

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
REGULAR MEETING MINUTES
November 11, 2017

1. **CALL TO ORDER AND ROLL CALL:** Vice President Drolet called the Regular Meeting to order at 9:58 A.M. on Saturday, November 11, 2017, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: Vice President Drolet, Director McCormick, Director Reidenbach, and Director Ellison. Also present were Judy Murray, Accountant/Clerk; Charles Acker, District General Manager; Connie Sackman, Clerk/Secretary, and District's Legal Counsel, Matthew Emrick.
2. **APPROVAL OF MINUTES:** Director McCormick made a motion to approve the meeting minutes of September 9, 2017. Director Reidenbach seconded the motion. Roll call vote: Vice President Drolet, aye; Director McCormick, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.
3. **COMMUNICATIONS AND CORRESPONDENCE:** Vice President Drolet made a motion to address correspondence from William Moores, dated November 9, 2017, at the next Board meeting. Motion seconded by Director McCormick. All approved. Motion carried.
4. **PUBLIC INPUT:** None.
5. **REPORTS:**
 - A. **TREASURER'S REPORT:** Accountant/Clerk Murray presented her Cash Statement and Checks Issued Reports as follows:

Cash Balances: \$25,087
Operations Reserve: \$0.00
< 40 Year Reserve: \$0.00
System Wide Capital Improvement: \$0.00
>40 Year Equipment Reserve: \$193,827
Alternate Water Development Fund: \$412,284

Cash Statement Report: Shows the last period compared to this period. Cash is down to \$25,087 as of September 2017. The total unrestricted cash amount is \$25,087. The total restricted cash amount is \$606,111. Accountant/Clerk Murray requested the Board to approve an \$110,000 transfer of funds from Operations Reserve of \$16,939, less than 40 year reserve of \$12,251, and Operating Cash of \$80,810 to the Alternate Water Fund (AWDF) to pay back withdrawals for legal expenses to Meyers Nave Attorney, expenditures that were not allowed by the court ruling. Total funds from Proposition 218 assessment: Capital Replacement of \$193,827, and Alternate Water Development of \$412,284, for a total of \$606,111. Director McCormick made a motion to approve the \$110,000 transfer of the funds listed to the Alternate Water Fund (AWDF) as noted. Motion seconded by Vice President Drolet. Roll call: Vice President Drolet, aye; Director Reidenbach, aye; Director McCormick, aye; and Director Ellison, aye. Motion carried.

Checks Issued Report: Of note is a check issued for Jacobson Construction for \$7,395, issued for roof repair. The roof repair expense came out of the Emergency Response Funds. Discussed checks issued for employee salaries and operating expenses.

Vice President Drolet made a motion to approve the Treasurer's Report and approve the list of checks issued. Director Reidenbach seconded the motion. Director McCormick, aye; Vice President Drolet, aye; Director Reidenbach, aye; and Director Ellison, aye. Motion carried.

Summary of Restricted Asset Review: This review is a summary of Proposition 218 funds. Greater than 40 reserve balance is \$193,827. The System Wide shows as \$0.00, due to funds expended of \$515,873. The IBWD Alternate Water Development Fund balance is \$412,284. Interest to the balances will continue to accumulate. The auditor looks over this report and IBWD uses it as an exhibit in court proceedings.

Resolution 2017-03: This resolution was prepared for approval by Accountant/Clerk Murray to authorize changes for bank authorization signatures on IBWD bank accounts. The designated signatures for bank accounts include Charlie Acker, Judy Murray, and Jan McCormick, as authorized signers. Accountant/Clerk Murray asked for adoption of Resolution 2017-03, authorizing those designated as signers for IBWD bank accounts. Vice President Drolet made the motion to adopt Resolution 2017-03. The motion was seconded by Director Ellison. Roll call: Director Reidenbach, aye; Vice President Drolet, aye; Director McCormick, aye; and Director Ellison, aye. Motion carried.

B. WATER/STORAGE FACILITIES/CONVEYANCE LOSS: General Manager Acker reported the following for September, October, and November 2017:

September: Attended Board meeting, processed monthly report, prepared Gordon Moores' connection at Tank 5, inspected and cleared brush at Tank 2, oversaw roof repair, surveyed damage to Tank 2 roofing for obtaining an estimate for repairs, re-primed pumps for Tank 2, processed water samples for testing, as well as testing for lead and copper from roof repair debris collection.

October: Began every two weeks per year state required water sampling, met with PG&E for possible customer leak, repaired screens and additional maintenance for Tank 2, processed monthly reports, processed state required and regular water sample tests, drained Tank 0, checked valves at Tank 0 and attached vacuum excavator to prime the raw water line, checked and primed raw water line.

November: Assessed quality problem with Polymer product, put away vacuum excavator, pipes, and hoses, dug water bars on Hillcrest, phone call with William Moores regarding accounts and road maintenance, cleaned debris at Firehouse from roof repair, and attended Board meeting.

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

November 10, 2017: "Winter Driving," "Emergency Escape Routes," and "Fire Safety"

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

D. LEGAL COUNSEL: Counsel Emrick discussed with the Board that Vice President Drolet and he will confer with CAL Fire and the Redwood Coast Fire District to put together a plan for fire safety for the Irish Beach community with regards to road maintenance and an emergency evacuation plan.

E. DIRECTORS: Vice President Drolet presented the following:

Cattails removal from Pomo Lake: After the Board's discussion, it was decided that Counsel Emrick would speak with IBIC's President regarding cattails removal around the Pomo Lake dam and maintenance of the dam.

Environmental Protection Agency (EPA) Incident Action Checklist: The checklist outlined actions water and wastewater utilities can take to prepare for, respond to, and recover from a wildfire. The Board discussed the need to meet with fire agencies that have authority over the Irish Beach area, and to put together a wildfire plan of action for IBWD, which would include a list of who to contact for emergency

needs in case of a wildfire. General Manager Acker discussed with the Board how IBWD's reserve water supply is capable of providing enough water for the community until the generators begin operating, and how the generator system is capable of restoring power to the wells and providing an adequate supply of

water for the Irish Beach community during a wildfire emergency situation, until electrical power is restored. After discussion, General Manager Acker stated he would research the checklist for a plan of action, for further discussion and planning.

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. (ACKER/EMRICK).** Counsel Emrick stated that an engineer's assessment is scheduled for discussion at the next Board meeting to determine what would need to be accomplished for formulating a master plan for future capital projects.
- B. DISCUSSION AND OR ACTION: UPDATE ON ROAD MAINTENANCE AGREEMENT AND CORRESPONDENCE REGARDING ROAD MAINTENANCE. (EMRICK/ACKER).** No action taken. Counsel Emrick stated there will be a further update on the status of road maintenance and the road agreement at the next Board meeting.
- C. DISCUSSION AND OR ACTION: WATER SERVICE CONNECTION TO SERVE GORDON MOORES' ACREAGE PARCEL, DISCUSSION AND CONSIDERATION OF BUY-IN FEE RESOLUTION 2009-2, AND PRESENTATION OF HOW TO REGULATE WATER USAGE FOR AGRICULTURAL SITUATIONS. (EMRICK/ACKER).** The State Resources Control Board has issued a statement describing their regulations on cannabis growing. Counsel Emrick will incorporate those state regulations into IBWD's regulations and resolutions, in order to ensure State Board requirements are followed.
- D. DISCUSSION AND OR ACTION: CONNECTION OF TANK 2 WELL. (ACKER).** General Manager Acker discussed with the Board his meeting with a representative of PG&E, because electricity would be needed for the project. This item is open for further discussion at the next Board meeting, as this project may be postponed because Tank 2 water resources are not needed at this time due to the water savings accomplished as a result of completion of the Unit 7 project.

7. NEW BUSINESS:

- A. DISCUSSION AND OR ACTION: ACCEPTANCE OF LETTER OF RESIGNATION FROM PRESIDENT HARLEY AND APPOINTMENT OF BOARD MEMBERS TO FILL CURRENT AND FUTURE VACANCIES. (MURRAY/EMRICK).** Accountant/Clerk Murray discussed with the Board the State code which calls for a 60 days deadline to approve someone to fill the president's vacancy, which would be January 6, 2018. If someone is not appointed, then there would be a vacancy in that position until November 2019, the date of the next election. The county board of supervisors would appoint someone to the Irish Beach Water District to fill that vacancy. If someone is not appointed by the county, then the position would be vacant. Director McCormick stated she will send the letter of resignation to the county, and e-mail a list of potential candidates to Accountant/Clerk Murray. Director McCormick made a motion to accept the letter of resignation from Don Harley as president of IBWD, as of November 11, 2017. The motion was seconded by Vice President Drolet. . Roll call: Director Reidenbach, aye; Vice President Drolet, aye; Director McCormick, aye; and Director Ellison, aye. Motion carried.
- B. DISCUSSION AND OR ACTION: RESOLUTION 2017-2 – AUTHORIZING SALE AND ACQUISITION OF CERTAIN REAL PROPERTY. (ACKER/EMRICK).** The Board discussed Resolution 2017-02, authorizing the sale and acquisition of real property, and the documents required by the county to record these documents for acceptance of the boundary adjustment. Counsel Emrick stated that the

documents include the surveys that the county requires, and the county requirement for a resolution accepting the transfer of property. Vice President Drolet made a motion to accept and approve Resolution 2017-02. The motion was seconded by Director McCormick. Roll call: Director Reidenbach, aye; Vice President Drolet, aye; Director McCormick, aye; and Director Ellison, aye. Motion carried.

Vice President Drolet requested that the Board Members read the IBWD policy handbook, for the purpose of updating, and further discussion at the next Board meeting.

ADJOURNMENT: Vice President Drolet moved to adjourn the public session of the Board meeting. Director McCormick seconded the motion. Roll call to vote: Director Reidenbach, aye; Director McCormick, aye; Director Drolet, aye; and Director Ellison, aye. Motion carried. Meeting adjourned at 11:56 A.M. The next Board meeting will be scheduled for Saturday, January 13, 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 PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9: (1 POTENTIAL CASE).

Respectfully submitted,

Attest:

Leon Drolet, Vice President

Jan McCormick, Secretary of the Board

Prepared by Connie Sackman, Clerk/Secretary