

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

SPECIAL MEETING
JULY 16, 2008

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 Laurel Kieny , Joseph Moreland, Mike Goodin, Barry Pomeroy, and Terrie Bueno

STAFF PRESENT Ron Loudon, Anna McNamara, Jeff Mitchell (District Counsel),

OTHERS PRESENT

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: 5 Noes: 0 Absent: 0

4. PUBLIC COMMENT

Public comment was made.

5. APPROVAL OF PARTIAL PAYMENTS

PPE	USDA 5	\$198,705.50	TIECHERT CONSTRUCTION
PPE	USDA 4A	\$32,861.57	NOLTE ENGINEERING
PPE	USDA 3A	\$49,674.19	NOLTE ENGINEERING

Discussion ensued.

Chairman Laurel Kieny made a motion to approve PPE (Partial Payment Estimate) USDA 5, 4A, and 3A and authorize the General Manager / Superintendent to lay signature to the PPE's, upon receipt of those copies from the Engineering firm, with all the proper signatures in place, and was seconded by Director Barry Pomeroy.

Discussion ensued.
Ayes: 5 Noes: 0 Absent: 0

6. APPROVAL OF MINUTES
 July 10, 2008 Regular Meeting

Discussion ensued.
Director Joseph Moreland made a motion to approve the minutes of July 10, 2008, Regular Meeting, and was seconded by Director Barry Pomeroy.

No discussion.
Ayes: 4 Noes: 1 (Mike Goodin) Absent: 0

Note: The Attorney was released by the Board of Directors.

7. GRAND JURY REPORT
 Discussion ensued.

Counsel's recommendation to follow as a template:
Pursuant to California Penal Code Section 933.05 and in accordance with the 2007/2008 Yolo County Grand Jury Final Report dated June 30, 2008 (the "Report"), the Board of Directors (the "Board") of the Esparto Community Services District ("District") submits the following responses to the finding and recommendations of the Yolo County Grand Jury (the "Grand Jury"):

Example: Findings F1; The Board [agrees] [disagrees] with this finding. [If disagrees in whole or in part, explain what and why]

Finding F1: CSD staff has not been at their assigned places of duty during the hours of their shift. Corresponding time sheets did not reflect any sick leave or vacation time taken.

Public comment: Melissa Jordan; reviewed Finding F1, and gave her opinion.

Response: Director Barry Pomeroy made a motion the Board disagree with Finding F1 due to no supporting evidence and was seconded by Director Joseph Moreland.

Director Terrie Bueno amended the motion to add; *the time sheets which were evaluated by the Grand Jury did not reflect the vacation time. Also the Grand Jury did not ask for internal records, which would make it a little*

more specific, and that the records are available if the Grand Jury would ever like to reevaluate the findings and Director Barry Pomeroy accepted.

Discussion ensued.

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

Discussion ensued.

Public comment: Colleen Fescenmeyer; concerns with the pay scale for the job duties and size of district.

Finding F2: Both new and revised job classifications allow for the overlapping of job functions without an increase in responsibilities or skills required. The classifications for office staff are assigned pay scales at the discretion of the General Manager/Superintendent without direct association to an increase in responsibilities or education.

Discussion ensued.

Response: Chairman Laurel Kieny made a motion the Board disagrees with Finding F2; (with the statement), reason being; the first sentence is an acceptable business practice and the second sentence is not a true statement and that the pay scales are adopted by the Board of Directors, and there is association in the separation of responsibilities and education, and was seconded by Director Barry Pomeroy.

Discussion ensued.

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

Finding F3: Occasionally customer payments, in the form of personal checks, have been lost. Some deposits were mishandled or lost. The General Manager/Superintendent does not verify every transaction and relies heavily on the Administrative Assistant's verification of deposits and billings.

Discussion ensued.

Public comment: Mr. Dobbins; complaint regarding check mishandling on their account, but added he also mailed a check to the wrong address.

Response: Chairman Laurel Kieny made a motion the Board agrees to Finding F3, and was seconded by Director Joseph Moreland.

Discussion ensued.

Ayes: 5 Noes: 0 Absent: 0

Finding F4: There were no itemized lists accompanying those deposits containing errors. The bank tallied the deposits and corrected the errors made by CSD.

Public comment: Melissa Jordan; concerned with no consequences.

Public comment: Colleen Fescenmeyer; concerned with list accompanying deposits.

Public comment: Patsy Dobbins; addressed how she deposits her money with the business she works with.

Discussion ensued.

Response: Chairman Laurel Kieny made a motion the Board agrees with Finding F4, with an explanation that the bank does not accept itemized lists, and the correction of errors, at the time of tally, is a standard business practice, and was seconded by Director Terrie Bueno.

Discussion ensued.

Chairman Laurel Kieny amended his motion to state the Board agrees with Finding F4, and was seconded by Director Joseph Moreland.

No further discussion.

Ayes: 5 Noes: 0 Absent: 0

Finding F5: The cash box log shows that the balance of the cash box was maintained monthly at the established amount until June 27, 2007. The amount was not reconciled again until December 12, 2007.

Public comment: Mr. Dobbins; states how his work balances their cash box, which is used everyday and if there was a problem someone would be fired.

Discussion ensued.

The Administrative Assistant requested to be noted: the cash box is separate from the cash drawer. The money in the front drawer, which is utilized everyday, and counted everyday, is a separate amount of money. *There is a small cash box with \$500.00 in it which is kept in the safe. That money was probably not used during that time. These are two separate*

amounts of money used for two separate things. That cash box is in the safe and is used for small emergency type items such as, Clorox, water, batteries, the dump, etc. It is used very little, and is counted when used. The cash drawer is counted every morning and every afternoon.

Discussion ensued.

Response: Director Barry Pomeroy made a motion the Board agree with Finding F5, and was seconded by Director Terrie Bueno.

No discussion.

Ayes: 5 Noes: 0 Absent: 0

Finding F6: Several members of the CSD Board of Directors have been serving in the capacity for many years. The current chairperson has been on the board for eight years and has been serving as chairperson for all but a couple of months.

Public comment: Colleen Fescenmeyer; concerns with the length of time a Director can hold the seat of Chairman of the Board, and recommends a two year term only.

Public comment: Melissa Jordan; having held a position on other community entities, there are two sides to the matter. You can not force people to assume the roll of Chairperson, and need to appreciate when someone is willing to do that position as it is a volunteer position.

Discussion ensued.

Response: Director Mike Goodin made a motion the Board agree with Finding F6, and was seconded by Director Terrie Bueno.

Discussion ensued.

Public comment: Mr. Dobbins; most Chairpersons of the Board are not able to make the motion.

Ayes: 5 Noes: 0 Absent: 0

Finding F7: The minutes of the Board of Directors meetings are grammatically flawed and are inaccurately paraphrased when compared to the audible recordings.

Discussion ensued.

Response: Director Mike Goodin made a motion the Board agree with Finding F7.

Motion died due to a lack of second.

Discussion ensued.

Director Joseph Moreland made a motion the Board disagree with Finding F7, and was seconded by Director Barry Pomeroy.

Discussion ensued.

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

Finding F8: The request for a water audit per the meeting minutes from June 13, 2007 was never addressed.

Public comment: Colleen Fescenmeyer; explanation of what she thought a water audit to be; a measurement of the water table, at the end of the water season, to get an average usage for the year. Along with concern about how Teichert Constructions has repaired her asphalt.

Public comment: Melissa Jordan; concerns with when the water lines were originally set up, the district accidentally put in the wrong size lines to the houses, because they wanted extra water. Wanting to know after the new meter boxes are installed, what lines are *really* being run to every residence, and is the district tying into what exists. Further stating that would be a good time to see who is paying for what.

Discussion ensued.

Public comment: Melissa Jordan; expressed concerns regarding if someone has more than one lot and is using more than one tie-in, how will the district handle the meters.

Discussion ensued.

Response: Chairman Laurel Kieny made a motion the Board disagree with Finding F8, finding the water audit was addressed, and was seconded by Director Terrie Bueno.

Discussion ensued.

Chairman Laurel Kieny restated his motion to read; the Board disagrees with Finding F8, finding it to be a false statement and was seconded by Director Terrie Bueno.

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

Note: Chairman Laurel Kieny ordered a Special Meeting be held at the Esparto Library on Wednesday, July 23, 2008, if available, and if not utilize the Scout Cabin, along with a request to note our next meeting on the Cableview's scroll (channel 55).

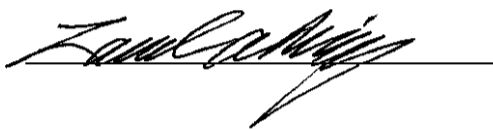
8. ADJOURNMENT

Director Barry Pomeroy made a motion to adjourn the meeting at 10:00 p.m. and was seconded by Chairman Laurel Kieny.

No discussion.

Ayes: 5 Noes: 0 Absent: 0

Laurel Kieny-Chairman of the Board



Anna McNamara-Clerk to the Board

