

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

REGULAR MEETING
OCTOBER 8, 2008
MINUTES

1. CALL TO ORDER The meeting was called to order at 7:05 p.m. by Chairman Laurel Kieny

2. ROLL CALL

MEMBERS PRESENT Laurel Kieny, Joseph Moreland, Terrie Bueno, and Mike Goodin

MEMBERS ABSENT Barry Pomeroy

STAFF PRESENT Ron Loudon (General Manager), Anna McNamara (Administrative Assistant), Jeff Mitchell (District Counsel), and Dave Dauwalder, (USDA Engineer; Nolte Engineering)

OTHERS PRESENT Dan Boatwright, Tracy McNamara

3. APPROVAL OF AGENDA
Director Joseph Moreland made a motion to approve the agenda as written and was seconded by Director Mike Goodin.

Discussion ensued.
Ayes: 4 Noes: 0 Absent: 1

4. PUBLIC COMMENT
No public comment.

CONSENT CALENDAR

- 5. a) APPROVAL OF MINUTES
September 10, 2008 – Regular Monthly Minutes
September 17, 2008 – Special Meeting Minutes

- b) APPROVAL OF CLAIMS
Fund 466-0 – Regular Monthly Claims
Fund 466-0 – Regular Monthly Claims – Intermittent
Fund 471-0 – USDA Water

Fund 472-0 – USDA Sewer

No discussion.

Ayes: 3 Noes: 0 Abstain: 1 (Mike Goodin)

6. AGREEMENT WITH CASTLE CO. ON THE APPROVAL OF SELECTING CONNECTION FEE STUDY CONSULTANT

Discussion ensued.

Director Mike Goodin made a motion to accept the General Managers' recommendation of the Fee Schedule Study to be done by Foresight Consulting, with the understanding Castle Company will reimburse the District for the costs of the study, and was seconded by Director Joseph Moreland.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

7. APPROVAL OF AGREEMENT WITH CASTLE COMPANY REGARDING THE ORCIOULI SUBDIVISION

Discussion ensued.

Director Mike Goodin made a motion to approve the Water and Wastewater Treatment/Sewer Service and New Facilities Agreement Between the Esparto Community Services District and Castle Principles, LLC for the Orciouli Subdivision and recommend the General Manager lay signature, and was seconded by Director Terrie Bueno.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

8. EXTENSION OF CONDITIONAL WILL SERVE WITH CASTLE COMPANY FOR THE GAS STATION / MINI-MART ON YOLO AVENUE BEHIND THE ESPARTO GROCERY

Discussion ensued.

Director Mike Goodin made a motion the Board approve the extension of the Conditional Will Serve between the Esparto Community Services District and Castle Company for the Gas Station / Mini-Mart on Yolo Avenue behind the Esparto Grocery Store, for the extension to be two years from October 8, 2008; October 8, 2010, and was seconded by Director Terrie Bueno.

No discussion.

Ayes: 4 Noes: 0 absent: 1

9. REVIEW AND / OR APPROVAL OF OUT OF AGENCY SERVICE AREA AGREEMENT WITH JOHN DETERDING & COMPANY

Discussion ensued.

Chairman Laurel Kieny made a motion to accept the General Managers' recommendation.

Discussion ensued.

Motion died due to a lack of a second.

Discussion ensued.

Director Joseph Moreland made a motion the District Counsel negotiate with Deterding & Company to arrive at an agreement regarding the reimbursement costs with CEQA and all costs incurred by the District, having both Staff, the General Manager and Counsel involved, and was seconded by Director Terrie Bueno.

Discussion ensued.

Ayes: 4 Noes: 0 Absent: 1

10. CONSIDERATION OF LAND SWAP PROPOSED BY DETERDING & COMPANY

Discussion ensued.

Director Joseph Moreland made a motion to direct the General Manager and District Counsel to research the Deterding proposed property, to see if there is any easements on the title of the original piece of the property, and to find out if the District has access to the proposed property, or not, and was seconded by Director Terrie Bueno.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

11. APPROVAL OF PARTIAL PAYMENT ESTIMATE (PPE) NO. 8 – TEICHERT CONSTRUCTION – POTENTIAL FIELD ORDERS OR CHANGE ORDERS REGARDING WATER AND WASTEWATER USDA PROJECTS – REVIEW OF WATER AND WASTE WATER PROJECTS

Discussion ensued.

Chairman Laurel Kieny made a motion to pay Partial Payment Estimate (PPE) No. 8, to Tiechert Construction, and was seconded by Director Terrie Bueno.

Discussion ensued.

Ayes: 4 Noes: 0 Absent: 1

12. BOARD TO NAME DISTRICT NEGOTIATORS FOR CONTRACT EMPLOYEES
Discussion ensued.

Director Mike Goodin made a motion the Board recognize Terrie Bueno and Barry Pomeroy as the District’s Labor Negotiators for the negotiations with the General Manager, and was seconded by Director Joseph Moreland.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

Discussion ensued.

Director Terrie Bueno made a motion to strike item #13 and was seconded by Director Mike Goodin.

Discussion ensued.

Ayes: 3 Noes: 1 (Mike Goodin) Absent: 1

CLOSED SESSION:

13. §54957.6 CONFERENCE WITH LABOR NEGOTIATORS:
District designated Representative
Contract Employee – General Manager – Contract
Negotiations

14. APPROVAL OF RESOLUTION – RESOLUTION APPROVING ADOPTION OF CALIFORNIA PUBLIC EMPLOYEES’ DEFERRED COMPENSATION PLAN

Chairman Laurel Kieny made a motion the Board accept the Resolution Approving Adoption of California Public Employees’ Deferred Compensation Plan (PERs 457 Plan), and was seconded by Director Terrie Bueno.

Discussion ensued.

Ayes: 4 Noes: 0 Absent: 1

15. APPROVAL OF RESOLUTION – A RESOLUTION OF THE ESPARTO COMMUNITY SERVICES DISTRICT AMENDING DISTRICT POLICY 5010.10 SETTING THE DATE, TIME AND PLACE FOR REGULAR MEETINGS

Discussion ensued.

Chairman Laurel Kieny made a motion to table item 15 and was seconded by Director Joseph Moreland.

Discussion ensued.

Ayes: 4 Noes: 0 Absent: 1

Note: Chairman Laurel Kieny called a 10 minute recess at 8:11 p.m.

16. APPROVAL OF PURCHASE OF NEW REPLACEMENT GENERATOR FOR THE SEWER TREATMENT PLANT

Discussion ensued.

It was the consensus of the Board to review all options and come back to the Board.

17. BANK OF THE WEST REQUEST

Discussion ensued.

Chairman Laurel Kieny made a motion to follow the General Managers recommendation to ***not*** sign an agreement with the Bank of the West request, and was seconded by Director Terrie Bueno.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

18. REQUEST FOR YOLO COUNTY TO WITHHOLD EXCESS MEDICAL, DENTAL & VISION COSTS FROM EMPLOYEE PAYCHECKS

Discussion ensued.

Director Mike Goodin made a motion to approve the request by the Yolo County Auditors Office: a letter regarding; the approval of the excess Medical, Dental and Vision costs, which the Employees are having to pay, be withheld from their paychecks, and was seconded by Director Joseph Moreland.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

19. APPROVAL OF INVOICE REGARDING ENCROACHMENT PERMIT FEES FOR YOLO COUNTY

Discussion ensued.

Director Mike Goodin made a motion the General Manager write a letter expressing the Boards' displeasure of the breakdown of fees in the invoice sent for payment to the District, and the District would be disputing the

charges. The letter would be mailed to John Bencomo, and to be forwarded also to all the Yolo County Supervisors. With an explanation of how the County can justify the fees to the District and the reasoning behind the fees, and what law states the County can do this work if it was not requested by the District, and was seconded by Director Joseph Moreland.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

20. APPROVAL OF CHANGE TO POLICY 2010.53 – FROM 20 TO 45 MINUTES RESPONSE TIME

Director Mike Goodin made a motion to approve a change to Policy 2010.53 to be changed from 20 minute response time to 45 minute response time, and was seconded by Director Terrie Bueno.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

21. MANAGER'S REPORT

Manger reported on:

- a) Contact with Country Villa Mobil Home Park, working on a Maintenance Agreement for meters.
- b) Meeting with Dan Boatwright of Castle Homes.
- c) Dave Dauwalder's return and PPE's 4 & 5 are moving along.
- d) New recording system all hooked up and running accordingly.
- e) Zoning on the Deterding property on the South side of HWY 16.
- f) Attendance by Administrative Staff of a meeting regarding the future expansion of the District concerning an addition of a Parks and Recreation department to be added to the CSD.
- g) Meeting with Barbara Massa at the Yolo County Auditors Office regarding the Medical, Dental and Vision excess being taken out of the Employees checks.
- h) Call to Bank of the West regarding the signature needed to the Banks request.
- i) Future Policies needed.
- j) Dave Dauwalder still needing to move the fence for Mark Harrington.
- k) Land Swap with Deterding.
- l) \$200.00 gas usage by the General Manager.

22. FUTURE AGENDA ITEMS

- a) Strategic Plan
- b) Security Quotes
- c) Debit/Credit card processing machine
- d) Personnel Handbook

23. DISTRICT INFORMATION AND CORRESPONDENCE

- a) Nominations for Capay Valley Community Recognitions Awards.
- b) Information on the Downtown Mixed Use zoning – Yolo Co.
- c) Yolo County Investment Pool, Month End Investment Report for August 31, 2008 (no General Fund impact).
- d) Yolo County Auditors monthly ledger sheets ending September, 2008.
- e) District monthly balance sheets.

24. ADJOURNMENT

Director Mike Goodin made a motion to adjourn the meeting at 9:10 p.m. and was seconded by Director Joseph Moreland.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

Laurel Kieny-Chairman of the Board

Anna McNamara-Clerk to the Board
