

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

REGULAR MEETING
NOVEMBER 9, 2005

MINUTES

1. CALL TO ORDER: The meeting was called to order at 7:04 P.M. by Chairman Laurel Kieny.

2. ROLL CALL

MEMBERS PRESENT Jack Huie, Mike Goodin, Laurel Kieny, and Barry Burns

OTHERS PRESENT Dave Herbst, and Anna McNamara

MEMBERS ABSENT Joseph Moreland

3. APPROVAL OF AGENDA

Director Mike Goodin made a motion to approve the agenda as written, and was seconded by Director Jack Huie.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

4. PUBLIC COMMENT

No public comment, as none were present.

5. APPROVAL OF MINUTES

Director Mike Goodin made a motion to approve the minutes of October 12, 2005 and was seconded by Director Jack Huie.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

6. APPROVAL OF CLAIMS

Chairman Laurel Kieny made a motion to approve the claims, fund 466-0 with the addition of \$5,000.00 to Dauwalder Engineering. This was a separate invoice, which will come out of fund 466-0, account 86-2272, totaling \$32,994.65. The motion was seconded by Director Jack Huie.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

7. ONGOING REVIEW OF EMERGENCY SITUATION AT WELL #5 AND THE RELATED BOOSTER PUMP STATION

No action was needed.

8. PROPOSAL TO LEASE THE EXISTING TOWER STRUCTURE TO SUPPORT ANTENNAS FOR WIRELESS BROADBAND

The General Manager explained the proposed lease from Global Valley to the Board.

Director Jack Huie made a motion to accept the agreement, amending item #3 from a five year lease to a two year lease, along with the change of item number 24, that Global Valley will reimburse the District for their legal review, with the inclusion of a clause, that will give wireless broadband service to the District at no charge, for the term of the agreement.

Director Mike Goodin seconded the motion but asked to amend the motion with the permission of maker of the motion, which was accepted, to give the President of the Board the authorization to execute the agreement pending the approval of the attorneys. Director Jack Huie accepted the amendment.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

9. DISCUSSION OF THE CURRENT STATUS OF THE SOURCE FOR A REPLACEMENT OF THE GENERAL MANAGER

The General Manager gave an overview of the reasons for leaving the district.

The General Manager addressed the recent citation and the extensive ongoing battle with the Department of Health Services. The General Manager believes that the only thing they like to do is hammer on this District, without giving any assistance.

The General Manager felt it is time to stand up for the rights of the District.

The General Manager expressed the difficulties he has had in the three years he has been at the District, trying to address the issues at Well #5, and even though the District has come very far, along with the support from the Board, the recent events have made the situation very disillusioning.

The General Manager stated he had previously submitted the plans for the concrete slab for the controller station for Well #5 eleven weeks ago. The county, after four weeks, finally looked at the plans after having dug their feet, and stated the packet was incomplete. Although the General Manager knew the package was incomplete, the Planning Department accepted the plans at that time anyhow.

The General Manager contacted Dauwalder Engineering, who he has also been very disillusioned by, stating "the District needs to have the information and right now."

After getting the information back from Dauwalder, it then took two weeks for the Planning Department to be available to accept the information and the District was finally able to turn it in. Therefore the District has had to wait eleven weeks for the simplest of things to be done.

The General Manager stated, "it is like constantly pushing a rock up hill, and it is going no where."

The General Manager discussed the Sludge Removal Plan through the California Regional Water Quality Control Board. Stating, "the District had everything in place and ready to go, including the plans approval. Having already phoned the County of Yolo with its approval, and everything looked good, but because of a turn over in the Health Department, the new employees stated the District will have to go through CEQA along with a lot of other things."

The General Manager had a meeting with the head of Environmental Health Department. At that meeting the General Manager expressed if the District now has a problem, which he stated "yes." Showing the General Manager written regulations concerning the sludge removal, explaining what the District will now have to do to start over and follow the regulations.

The General Manager then showed the head of the Environmental Health Department the factor that if the slope is less than 2%, along with other factors, then the District becomes exempt from CEQA.

The head of the Environmental Health Department replied, "oh, then you have done all of that?" For which the General Manager stated "yes, the District has."

Then the head of the Environmental Health Department flips to another page and showed the General Manager more things to be done. Then the General Manager stated "but if all of these things are done then we have fulfilled those requirements." Which the head of the Environmental Health Department stated, "oh, you have done all of that? Oh, well we did not know." To which the General Manager stated, "We have worked on this for two years." The General Manager stated that he spoke with everyone at the Environmental Health Department and they stated, "if the State Regional Board signs off on the work which has fulfilled the requirements, the Environmental Health Department will give the District their permit."

The Environmental Health Department stated they did not know anything about this, and stated that it was because of a turnover in personnel, and that they would need a little time to look over the information. The head of the Department stated he would put another associate in charge of the project, but he would not be available to talk until Monday, to get a hold of him on Monday, which was about the second week in September.

The General Manager phoned up the new associate on Monday. The new associate stated the same thing. That the District would have to do a whole array of things before receiving a permit, which the General Manager stated he has already done.

The General Manager reiterated that same information he told the head of the Department that previous Friday.

After an extensive conversation with the Departments associate, the associate apologized, and stated that this was the first time this had been done in this county and the Department was not familiar with what was going on.

Then the associate stated they could not have given a permit because the District has never come in and filled out an application.

This frustrated the General Manager, for which he replied, “Do you have an application?” For which the associate replied “we do not have an application because we have never needed one.”

The General Manager stated that he knew that, and that is why the Department stated that if the District met all of the requirements as required by the State of California Regional Board that the Environmental Health Department would give the District a permit because it was the same.

The Departments associate stated, “The Department would have to have the District fill out an application.” For which the General Manager stated “How long will that take?” The Departments associate stated, “About a week and a half.”

The General Manager reiterated that was the second week in September and this was the second week in November, and the associate phoned up and said, “we are going to start on your application next week.

The General Manager reaffirms that it has now been two months and the Department does not even have the application form yet.

The General Manager stated that having to go along with all these people dragging their feet, and then having to deal with the Department of Health Services (DOHS), who the District has almost daily battles with, over the most miniscule things, has frustrated him.

The General Manager reiterated the problems that were discussed in open session about the failing of the bowls at Well #5. Along with the line that got hot in August, which had the District isolating Well #5 from the system. This happened to be the same day the District’s lab came out to do the Districts monthly bac-t sampling, causing the District to have some positive samples.

The General Manager stated that because of this he contacted the DOHS and explained what had happened.

The General Manager stated it is the DOHS job to assess the District as to whether or not the District has to put the information in the papers, and/or to send out individual flyers. Further stated, being notified of that the DOHS did not say a word to the District, and nothing came of it until about the end of October, then the DOHS phoned up and said they felt it was such a severe matter, that the District will have to post this in the news paper.

The General Manager stated there is no way that waiting two months to decide something was that important to have to post in the news paper, was that important to the District.

The General Manager stated he would be happy to put the information in as a news article, state what had happened, described how it happened and tell the people who read the article the progress the District made and the District’s plans for the future, on how to fix the problem so it would not happen again for the future, once the projects are complete.

The General Manager stated the only thing he refused to do would be to print the paragraph which the DOHS was so insistent about printing via verbatim, as set forth in the Rules and California Code of Regulations.

The General Manager told the DOHS, if they insisted on the District having to print that article following the regulations verbatim, and insisted on the District chlorinating consistently at a .5 residual, the General Manager would resign.

The General Manager informed the Board that every time the District has had any problem the highest the District has had to chlorinate was to a .2 residual to 'knock it dead in its tracks' by the time the District took its repeat test from 18 to 24 hours later.

The General Manager informed DOHS that for the District to chlorinate to a .5 residual with the temporary system, to keep from burning up the pumps the District has to by pass water, otherwise the pumps cycle extremely fast to get the water to water hammer the customers have noticed. This costs the District extra money, burns up the pumps and creates water hammer which annoys the customers, stirring up more dirt and silt in the lines because of the change and the constant changing of pressures, resulting in no net gain.

The General Manager stated if the DOHS are going to force the District into continuous chlorination, there is never any reason to go above a .2 residual.

The General Manager stated, after having extensive discussions with the DOHS, the General Manager expressed what he was going to do, with the willingness to go to an intermittent chlorination, along with several different suggestions on how the District could handle the situation. The General Manager asked the DOHS how they would be able to help the District with the District's pursuit of funding.

The General Manager felt the DOHS had a lot of clout, and felt they could help the District turn things around, which would have extremely helped the District.

The General Manager reiterated that every time he asked the DOHS for help, asking at one point for a notice of violation, or show up when the District was going to raise the rates, the DOHS was no where to be seen. Now the DOHS stated they have a completely different mind set, toward the situation. The General Manager stated to the DOHS, that does not do the District any good now.

The General Manager stated to the DOHS he has never knowingly or willfully violated any rule, law or other legal requirement, and he would not do it now.

The General Manager stated he would do anything set forth in the citation, however much it the General Manager disagreed with it, that would be the last thing he did as General Manager of the Esparto Community Services District.

The General Manager informed the Board when the District received the citation, the only two items the DOHS put in the citation were the things the General Manager stated he would not do. Also included in the citation was a remark that as of October 29, they had not received the September bac-t samples.

The General Manager stated the reason for this was because the District's over-site person, Nirmala Benin, stated she was going to give the District the revised Site Sample Plan, which the DOHS wanted the District to use. The reason for this was because there was a discrepancy about how many sites to use, two sites or three, the statute requirement is two. The DOHS stated the District was required to use three and then the DOHS changed back to two. Then the DOHS decided they were not sure and they were going to look into it. Therefore Nirmala Benin was going to give the District a Site Sampling Plan, so the District did not have to think about it, and as of the meeting the General Manager has not received the new plan. This is the reason why the DOHS had not received the results.

The General Manager stated to the DOHS, "I say what I mean, and he means what I say, and a bluff is only a bluff if you intend to follow through."

The General Manager stated he felt the DOHS was going to see how far the General Manager was willing to bend and the General Manager felt they have found out.

The General Manager stated the DOHS are going to send out several of the top representative to see the District, giving two different dates to choose from which they would be available. But after the representatives checked their schedules, they found, after giving the dates, they wouldn't be available after all. The representatives stated they would be sending out someone who was very familiar with small systems and a great person to work with. He would be able to help our district, and do all these wonderful things, to which the General Manager stated that He will not be doing any wonderful thing him, as he will be leaving at the end of the month. The General Manager stated that he hoped he would do wonderful things for the district.

The General Manager stated that the representatives at the County are starting to realize the severity of the problem. Suddenly they have taken an extreme interest in the district.

The General Manager stated he has drafted letters to all of the Board members.

The General Manager stated he has a draft letter, which the Board will be receiving a copy of, going to the representatives and the head of the DOHS, Governor Arnold Schwarzenegger, along with the Yolo County Board of Supervisors.

The General Manager stated he felt the problems are much bigger than just Esparto.

The General Manager reads part of the letter; "In closing, I want to remind you that I stated that my concerns with this whole affair go far beyond Esparto. The entire state, in fact the entire nation, has an aging infrastructure and I believe that there are going to be some serious problems if everyone does not work together to solve them. This means supporting and assisting those entities that have a plan and are working towards its implementation. When I mentioned by decision to resign to an individual with whom I have worked closely for three years as we have attempted to solve our District's problems he stated: ""Dave, I think by using Esparto you picked an awfully short mountain from which to spread your message."" It is my hope that someone looking down on me from the higher mountains will hear my voice and it will be carried higher and farther until it can not be ignored. In closing I will leave you with this thought: by the end of 2006 the regulations require that all individuals throughout the state to be certified if they are involved in water operations. I believe the most recent figures show that only

about 25% of these people currently have passed their tests. I wonder how narrowly that regulation will be interpreted.”

The General Manager stated it is his belief he is doing what he believes is in the best interest of the system.

The General Manager stated, “if it winds up in the laps of the supervisors, he believes it will get some attention, a lot of it, and very quickly.”

The General Manager stated he will be leaving and not coming back, as a General Manager.

The General Manager stated he has served his three years, and genuinely thanked everybody who has served on the Board, who has put in the time. He stated in the letter he gave the Board, doing this job for nothing, having been a demand on their time, along with not having been very pleasant at times.

The General Manager stated things he will do is to be a royal pain to a lot of people, because he will have the time and opportunity to attend water district hearings, functions, intending to get his point across.

The General Manager stated something else he is willing to do would be, when he meets with Anne Olson of the California Regional Water Quality Control Board (CRWQCB) let her know he is willing to come back to be the oversight person for the wastewater. He would be paid to do the same work as Roy Wilson used to do when he arrived at the district. He felt the Regional Water was easy to work with.

The General Manager stated he did not want the district to feel he was mad at the district, at the town, or anybody else.

The General Manager stated he *is* very mad with a system. After being at the meeting for a couple of hours with the DOHS, the General Manager felt they were just insulting his intelligence.

The General Manager told to the DOHS, “the district doesn’t need to have someone show us what our problems are, because we already know what they are. The district has already figured out solutions to the problems. The district has also figured out a way to get to the solution.”

The General Manager stated to the DOHS he didn’t feel the district should be being penalized for doing everything in its power to pursue that funding, and to reach that goal. The district can’t help if the County of Yolo takes eleven weeks to grant a building permit, so the district can pour a slab to get our control panel in.

The General Manager stated “the district can’t help it if the Health Department has a brain lapse after two years and the district has to start back at square one. But the district is always the one to get penalized. The Health Departments reply was it is not their problem, they are only there to make sure the district follows the rules.”

The General Manager stated, “the trouble with that is you are always asking me follow the rules by violating rules which affect some other agency.” He said he is not going to just sit here and try to be solemn and try to decide which one to violate first, and the ones I should adhere to.

The General Manager stated, “all of the rules and regulations have some latitude as to how they can be enforced.”

The General Manager stated since he has decided to do this, he has spoke with several different people he has worked with in the past and they have stated to go for it and that is what people need to here. But they stated they couldn’t say anything because that is where our livelihood comes from.

The General Manager stated to the DOHS if they want to take his certification away that won’t bother him one bit. The General Manager stated he doesn’t plan on being in the profession very long anyway.

The General Manager stated to the DOHS if they want to fine him, to fine him personally, because this is a personal thing, nothing the Board has to do with. He stated the DOHS could fine him up to \$10,000.00 right now, and he would write a check right now, anything over that they would have to talk to the General Manager’s attorney.

The General Manager stated if the DOHS wants to pull his certification, then go for it. If the DOHS want to insist on the General Manager being fired, then go for it. The one thing the General Manager won’t do is to chlorinate to a .5 residual with the current operating system, or to place the add in the newspaper.

Director Mike Goodin questioned the General Manager if would it be effective, or make a statement to the DOHS if the Board followed suit?

The General Manager stated he was sure it would.

The General Manager stated to the Board, David Morrison of the County Planning Department phoned the office today and asked if this was just a rumor, and the General Manager stated, “no.” David Morrison was very polite and stated he was sorry to see the General Manager leaving.

The General Manager stated he has tried being nice, tried pushing, tried prodding, and literally tried begging, and has gotten no where.

The General Manager stated, “sometimes you have to try something different.” He also stated his stress level has been off the chart.

The General Manager stated he can not physically deal with the stress any more, because he is going no where fast, but yet the district is that close.

The General Manager reiterated the DOHS had insulted his intelligence.

The General Manager stated he had gone to a seminar, and spoke with Robin Hook, from the educational side of the DOHS. This is a group of people who are the ones in the white hats and are not the 'evil doers' from enforcement and we are here to help you.

After the General Manager listened to that he came back to the district and phoned up Ms. Hook and told her he was really glad to here how funds were available for districts which are trying to fix their problems. After speaking with Ms. Hook for a while he told her about the districts problems and how the district has managed to look under rocks and get a little help from developers. This has loaned us a little bit of advance money and has helped the district be able to patch things up together so the district can get out from underneath the notice of compliance, but still having a long way to go. He further stated the district has been working toward this USDA loan, but that the district needs something in the interim to help the district continue their work.

Ms. Hook asked if the district had already started the work, and the General Manager stated "yes," because the district has been trying to get out from under the violations, and the notice of compliance. He said the district is trying to do what is right, and she said if the district has already started work the DOHS would not have any money for the district.

The General Manager stated, "This is no better than the welfare system in this state." He stated, "If you are someone out working for minimum wage, trying to put food on the table for your kids, there is almost nothing available, but if you decide to do absolutely nothing the state will make sure you eat and have a place to sleep. The General Manager stated he felt there was something wrong with that.

Ms. Hook stated she hated to here you talk about it in that manner, but it is true.

The General Manager stated, "If you are trying to solve your problems, there is no help, but if you choose to let everything fall apart then the DOHS will come in to save the day."

The General Manager stated, he told the DOHS, "the best thing to do would be to go around and urinated in all the wells and not show up for work on Monday morning, the DOHS would be there to save the citizens."

Ms. Hook stated, I hate to here you say that, but I guess it is true."

The General Manager stated, "After talking with Terry Macaulay, she stated that the district was already on the list for funding."

The General Manager stated to Ms. Macaulay, "You do?"

Ms. Macaulay stated, "The DOHS had sent the district written information often."

The General Manager stated, "The district has not received any written information regarding that at all."

The General Manager stated, "I asked about the state revolving fund, but never received any kind of notification that the district was on any kind of list."

Ms. Macaulay stated, "The DOHS sends item all the time."

The General Manager stated, "I have not received any copies of anything."

The General Manager asked Ms. Macaulay, "Where is the district on the list?"

Ms. Macaulay reiterated the dollar amount for which the district was requesting and stated, "The Well #5 project is at letter 'N', and the other project is at level 'O'."

The General Manager stated, "That sounds good but the DOHS only funds to level 'E'."

The General Manager stated, "After all is said and done maybe someone has a better idea of how the district should be run."

The General Manager stated, "I have to do what I feel I have to do, which was to resign as of November 5, 2005."

Director Mike Goodin asked the General Manager if the Board could call a Special Meeting to gather the representatives of DOHS. To talk to the Board about what the Esparto Community Services District is going to do after The General Manager decided to leave?

The General Manager stated, "I thought I had a meeting planned already for Thursday morning."

Director Mike Goodin stated, "The DOHS will have to deal with the Board of Directors after the General Manager is gone, therefore the DOHS should just as well have a meeting before the General Manager is gone."

The General Manager stated he threw his keys on the table at the last meeting and said the DOHS will need the keys because the General Manager stated he will not be there on Monday morning.

The DOHS stated to the General Manager, "It is not their problem; it would be the Boards problem."

The General Manager stated he felt it was their problem, and all the DOHS wanted to do is hammer on people and do not want to assist people.

The DOHS stated, "all we are, is a regulatory agency, it is someone else job to actually do the work."

The General Manager stated to the Board, "If I was in the Boards shoes I would follow myself right out the door."

The General Manager stated the DOHS tried to phone the Board, some of which they were able to contact.

The General Manager reiterated the DOHS had such an urgent measure, being put forth to the General Manager by several of the DOHS representatives, that they would need another week to talk it over and decide what course of action to take.

The General Manager stated the DOHS had their three top representatives before him and he could not see how this could be such an urgent matter as to have required it be posted in the news paper after waiting this long.

The General Manager stated to the Board the DOHS had called them to see if the General Manager was bluffing.

The General Manger stated the DOHS said they were going to try to find someone to help the district, then only to phone and say they are issuing a citation. That is how the DOHS 'helped' the district. The DOHS also stated by giving the district the citation this would move the district up on the list for funding, to approximately 'M'.

The General Manager reiterated, "If you let the wheels fall off the wagon then it gets attention."

The General Manager stated he is not sure what the district needs to do, but he knows what he needs to do for his own health and sanity.

The Board stated they do not blame him.

The General Manager stated not only is he asking the Board to fill his position, but also to open a new position to assist the Maintenance Person in the field. This would require less of the General Manager, as far as an operations standpoint. Further he felt the work in the district is here, he and the maintenance person have started a lot of projects with a lot of the work being done in house rather than outside hiring. He felt the maintenance person is quite capable in the maintenance and mechanical end of the work, and felt he would do a good job.

The General Manager felt he was not being very fare to the maintenance person, and felt bad about that, but at the same time the General Manager has tried every thing he could think of to push the rock up the hill.

The General Manager stated he spoke to David Morrison from the Planning Department in Woodland, who said he thought this would make pretty big waves.

The General Manager stated he took the job hoping to solve the problems in the district and he still would like to see the problems solved.

The General Manager stated he would be willing to help or give guidance to the district after they do their hiring of the new employees. Also if the USDA states they will not give the money unless the present General Manager is willing to come back and finish the application.

The General Manager stated it is not his intention to do the district harm.

Chairman Laurel Kieny questioned the General Manager on where the district is at with his replacement.

The General Manager stated he has ‘put out feelers.’ Also, reiterating the need for a second person to assist the maintenance person, someone who does not necessarily need to be certified, but someone who may have worked in this field, with some knowledge, but who would be willing to become certified. This way the present maintenance person could proceed with the current projects, along with bringing someone in with the managerial skills.

Director Goodin questioned if the General Manager had any prospects thus far?

The General Manager stated he spoke with a few people, one of which has worked with a district out of Colusa for thirty years. Because of circumstances beyond this General Managers control, their district is going to a Contract Operator; therefore he will be losing his job.

The General Manager stated he is going to post the job in the Jobs Available booklet right away, along with a formal posting on the California Rural Water Associations web site.

The General Manager reiterated on the conversation with the DOHS in regards to the need for assistance and guidance with some of the district’s existing projects, along with the district’s engineer and the attorney. The General Manager requested the assistance from the DOHS so the district could at least move onto the next problem. He requested someone from the DOHS who would give alternative solutions, give ideas or point you in the right direction, when the ones the district has chosen do not work.

The DOHS stated they would try to figure some way of helping within the next week to be of assistance to the district.

The General Manager stated the only way they were of assistance was to give the district a citation, which according to the DOHS would move the district up in the rankings.

Director Mike Goodin stated he would like to meet with Terry Macaulay of the DOHS at a Special Meeting.

The General Manager stated ‘good luck’, and explained to the Board what a hard time he had trying to schedule a meeting in the past.

Director Mike Goodin stated he would like to make a motion to request a meeting with the DOHS, and see if they would come out, and explain the need for assistance as the General Manager will no longer be with the district.

The General Manager stated, “That sounds fine.”

Director Mike Goodin stated, “Let them say no and let this reflect upon the DOHS, to show the district is trying to resolve the issues.”

The General Manager stated to the Board he felt the DOHS will come if they are invited.

Director Mike Goodin asked the General Manager if he had any objection to the invitation.

The General Manager stated, “No.”

Director Mike Goodin questioned if the district would be able to appeal the citation.

The General Manager stated he is tired of appealing to the DOHS, and explained the appealing process.

The General Manager reiterated the extensive amounts of time he has taken trying to resolve the issues of the district and how the DOHS have been of no assistance. Along with the invitations to come out and see the system, of which the DOHS has not seen during the duration of the General Managers contract and the DOHS change in employees.

Chairman Laurel Kieny stated, “For the record there was no notice of appeal included in the citation which is a violation of the policy itself.”

The General Manager stated, “The argument from DOHS will be that it is not required to be stated in the citation because it is clearly set forth in the section of the California Code of Regulations. This is also clearly set forth that the DOHS has the ability to *wave* that, if it is within a number of days, totally dismiss the posting, amend it or dismiss it.”

The General Manager stated he felt the only reason the DOHS chose to enforce the regulations as strictly as possible because of the fear of being sued.

The General Manager felt there needs to be some common sense, or nothing will ever move forward.

Chairman Laurel Kieny made a motion to invite the Department of Health Services (DOHS) representatives to a meeting of a special session, starting with Sandra Shrewry, to invite Ms. Shrewry to be accompanied by Terry Macaulay along with other representatives of the DOHS. The motion was seconded by Director Mike Goodin.

No discussion.

Chairman Laurel Kieny amended the motion to include the Boards willingness to have the special meeting at a location and time which is convenient for the DOHS, with the second still standing per Director Mike Goodin.

No further discussion.

Ayes: 4 Noes: 0 Absent: 1

The General Manager stated he would draft a letter to the DOHS wishing to call a special meeting for the Board to meet with their representatives.

The General Manager stated he has put the notice in the paper and he is chlorinating at a .5 residual, he has also taken off the by-pass valve. He has had to throttle the pumps down, so they do not hammer excessively.

The General Manager stated he is obeying the letter of the law, as he has been since the day of hiring. He is doing the best he can to make them happy and has not changed his mind.

10. RENEWAL OF RCAC BRIDGE LOAN

The General Manager reviewed the situation with renewal of the RCAC loan with the district.

Chairman Laurel Kieny made a motion upon the Superintendent recommendation that the District pay the amount of interest due for loan numbers; 0429-ECSD-01 and 0430-ECSD-02, in the amounts of \$219.63 and \$193.55, and to authorize the General Manager to sign on behalf of the District, and was seconded by Director Barry Burns.

No further discussion.

Ayes: 4 Noes: 0 Absent: 1

11. STATUS OF USDA LOAN

The General Manager explained to the Board that he had turned in everything for the USDA loan.

The General Manager explained that Dauwalder Engineering assured him they have turned everything in, although he is doubtful.

The General Manager stated he will call USDA next week to make sure they have received everything they need to finish the application process.

The General Manager informed the Board the district will need to perform its 2004/2005 audit because of the amount of time lapsing since the beginning of the application process.

The General Manager stated USDA told him the district is still fundable.

Director Jack Huie questioned the General Manager what the chances are for the district to still get the funding.

The General Manager stated he believed the district would get funding but could not give a time frame.

Item #11 was discussed for information only.

12. THE NEED FOR THE DISTRICT TO HIRE AN ADDITIONAL MAINTENANCE PERSON

The General Manager gave an overview of the reasons why and what type of qualifications the person would need to have for the maintenance person being requested. The new positions starting salary would depend upon qualifications, splitting the standby money/time the present maintenance person receives.

Chairman Laurel Kieny made a motion to create a new position of Assistant Maintenance Person, with the job description following the same as a Maintenance Person, with the exceptions of the certifications not being required, but with the ability to achieve those certifications within one year or two testing cycles and the Assistant Maintenance Person will work under the direction of the Maintenance Person and/or the General Manager, and was seconded by Director Barry Burns.

Director Mike Goodin questioned the General Manager if the new position was compatible with the old position.

The General Manager stated the Board had changed the old position when Mr. Diaz left the district.

No further discussion.

Ayes: 4 Noes: 0 Absent: 1

13. **AUTHORIZATION TO ALLOW ECO:LOGIC TO COMPLETE THE MONITORING WELL REPORT REQUIRED BY CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD (CRWQCB)**

The General Manager gave an overview of what has been happening with the monitoring wells and the time frames which everything has taken place so the district could proceed with the required Monitoring Well Report.

The General Manager stated the report should not cost the district any more than \$15,000.00 therefore the district will not have to go out to bid.

The General Manager felt having ECO:Logic do the report would be the most logical because they were the company who put in the wells and are already familiar with the system.

Chairman Laurel Kieny made a motion to authorize ECO:Logic to do the Well Monitoring Report as required by CRWQCB, and not to exceed \$15,000.00 and was seconded by Director Mike Goodin.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

14. **AUTHORIZE THE COMPLETION OF THE AUDIT FOR FISCAL YEAR 2004-2005**

Director Mike Goodin made a motion to authorize the General Manager to direct getting the annual audit done for fiscal year 2004-2005 and was seconded by Director Barry Burns.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

15. **DISCUSSION TO ALL FOR THE CONSTRUCTION OF A SIGN ON DISTRICT PROPERTY ADJACENT TO HIGHWAY 16**

The General Manager explained to the Board the Chamber of Commerce, Rise, and the Capay Valley Vision would like to put a 'Welcome to Esparto' sign on the district's property, and requested permission from the Board to do so.

Chairman Laurel Kieny made a motion to authorize the placement of the sign on district property subject to review by the Board, and was seconded by Director Jack Huie.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

16. MANAGER’S REPORT

Nothing to report.

17. DISTRICT INFORMATION AND CORRESPONDENCES

No information and correspondences.

18. ADJOURNMENT

Director Barry Burns made a motion to adjourn the meeting at 8:43 p.m. and was seconded by Chairman Laurel Kieny.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

Laurel Kieny-Chairman of the Board

Anna McNamara-Clerk to the Board
