

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