

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

**REGULAR MEETING
JANUARY 13, 2010
MINUTES**

1. **CALL TO ORDER** Chairman Laurel Kieny opened the meeting at 7:00 p.m.

2. **ROLL CALL**

MEMBERS PRESENT Laurel Kieny, Barry Pomeroy, and Terrie Bueno

MEMBERS ABSENT George Daniel

STAFF PRESENT Ron Loudon – General Manager, Anna McNamara – Administrative Assistant/Clerk to the Board, Steve Kaiser – District Counsel

3. **OATH OF OFFICE ISSUED TO NEW BOARD MEMBER ELECT MELISSA JORDAN**
Melissa Jordan requested to review the Oath of Office form.

Discussion ensued.

The Clerk to the Board swore in Melissa Jordan as Director.

4. **APPOINTMENTS WERE MADE BY THE BOARD OF DIRECTOR TO FILL VACANT DIRECTORS SEATS**

The General Manager stated Edward Jones regrettably withdrew his application due to uncontrollable circumstances.

Discussion ensued.

Director Melissa Jordan made a motion to appoint Colleen Fescenmeyer.

Motion failed for lack of a second.

Director Melissa Jordan made a motion to appoint Joseph Moreland as Director, and was seconded by Director Terrie Bueno.

Discussion ensued.

Ayes: 4 Noes: 0 Absent: 1

The Clerk to the Board swore in Joseph Moreland.

Director Barry Pomeroy made a motion to appoint Terrie Bueno as Director, and was seconded by Director Terrie Bueno.

Discussion ensued.

Ayes: 4 Noes: 1 (Melissa Jordan) Absent: 0

The Clerk to the Board swore in Terrie Bueno.

5. ELECTION OF OFFICERS

Discussion ensued.

Director Barry Pomeroy made a motion to nominate Laurel Kieny for President/Chairman, and was seconded by Director Joseph Moreland.

Discussion ensued.

Ayes: 3 Noes: 1 (Melissa Jordan) Abstain: 1 (Laurel Kieny) Absent: 0

Discussion ensued.

6. APPROVAL OF AGENDA

Director Joseph Moreland made a motion to approve the agenda as written, and was seconded by Director Terrie Bueno.

Discussion ensued.

Director Joseph Moreland amended his motion approve the agenda as written with the exception of item 11, to read 'Melissa Jordan' rather than 'customer', and the second stood.

No discussion.

Ayes: 5 Noes: 0 Absent: 0

7. PUBLIC COMMENT

No comment.

Note: Chairman Laurel Kieny called a recess from 7:35 p.m. – 7:37 p.m.

CONSENT CALENDAR

- 8. a) APPROVAL OF MINUTES
 - 12-9-09 – Regular Meeting
 - 12-16-09 – Special Meeting

**b) APPROVAL OF CLAIMS
Fund 466- Regular Monthly**

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

Discussion ensued.

Director Melissa Jordan requested the minutes of 12- 9-2009 be pulled from the Consent Calendar and be addressed separately.

It was the consensus of the Board to pull the minutes and address them separately.

Director Barry Pomeroy amended his motion to pull the 12-9-2009 minutes to be addressed separately, and the second stood.

Discussion ensued.

Director Melissa Jordan requested to have the claims pulled from the Consent Calendar.

The Chairman objected.

Discussion ensued.

The General Manager gave a review of the purpose of a Consent Calendar.

Chairman Laurel Kieny withdrew his objection.

Discussion ensued.

Director Barry Pomeroy withdrew his motion.

It was the consensus of the Board to address each item on the Consent Calendar separately.

Discussion ensued.

Chairman Laurel Kieny made a motion to approve the Regular Meeting minutes of 12-9-2009, with the corrections of: item 4, Ayes need to be 3, instead of 4.

The General Manager stated the Attorney recommended only to line out to portions which made a difference with Melissa Jordan's vote.

Discussion ensued.

Chairman Laurel Kieny amended his motion to include all 'Ayes' which Melissa Jordan was included in be cut back by one and the last page that 'Pomeroy' be spelled correctly, and the second stood.

No discussion.

Ayes: 5 Noes: 0 Absent: 0

Chairman Laurel Kieny made a motion to accept the Special Meeting minutes of 12-16-2009 as written, and was seconded by Terrie Bueno.

No discussion.

Ayes: 5 Noes: 0 Absent: 0

Director Terrie Bueno made a motion to approve the Fund 466-0 monthly claims in the amount of \$37,380.12, and was seconded by Director Barry Pomeroy.

Discussion ensued.

Ayes: 4 Noes: 1 (Melissa Jordan) Absent: 0

9. REPORT ON WEB-SITE

The General Manager gave a report on the status of the web-site.

Note: The Clerk to the Board brought to the attention of the Board that the Vice-Presidents seat was not finalized during the 12-9-2009 meeting as Melissa Jordan had voted on the motion but there were only three Ayes, and one Abstention. Therefore there was not a quorum to approve that vote.

Chairman Laurel Kieny made a motion to revisit item 5, and was seconded by Director Joseph Moreland.

No discussion.

Ayes: 5 Noes: 0 Absent: 0

Chairman Laurel Kieny made a motion to nominate Barry Pomeroy for Vice-President/Vice-Chairman, and was seconded by Director Terrie Bueno.

No discussion.

Ayes: 4 Noes: 0 Abstain: 1 (Barry Pomeroy) Absent: 0

10. BOARD REVIEWED THE RFP'S PROVIDED BY MANAGER FOR POSSIBLE ENGINEERING FIRMS FOR THE DISTRICT

The General Manager gave an overview of the Engineering firms.

Discussion ensued.

Matt Wheeler, of West Yost Engineering, gave an overview of Yost Engineering's capabilities are and what they would be able to offer the District.

No action, discussion only.

11. BOARDS REVIEW OF PUTTING AN AGENDA PACKET AT THE LIBRARY FOR REVIEW

Discussion ensued.

Director Joseph Moreland made a motion the agenda packet, produced by the staff that is delivered to the Board members, be placed at the Esparto Library when ready for viewing each month so the public will have the capability of checking out the packet to view, but not to leave the Library, and was seconded by Director Melissa Jordan.

Discussion ensued.

Ayes: 5 Noes: 0 Absent: 0

12. HARRASSMENT OF DISTRICT STAFF DISCUSSED

Discussion ensued.

Chairman Laurel Kieny made a motion to direct the General Manager to work with District Counsel to form a Threatening Harassment Situations Policy, and was seconded by Director Terrie Bueno.

Discussion ensued.

Ayes: 5 Noes: 0 Absent: 0

13. DISCUSSION OF FLOW METER AT SEWER PROJECT

The General Manager gave an overview of the flow meter situation.

14. MANAGER'S REPORT

Manager gave a report:

- a) Prepared agenda due to staff absences.**
- b) Meter reading and billing trouble shooting.**

15. FUTURE AGENDA ITEMS

- a) RFP'S**
- b) Budget review**

16. DISTRICT INFORMATION AND CORRESPONDENCE

- a) Simplified Budget sheets**

Note: Chairman Laurel Kieny called a ten minute recess from 9:12 p.m. – 9:22 p.m.

Closed Session convened at 9:22 p.m.

17. **CLOSED SESSION**

- a) **Conference with General Manager/Superintendent
Personnel Issue – Gov. Code Sec. 54957**

Open session reconvened 10:16 p.m.

Report of Closed session:
No action was taken.

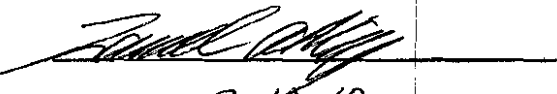
18. **ADJOURNMENT**

Director Joseph Moreland made a motion to adjourn the meeting at 10:18 and was seconded by Director Terrie Bueno.

No discussion.

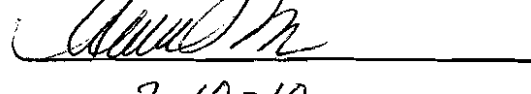
Ayes: 5 Noes: 0 Absent: 0

Laurel Kieny-Chairman of the Board



Date 2-10-10

Anna McNamara Clerk to the Board



Date 2-10-10