

**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