

IRISH BEACH WATER DISTRICT BOARD OF DIRECTORS
SPECIAL MEETING MINUTES
15401 FOREST VIEW ROAD, MANCHESTER, CA 95459
September 28, 2019

1. **CALL TO ORDER AND ROLL CALL:** Vice President Ellison called the Special Meeting to order at 10:04 A.M. on Saturday, September 28, 2019, in the Rex Dunning Firehouse, 15401 Forest View Road. Roll call of directors in attendance were: Director Reidenbach, Director Terry, and Vice President Ellison. Employees in attendance were: General Manager Acker, Clerk/Accountant Murray, and Clerk/Secretary Sackman. Attending by telephone was District's Legal Counsel Emrick. Absent from the meeting was President Drolet.
2. **DISCUSSION AND OR ACTION: SEPTIC/LEACH LINE SETBACK FROM IRISH BEACH WATER DISTRICT WATER MAINS (ACKER/EMRICK/ELLISON).** After discussion and agreement, Vice President Ellison made a motion for Legal Counsel Emrick to prepare a specific memorandum to be added to our policy for the adoption of the twenty-five foot setback for the Irish Beach Water District. Motion seconded by Director Reidenbach. Roll call to vote: Vice President Ellison, aye; Director Terry, aye; and Director Reidenbach, aye. Motion carried.
3. **DISCUSSION AND OR ACTION: NEW CAPITAL PROJECT TO REPLACE THE MAIN WATER LINE BETWEEN MALLO PASS DRIVE AND HIGHWAY 1, 14920 MALLO PASS DRIVE, AP 132-110-09 AND REVIEW OF PROPOSED LANDOWNER AGREEMENT(ACKER/EMRICK/ELLISON).** After further discussion with Legal Counsel Emrick and Brad and Casey Dyson about the twenty-five foot setback on their property, a motion was made by Director Terry to approve the proposed Agreement with final approval subject to adoption of the Agreement with the five Attachments at the IBWD November Board Meeting. Motion seconded by Director Reidenbach. Roll call to vote: Vice President Ellison, aye; Director Terry, aye; and Director Reidenbach, aye. Motion carried.

The Dysons requested a letter of acceptance of the Agreement be drawn up to take to the County Planning Department. Legal Counsel Emrick was directed by the Board to compose a letter of acceptance of the Agreement for the Dysons.

After the Board's discussion with Clerk/Accountant Murray, Director Terry made a motion to approve the Water District's project to replace the main water line between Mallo Pass Drive and Highway One using the Greater Than 40 Year Expense Account. Motion was seconded by Vice President Ellison. Roll call to vote: Vice President Ellison, aye; Director Terry, aye; and Director Reidenbach, aye. Motion carried.

4. **STATUS OF NEW WELL CONSTRUCTION PROPOSAL ON NICHOLS RANCH PROPERTY – WILLIAM MOORES.** Mr. Moores requested the Board's consent in his application for a drill permit that potentially could lead to a commercial well on his Nichols Ranch property, and he supplied maps showing the location. After discussion, a motion was made by Director Terry to form an ad hoc committee, consisting of Vice President Ellison, General Manager Acker and Legal Counsel Emrick, to further study the proposal and continue this discussion at the November Board Meeting. Motion was seconded by Vice President Ellison. Roll call to vote: Vice President Ellison, aye; Director Terry, aye; and Director Reidenbach, aye. Motion carried.

Legal Counsel Emrick stated he would communicate with William Moores about setting a date to meet with him and the ad hoc committee at the property. The purpose of the meeting would be to further study Mr. Moores proposal, in order to make recommendations during discussion of this agenda item at the November Board Meeting.

ADJOURNMENT: Vice President Ellison moved to adjourn the public session of the Special Meeting at 10:58 A.M. Director Reidenbach seconded the motion. The Executive Session convened at 11:05 A.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 (closed Session and reconvened the Open (public) Session of the IBWD at 11:39 A.M., and stated that there were no reportable actions to report regarding existing litigation. Vice President Ellison moved to adjourn the Board Meeting at 11:40 A.M. Director Reidenbach seconded the motion. Roll call to vote: Vice President Ellison, aye; Director Reidenbach, aye; and Director Terry, aye. Motion carried. The next Board Meeting will be scheduled for Saturday, November 9, 2019.

Respectfully submitted:

Attest:

Joe Ellison, Vice President

Anny Reidenbach, Secretary of the Board

Date: _____

Date: _____

Prepared by: Connie Sackman, Clerk/Secretary