

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

REGULAR MEETING
AUGUST 13, 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, Terrie Bueno, and Barry Pomeroy

MEMBERS ABSENT Mike Goodin and Joseph Moreland

STAFF PRESENT Ron Loudon, Anna McNamara, Michelle Huitt, and Dave Dauwalder; USDA Project Engineer, Notle Engineering

OTHERS PRESENT Kim Pearson, Mike Hayes, Tracy McNamara, and Dan Boatwright; Castle Companies

3. APPROVAL OF AGENDA

Director Barry Pomeroy made a motion to approve the agenda as written and was seconded by Director Terrie Bueno.

No discussion.

Ayes: 3 Noes: 0 Absent: 2

4. PUBLIC COMMENT

No public comment.

CONSENT CALENDAR

5. APPROVAL OF MINUTES

July 16, 2008 – Special Meeting

July 23, 2008 – Special Meeting

APPROVAL OF CLAIMS

Fund 466 – July 18, 2008 – Regular Monthly (Intermittent)

Fund 466 – July 18, 2008 – Regular Monthly (Intermittent)

Fund 470 – July 18, 2008 – ECO:Logic (Intermittent)

Fund 466 – August 13, 2008 – Regular Monthly Claims

Fund 466 – August 6, 2008 – USPS Postage (Intermittent)

Fund 471 – August 13, 2008 – Nolte Engineering USDA Water
Fund 472 – August 13, 2008 _ Nolte Engineering USDA Sewer

Discussion ensued.

Director Barry Pomeroy made a motion to approve the Consent Calendar, and was seconded by Director Terrie Bueno.

Discussion ensued.

Ayes: 3 Noes: 0 Absent: 2

6. APPROVAL OF DRAFT RESPONSE LETTER ON GRAND JURY REPORT; LETTER PRODUCED FROM SPECIAL MEETINGS, ADDRESSED TO STEVEN M. BASHA, JUDGE; YOLO COUNTY SUPERIOR COURT

Discussion ensued.

Director Barry Pomeroy made a motion to approve the draft Grand Jury Response letter, as written, and was seconded by Director Terrie Bueno.

Discussion ensued.

Ayes: 3 Noes: 0 Absent: 2

7. APPROVAL OF PARTIAL PAYMENT ESTIMATE (PPE) USDA NO. 6 – TEICHERT CONSTRUCTION

Discussion ensued.

Chairman Laurel Kieny made a motion to approve Partial Payment Estimate USDA No. 6, to Tiechert Construction, not to exceed the amount of \$71,733.60, and was seconded by Director Terrie Bueno.

Discussion ensued.

Ayes: 3 Noes: 0 Absent: 2

8. APPROVAL OF PARTIAL PAYMENT ESTIMATE (PPE) USDA NO. 9, TO HOLD \$10,000.00, BUT TO RELEASE THE REST OF THE RETENTION MONIES TO COX & COX

Discussion ensued.

Director Terrie Bueno made a motion to approve payment to Cox & Cox in the amount of \$42,565.53 for Partial Payment Estimate USDA No. 9, and was seconded by Chairman Laurel Kieny.

Discussion ensued.

Ayes: 3 Noes: 0 Absent: 2

9. REVIEW AND POSSIBLE APPROVAL OF NOLTE ENGINEERING ADDENDUM NO. 2

Discussion ensued.

Director Terrie Bueno made a motion to set item No. 9 aside until the next meeting to include a more clear idea of what is being asked of the board, and was seconded by Director Barry Pomeroy.

Discussion ensued.

Ayes: 3 Noes: 0 Absent: 2

- 10. APPROVAL OF PARTIAL PAYMENT ESTIMATE (PPE) NO. 3A, AND 5A, DISTRICT REIMBURSEMENTS OF SOFT COSTS

Discussion ensued.

Director Terrie Bueno made a motion to approve Partial Payment Estimate No. 3A, in the amount of \$312,175.28, and was seconded by Director Barry Pomeroy.

No discussion.

Ayes: 3 Noes: 0 Absent: 2

- 11. DISCUSSION WITH DAN BOATWRIGHT OF CASTLE COMPANY, REGARDING; a) Connection Fee costs, b) Approval from Castle Company to pay cost incurred from the Districts' Attorney on agreement review, c) Approval of agreement with Castle Company for development of Orciouli Subdivision

Discussion ensued.

Chairman Laurel Kieny made a motion the General Manager/Superintendent work out all problems with Castle Company regarding the Agreement and bring it back to the Board for approval. Also, Castle Company has agreed to pay for an engineered study for the Esparto Community Services Districts' Connection Fees, and will pay for all attorney fees for the Districts' attorney to review the Agreement, and was seconded by Director Terrie Bueno.

Discussion ensued.

Ayes: 3 Noes: 0 Absent: 2

Note: Chairman Laurel Kieny called a recess from 8:47 p.m. to 8:53 p.m.

Note: Chairman Laurel Kieny convened into closed session at 8:54 p.m.

CLOSED SESSION:

- 12. a) \$54957.6 CONFERENCE WITH LABOR NEGOTIATOR
Unrepresented Employees – Field Personnel
- b) \$54957.6 CONFERENCE WITH LABOR NEGOTIATOR
Unrepresented Employees – Administrative Personnel

Note: Open session reconvened at 10:03 p.m.

REPORT OF CLOSED SESSION:

- a) No action was taken.
- b) No action was taken.

Note: Items 13 – 20, 22 & 23, were postponed to a Special Meeting to tentatively be held on August 20th or August 21st, 2008, at 7:00 p.m.

- 24. ADJOURNMENT (itemized as item 25)
Chairman Laurel Kieny made a motion to adjourn the meeting at 10:10 p.m. and was seconded by Director Barry Pomeroy.

No discussion.

Ayes: 3 Noes: 0 Absent: 2

Laurel Kieny-Chairman of the Board

Anna McNamara-Clerk to the Board
