

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:**

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**Leon Drolet, President**

\_\_\_\_\_  
**Anny Reidenbach, Secretary of the Board**

**Date:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Prepared by: Connie Sackman, Clerk/Secretary**