

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

1. **CALL TO ORDER AND ROLL CALL:** President Drolet called the Regular Meeting to order at 10:02A.M.on Saturday, March 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, Accountant/Clerk Murray, Clerk/Secretary Sackman, and District’s Legal Counsel Emrick.
2. **APPROVAL OF MINUTES:** Corrections were noted to change the following: 7.C. second paragraph replaced “Planning Board of Mendocino County” with “California Department of Fish and Game.” Also replaced “In 2016” with “In the beginning of 2016.” Director McCormick made a motion to approve the meeting minutes with the changes as noted. The motion was seconded by Director Ellison. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** President Drolet stated that any communications or correspondence requires a two weeks advance notice in order to be discussed at a board meeting, or will be postponed until the next board meeting. It was decided by the board that a notice will be stated on all future meeting agendas as follows: Communications and correspondence to be presented at a board meeting, if received less than two weeks before the meeting, will not be part of that board meeting’s agenda, and will be included in the next board meeting’s agenda.
4. **PUBLIC INPUT:** None.
5. **REPORTS:**

A. TREASURER’S REPORT:

Cash Balance: \$18,525
Operations Reserve: \$0.00
*Emergency Response Augmentation: \$20,938 (payment in 2017-2018)
<40 Year Reserve: \$0.00
System Wide Capital Improvement: \$0.00
>40 Year Equipment Reserve: \$193,827
Alternate Water Development Fund: \$412,284

Accountant/Clerk Murray reported the following:

*Emergency Response Augmentation: The \$27,708 paid in 2016-2017, was reported for the last period January, 2018 Treasurer’s Report separately, because these funds are not operating funds and cannot be spent on Water District expenditures, with the exception of repair/maintenance of the Manchester Firehouse. These funds are “passed through” to RCFPD in accordance with LAFCO’s agreement when the fire district was annexed to RCFPD.

All operating expenditures were normal for January through March 2018. The list of checks issued shows \$27,707.90, which is the 2016-2017 installment payment to RWCFPD. Director McCormick made a motion to approve Treasurer’s Reports for January and March 2018, and the list of checks issued for January 9, 2018 through

March 9, 2018. The motion was seconded by Director Reidenbach. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.

B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS: General Manager Acker reported the following for January, February, and March 2018:

January: Attended board meeting, checked tanks, prepared for winter weather, conducted backwash's, inspected Tank 3 for maintenance requirements, conducted storm recovery requirements, and checked tanks and wells.

February: Processed monthly reports, conducted hydrant testing for Units 2 & 3, implemented a numbering system for hydrants, conducted backwashes, performed meter repair, performed line flushing, processed water sample tests, increased upper diversion water flow, checked low rate of water pressure, repaired raw water pipe, repaired Tank 3 float, replaced C12 pump, ordered parts, marked customer's U-2 line, attended safety meeting, and repaired fencing.

March: Performed hydrant testing for units 8 and 9, processed water sample testing, relocated Vacuum unit, prepared for board meeting, and completed SWRCB reports.

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

February 23, 2018: "Sexual Harassment" and "Back Protection"

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

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

E. DIRECTORS: Director Reidenbach discussed the need for customers to have a contact list of IRISH BEACH WATER DISTRICT's employees for billing and emergency contact. The board decided that a contact list will be added in the next billing statements. It was also discussed that IRISH BEACH WATER DISTRICT's main phone number provides a message giving contact numbers as well.

The board discussed changing the next board meeting date to Saturday, May 19, 2018. Director McCormick made a motion to cancel the regular board meeting scheduled for Saturday, May 12, 2018, and schedule a special meeting for Saturday, May 19, 2018. The motion was seconded by Director Reidenbach. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.

6. OLD BUSINESS:

A. DISCUSSION AND OR ACTION: PLAQUE AND ENGRAVING IN MEMORY OF KATHY POLING. (DROLET/McCORMICK/REIDENBACH/ELLISON/MURRAY/SACKMAN). After the board's discussion, IBIC President Wolfe, present in the audience, volunteered to have a plaque engraved in memory of Kathy Poling on one of IBIC's benches located in the Pomo Lake area.

B. 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). After discussion with the board, Counsel Emrick stated he will present proposals from one or two engineering firms at the next board meeting.

- C. **DISCUSSION AND OR ACTION: UPDATE ON ROAD MAINTENANCE AGREEMENT AND CORRESPONDENCE REGARDING ROAD MAINTENANCE.(EMRICK/ACKER).**On hold as part of on-going litigation.
- D. **DISCUSSION AND OR ACTION: CONNECTION OF TANK 2 WELL. (ACKER).**On hold until after the litigation proceedings have been concluded.
- E. **DISCUSSION AND OR ACTION: ENVIRONMENTAL PROTECTION AGENCY (EPA) INCIDENT ACTION CHECKLIST, RESEARCH, AND PLAN OF ACTION. (DROLET/ACKER/EMRICK).** Counsel Emrick stated that he will bring a former fire chief, as a potential consultant, to the next board meeting to discuss grants and a fire protection plan.
- F. **DISCUSSION AND OR ACTION: POMO LAKE STATUS. MAINTENANCE ISSUES, RESPONSIBILITIES FOR LAKE AND DAM, AND AD HOC COMMITTEE FINDINGS. (REIDENBACH/ELLISON/DROLET/EMRICK/ACKER).** Director Reidenbach opened the discussion by stating that the ad hoc committee reviewed and discussed the pertinent documents at their initial meeting. Director Reidenbach had a follow up meeting with IBIC President Wolfe. Counsel Emrick and the board discussed water and property rights during the board meeting. It was decided that IBIC's President Wolfe would provide a copy of the grant deed of the property to IRISH BEACH WATER DISTRICT to substantiate IBIC property ownership. IRISH BEACH WATER DISTRICT's and IBIC's Boards would then attempt to come to an agreement regarding a potential lease or license of the District's Pomo Lake water rights to IBIC for a specified period of time as surplus property to replace the present 1990 Agreement. The Board directed Counsel Emrick to prepare a draft of a lease/license, including all the necessary documents, for distribution to the board before the next board meeting, for discussion at the next board meeting.

7. NEW BUSINESS:

- A. **DISCUSSION AND OR ACTION: COMPLETION OF STATEMENT OF ECONOMIC INTEREST FORM 700, ETHICS TRAINING, AND THE BROWN ACT. (MURRAY/EMRICK).** Accountant/Clerk Murray stated board members are required to complete Form 700, and Form 700 to be provided to the County of Mendocino Accessor-Clerk-Recorder's office no later than Monday, April 2, 2018. The ethics training program is provided on the designated website for new board members. Counsel Emrick stated he will provide related Brown Act and conflict of interest information to facilitate the training.
- B. **DISCUSSION AND OR ACTION: IRISH BEACH WATER DISTRICT'S HERBICIDE POLICY. (ACKER).** General Manager Acker discussed with the board Resolution No. 95-4, which established a zero discharge limit with respect to the disposal of waste or activity which might contaminate or degrade the quality of waters of the state flowing through the Irish Beach Water District. This discussion focused on the chemical glyphosate, an ingredient in the brand name Roundup. As glyphosate was added to California Proposition 65, as a potentially cancerous chemical, the board will discuss at the next meeting methods of distributing this information to the Irish Beach Community, and possible independent testing for this chemical for IRISH BEACH WATER DISTRICT.

ADJOURNMENT: President Drolet moved to adjourn the public session of the board meeting. Director McCormick seconded the motion. Roll call to vote: President Drolet, aye; Director McCormick, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried. Meeting adjourned at 12:48 P.M. The next board meeting will be scheduled for Saturday, May 19, 2018.

CONVENED EXECUTIVE SESSION:

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

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

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

Respectfully submitted:

Attest:

Leon Drolet, President

Jan McCormick, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary