

BOARD OF DIRECTOR'S MEETING
ESPARTO COMMUNITY SERVICES DISTRICT
ESPARTO, CA

REGULAR MEETING
JANUARY 9, 2008
MINUTES

1. CALL TO ORDER The meeting was called to order at 7:10 P.M. by Chairman Laurel Kieny

2. ROLL CALL

MEMBERS PRESENT Laurel Kieny, Joseph Moreland, Mike Goodin, and Matthew Milliron

STAFF PRESENT Ron Loudon, Anna McNamara, Erica Cramer, Dave Dauwalder, and Georgette Aronow

OTHERS PRESENT 31+ Public Members

3. APPROVAL OF AGENDA

Director Joseph Moreland made a motion to approve the agenda as written and was seconded by Chairman Laurel Kieny.

Discussion ensued.

Director Matthew Milliron made an amended motion to move items 19, 11, 8, 9, and 17, to follow items #4, and was seconded by Director Mike Goodin.

Discussion ensued.

Ayes: 3 Noes: 1 (Laurel Kieny) Absent: 0

4. PUBLIC COMMENT

Discussion ensued.

Chairman Laurel Kieny directed the General Manager to give Mrs. Pearson the documents she had requested as soon as possible.

Discussion ensued.

19. DISTRICT INFORMATION AND CORRESPONDENCE

- a) Requested information – Administrative Assistant doing onsite inspections
- b) Report of needed Safety Equipment
- c) Total Water Construction Budget

- d) District Ledgers – November & December
- e) Office flooding issues

Discussion ensued.

11. NOTICE OF COMPLETION – COX & COX

Director Matthew Milliron made a motion that item #11 be put onto a future agenda, after the completion of the project because of the problems the district is having and was seconded by Director Joseph Moreland.

No discussion.

Ayes: 4 Noes: 0 Absent: 0

8. PUBLIC HEARING ON PROPOSED WATER AND WASTEWATER RATE INCREASE – PROPOSITION 218

Discussion ensued.

Note: Chairman Laurel Kieny took a short recess from 8:44 p.m. until 8:54 p.m.

Chairman Laurel Kieny closed the Public Hearing, noting the final protest count was approximately 150, further stating the Protest has failed.

Discussion ensued.

9. ADOPTION OF RESOLUTION 08-03 ESTABLISHING WATER AND WASTEWATER SERVICE RATE INCREASE

Discussion ensued.

Chairman Laurel Kieny made a motion to approve the Resolution 08-03 Establishing Water and Wastewater Services Rate Increase and was seconded by Joseph Moreland.

Discussion ensued.

Director Mike Goodin made a friendly amendment to the motion to add the verbiage contained in his motion, of which failed, from the November 14, 2007, Regular Meeting, (item number 13) to be included in the motion on the floor, but was not accepted by Chairman Laurel Kieny as a friendly amendment.

Discussion ensued.

District Counsel recommended the friendly amendment include; the Board directs the General Manager and the Districts Engineer to provide to the Board each month a written report detailing the status of project improvements and costs expended to date.

Discussion ensued.

The friendly amendment stated by the District Counsel was accepted.

Discussion ensued.

Ayes: 3 Noes: 1 (Matthew Milliron) Absent: 0

17. **MANAGER’S REPORT**

The General Manager reported on:

- a) Discussion with Bond Counsel, James Copeland, and Paulette Waugh, re: documents needed to close the USDA loan.

Discussion ensued.

CONSENT CALENDAR

- 5. a) **APPROVAL OF MINUTES**
 September 27, 2007 – Special Meeting
 November 14, 2007 – Regular Meeting
 December 12, 2007 – Regular Meeting
 December 20, 2007 – Special Meeting Workshop

- b) **APPROVAL OF CLAIMS**
 Fund 466-0 – January 2, 2008
 Fund 466-0 – January 9, 2008

Chairman Laurel Kieny directed Staff to stay caught up on the minutes.

Chairman Laurel Kieny made a motion to approve the Consent Calendar and was seconded by Director Joseph Moreland.

No discussion.

Ayes: 2 Noes: 2 (Matthew Milliron, Mike Goodin) Absent: 0

Director Matthew Milliron made a friendly amendment to the motion to approve the minutes and pull the item (b) to the next Regular Meeting, assuming the Board has the information on the Bank of the West, and was seconded by Joseph Moreland.

Discussion ensued.

Director Matthew Milliron withdrew his motion, to make a new motion to approve the Consent Calendar, as is and was seconded by Director Mike Goodin.

No Discussion.

Ayes: 4 Noes: 0 Absent: 0

6. ACCEPTANCE OF DIRECTOR BILL SETNIK’S RESIGNATION FROM THE BOARD OF DIRECTORS

Discussion ensued.

Director Mike Goodin made a motion to accept Bill Setnik’s resignation, to be effective as of December 17, 2007, and was seconded by Matthew Milliron.

Discussion ensued.

Ayes: 4 Noes: 0 Absent: 0

Discussion ensued.

Director Matthew Milliron made a motion the District advertise to fill the board vacancy and to bring back to the Regular February Meeting an item to present all applicants, in hopes to take action before the district has to go to a full election process.

Discussion ensued.

Director Matthew Milliron requested include in his motion to use the District Counsels’ proposed ‘Notice of Vacancy’.

Discussion ensued.

Director Mike Goodin made a friendly amendment the Board ask any person interested in serving on the Board to present a letter stating why they think they are qualified and a résumé, and was accepted by Director Matthew Milliron.

Discussion ensued.

District Counsel stated; the Board requests eligible residents obtain an application from the District Secretary, at the following address, to express their interest. The Board asks that eligible applicants express their interests by completing the application and bring in to the Secretary, by no later than Thursday, February 7, 2008, stating the appointee must be a registered voter, currently residing in the district.

Director Mike Goodin stated; if the notice will incorporate the verbiage the Counsel had stated then Director Mike Goodin stated that would be his friendly amendment.

Discussion ensued.

Discussion ensued.

Ayes: 4 Noes: 0 Absent: 0

7. APPROVAL OF RESOLUTIONS 08-01 & 08-02 TO INCLUDE A PRESENTATION OF RECOGNITION OF SERVICE PLAQUES FOR DIRECTORS: GEORGE DANIEL AND BILL SETNIK
- a) Approval of Resolution 07-13: George Daniel
 - b) Approval of Resolution 07-14: Bill Setnik

Director Matthew Milliron made a motion to approve the Resolution 08-01 - A Resolution in Appreciation of George Daniel for his Time Served on the Esparto Community Services District Board of Directors, and Resolution 08-02 – A Resolution in Appreciation of William “Bill” Setnik for his Time Served on the Esparto community Services District Board of Directors, and was seconded by Director Mike Goodin.

No discussion.

Ayes: 4 Noes: 0 Absent: 0

10. REVIEW AND AUTHORIZATION TO SIGN BID AWARD FOR THE REMAINDER OF THE USDA WATER PROJECT
- Discussion ensued.

Director Mike Goodin made a motion to proceed with the Bid Award for the remainder of the USDA Water Project and to authorize the signing of the Bid Award, and seconded by Director Joseph Moreland.

No discussion.

Ayes: 3 Noes: 1 (Matthew Milliron) Absent: 0

12. RECOGNITION OF THE ESPARTO CSD EMPLOYEES ASSOCIATION AS THE BARGAINING UNIT FOR THE EMPLOYEES
- Discussion ensued.

Director Matthew Milliron made a motion to accept the listed Employees into the Esparto CSD Employees Association, and to recognize the Association, and was seconded by Director Mike Goodin.

No discussion.

Ayes: 4 Noes: 0 Absent: 0

14. REQUEST OF DIRECTOR TO VISIT AND REAFFIRM POLICY 5030.41
- Discussion ensued.

Director Matthew Milliron made a motion to stick with the Policy, requesting that in the future the Board review the Policy at a future agenda.

Discussion ensued.

It was the consensus of the Board to revisit the item at another meeting.

15. 'PUBLIC COMMENT' ON AGENDAS OTHER THAN REGULAR MEETINGS

Director Matthew Milliron made a motion all agendas include Public Comment, and was seconded by Director Mike Goodin.

Discussion ensued.

Ayes: 4 Noes: 0 Absent: 0

16. LAFCO – APPROVAL OF DISTRICT SERVICE PLAN – STORY AND E. PARKER

Discussion ensued.

Director Matthew Milliron made a motion to approve the District Service Plan for Story and E. Parker, and was seconded by Director Mike Goodin.

Discussion ensued.

Chairman Laurel Kieny made a friendly amendment for the district to withhold the Environmental Impact Report Negative Declaration Certificate of Acceptance.

Discussion ensued.

Director Mike Goodin made a friendly amendment to proceed subject to verification of the Environmental Impact Report.

Discussion ensued.

Ayes: 4 Noes: 0 Absent: 0

18. FUTURE AGENDA ITEMS

- a) Presentation of LAFCO process by LAFCO Representative Elizabeth Kemper.
- b) Streetscape discussion by Sue Heitman.
- c) Mid-year Budget review and possible transfers of funds.
- d) Breakdown of Bank of the West Claims.
- e) Review of Job descriptions – possible changes.
- f) Discussion of recent annexation of the property; the proposed Gas Station, the McNamara's property, and CalTrans property.
- g) Closed Session for Employee evaluation of the General Manager.

- h) Discussion; request that minutes shall include a couple of brief sentences about who addressed the Board during Public Comment and the subject.
- i) How the Board can be better informed and kept up to date regarding expenditures.
- j) Why Staff has not complied with requests for documents.

Discussion ensued.

Chairman Laurel Kieny requested from Director Mike Goodin the items he requested be put into writing.

Note: Chairman Laurel Kieny called a recess from 10:37 p.m. to 10:44 p.m.

Note: Chairman Laurel Kieny convened into Closed Session at 10:45 p.m.

13. CLOSED SESSION

CONFERENCE WITH AGENCY NEGOTIATOR, GOV. CODE §54957.6
 Designated Representative – Ron Loudon, General Manager
 (Unrepresented Employees – Esparto CSD Employees Association)

Note: Chairman Laurel Kieny convened into Open Session at 11:31 p.m.

Report of Closed Session:

Board gave direction to the District’s Negotiator.

20. ADJOURNMENT

Director Mike Goodin made a motion to adjourn the meeting at 11:32 p.m. and was seconded the Director Joseph Moreland.

No discussion.

Ayes: 4 Noes: 0 Absent: 0

Laurel Kieny-Chairman of the Board

Anna McNamara-Clerk to the Board
