

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

REGULAR MEETING
OCTOBER 10, 2007
MINUTES

1. CALL TO ORDER The meeting was called to order at 7:06 P.M. by Chairman Laurel Kieny

2. ROLL CALL

MEMBERS PRESENT Laurel Kieny, Bill Setnik, George Daniel, and Mike Goodin

STAFF PRESENT Ron Loudon, Anna McNamara, Jeff Mitchell (District Counsel), Dave Dauwalder, and Linda Scroggs (Nolte Engineering)

MEMBERS ABSENT Joseph Moreland

OTHERS PRESENT Matt Milliron, Pamela Pearson, and David Berlin

3. APPROVAL OF AGENDA
Director George Daniel made a motion to approve the agenda as written and was seconded by Director Bill Setnik.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

4. PUBLIC COMMENT
No comment.

CONSENT CALENDAR

5. a) APPROVAL OF MINUTES
July 11, 2007
July 25, 2007
August 2, 2007
August 8, 2007

b) APPROVAL OF CLAIMS
Fund 466-0 – October 10, 2007
Fund 469-0 – October 10, 2007
Fund 470-0 – October 10, 2007

Esparto Community Services District
Regular Meeting October 10, 2007

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

Discussion ensued.

Director Mike Goodin requested a friendly amendment to the motion, to remove the July 11, 2007 minutes from the Consent Calendar, and to be revised, and brought back to a later agenda meeting for approval, and was accepted by both Chairman Laurel Kieny and Director George Daniel.

Further discussion ensued.

Director Mike Goodin made a motion to include in the August 8, 2007 minutes, his comment, "if any copies were out there Mike did not have his fingerprints on them," be inserted between the seventh and eighth paragraphs on page two.

Chairman Laurel Kieny accepted the friendly amendment, along with Director George Daniel.

Director Mike Goodin made a motion to include the corrections on the August 8, 2007 minutes, page three, last paragraph, to change that paragraph to read, 'Director Mike Goodin made a motion to accept the bid, which will also include a provision to install all of the meters, and was seconded by Director Bill Setnik,' and was seconded by Director Bill Setnik.

No further discussion.

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

Pamela Pearson asked for open discussion on the item.

Director Mike Goodin stated the Chairman had not asked for any further discussion.

Chairman Laurel Kieny opened the discussion to the public.

Pamela Pearson stated she was just asking if they were going to open the item to the public for comment. Further stating, while the Board is making corrections they have a new board member.

Along with having a new director coming on in January, Pamela wished the staff would find the correct spelling for the new board member.

Pamela Pearson further requested to note; she takes offense to the comments being made at this meeting and in the past few meetings, the board making three comments to her, stating she is a rate payer, a tax payer, and that she has a right to

make a comment. And she does not appreciate the board telling her, 'one more time Pam', and Director Bill Setnik telling her, it is none of her business why a director voted to abstain, stating it *is* her business if a board member is willing to tell her why they voted to 'abstain.'

District Counsel, Jeff Mitchell expressed there still is a motion on the floor.

Director Mike Goodin made a motion to pull the August 8, 2007 minutes from the Consent Calendar, to go back to staff for revisions regarding item #13, #3 for clarification.

Motion died due to lack of a second.

Further discussion ensued regarding where the board was with the friendly amendments.

Director Mike Goodin proposed to make a motion that his concerns, three of them, regarding the August 8, 2007 minutes, be sent back so the staff could clear up his concerns.

Director Mike Goodin withdrew his friendly amendments.

Director Mike Goodin made a friendly amendment to pull the August 8, 2007 minutes for revision and to address his three concerns, and Chairman Laurel Kieny accepted the friendly amendment. Director George Daniel stated the second still stood.

Discussion ensued regarding the Consent Calendar.

Director Mike Goodin commented he was happy to see the safety equipment being purchased, as it has been a long time coming. Requesting the General Manager enumerate what was purchased, to be able to compare it to the list which was submitted to the board of proposed items to be purchased.

The General Manager gave a review, and stated he would get that for the board on a future agenda.

No further discussion.

Ayes: 4 Noes: 0 Absent: 1

Further discussion ensued.

6. **DAVE DAUWALDER GAVE UPDATE ON PROGRESS OF THE SEWER PROJECT GOING OUT TO BID**

Dave Dauwalder gave a review of the sewer project.

Director George Daniel questioned if Mr. Dauwalder if he requesting the Boards' permission to set out for bids for the sewer project?

Dave Dauwalder stated, 'no.'

Dave Dauwalder gave a recommendation to the board; take care of USDA, to be able to get the construction contract awarded for the water, and then call up the advertisements for the sewer bid.

Further discussion ensued with Dave Dauwalder.

Director Mike Goodin questioned the rate structure.

Further discussion ensued with Dave Dauwalder.

Director George Daniel requested the floor back as he was not finished.

Chairman Laurel Kieny stated to Director George Daniel to let Mr. Goodin finish.

Director Mike Goodin apologized for interrupting Mr. Daniel.

Further discussion ensued with Dave Dauwalder.

Director Mike Goodin questioned Dave Dauwalder.

Director George Daniel waited for Director Mike Goodin to finish speaking.

Director George Daniel asked Dave Dauwalder if he may interrupt him, stating he will be handing in a resignation in the morning. Stating Mr. Goodin seems to run the show and the Board, and he is done.

Director George Daniel left the meeting at 7:59 p.m.

Further discussion ensued with Dave Dauwalder.

Chairman Laurel Kieny asked if the public had a comment on the item.

No public comment.

Chairman Laurel Kieny questioned Dave Dauwalder.

Further discussion ensued with Dave Dauwalder.

No further discussion.

7. GENERAL MANAGER REQUESTED A VOTE OF THE BOARD FOR EITHER NOTIFICATION OF AN EXTENSION FOR THE PRESENT BID AWARD OR THE REJECTION OF ALL WATER PROJECT BIDS

Discussion ensued between the Board, the District Counsel, the General Manager and the District's Engineer regarding the water project.

Jeff Mitchell, district counsel, did not recommend going forward with the award of bid.

Questions ensued from the Public and the Board to Dave Dauwalder.

The General Manager gave his concerns.

Further discussions ensued with Dave Dauwalder.

Questions ensued from the Board.

District Counsel gave his recommendations.

The Public expressed some concerns.

Further discussion ensued regarding the rate structure.

Chairman Laurel Kieny made a motion the Board set aside this item, and bring the item back at a Special Meeting on October 24, 2007, at 7:00 p.m., to include the draft rates, the counsel by attorney, and the item to award bid, and was seconded by Director Bill Setnik.

Discussion ensued.

Ayes: 4 Noes: 0 Absent: 1

Further discussion ensued between the Board and the District Counsel.

Director Mike Goodin then questioned the General Manager on when he tasked Georgette from ECO:LOGIC to do the rate structures?

The General Manager gave the dates.

Chairman Laurel Kieny gaveled Director Mike Goodin, stating there would be no mud slinging.

Director Mike Goodin stated he was not slinging mud and not would stay and be accused of that, and left the meeting at 8:42 p.m.

Chairman Laurel Kieny called a ten minute recess at 8:42 p.m.

Chairman Laurel Kieny reopened the meeting at 8:52 p.m., only to adjourn due to Director Mike Goodin leaving the meeting; therefore there was not a quorum.

Laurel Kieny-Chairman of the Board

Anna McNamara-Clerk to the Board
