OF NEW WELL CONSTRUCTION PROPOSAL ON NICHOLS RANCH PROPERTY – WILLIAM MOORES (ELLISON/ACKER/EMRICK).** General Manager Acker gave the following report to the Board: General Manager Acker and Legal Counsel Emrick

met with William Moores on his Nichols Ranch property to review and discuss the scope of his request for a drill permit. General Manager Acker gave Mr. Moores permission to drill a test well to check on water availability and a driller is expected there soon. Both General Manager Acker and Legal Counsel Emrick observed the older existing well on Mr. Moore's property, previously reported to have been capped and locked by the County in July, 2008. This unlawful existing well is now unsealed but apparently not in use. This discussion will continue at the January meeting.

7. NEW BUSINESS:

- A. DISCUSSION AND OR ACTION: DRAFT OF AUDIT FOR FISCAL YEAR ENDING SEPTEMBER 30, 2017 (MURRAY).** Clerk/Accountant Murray discussed with the Board the 2017 Audit completed by Rick Bowers, CPA, with the statement from Mr. Bowers finding no discrepancies in the IBWD financial statements. Clerk Account Murray also discussed a proposal for granting an auditing contract with Mr. Bowers for the years ending September 30, 2018 and 2019. Vice President Ellison made a motion that the Board accept and file the audit for the fiscal year ending September 30, 2017, and direct Clerk/Accountant Murray to sign the engagement letter for the audit by Mr. Bowers of the fiscal years ending 2018 and 2019, for the charge of \$10,600. Motion seconded by Director Terry. Roll call to vote: Vice President Ellison, aye; Director Reidenbach, aye; and Director Terry, aye. Motion carried.
- B. IRISH BEACH WATER DISTRICT POLICY HANDBOOK REVISION, SERIES 4000 BOARD OF DIRECTORS, POLICY 4005 COMPOSITION OF THE BOARD (MURRAY).** Clerk/Accountant Murray made a proposal to the Board to revise a portion of the Handbook (Series 4000, Policy 4005) to include the following: The Board of Directors will be composed of five directors. No two members of the Board of Directors related by blood or marriage/domestic partnership within the second degree of consanguinity or affinity (1st degree: husband or wife, parent or child, 2nd degree: sister, brother, grandchild, or grandparent) may serve on the Board of Directors at the same time. The Board directed Clerk/Accountant Murray to research this issue with the County to determine if this revision would be a permissible requirement.

ADJOURNMENT: Vice President Ellison moved to adjourn the Public Session of the Board Meeting at 12:23P.M. Director Reidenbach seconded the motion. The Executive Session convened at 12:27P.M.

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

CONVENED EXECUTIVE SESSION:

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

RETURNED TO OPEN SESSION AND REPORT:

Vice President Ellison closed the executive session and reconvened the open (public session of the IBWD at 12:45 P.M. and stated that there were no reportable actions to report regarding existing litigation. Vice President Ellison moved to adjourn the Board Meeting. Director Reidenbach seconded the motion. Roll call to vote: Vice President Ellison, aye; Director Reidenbach, aye; and Director Terry, aye. Motion carried. Meeting adjourned at 12:51 P.M. The next Board Meeting will be scheduled for Saturday, January 11, 2020.

Respectfully submitted:

Attest:

Joe Ellison, Vice President

Anny Reidenbach, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

**IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
January 11, 2020**

- 1. CALL TO ORDER AND ROLL CALL:** President Drolet called the Regular Meeting to order at 10:03 A.M. on Saturday, January 11, 2020, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: President Drolet, Director Ellison, Director Terry, and Director Whitaker. Employees in attendance were: General Manager Acker, Clerk/Accountant Murray, Clerk/Secretary Sackman. Legal Counsel Emrick attended by telephone. Absent from the meeting was Director Dyson.
- 2. APPROVAL OF MINUTES:** Director Terry made a motion to approve the Regular Meeting Minutes dated November 9, 2019, as submitted. The motion was seconded by Director Whitaker. Roll call vote: President Drolet, aye; Director Ellison, aye; Director Terry, aye and Director Whitaker, aye. Motion carried.
- 3. COMMUNICATIONS AND CORRESPONDENCE:** Communication received from William Moores requested that Old Business 6. C. be tabled and moved to the March 14, 2020 Board Meeting.
- 4. PUBLIC INPUT:** None.
- 5. REPORTS:**
- A. TREASURER'S REPORT:**

November 2019:

Cash Balance: \$11,581

Operations Reserve: \$0.00

Emergency Response Augmentation: \$41,418

System Wide Capital Improvement: \$0.00

>40 Year Equipment Replacement Fund: \$147,882

Alternate Water Development Fund: \$422,835

Total Assets both Restricted and Unrestricted: \$672,033

Clerk/Accountant Murray discussed the November 1, 2019 through January 1, 2020 Treasurer's Report and Checks Issued Report with the Board. She pointed out that the cash in the checking account was \$11,581 and provided two reasons for this low cash balance. The first reason being expenditures for the appeals attorney, Jay Eisner, from the Law firm Downey Brand. The second reason being the amount of general funds expended for the electronic meter project. A loan was previously booked from the Restricted Assets Greater Than 40 Year Asset Replacement Fund in the amount of \$25,000. Treasurer Murray further explained that a second loan of \$25,000 was made to cover the recent legal fees requested by the appeals attorney. Treasurer Murray explained that these loans are allowed as long as a term and interest rate are approved by the Board. Treasurer Murray stated that there will be a budget workshop on the agenda at the March 14, 2020 Board Meeting when the term and interest rate will be presented for approval by the Board. The workshop will also review the year-to-date budget versus actual expenditures. Options will be presented for possible solutions to assure operating cash for the Irish Beach Water District and plan for capital improvement projects.

Treasurer Murray presented an invoice for 840 feet of surplus pipe that was sold to Elk Community Service Area for \$1,822.80. The pipe was from the source water line project.

Treasurer Murray stated that Water Treatment & Distribution Operator Russell has been working for IBWD covering operations of the treatment plant with Maintenance Worker, DeVaul, and General Manager Acker. It

was noted that Water Treatment & Distribution Operator Russell is being paid \$25.00 per hour due to his two advanced certifications from the State of California for water treatment and operations.

Treasurer Murray called for a motion to accept the Treasurer's Report as presented and to accept the checks issued. Director Whitaker made a motion to approve the Treasurer's Report and checks issued between November 1, 2019 and January 1, 2020. Director Terry seconded the motion. Roll call vote: President Drolet, aye; Director Ellison, aye; Director Terry, aye and Director Whitaker, aye. Motion carried.

- B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker reported the following: The new meter reading program is complete. Everything is installed and has been used through two billing cycles. The program provides information that allows the operators to detect a leak, where it is coming from, and how much water was used on a specific day. John Robertson, a licensed contractor, completed road repair at the upper diversion. The damage was caused by rains from last season. On December 10, 2019, a broken pipe caused water to be shut off to some customers. The damage was repaired that day and water flow restored. A very sophisticated water meter was installed at Tank 3, which remotely monitors the water going in and out of Tank 3. General Manager Acker attended IBWD Board Meetings, completed sample testing, and processed system checks.
- C. SAFETY COMMITTEE:** General Manager Acker reported the attendance by employees and the completion of written tests at the Safety Committee Meeting: December 6, 2019: "Fire Safety" and "Heat Stress." Attendees: General Manager Acker, Water Treatment & Distribution Plant Operator Russell, and Maintenance Employee DeVaul.
- D. LEGAL COUNSEL:** Legal Counsel Emrick is in the process of composing Draft Policy 3075, a policy regarding septic setbacks. It will be on the agenda at the March Board Meeting for further discussion and possible inclusion into existing policy.
- E. DIRECTORS/SWEARING IN OF BOARD MEMBER:** Clerk/Accountant Murray reinstated IBWD board member Leon Drolet, to begin his term effective on the first Friday of December 2019 and to expire December 2021.

6. OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: FINANCING OPTIONS FOR FUTURE CAPITAL PROJECTS, WATER SOURCE DEVELOPMENT, AND UPDATE ON PROCURING AN ENGINEER'S ASSESSMENT FOR MASTER PLAN DEVELOPMENT (EMRICK/ACKER).** Legal Counsel Emrick reported he is working with Doug Dove, an Engineer with Bartles and Wells, to assemble a summary of what it would cost the District for him to implement the connection fee. This summary will be discussed at the March Board Meeting.
- B. REVIEW AND DISCUSSION: FINAL APPROVAL AND SUBJECT TO ADOPTION BY IBWD OF THE PROPOSED DYSON PROPERTY AGREEMENT FOR A 25 FOOT SEPTIC/LEACH LINE SETBACK FROM IBWD WATER MAINS (TERRY/ACKER/EMRICK).** Legal Counsel Emrick reported that he will have a policy for further discussion and action at the March Board Meeting, which will adopt the Local Agency Management Program (LAMP) of the 25-foot setback. Legal Counsel Emrick and General Manager Acker will compose language that includes adjustments to the 25-foot setback as appropriate for property development. General Manager Acker reported that he is waiting for the written report for completion of the Dyson Agreement paperwork.
- C. DISCUSSION AND OR ACTION: STATUS OF NEW WELL CONSTRUCTION PROPOSAL ON NICHOLS RANCH PROPERTY – WILLIAM MOORES (ELLISON/ACKER/EMRICK).** At the request of William Moores, this item is tabled for further discussion and action at the March Board Meeting.

D. IRISH BEACH WATER DISTRICT POLICY HANDBOOK REVISION, SERIES 4000 BOARD OF DIRECTORS, POLICY 4005 COMPOSITION OF THE BOARD (MURRAY). This item is tabled until Clerk/Accountant Murray has further information for consideration.

NEW BUSINESS:

A. DISCUSSION AND OR ACTION: CALL FOR NOMINATIONS AND ELECTION OF 2020 BOARD OFFICERS FOR PRESIDENT, VICE PRESIDENT, SECRETARY, AND TREASURER.

(DIRECTORS/MURRAY). President Drolet stated that the IBWD policy states that the first meeting in January includes an annual organizational board meeting to elect the officers of the IBWD Board. The following nominations and motions were made to elect officers:

Director Whitaker made a motion to nominate incumbent Kenneth Terry for President. Seconded by Director Ellison. Roll call: Director Drolet, aye; Director Whitaker, aye and Director Ellison, aye.

Director Whitaker made a motion to nominate incumbent Joseph Ellison for Vice President. Seconded by Director Drolet. Roll call: President Terry, aye; Director Whitaker, aye and Director Drolet, aye

Director Ellison made a motion to nominate incumbent Stephen Whitaker for Secretary. Seconded by Director Drolet. Roll call: President Terry, aye; Director Drolet, aye and Director Ellison, aye

President Terry stated that Clerk/Accountant Murray would continue to serve in the capacity of Treasurer.

ADJOURNMENT: President Terry moved to adjourn the Public Session of the Board Meeting at 11:35A.M. Director Ellison seconded the motion. The Executive Session convened at 11:41A.M.

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

CONVENED EXECUTIVE SESSION:

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

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED/POTENTIAL LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPHS (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9: (1 POTENTIAL CASE).

RETURNED TO OPEN SESSION AND REPORT:

President Terry closed the executive session and reconvened the open (public session of the IBWD at 11:52 A.M. and stated that there were no reportable actions to report regarding existing litigation. President Terry moved to adjourn the Board Meeting. Director Ellison seconded the motion. Roll call to vote: President Terry, aye; Director Ellison, aye; Director Drolet, aye; and Director Whitaker, aye. Motion carried. Meeting adjourned at 11:54 P.M. The next Board Meeting will be scheduled for Saturday, March 14, 2020.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
March 6, 2020

5. CALL TO ORDER AND ROLL CALL: President Terry called the Special Meeting to order at 10:30 A.M. on Friday, March 6, 2020, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance was: Director Ellison, Director Whitaker, and Director Drolet. Employees in attendance were: General Manager Acker, Clerk/Accountant Murray, and Legal Counsel Emrick. Attending by telephone were President Terry and Director Dyson. Absent from the meeting was Clerk/Secretary Sackman.

ADJOURNMENT: President Terry moved to adjourn the public session of the Special Meeting at 10:34 A.M. Director Ellison seconded the motion. The Executive Session convened at 10:35 A.M.

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

CONVENED EXECUTIVE SESSION:

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (§54956.9) 2 CASES. IRISH BEACH IMPROVEMENT CLUB v. IRISH BEACH WATER DISTRICT; BEFORE THE STATE WATER RESOURCES CONTROL BOARD (FZ: A021901); IRISH BEACH WATER DISTRICT v IRISH BEACH IMPROVEMENT CLUB (Sac. Co. Sup. Ct. 34-2019-00266421).

RETURNED TO OPEN SESSION AND REPORT:

President Terry closed the Executive Session and reconvened the Open (public) Session of the IBWD at 11:31 A.M., and stated that there were no reportable actions to report regarding existing litigation. President Terry moved to adjourn the Board Meeting at 11:33 A.M. Director Ellison seconded the motion. Roll call to vote: President Terry, aye; Director Whitaker, aye; Director Dyson, aye; and Director Drolet, aye. Motion carried. The next Board Meeting is scheduled for Saturday, March 14, 2020.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
March 6, 2020

5. CALL TO ORDER AND ROLL CALL: President Terry called the Special Meeting to order at 10:30 A.M. on Friday, March 6, 2020, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance was: Director Ellison, Director Whitaker, and Director Drolet. Employees in attendance were: General Manager Acker, Clerk/Accountant Murray, and Legal Counsel Emrick. Attending by telephone were President Terry and Director Dyson. Absent from the meeting was Clerk/Secretary Sackman.

ADJOURNMENT: President Terry moved to adjourn the public session of the Special Meeting at 10:34 A.M. Director Ellison seconded the motion. The Executive Session convened at 10:35 A.M.

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

CONVENED EXECUTIVE SESSION:

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (§54956.9) 2 CASES. IRISH BEACH IMPROVEMENT CLUB v. IRISH BEACH WATER DISTRICT; BEFORE THE STATE WATER RESOURCES CONTROL BOARD (FZ: A021901); IRISH BEACH WATER DISTRICT v IRISH BEACH IMPROVEMENT CLUB (Sac. Co. Sup. Ct. 34-2019-00266421).

RETURNED TO OPEN SESSION AND REPORT:

President Terry closed the Executive Session and reconvened the Open (public) Session of the IBWD at 11:31 A.M., and stated that there were no reportable actions to report regarding existing litigation. President Terry moved to adjourn the Board Meeting at 11:33 A.M. Director Ellison seconded the motion. Roll call to vote: President Terry, aye; Director Whitaker, aye; Director Dyson, aye; and Director Drolet, aye. Motion carried. The next Board Meeting is scheduled for Saturday, March 14, 2020.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

**IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
March 14, 2020**

- 1. CALL TO ORDER AND ROLL CALL:** President Terry called the Regular Meeting to order at 10:03 A.M. on Saturday, March 14, 2020, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: President Terry, Director Ellison, Director Drolet, Director Dyson, and Director Whitaker. Employees in attendance were: General Manager Acker, Clerk/Accountant Murray, Clerk/Secretary Sackman. Legal Counsel Emrick attended by telephone.
- 2. APPROVAL OF MINUTES:** Director Whitaker made a motion to approve the Regular Meeting Minutes dated January 11, 2020, as submitted. The motion was seconded by Director Ellsion. Roll call vote: President Terry, aye; Director Ellison, aye; Director Drolet, aye; Director Dyson, aye and Director Whitaker, aye. Motion carried.
- 3. COMMUNICATIONS AND CORRESPONDENCE:** Communication received from William Moores was discussed regarding re-paving of the Alta Mesa Road, Mr.Moores' suggestion to raise cash for the re-paving, and Mr. Moores' request for a letter from IRISH BEACH WATER DISTRICT to the County Planning Department for approval for him to have a test well drilled, and status of anexisting well on another parcel of Mr. Moores. Re-paving of the road and raising funds for that expense will be tabled until the next Board Meeting. An approval letter, test well drilling, and status of existing well will be further discussed in Section Old Business, Items D and E.

Received correspondence from ACLU requesting an assessment of the dedication of the acreage to residential or non-residential use. Clerk/Accountant Murray replied to their letter as requested.

Received communication from Gary Levenson Palmer, an Irish Beach resident, regarding having an Irish Beach Community generator to be installed for electrical power outages. After discussion, President Terry concluded that he would reply to Mr. Levenson-Palmer's communication after further research into this matter.

- 4. PUBLIC INPUT:** None.

- 5. REPORTS:**

- A. TREASURER'S REPORT:**

March 2020:

Cash Balance: \$1,142

Operations Reserve: \$0.00

Emergency Response Augmentation: \$22,958

System Wide Capital Improvement: \$0.00

>40 Year Equipment Replacement Fund: \$116,842

Alternate Water Development Fund: \$422,835

Total Assets both Restricted and Unrestricted: \$650,981

Clerk/Accountant Murray discussed the January 10, 2020 through March 13, 2020 Treasurer's Report and Checks Issued Report with the Board. She pointed out that the cash in the checking account was \$1,142 and provided two reasons for this low cash balance. The first reason being expenditures for the appeals attorney, Jay Eisner, from the Law firm Downey Brand. The second reason being the amount of general funds expended for the electronic meter project. A loan was previously booked from the Restricted Assets Greater Than 40 Year Asset Replacement Fund in the amount of \$25,000. Treasurer Murray further explained that a second loan of \$25,000 was made to cover the recent legal fees requested by the appeals attorney. Treasurer Murray requested a motion for the proposal of a payment schedule of \$15,000 a year for five years at an interest rate equal to the amount of lost interest from the restricted account. Before the next board meeting, there will be a budget meeting, consisting of Treasurer Murray, Directors Ellison and Dyson, and General Manager Acker. Treasurer Murray will present their proposed budget for the next fiscal year at the May Board Meeting.

Treasurer Murray called for a motion to accept the Treasurer's Report as presented and to accept the checks issued. Director Drolet made a motion to approve the Treasurer's Report and checks issued between January 10, 2020 and March 13, 2020. Director Ellison seconded the motion. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye; Director Drolet and Director Whitaker, aye. Motion carried.

After Treasurer Murray, Legal Counsel Emrick and the Board's discussion regarding an internal loan from restricted funds with a yearly payment of \$15,000 for five years, the Board directed Treasurer Murray to present a resolution for the proposed loan with a repayment schedule for approval by the Board at the May Board Meeting.

- B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker reported the following: Nothing outside of normal operations to report. We are researching scrap value for the more than 200 used water meters that were replaced with the electronic water meters. General Manager Acker attended IRISH BEACH WATER DISTRICT Board Meetings, completed sample testing, and processed system checks.
- C. SAFETY COMMITTEE:** General Manager Acker reported the attendance by employees and the completion of written tests at the Safety Committee Meeting: March 3, 2020: "Workplace Violence," "Safety Orientation," and "Stairways & Ladders." Attendees: General Manager Acker, Water Treatment Plant Operator Dickson, and Maintenance Employee DeVaul.
- D. LEGAL COUNSEL:** Legal Counsel Emrick reported that at the last meeting he was directed by the Board to update the proposed Draft Policy 3075 for septic setbacks, give additional discretion to the general manager, and research the reason and rationale for the septic setbacks going from 10 feet to 25 feet. Legal Counsel Emrick has left a message with Timothy O'Brien, who oversees the State Water Resources Control Board/Waste Water Treatment System Policy regarding septic setbacks. It will be on the agenda at the May Board Meeting for further discussion and possible inclusion into existing policy.
- E. DIRECTORS:** Nothing to report.

6. OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: FINANCING OPTIONS FOR FUTURE CAPITAL PROJECTS, WATER SOURCE DEVELOPMENT, AND UPDATE ON PROCURING AN ENGINEER'S ASSESSMENT FOR MASTER PLAN DEVELOPMENT (EMRICK/ACKER).** Legal Counsel Emrick reported he is working with Doug Dove, an Engineer with Bartles and Wells, to assemble a summary of what it would cost the District for him to implement the connection fee, and also additional information on other potential financial sourcing. This subject will be continued for discussion at the May Board Meeting.
- B. REVIEW AND DISCUSSION: FINAL APPROVAL AND SUBJECT TO ADOPTION BY IRISH BEACH WATER DISTRICT OF THE PROPOSED DYSON PROPERTY AGREEMENT FOR A 25 FOOT SEPTIC/LEACH LINE SETBACK FROM IRISH BEACH WATER DISTRICT WATER MAINS (TERRY/ACKER/EMRICK).** Legal Counsel Emrick reported that he will have a policy for further discussion and action at the May Board Meeting, which will adopt the Local Agency Management Program (LAMP) of the 25-foot setback. Legal Counsel Emrick and General Manager Acker will compose language that includes adjustments to the 25-foot setback as appropriate for property development. Director Dyson reported that all the necessary permits will be obtained by mid-April, and construction can begin after that. General Manager Acker reported that his crew will be ready at that time to move forward with Bid's 100 feet of piping, as its responsibility for that part of the construction.
- C. DISCUSSION AND OR ACTION: WATER SUPPLY IN IRISH BEACH: WATER AVAILABLE FROM THE UPPER AND LOWER DIVERSIONS DURING THE LOW FLOW PERIOD INDICATES THAT ENOUGH WATER IS AVAILABLE TO SUPPLY 212 CONNECTIONS. OTHER POSSIBILITIES ARE EXPLORED. (WHITAKER/EMRICK).** Counsel Emrick opened this discussion of what Bid's source of water supply needs to be based upon what the requirements are for providing water versus what the real-life demand is. Director Whitaker presented information regarding available water in Irish Beach, the three sources of water during the low flow period, and projections for water usage.
- D. DISCUSSION AND OR ACTION: WELL ON NICHOLS RANCH. A WELL DRILLED ON 4/30/2007 WAS TESTED ON 10/07/2008 TO 10/11/2008. RESULTS INDICATE THAT ENOUGH WATER IS AVAILABLE TO SUPPLY 6.24 CONNECTIONS AT 300 GPD. (WHITAKER).** Director Whitaker presented information regarding a well drilled on a parcel owned by William Moores on Nichols Ranch. After discussion between Mr. Moores and the Board, Mr. Moores agreed that he would present a letter of intent to the Board stating that he would do what was necessary to comply with the County's requirements regarding the existing well.
- E. DISCUSSION AND OR ACTION: STATUS OF NEW WELL CONSTRUCTION PROPOSAL ON NICHOLS RANCH PROPERTY – WILLIAM MOORES (ELLISON/ACKER/EMRICK).** After the Board's discussion with Mr. Moores regarding drilling a test well on a separate piece of property from the existing well, President Terry made a motion to have a letter drawn up by Legal Counsel Emrick and General Manager Acker for the County's planning department giving Irish Beach Water District's permission for Mr. Moores to drill a test well on Mr. Moore's separate piece of property located on Nichols Ranch. Seconded by Director Drolet. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye; Director Drolet and Director Whitaker, aye. Motion carried.

7. NEW BUSINESS: None

ADJOURNMENT: President Terry moved to adjourn the Public Session of the Board Meeting at 12:39P.M. Director Ellison seconded the motion. The Executive Session convened at 12:43P.M.

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

CONVENED EXECUTIVE SESSION:

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

RETURNED TO OPEN SESSION AND REPORT:

President Terry closed the executive session and reconvened the open (public session of the IRISH BEACH WATER DISTRICT at 1:05 P.M. and stated that there were no reportable actions to report regarding existing litigation. President Terry moved to adjourn the Board Meeting. Director Ellison seconded the motion. Roll call to vote: President Terry, aye; Director Ellison, aye; Director Drolet, aye; Director Dyson, aye and Director Whitaker, aye. Motion carried. Meeting adjourned at 1:07 P.M. The next Board Meeting will be scheduled for Saturday, May 9, 2020.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____

**IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
May 9, 2020**

1. **CALL TO ORDER AND ROLL CALL:** President Terry called the Regular Meeting to order at 10:02 A.M. on Saturday, May 9, 2020, using Zoom, a web-based video and audio conferencing tool, to meet online. Roll call of directors in attendance online were: President Terry, Director Ellison, Director Dyson, and Director Whitaker. Employees in attendance online were: General Manager Acker, Clerk/Accountant Murray, Clerk/Secretary Sackman, and Legal Counsel Emrick. Absent from the meeting was Director Drolet.
2. **APPROVAL OF MINUTES:** Director Whitaker made a motion to approve the Regular Meeting Minutes dated March 14, 2020, as submitted. The motion was seconded by Director Ellison. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye and Director Whitaker, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** General Manager Acker stated the following: he received a phone call from Mr. Moores requesting General Manager Acker to meet with him to discuss his plans to build a water system on his Nichols Ranch property. General Manager Acker replied to Mr. Moores that he would need to get approval from the Irish Beach Water District Board before any other action was taken. This discussion with Mr. Moores was tabled until the July 2020 Irish Beach Water District Board Meeting
4. **PUBLIC INPUT:** Property owner Susan Israel, present during the Zoom Meeting, discussed with the Board the appeals attorneys' filing court extensions of the ongoing litigations and attorneys' fees. Legal Counsel Emrick stated that all court filings are current and accepted by the public court, but there is one appeals extension that shows on the docket, which is in the process of being corrected.
5. **REPORTS:**

A. TREASURER'S REPORT:

May 2020:

Cash Balance: \$22,931

Operations Reserve: \$0.00

Emergency Response Augmentation: \$22,958

System Wide Capital Improvement: \$0.00

>40 Year Equipment Replacement Fund: \$116,852

Alternate Water Development Fund: \$423,695

Total Assets both Restricted and Unrestricted: \$673,639

Clerk/Accountant Murray discussed the March 13, 2020 through May 1, 2020 Treasurer's Report with the Board, and she stated that the Checks Issued Report will be discussed at the July Irish Beach Water District Board Meeting. She pointed out that the cash in the checking account was \$22,931, due to reduced administration expenditures and receipt of payments for January, February and March from customers' water billing payments.

Treasurer Murray noted that a mid-year budget review of current and future expenditure needs will be presented at the July Irish Beach Water District Board Meeting.

A motion to approve the Treasurer's Report and checks issued between March 13, 2020 and May 1, 2020, will be discussed and action taken at the July Irish Beach Water District Board Meeting.

- B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker reported the following: Generally this report consists of normal operations of the water treatment plant. One key item to report is that the Irish Beach Water District work crew made temporary repairs to the Alta Mesa Road, to correct the hazardous conditions, until funds are available for more permanent repairs. General Manager Acker attended Irish Beach Water District Board Meetings, completed sample testing, and processed system checks.
- C. SAFETY COMMITTEE:** General Manager Acker reported the attendance by employees and the completion of written test at the Safety Committee Meeting: April 28, 2020: “Powered Hand Tool Safety.” Attendees: General Manager Acker and Maintenance Employee DeVaul.
- D. LEGAL COUNSEL:** Legal Counsel Emrick reported that the license agreement litigation between IBIC and Irish Beach Water District has been resolved through mediation. An amendment was signed, which is an amendment to the existing 1990 agreement. The amendment assigns the license for the dam and lake to IBIC, with a provision that Irish Beach Water District have use of the lake for fire protection purposes. Also the amendment authorizes Irish Beach Water District to charge IBIC for water usage for irrigation purposes. The Irish Beach Water District Board directed Legal Counsel Emrick to file a notice of dismissal of the litigation involving the license with the Sacramento County Court.
- E. DIRECTORS:** Director Whitaker discussed with the Board, General Manager Acker, and Legal Counsel Emrick the issues of responsibility for repairs of the Alta Mesa Road and pipeline maintenance, which Legal Counsel Emrick stated he will do further research to bring to the Board in the July Irish Beach Water District Board Meeting. The Alta Mesa road repair will be discussed at the upcoming budget meeting, and presented as part of Treasure Murray’s budget presentation at the July Irish Beach Water District Board Meeting.

6. OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: FINANCING OPTIONS FOR FUTURE CAPITAL PROJECTS, WATER SOURCE DEVELOPMENT, AND UPDATE ON PROCURING AN ENGINEER’S ASSESSMENT FOR MASTER PLAN DEVELOPMENT (EMRICK/ACKER/MURRAY).** Discussion of connection fee modification was tabled until data is collected from nearby similar water districts.
- B. REVIEW AND DISCUSSION: PROPOSED IRISH BEACH WATER DISTRICT DRAFT POLICY #3075 TO ADOPT THE LOCAL AGENCY MANAGEMENT PROGRAM (LAMP) OF THE 25-FOOT SETBACK AS APPROPRIATE FOR PROPERTY DEVELOPMENT. (EMRICK/ACKER). SETBACK FROM IRISH BEACH WATER DISTRICT WATER MAINS (TERRY/ACKER/EMRICK).** Legal Counsel Emrick reported that he will have a policy for further discussion and action at the July Board Meeting, which will adopt the Local Agency Management Program (LAMP) of the 25-foot setback. Legal Counsel Emrick and General Manager Acker will compose language that includes adjustments to the 25-foot setback as appropriate for property development.
- C. DISCUSSION AND OR ACTION: PROPOSED IRISH BEACH WATER DISTRICT LETTER GIVING PERMISSION FOR WILLIAM MOORES TO DRILL A TEST WELL ON MR. MOORES’ SEPARATE PIECE OF PROPERTY LOCATED ON NICHOLS RANCH. (WHITAKER/EMRICK/ACKER).** General Manager Acker has been in communication with a Mendocino County Public Health Officer in charge of permits, and the officer stated, that before giving permission to draw a test well on another lot, that the status of the existing well still needs to be signed off by the county.

7. NEW BUSINESS: None

ADJOURNMENT: Director Whitaker moved to adjourn the Public Session of the Board Meeting at 11:05A.M. and Director Dyson seconded the motion. Motion carried. The next Board Meeting will be scheduled for Saturday,

8. EXECUTIVE (CLOSED) SESSION: No Executive (closed) Session.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
June 13, 2020

5. **CALL TO ORDER AND ROLL CALL:** President Terry called the Special Meeting to order at 10:03 A.M. on Saturday, June 13, 2020, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance was: President Terry, Director Drolet, and Director Dyson. Employees in attendance were: General Manager Acker and Clerk/Accountant Murray. Director Whitaker was in attendance after roll call was taken. Legal Counsel Emrick attended the closed session by phone. Absent from the meeting were Director Ellison and Clerk/Secretary Sackman.
6. President Terry opened the workshop of the District Budget Committee to discuss the proposed District budget for the year 2020-2021, which will be presented at the next regular district meeting on July 11, 2020. No action was taken after the Budget Committee workshop.

ADJOURNMENT: President Terry moved to adjourn the public session of the Special Meeting at 12:41 P.M. Director Dyson seconded the motion. The Executive Session convened at 12:45 P.M.

7. CONVENED 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.

4. **EXECUTIVE (CLOSED) SESSION:** Due to attorney/client privilege, action taken is confidential.

RETURNED TO OPEN SESSION AND REPORT:

President Terry closed the Executive Session and reconvened the Open (public) Session of the Irish Beach Water District at 1:41 P.M., and stated that there were no reportable actions to report regarding existing litigation. President Terry moved to adjourn the Board Meeting at 1:43 P.M. Director Drolet seconded the motion. Roll call to vote: President Terry, aye; Director Whitaker, aye; and Director Drolet, aye. Motion carried. The next Board Meeting is scheduled for Saturday, July 11, 2020.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary

**IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
July 11, 2020**

- 1. CALL TO ORDER AND ROLL CALL:** President Terry called the Regular Meeting to order at 10:07 A.M. on Saturday, July 11, 2020, using Zoom, a web-based video and audio conferencing tool, to meet online. Roll call of directors in attendance online were: President Terry, Director Ellison, Director Dyson, Director Drolet and Director Whitaker. Employees in attendance online were: General Manager Acker, Clerk/Accountant Murray, Clerk/Secretary Sackman, and Legal Counsel Emrick.
- 2. APPROVAL OF MINUTES:** Director Whitaker made a motion to approve the Regular Meeting Minutes dated May 9, 2020, as submitted and the Special Meeting Minutes of June 13, 2020, as submitted. The motion was seconded by Director Ellison. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye; Director Drolet, aye and Director Whitaker, aye. Motion carried.
- 3. COMMUNICATIONS AND CORRESPONDENCE:** At the request of Casey Dyson property owner at Unit 9, Lot 28, a required administrative letter to notify the County and was submitted to the County by Clerk/Accountant Murray to confirm that water is provided by the District for parcels being built in the Irish Beach Community.
- 4. PUBLIC INPUT:** Property owners Susan Israel and Mike Dunbaugh, present online during the Zoom Meeting, discussed with the Board and legal counsel the appeals attorney's fees, history of law suits and actions taken, and proposed availability rate.
- 5. REPORTS:**

A. TREASURER'S REPORT:

July 2020:

Cash Balance: \$38,686

Operations Reserve: \$0.00

Emergency Response Augmentation: \$38,228

System Wide Capital Improvement: \$0.00

>40 Year Equipment Replacement Fund: \$68,377

Alternate Water Development Fund: \$425,997

Total Assets both Restricted and Unrestricted: \$696,060

Clerk/Accountant Murray discussed the May 1, 2020 through July 1, 2020 Treasurer's Report and checks issued with the Board. She pointed out that the cash in the checking account was \$38,686, due to reduced administration expenditures and receipt of payments for May and June from customers' water billing payments. Treasurer Murray discussed with the Board a mid-year budget review of current and future expenditure needs and will be further discussed regarding a formal payment plan for loans borrowed from Irish Beach Water District's restricted funds to be paid back from operations reserve and a proposed increase to the availability charge at the September IRISH BEACH WATER DISTRICT Board Meeting.

Director Ellison made the motion to approve the Treasurer's Report and checks issued from May 1, 2020 through July 1, 2020. The motion was seconded by Director Drolet. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye; Director Drolet, aye and Director Whitaker, aye. Motion carried.

Online meeting Guest Israel discussed with the Board and Legal Counsel Emrick her request to have more itemized details concerning legal fees listed on the treasurer's reports. President Terry stated that he and Clerk/Account Murray would formalize and provide more detailed information regarding legal fee expenses for future treasurer's reports beginning at the September Board Meeting.

- B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker reported the following: Generally this report consists of normal operations of the water treatment plant. Key items to report are: The electronic meter located on Navarro Way was indicating a water leak and we were able to shut off the water and notified the owner to arrange for repair, as it was determined a homeowner's expense. Rebuilt and installed a gate at Hillcrest Drive. A report of a water leak on O'Rorey's Place, was evaluated and the repairs have been completed. Tank 2 was repaired, drained and cleaned. An automatic control system is in the process of being repaired. A section of the water main in Unit 2 on Mallo Pass Drive has been marked for the utilities; materials have been acquired and will be starting the repairs later in July. The state required Annual Operations Report, Monthly Operations Report, and Consumer Confidence Report were completed this month. General Manager Acker attended IRISH BEACH WATER DISTRICT Board Meetings, completed sample testing, and processed system checks.
- C. SAFETY COMMITTEE:** General Manager Acker reported the attendance by employees and the completion of written tests at the Safety Committee Meeting: July 3, 2020: "Heat Stress for Public Employees – Seeing Red." and "CPR and AED The Chain of Survival "Attendees: General Manager Acker, Treatment Plant Operator Dial, and Maintenance Employee DeVaul.
- D. LEGAL COUNSEL:** Legal Counsel Emrick stated that there was nothing to report at this meeting.
- E. DIRECTORS:** President Terry discussed with those present his rate payer letter that was mailed with the current billing statement. President Terry discussed the reason for purchasing the smart meters, the litigation expenses, and the impact on how these expenditures would affect the budget for the next fiscal year.

6. OLD BUSINESS:

- A. DISCUSSION AND OR ACTION: PROPOSED IRISH BEACH WATER DISTRICT DRAFT POLICY #3075 TO ADOPT THE LOCAL AGENCY MANAGEMENT PROGRAM (LAMP) OF THE 25-FOOT SETBACK AS APPROPRIATE FOR PROPERTY DEVELOPMENT. (EMRICK/ACKER).** Legal Counsel Emrick stated that the draft policy would be discussed for acceptance at the IRISH BEACH WATER DISTRICT Board Meeting in September 2020.
- B. REVIEW AND DISCUSSION: PROPOSED IRISH BEACH WATER DISTRICT LETTER GIVING PERMISSION FOR WILLIAM MOORES TO DRILL A TEST WELL ON MR. MOORES' SEPARATE PIECE OF PROPERTY LOCATED ON NICHOLS RANCH. (WHITAKER/EMRICK/ACKER).** This item is tabled until the next meeting, as Mr. Moores has not provided his overall intention regarding his project concerning a test well and the resolution of the un-capped well to the Board as yet.

7. NEW BUSINESS:

DISCUSSION AND OR ACTION: PROPOSED F/Y 2020/2021 BUDGET AND MID-YEAR BUDGET REVIEW OF CURRENT AND FUTURE EXPENDITURE NEEDS. (MURRAY/ACKER/EMRICK). Clerk/Accountant Murray presented to the Board the following: A recap of income and expenses, revenue from water usage and availability payments from customers. The new budget has proposed an increase for usage of a new rate of \$0.65, per 100 gallons, and a new availability rate of \$85.49 per month. Also discussed with the Board were the new meters and litigation loans that are needed to be affirmed for payment in a formal payback for the budget. Director Ellison made a motion to accept the proposed budget as written, subject to amendment, and to have the Public Hearing Meeting at the IRISH BEACH WATER DISTRICT Board Meeting in September 2020. The motion was seconded by Director Drolet. Roll call vote: President

Terry, aye; Director Ellison, aye; Director Dyson, aye; Director Drolet, aye and Director Whitaker, aye. Motion carried. Further discussion regarding the approved budget and any amendments will be continued at the IRISH BEACH WATER DISTRICT September 2020 Meeting.

ADJOURNMENT: President Terry moved to adjourn the Public Session of the Board Meeting at 12:39 P.M. and Director Dyson seconded the motion. Motion carried. The next Board Meeting and Public Hearing Meeting will be scheduled for Saturday, September 12, 2020.

8. EXECUTIVE (CLOSED) SESSION: The Executive Closed Session was conducted after the Regular Zoom Meeting.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____

**IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
September 12, 2020**

1. **CALL TO ORDER AND ROLL CALL:** President Terry called the Regular Meeting to order at 10:05 A.M. on Saturday, September 12, 2020, using Zoom, a web-based video and audio conferencing tool, to meet online. Roll call of directors in attendance online were: President Terry, Director Ellison, Director Dyson, and Director Whitaker. Employees in attendance online were: General Manager Acker, Clerk/Accountant Murray, Clerk/Secretary Sackman, and Legal Counsel Emrick. Director Drolet was absent.
2. **APPROVAL OF MINUTES:** Director Whitaker made a motion to approve the Regular Meeting Minutes dated July 11, 2020, as submitted. The motion was seconded by Director Ellison. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye; and Director Whitaker, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** No action was taken at this time with regard to the Israel/Curbelo request for a well. Further action/discussion on this matter is moved to the next Board Meeting..
4. **PUBLIC INPUT:** Property owner, Rod Curbelo stated his opinion regarding legal fees as it impacts the rate increase.
5. **REPORTS:**

A. TREASURER'S REPORT:

July 2020:

Cash Balance: \$44,251

Operations Reserve: \$0.00

Emergency Response Augmentation: -\$38,383

System Wide Capital Improvement: \$0.00

>40 Year Equipment Replacement Fund: \$58,475

Alternate Water Development Fund: \$426,997

Total Assets both Restricted and Unrestricted: \$712,807

Clerk/Accountant Murray stated: This report is comparable to the last report. Also included is a comparison of budget to actual, with an estimated net income at a loss of (\$1,409). Treasurer Murray asked that the Board approve the Treasurer's Report and List of checks issued.

Director Whitaker made the motion to approve the Treasurer's Report and checks issued from July 1, 2020 through September 5, 2020. The motion was seconded by President Terry. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, abstained; and Director Whitaker, aye. Motion carried.

- B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS:** General Manager Acker reported the following: Generally this report consists of normal operations of the water treatment plant. Key items to report are: The pipeline system for the Dyson property is completed. The upper diversion water flow slowed down considerably. The lower diversion pump was installed, which brought it back up to full capacity.

General Manager Acker attended IBWD Board Meetings, completed sample testing, and processed system checks.

- C. **SAFETY COMMITTEE:** General Manager Acker reported the attendance by employees and the completion of written tests at the Safety Committee Meeting: September 4, 2020: “Distracted Driving – Incidents and Accidents.” and “Workplace Ergonomics.” Attendees: General Manager Acker, Treatment Plant Operator Dial, and Maintenance Employee DeVaul.
- D. **LEGAL COUNSEL:** Legal Counsel Emrick stated that there was nothing to report at this meeting.
- E. **DIRECTORS:** President Terry stated there is nothing to report.

6. OLD BUSINESS:

- A. **DISCUSSION AND OR ACTION: PROPOSED IBWD DRAFT POLICY #3075 TO ADOPT THE LOCAL AGENCY MANAGEMENT PROGRAM (LAMP) OF THE 25-FOOT SETBACK AS APPROPRIATE FOR PROPERTY DEVELOPMENT. (EMRICK/ACKER).** After discussion, President Terry presented a motion for Resolution No. 2020-01 for acceptance by the IBWD Board. Motion seconded by Director Ellison. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye; and Director Whitaker, aye. Motion carried.
- B. **REVIEW AND DISCUSSION: PROPOSED IBWD LETTER GIVING PERMISSION FOR WILLIAM MOORES TO DRILL A TEST WELL ON MR. MOORES’ SEPARATE PIECE OF PROPERTY LOCATED ON NICHOLS RANCH. (WHITAKER/EMRICK/ACKER).** After discussion between the Directors and Mr. William Moores, President Terry made the following motion: To approve the drilling of two test wells on Mr. Moores Nichols Ranch Property, for the purpose of surveying how much water is available and possibly be used in the future, with the stipulation that the IBWD at this point does not accept any potential commercial water system and is not assuming any responsibility for a new water system until the IBWD receives a full detailed proposal from Mr. Moores for the Board’s discussion and subject to approval. Also included in this motion is that Mr. Moores agrees to have the existing well capped and locked, and that Mr. Moores agrees to abide by the IBWD’s existing policy. (President Terry stated that if this motion was approved, a letter to the County Health Department would be issued for approval of the drilling of the test wells.) Motion seconded by Director Dyson. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye; and Director Whitaker, nay. Motion carried.

7. NEW BUSINESS:

DISCUSSION AND OR ACTION: PUBLIC HEARING REGARDING PROPOSED INCREASE TO AVAILABILITY CHARGE. (MURRAY/EMRICK/ACKER) President Terry stated this item would be moved to begin before old business. President Terry presented the fact that 24 protest forms regarding the rate change were received. As the protests did not reach a majority, the rate increase would go into effect, subject to the Board’s approval. President Terry opened the hearing with the following presentation from Clerk/Accountant Murray: Clerk/Accountant Murray stated that she did a water usage rate comparison, which shows the IBWD at a rate of third to the lowest. Also discussed during the hearing were the reasons for the rate increase. There were no further comments from the audience after Clerk/Accountant’s presentation. President Terry stated that the rate increase will be subject to approval by the Board and acceptance of the Resolution No. 2020-02, documenting the approval of the District’s FY2020-2021 operating budgets for water.

President Terry made a motion to approve Resolution 2020-02, recommending the approval of the District’s FY2020-2001 operating budget for water and that the rates for usage would be \$0.65 per 100 gallons and the availability charge would be \$85.49 per month for our two month billing cycle of \$170.98. Motion seconded by Director Ellison. Roll call vote: President Terry, aye; Director Ellison, aye; Director Dyson, aye; and Director Whitaker, aye. Motion carried.

ADJOURNMENT: President Terry moved to adjourn the Public Session of the Board Meeting at 12:02 P.M. and Director Dyson seconded the motion. Motion carried. The next Board Meeting and Public Hearing Meeting will be scheduled for Saturday, November 14, 2020.

8. EXECUTIVE (CLOSED) SESSION: The Executive Closed Session was conducted after the Regular Zoom Meeting.

Respectfully submitted:

Attest:

Kenneth Terry, President

Stephen Whitaker, Secretary of the Board

Date: _____

Date: _____