



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

REGULAR MEETING  
August 22, 2012  
MINUTES

**(1) CALL TO ORDER**

Chair Melissa Jordan called the meeting to order at 7:07 pm.

**(2) PLEDGE OF ALLEGIANCE**

All residents and members in attendance recited the pledge

**(3) ROLL CALL**

**Present:**

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

**Absent:**

- Director Trish Roath

**Public:** Public not present

**(4) APPROVAL OF AGENDA**

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

**Motion by:** Director Colleen Fescenmeyer to approve the agenda

**Second by:** Director Steve Knightley

Public Comments: none

Discussion: Chair Melissa Jordan referenced the discussion with the General Manager to hold Closed Session first in order to stop the meeting at a reasonable time. After some discussion it was decided to move the Closed Session up in the agenda and any items the Board could not complete by 10:30 pm would be moved to the next meeting.

**Friendly Amendment by:** Director Colleen Fescenmeyer to move the Closed Session between Items No. 8 and No. 9 on tonight's agenda.  
Director Steve Knightley agreed.

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

**(5) PUBLIC COMMENTS**

Chair Melissa Jordan opened public comments: No Public present.

**(6) CORRESPONDENCE**

Chair Melissa Jordan called for any Correspondence: None received

**(7) APPROVAL OF MINUTES**

August 1, 2012

Chair Melissa Jordan entertained a motion to approve the minutes

**Motion by:** Director Anna Girk to approve the minutes of August 1, 2012  
as presented

**Second by:** Director Colleen Fescenmeyer

Discussion: None

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

**(8) CLAIMS: FUND 466-0 REGULAR MONTHLY**

Chair Melissa Jordan entertained a motion to approve the claims.

**Motion by:** Director Colleen Fescenmeyer to approve the monthly claims  
as presented

**Second by:** Director Steve Knightley

Discussion: None

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

7:14 pm - Chair Melissa Jordan announced the Board would now enter Closed Session

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**(16) 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)
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9:10 pm - Chair Melissa Jordan called the August 22, 2012 meeting of the Esparto Community Service District back to order

**(17) REPORT OF CLOSED SESSION**

- a) Evaluation given to General Manager for his consideration and finalized by the Board
- b) Direction given to General Manager

**(9) RESOLUTION NO. 12-01: BUDGET AMENDMENT TO APPROPRIATE FUNDS AND ADD WELL 5 REPAIRS AS A NEW ITEM UNDER CAPITAL ASSETS ACCOUNT 864200**

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

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

**Second by:** Director Steve Knightley

Discussion: None

Chair Melissa Jordan asked Director Colleen Fescenmeyer to read Resolution No. 12-01 into the record.

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

**(10) RESOLUTION NO. 12-02 AUTHORIZING TRANSFERS FROM THE 469 DEVELOPMENT IMPACT FUND TO THE 466 GEN FUND, CAPITAL ASSETS ACCOUNT 864200 AND 864300, AS NEEDED, UP TO THE AMOUNTS INCLUDED IN 2012-2013 BUDGET**

Chair Melissa Jordan entertained a motion to approve Resolution No. 12-02

**Motion by:** Director Colleen Fescenmeyer to approve Resolution No. 12-02

**Second by:** Director Anna Girk

Discussion: None

Chair Melissa Jordan asked Director Colleen Fescenmeyer to read Resolution No. 12-02 into the record.

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

**(11) RE-EVALUATE THE NEED FOR TWO BOARD MEETINGS PER MONTH**

Chair Melissa Jordan entertained a motion to table this item until Director Trish Roath is present.

**Motion by:** Director Anna Girk to table re-evaluation of the need for two Board meetings per month to next meeting

**Second by:** Director Colleen Fescenmeyer

Discussion: None

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

**(12) RESOLUTION NO. 12-03 TO ENACT A ONE HUNDRED DOLLAR (\$100.00) PER MONTH STIPEND, TO BE PAID, TO EACH DIRECTOR**

The General Manager explained this resolution is a conflict of interest to the Board, in order to move forward each Board member must recuse themselves in open session. The General Manager then indicated he could move this forward in the best interest of the district by selecting a quorum of the members present to vote on this agenda item. At this time the Board was asked to recuse themselves individually in order to proceed.

- Director Anna Girk - I recuse myself as it is a conflict of interest
- Director Colleen Fescenmeyer - I recuse myself as it is a conflict of interest
- Director Melissa Jordan - I recuse myself as it is a conflict of interest
- Director Steve Knightley - I recuse myself as it is a conflict of interest

Each Director's name was then placed in a container and the District Counsel Tom Barth was asked to draw a name three times in order to form the quorum necessary to proceed.

The following Directors were chosen: Director Melissa Jordan, Director Colleen Fescenmeyer and Director Steve Knightley.

Discussion followed: Chair Melissa Jordan indicated her concern this resolution came as an action item before being brought forward as a discussion item first, transparency with the community important, not comfortable with this being an action item at this time. She referenced other districts and indicated that you would be required to pay taxes on the stipend. Director Colleen Fescenmeyer basically agreed, we should follow procedure. Director Steve Knightly stated there was no expectation of this. General Manager indicated he placed this on the agenda after the discussion for re-evaluating the number of meetings per month, if we stay at two, then he feels this stipend should be given.

**Motion by:** Chair Melissa Jordan to table this item until the next meeting

**Second by:** Director Colleen Fescenmeyer

Discussion: None

**Vote:** Ayes: 2 No: 1 Abstain: 0 **Motion:** Passed

### **(13) MANAGER REPORT**

- a) Well No. 4 Progress - Chemical treatment on the well will be done this weekend. New screen and gravel pack to be installed on Monday and Tuesday. We expect pump test by the 31st.
- b) LAFCO Meeting

### **(14) DISCUSSION REGARDING THE DIFFERENCES BETWEEN A STANDING COMMITTEE AND AN AD HOC COMMITTEE**

Tabled to next meeting

**(15) FUTURE AGENDA ITEMS**

- a) Solar Bee
- b) Rate Study (8-1)
- c) MOUw/Madison
- d) CSA Roles
- e) Resolution 12-03
- f) Community Outreach, donate postage (8-15)
- g) Zoning Concerns
- h) Info re. need to change charter
- i) Research Impact Fees
- j) Errors & Omissions
- k) Standing Committees/Ad Hoc Committees

**(18) ADJOURNMENT**

Chair Melissa Jordan entertained a motion to adjourn.

**Motion by:** Director Colleen Fescenmeyer to adjourn the meeting

**Second by:** Director Steve Knightley

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

Melissa Jordan - Chair of the Board

Mel Smith - Board Clerk

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Date\_\_\_\_\_

Date\_\_\_\_\_