



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

REGULAR MEETING
AUGUST 1, 2012
MINUTES

(1) CALL TO ORDER

Chair Melissa Jordan called the meeting to order at 7:06 pm.

(2) PLEDGE OF ALLEGIANCE

All residents and members in attendance recited the pledge

(3) ROLL CALL

Present:

- Directors: Melissa Jordan, Anna Girk, Steve Knightley, Colleen Fescenmeyer
- District Counsel: Tom Barth
- General Manager: Mel Smith
- Board Clerk: Mel Smith

Absent: Director Trish Roath

Public: Public present

(4) APPROVAL OF AGENDA

Chair Melissa Jordan called for a motion to approve the agenda.

Motion by: Director Anna Girk to approve the agenda as presented.

Second by: Director Colleen Fescenmeyer

Public Comments: none

Discussion: none

Vote: Ayes: 4 No: 0 Abstain: 0 Motion: Passed

(5) PUBLIC COMMENTS

Chair Melissa Jordan opened public comments- None received

(6) CORRESPONDENCE

No Correspondence

(7) APPROVAL OF MINUTES

July, 18, 2012

Chair Melissa Jordan called for a motion to approve the minutes

Motion by: Director Anna Girk to approve the minutes of July 18, 2012

Second by: Director Colleen Fescenmeyer

Public Comments: none

Discussion: Chair Melissa Jordan noted a name misspelled in
Item 8 and a revision to the wording in Item 13, 2nd paragraph.

Friendly Amendment by: Director Anna Girk to correct the name misspelling
in Item 8 and a to revise Item 13, 2nd paragraph, first sentence, strike the ending
4 words.

Vote: Ayes: 4 No: 0 Abstain: 0 Motion: Passed

(8) CLAIMS: FUND 466-0 REGULAR MONTHLY

Chair Melissa Jordan called for a motion to approve the claims.

Motion by: Director Colleen Fescenmeyer made a motion to approve the claims

Second by: Director Steve Knightley

Public Comments: none

Discussion: none

Vote: Ayes: 4 No: 0 Abstain: 0 Motion: Passed

**(9) PRESENTATION BY REPRESENTATIVE OF EMERALD HOMES
REGARDING REQUEST FOR REIMBURSEMENT OF \$65,475.48,
ALLEGED AS COSTS FOR EXCESS CAPACITY IN WASTEWATER
TREATMENT POND 10.**

Chair Melissa Jordan reminded the Board this was an information item only.

Information presented by Emerald Homes representative Mark Armstrong, Dave
Lazares and Jeff Robinson. Emerald Homes would like a written response by
August 15, 2012.

(10) DISCUSSION REGARDING THE DIFFERENCE BETWEEN A STANDING COMMITTEE AND AN AD HOC COMMITTEE

General Manager indicated he had no new information and referenced the district legal counsel being present this evening and asked if he had any information to add. Tom Barth indicated he was not clear on the subject at hand.

Chair Melissa Jordan provided a recap on how the district has utilized different committee types in the past. She made reference to the Standing Committee, as the district policy states we are to have this type of committee for finance and policy.

Discussion followed on the use of an Ad Hoc committee, how it could be implemented, and the use of the Standing Committee which requires an agenda to be posted, be open to the public and minutes recorded.

Director Knightley indicated, Ad Hoc committees would be fine as long as they had definite time limits, the policy being reviewed was stated, and at the end of the time committee members were rotated.

General Manager referenced how the Brown Act can be violated by starting with an Ad Hoc committee, that turns into a Standing Committee, when a staff member or a member of the public is appointment to serve on the committee.

District Counsel Tom Barth indicated he could do a quick research on this issue and provide additional information.

Some discussion followed. General Manager to gather and bring back information on the use of these committees and communicate with the district counsel as needed.

(12) RESOLUTION NO. 12-01 TO AUTHORIZE MONIES FROM THE 469 DEVELOPMENT IMPACT FUND TO BE USED FOR THE WELL NO. 4 PROJECT

Chair Melissa Jordan entertained a motion to approve the Resolution No. 12-01

Motion by: Director Colleen Fescenmeyer to approve Resolution No. 12-01

Second by: Director Anna Girk

Public Comments: none

Chair Melissa Jordan suggested the resolution be read and then she would open the subject to discussion. Chair Melissa Jordan read Resolution No. 12-01.

Discussion followed: Question whether or not Resolution No. 12-01 can be revised to include both the Well 4 retrofit and the Well 5 repair which would put the resolution request to about \$100,000.

After additional discussion the General Manager questioned whether a resolution was needed on an item the Board had already voted on. He further indicated to include in one resolution, an item the Board had already voted on and an amendment to the budget would be difficult. He indicated two resolutions would be advisable, one to address the Well 4 retrofit and the other to address the Well 5 repair.

Consensus of the Board was to bring Resolution No. 12-01 back at a future meeting. The Board was not in favor of the resolution as it is currently being presented as it does not address the cost of both issues accurately.

Vote: Ayes: 0 No: 4 Abstain: 0 Motion: Failed

(13) MANAGER REPORT

- a) Well No. 4 progress - column and pump pulled, ran video, surprised at the amount of mineralization that had occurred and the perforations were completely closed. Luhdorff engineer asked if we could collect a sample of the gravel pack. The gravel pack collected by Jason was oversized, which explains why that well has always pumped sand. A finer gravel pack should fix the problem.
- b) Archive Billing History – for a program to archive old billing, CUSI wants to charge us \$1000.00. We talked with Director Steve Knightley and he suggested a different approach which seems to be working. Changes were made to our server last evening and billing ran smoothly this morning.
- c) Purchase of new workstation @ Michele's desk - this desk requires the best computer unit in the office. Need to change out the current HP for something more suitable for her desk. Funds were included in the Budget for this item.
- d) Well 5 - no problems, back to being our primary well, no more green water.
- e) Update Website - General Manager indicated he took some schooling by telephone and on line, had assistance from the trainer who made some changes to the website and taught me how to initiate changes. Agenda and minutes are now posted on our website, adopted budget not posted as yet, should have this on soon.
- f) Auto Payments - General Manager indicated he has information on a new system which could be installed at the district office to allow automatic payments to be accepted. Cost is minimal, perhaps \$.45 per transaction. Customers can initiate a one time debit or a monthly debit to pay their bill.

(14) FUTURE AGENDA ITEMS

- a) Meeting Schedule (8-1)
- b) Solar Bee
- c) Rate Study (8-1)
- d) MOU w/Madison
- e) CSA Roles
- f) Budget Amendments
- g) Community Outreach, donate postage (8-22)
- h) Research Impact Fees
- i) LAFCO process to merge the landscape maintenance of MERCSA
- j) Errors & Omissions
- k) Committee's
- l) Well 4 & 5 Resolution
- m) Change ECSD charter
- n) Well No. 4 party
- o) Stipend

9:52 pm: Chair Melissa Jordan indicated the Board would now enter closed session.

(15) Closed Session:

- a) Public Employee Evaluations: General Manager, authorized by Gov. Code Section 54954.5(e).
- b) Conference with Legal Counsel: Significant Exposure to Litigation, authorized by Gov. Code Section 54956.9(b), (1 case)

10:29 pm Chair Melissa Jordan called the meeting back to order.

(16) REPORT OF CLOSED SESSION

Direction given to General Manager Mel Smith and Legal Counsel Tom Barth.

(17) ADJOURNMENT

Chair Melissa Jordan entertained a motion to adjourn.

Motion by: Director Colleen Fescenmeyer to adjourn the meeting.

Second by: Director Anna Girk

Vote: Ayes: 4 No: 0 Abstain: 0 Motion: Passed

Meeting adjourned at 10:30 pm.

Melissa Jordan - Chair of the Board

Mel Smith - Board Clerk

Date_____

Date_____