

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

REGULAR MEETING
SEPTEMBER 12, 2007
MINUTES

1. CALL TO ORDER The meeting was called to order at 7:20 P.M. by Chairman Laurel Kieny

2. ROLL CALL

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

STAFF PRESENT Ron Loudon, Anna McNamara, Jeff Mitchell and Dave Dauwalder

OTHERS PRESENT Mark Harrington, Tracy McNamara, Pam Pearson, Kim Pearson, Mike Hayes, David Berlin, Sue Heitman, Joe Garcia, and John Armus

3. APPROVAL OF AGENDA
Discussion ensued.

District Counsel, Jeff Mitchell, commented.

Chairman Laurel Kieny made a motion to amend the agenda to move item #6 to be moved behind item #9 and item #8 to be moved behind item #6, to read; item #4, #5, #7, #9, #6, then #8, and was seconded was seconded by Director Bill Setnik.

No discussion.

Ayes: 5 Noes: 0 Absent: 0

4. PUBLIC COMMENT
Public comment ensued.

CONSENT CALENDAR

5. a) APPROVAL OF MINUTES
June 25, 2007
b) APPROVAL OF CLAIMS

September 12, 2007 – Fund 466-0
September 12, 2007 – Fund 469-0
September 12, 2007 – Fund 470-0

Chairman Laurel Kieny requested to pull, item (b), noting the claim sheet states 466-0, but should be 470-0 (Nolte Engineering).

Discussion ensued.

Chairman Laurel Kieny made a motion to approve the minutes of June 25, 2007 and was seconded by Director George Daniel.

No discussion.

Ayes: 4 Noes: 1 (Mike Goodin) Absent: 0

Chairman Laurel Kieny made a motion to approve the claim sheets for Fund 466-0, in the amount of, \$50,587.78, 469-0, in the amount of, \$7,714.93, and 470-0, in the amount of, \$46,288.85, and was seconded by Director Joseph Moreland.

No discussion.

Ayes: 5 Noes: 0 Absent: 0

7. REVIEW OF INTERIM ENGINEERING FOR COST OF OPERATION AND CAPITAL OUTLAY TO ARRIVE AT RATES FOR WATER USERS

Discussion ensued.

Chairman Laurel Kieny made a motion to delay debate on the item until after the closed session and was seconded by Director Joseph Moreland.

No discussion.

Ayes: 5 Noes: 0 Absent: 0

9. ECSD ANNUAL AUDIT AND MANAGERS REPORT

Discussion ensued.

Chairman Laurel Kieny made a motion to accept the Esparto Community Services District Audit Report, fiscal year ending June 30, 2006, and the Esparto Community Services District Managers Report, for the fiscal year ending June 30, 2006, and was seconded by Director Joseph Moreland.

Discussion ensued.

Ayes: 5 Noes: 0 Absent: 0

Chairman Laurel Kieny entered into closed session at 7:45 p.m.

CLOSED SESSION:

- 6. CONFERENCE WITH LEGAL COUNSEL
Anticipated Litigation Risk §59456.9-(b)(1), One case

Chairman Laurel Kieny reopened the meeting, and stated the report of closed session was there was no action to be taken.

Chairman Laurel Kieny reopened item #7.

- 7. REVIEW OF INTERIM ENGINEERING FOR COST OF OPERATION AND CAPITAL OUTLAY TO ARRIVE AT RATES FOR WATER USERS
Discussion ensued.

Chairman Laurel Kieny made a motion to allow the General Manager to enter into a contract with ECO: LOGIC to do an engineering study on the water and sewer rates, and the to authorize the signature of the General Manager or the Chairman for completion of the contract, and was seconded by Director George Daniel.

Discussion ensued.

Chairman Laurel Kieny allowed Director Mike Goodin to amend the motion to charge the Staff, to include the General Manager, and the District Counsel, to decide how, and when to take care of the work which needs to be done to establish the rate structure which has been talked about, to allow the General Manager and/or the District Counsel to decide who the district would contract with and bring back to the board, and to allow the General Manager or the Chairman of the Board to lay signature to the contract, and was seconded by Director Bill Setnik

Discussion ensued.

Director George Daniel requested to be on record, that he does not think it is a good idea, the award should be going to ECO: LOGIC, and to get it done so it can roll over into the meters. It will be a full engineered study. A lot of what the public is addressing will be taken serious, with it being an independent study.

Discussion ensued.

Ayes: 4 Noes: 1 (George Daniel) Absent: 0

- 8. REQUEST BY DAVE DAUWALDER TO SIGH THE NOTICE OF AWARD OF BID

Director Mike Goodin made a motion to postpone item #8 and was seconded by Director George Daniel.

Discussion ensued.

Director George Daniel made a motion to continue until the next Regular Meeting and was seconded by Director Bill Setnik.

No discussion.

Ayes: 5 Noes: 0 Absent: 0

10. APPROVAL OF RESOLUTION NO. 07-09 – A RESOLUTION OF THE ESPARTO COMMUNITY SERVICES DISTRICT AMENDING DISTRICT POLICY 5010.10 SETTING THE DATE, TIME AND PLACE FOR REGULAR MEETINGS

Discussion ensued.

Director George Daniel made a motion to adopt Resolution 07-09, Setting the Date, Time and Place for Regular Meetings and was seconded by Director Joseph Moreland.

Discussion ensued.

Ayes: 5 Noes: 0 Absent: 0

Director Mike Goodin made a motion to establish as the official posting place for the agendas be on the exterior east wall of the district headquarters and was seconded by Director Joseph Moreland.

No discussion.

Ayes: 5 Noes: 0 Absent: 0

Discussion ensued.

11. REQUEST OF INFORMATION ON COSTS OF EMPLOYEE CONCERNS WITH THE ATTORNEY

Discussion only.

Chairman Laurel Kieny noted Director George Daniel had to leave the meeting at 9:40 p.m.

12. APPROVAL OF RESOLUTION NO. 07-10 – A RESOLUTION OF THE GOVERNING BODY OF THE ESPARTO COMMUNITY SERVICES DISTRICT FOR THE ELECTION OF DIRECTORS TO THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY BOARD OF DIRECTORS

Discussion ensued.

Chairman Laurel Kieny submitted for approval of the Board, Jerry Ledbetter, John Woolley, and William Miller.

Further discussion ensued.

Director Joseph Moreland made a motion to vote for Candidates: Ledbetter, Wooly, and Miller, and was seconded by Chairman Laurel Kieny.

No discussion.

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

13. APPROVAL OF SPECIAL DISTRICT AGENCIES AUTHORIZATION FORM FOR THE YOLO COUNTY AUDITORS OFFICE FOR FISCAL YEAR 07-08
Chairman Laurel Kieny made a motion to approve the Authorization Form for the Yolo County Auditors Office for the Fiscal Year 07-08, and was seconded by Director Joseph Moreland.

Discussion ensued.

Chairman Laurel Kieny amended the motion to mark the box with the Encum. Cert. Apprvl. on the General Manager (Ron Loudon) line of the Authorization Form for Fiscal Year 07-08, and was seconded by Director Joseph Moreland.

Discussion ensued.

Ayes: 4 Noes: 0 Absent: 1

14. CUSTOMER REQUEST FOR MINUTES TO BE DONE VERBATIM
Discussion ensued.

Chairman Laurel Kieny made a motion the minutes reflect the agenda item, the motion be done verbatim, along with the Ayes, and Noes of the vote, and the minutes will be the official record, and the tape is for clarification only and was seconded by Director Mike Goodin.

Discussion ensued.

Ayes: 4 Noes: 0 Absent: 1

Discussion ensued.

15. RESOLUTION TO DECLARE WELL #5 AND THE RELATED TANK AND BOOSTER PUMP STATION AN EMERGENCY SITUATION
Discussion ensued.

It was the consensus of the Board to continue.

16. BOARD TO GIVE GENERAL MANAGER DIRECTION ON RESPONSE TO CUSTOMER LETTER ON RATES
Discussion only.

17. MANAGER'S REPORT
The General Manager gave his report on:
a) Manager's gas expense; \$184.02.

- b) Dave Dauwalder keeping up with partial pays and change orders. Along with the District should be receiving the first USDA check in a couple of months to pay off RCAC and have the funds to start the water portion of the infrastructure.
- c) Issues with Jaeger Const. not wanting to pay for the construction water.
- d) The hiring of a replacement for the Fiscal Services Assistant position.
- e) The need of finishing up with the computer and control systems.
- f) Safety equipment on its way.
- g) Hauling of the Sludge, should be done before October 15th.
- h) Website.

18. DISTRICT INFORMATION AND CORRESPONDENCE

- a) Out-line for the Labor Audit.
Discussion ensued.
Director Bill Setnik recommended having a Special Meeting on the 25th of September regarding the Labor Audit.
Chairman Laurel Kieny stated to the District's Counsel to figure out the best date and to let him know so he could call a Special Meeting.
- b) Monthly Ledgers ending 7-31-07.
- c) Correspondence from Jeff Mitchell, District's Counsel, to Jaeger and Ryland Homes regarding Construction water.
- d) Correspondence from Dave Dauwalder, Nolte Engineering, to Ron Loudon, General Manager, regarding Bid Evaluation and Recommendation for Water System Rehabilitation Project for the Esparto Community Services District.

19. FUTURE AGENDA ITEMS

- a) Call of a Special Meeting for the Audit.
- b) Final discussion of the Audit and Managers Report.
- c) Sewer Bid for contract under USDA.

20. ADJOURNMENT

Director Bill Setnik made a motion to adjourn the meeting at 10:35 p.m. and was seconded Director Joseph Moreland.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

Laurel Kieny-Chairman of the Board

Anna McNamara-Clerk to the Board
