



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

**REGULAR MEETING
SEPTEMBER 9, 2009
MINUTES**

- 1. CALL TO ORDER** Chairman Laurel Kieny opened the meeting at 7:03 p.m.
- 2. ROLL CALL**

MEMBERS PRESENT George Daniel, Terrie Bueno, Laurel Kieny, Joseph Moreland, and Barry Pomeroy

STAFF PRESENT Ron Loudon (General Manager), and Anna McNamara (Administrative Assistant), Steve Kaiser, and Steven Chew (Attorney's for the District), and Dave Dauwalder (Engineer for the USDA project, Nolte Engineering)

OTHERS PRESENT Public was present

- 3. APPROVAL OF AGENDA**
Discussion ensued.

Chairman Laurel Kieny made a motion to amend the agenda with items 17-19 to follow items 15, and was seconded by Director Terrie Bueno.

No discussion.

Ayes: 5 Noes: 0 Absent: 0

Director George Daniel made a motion to approve the agenda with the noted changes and was seconded by Director Terrie Bueno.

No discussion.

Ayes: 5 Noes: 0 Absent: 0

Page 1 of 6

- 4. **PUBLIC COMMENT**
Public comment was made.
- 5. **BOARD TO PRESENT FORMER DIRECTOR MIKE GOODIN WITH AN APPRICIATION PLAQUE**
Mike Goodin was not present at the meeting.

It was the consensus of the Board to present the plaque to Mike Goodin when he is available.

CONSENT CALENDAR

- 6. a) **APPROVAL OF MINUTES**
August 12, 2009
- b) **APPROVAL OF CLAIMS**
Fund 466-0 – Regular Monthly
Fund 466-0 – Intermittent Monthly

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

No discussion.
Ayes: 5 Noes: 0 Absent: 0

- 7. **YOLO COUNTY REQUESTING A WAIVIER OF FEES REGARDING WATER / SEWER CHARGES FOR THE PARKS / RETENTION BASINS THEY MAINTAIN IN ESPARTO**
Discussion ensued.

Director Joseph Moreland made a motion to bring this item back to the next Regular Meeting in October 2009, and was seconded by Director Barry Pomeroy.

Discussion ensued.
Ayes: 1 (Joseph Moreland) Noes: 4 Absent: 0

Motion failed for lack of vote.

Discussion ensued.

Chairman Laurel Kienny made a motion the Board directs the General Manager to follow District Policy on the matter and to proceed as he would with any other customer, and was seconded by Director Terrie Bueno.

Discussion ensued.

Chairman Laurel Kienny made a motion to withdraw his motion and Director Terrie Bueno agreed.

Chairman Laurel Kienny made a motion to not waive the fees for the County Service Area and the General Manager is to follow District Policy on this matter, and was seconded by Director Barry Pomeroy.

Discussion ensued.

Ayes: 5 Noes: 0 Absent: 0

8. BOARD DISCUSSION REGARDING THE CAPAY VALLEY ENERGY SHED PROJECT

Sue Heitman spoke on the issue.

Discussion ensued.

Director Terrie Bueno made a motion to add the Esparto Community Services District's Board of Directors to the list of people who are interested in the survey and seconded by Director George Daniel.

Discussion ensued.

Ayes: 4 Noes: 0 Abstain: 1 (Joseph Moreland) Absent: 0

9. REVIEW OF WASTEWATER PROJECT

Review given by Dave Dauwalder of Nolte Engineering.

10. APPROVAL OF PPE 11 – USDA WASTEWATER PROJECT – ARGANAUT CONSTRUCTORS

Discussion ensued.

Director Barry Pomeroy made a motion to PPE 1 in the amount of \$2036.50, and was seconded by Chairman Laurel Kienny.

Discussion ensued.

Director Barry Pomeroy withdrew his motion and Chairman Laurel Kieny Agreed.

Director Barry Pomeroy made a motion to approve the PPE 11, in the amount of \$12,670.02, to Argonaut Constructors, USDA Wastewater Project, and was seconded by Director Terrie Bueno.

No discussion.

Ayes: 3 Noes: 2 (Laurel Kieny, George Daniel) Absent: 0

11. APPROVAL OF A NEGATIVE CONTRACT CHANGE ORDER NO. 3 – USDA WASTEWATER PROJECT – ARGANAUT CONSTRUCTORS

Discussion ensued.

Chairman Laurel Kieny made a motion bring this item back at the October 2009 Regular Meeting, and was seconded by Director Barry Pomeroy.

No discussion.

Ayes: 5 Noes: 0 Absent: 0

12. WRITE OFF OF UNCOLLECTIBLE ACCOUNTS

Discussion ensued.

Director Terrie Bueno made a motion to write off the uncollectable customer accounts with the District in the amount of \$2,910.60, and was seconded by Director George Daniel.

Discussion ensued.

Ayes: 5 Noes: 0 Absent: 0

13. APPROVAL OF RESOLUTION 2009 - 5 – RETURNED CHECK FEES – A RESOLUTION OF THE ESPARTO COMMUNITY SERVICES DISTRICT SETTING THE CHARGES FOR RETURNED CHECKS FROM THE BANK ON DEPOSITS FOR CUSTOMER ACCOUNT PAYMENTS

Chairman Laurel Kieny read Resolution 2009-5.

Director George Daniel made a motion to approve Resolution 2009-5 as written and was seconded by Director Terrie Bueno.

No discussion.

Ayes: 5 Noes: 0 Absent: 0

14. APPROVAL OF RESOLUTION 2009-6 – COPY AND FAX CHARGES TO THE PUBLIC – A RESOLUTION OF THE ESPARTO COMMUNITY SERVICES DISTRICT SETTING THE CHARGES FOR COPYING AND DOCUMENT, FAXING AND RECEIVING ANY DOCUMENT AND COPYING ANY ELECTRONIC RECORDING OF ANY MEETING HELD BY THE BOARD OF DIRECTORS

Chairman Laurel Kieny read Resolution 2009-6.

Discussion ensued, and a public member requested the Administrative Assistant pass out a hand-out to the Board members.

Director Joseph Moreland made a motion to approve Resolution 2009-6 as written and was seconded by Director George Daniel.

No discussion.

Ayes: 5 Noes: 0 Absent: 0

Note: Director George Daniel left the meeting at 9:10 p.m.

15. BOARD APPOINTMENT OF NEGOTIATOR FOR ITEM NO 16.

Chairman Laurel Kieny made a motion to table item No. 15, due to the Negotiator is already named, and was seconded by Director Terrie Bueno.

No discussion.

Ayes: 4 Noes: 0 Absent: 1

17. MANAGER'S REPORT

- a) General Manager's fuel of \$194.00.
- b) Quotes for fence at the WWTF.
- c) Met with Hydrologist.
- d) Discussions with Dan Boatwright regarding the services on HWY 16.
- e) Web-design.
- f) Protection-One – security proposal.

18. FUTURE AGENDA ITEMS

- a) Metering of the customer water.
- b) Plaque presentation to Mike Goodin.

19. DISTRICT INFORMATION AND CORRESPONDCE
None to report.

A recess was called from 9:34 – 9:43 p.m.

Closed session convened at 9:43 p.m.

CLOSED SESSION:

16. CLOSED SESSION REGARDING CONFERENCE WITH REAL PROPERTY NEGOTIATIONS (Gov. Code §54954.5)

The District will hold a closed session for the purpose, sale, exchange or lease of the following real properties as follows:

Property: the real property identified as APN# 049-240-18 (owned by Intra – Pacific Commercial, Inc.) and the real property identified as 049-240-13 the Esparto Community Services District).

Agency negotiator: District Negotiator Ron Loudon

Parties: the Esparto Community Services District and Intra-Pacific Commercial, Inc.

Under negotiation: Price and terms of payment

Open Session reconvened at 10:12 p.m.

The report of Closed Session: No action was taken.

13. ADJOURNMENT

Director Barry Pomeroy made a motion to adjourn the meeting at 10:13 p.m. and was seconded by Director Terrie Bueno.

No discussion.

~~Laurel Kieny-Chairman of the Board~~
~~Barry Pomeroy - Vice Chair~~
10-27-09

Anna McNamara-Clerk to the Board
10-27-09