

**TOMALES VILLAGE COMMUNITY SERVICES DISTRICT
BOARD MEETING**

Minutes of Meeting held March 10, 2010

Board Members Present: Walter Earle, Bill Tucker, Patty Oku, Hope Sturges, Eric Knudsen
Board Members Absent: None

Also Present: Karl Drexel, Administrator
Gary Phillips, Operator

Paul Duffey
Terry Duffey
Venta Leon

Ted Anderson
Donna Clavaud
Bert Crews

Seth Bunnell

Board Vice President Bill Tucker called the meeting to order at 6:00p.m.

Open Communication:

Terry Duffey reported that one of the palm trees in the park had fallen down during high winds. It split at the trunk and Paul sawed the jagged end off for safety. There was some discussion regarding the other palms. Walter Earle noted that it is a grass plant and might regrow.

Terry also noted that the Marin Energy Authority is establishing service in Tomales and if one doesn't want to use it they have to opt out within 60 days of the beginning of service. She wondered if the Board had taken a position and how it affects the solar project.

Approval of Minutes:

The Chair entertained a motion to approve the January 13, 2010 board meeting minutes and asked for any corrections and additions to the minutes. Bert Crews made a correction to the minutes under the Community Advisory Report. He said he presented a spread sheet that indicated rates would increase 30-50% and not "double" as was recorded in the minutes. Terry Duffey also noted on page 5 of the minutes under Grant Writing that the minutes said "the force behind it was previous Boards AND the community wanted the District to pursue tertiary treatment and so did the school district." She said that she did not remember any type of questionnaire or poll conducted of the community on the issue of tertiary. She said it would be more accurate to say that the previous Boards and the school district wanted to pursue tertiary. After corrections:

Patty Oku made a motion to approve the minutes of the February 10, 2010 Regular Board Meeting as amended. Seconded by Eric Knudsen. M/S/U.

Financial Report:

A. & B. The Administrator submitted the financial reports for April and noted that there was nothing to add to the financials in the Board packets. The exceptional expenditures included a payment to PGE for two months and the final retention to Piazza.

Walter Earle made a motion to accept bank statements and financial statements and approve expenditures including Phillips and Associates O&M, PGE facility costs, Karl Drexel, AT&T, Capital One, Piazza Const and miscellaneous office supplies and copies. Seconded by Patty Oku. M/S/U.

Phillips & Associates Report:

The Administrator introduced Gary Phillips to the new Board Members. Gary noted that he was at the meeting tonight because Paul and Terry Duffey asked him to attend. He noted he didn't have a report prepared, but was willing to answer questions. Board member Hope Sturges said

that she was a student of Bob Rawson's and that she knows the system is new and that the BODs and CODs are high and out of compliance and wondered if that was correct. Gary noted that he was unaware of any issue being out of compliance with the Waste Discharge Requirement and the only time it ever has been is late in the summer when the storage ponds are drawn down to the last two or three feet during irrigation. Hope then asked Gary what tests were required by the State and where were the samples taken. Gary consulted with the Administrator and he affirmed that the WDR requires testing of COD, coliform and chlorine residual at any point in the system. They are currently being taken at the discharge pipe to the spray field during the irrigation season. The Administrator noted that he and Steve are looking at changing the testing to BOD at the treatment plant with the Regional Board so that the high COD levels in late summer would not be a factor and irrigation could continue to remove the last 2 or 3 million gallons of wastewater that are left in the storage ponds normally, because irrigation has to be shut off. He noted that they were taking BOD samples as a base line to determine if it is feasible to make the switch. He reiterated to Hope that the District is not out of compliance because we are not irrigating and the test being taken are for internal reporting only. Hope asked what the COD requirement was and the Administrator said it was 240 mg/l. He was corrected that the limit is 210 mg/l. Hope asked what the BOD limits were and the Administrator noted that there were no BOD limits, because there was no BOD requirements.

Hope asked Gary what the issue with the algae was and how that affects the system. Gary noted that algae in the storage ponds affects the suspended solids and the COD during irrigation. When the ponds are drawn down, the algae spikes the COD and irrigation is forced to shut down per the WDR permit leaving about 2 to 3 million gallons of treated wastewater in the storage ponds. The Administrator reiterated that they were trying to get approval for BOD testing at the treatment pond so that the last 2 million gallons of water can be drained from the storage ponds. In order to do that, however, they need to track the BOD levels and adjust the treatment as necessary to get low readings. Hope asked if there were TSS requirements, and she was told the only testing requirements are for COD, Coliform and Chlorine residual during irrigation. Hope then asked if the District was within parameters at this point during irrigation. Gary responded that the system is reliable, relatively new, and it is robust and there were no compliance issues during irrigation that he knew of other than towards the end of the irrigation season when COD spikes and irrigation is shut off and they did not anticipate any. Gary said "we have a simple system we do not have any spray fields at the end of airport runways".

Board member Walter Earle asked if the plan was to continue to take test samples at the irrigation field as we have been for this year. The Administrator said that hopefully, as the treatment pond system develops the proper bacteria and enzymes and the algae is removed, the BOD levels at the plant would be low enough take samples there and continue to irrigate into September and October. Bert Crews suggested that the questions be directed to and answered by Gary since he has come all they way out here for this meeting.

Venta Leon said what she was confused about was that at the last couple of meetings we talked about the fact that we were having problems with the ponds and that was why we were looking at Aqua Shade and other measures. The Administrator noted that the new pond system developed an algae bloom which increased the BOD levels that were being tested for internal research and that efforts were being taken to reduce those numbers, but at no time was the system out of compliance or not treating the wastewater. Terry Duffey asked Gary if he had to deal with algae problems in other systems. He said he certainly had, and that it was just a part of pond systems. Terry asked him how he dealt with it. Gary said they would do whatever it takes. He said that in listening to the discussions he felt that it might be helpful to distinguish what is being discussed and separate the different concerns. He said the plant currently has discharge requirements and Phillips & Associates has a Scope of Work where they run the facility to those discharge requirements. Simultaneously there is a pilot project on the side to see if maybe the sample

gathering can be done at another location. This pilot project has nothing to do with compliance issues at his time or the WDR permit. Gary said this pilot project is not in their Scope of Work and that they are not in charge of it. They are only consulting and helping as requested. He said they are not charged with trying to achieve some performance level of the new ponds. That is the responsibility of the engineer who designed the ponds and the Administrator who is asking for assistance. Hope asked if it wasn't necessary to get the COD below 210 during irrigation. Gary said that it is their responsibility to meet all of the WDR requirements for spray discharge and the he did not anticipate any problems during the irrigation system, because nothing has changed at the irrigation field. If the WDR changes then they would have to look at it at that time to see if a Scope of Work change was warranted. But he reiterated that there should not be any problem meeting the WDR requirements just like in the past. But that has nothing to do with the pilot study that is being done to see if it is possible to make changes. He said Steve would be better equipped to answer questions about the efforts at the treatment pond and the direction that study is going.

Venta asked if he had ideas or thoughts as to what might be required to meet the lower levels. Gary said certainly they did and he and Steve share ideas with Karl and help in anyway they are asked. But again they are not the lead on that pilot study and are not required to meet specific levels like 50-50 or 30-30 BOD and TSS. The Administrator interjected that the idea is not to reach specific numbers, but to do whatever is possible to get as low numbers as possible and then determine what those numbers are and what it takes to get there. Only then can there be any real discussion as to whether or not it is feasible, or even desirable, to change the sampling location and/or sampling requirements. Gary concurred.

Paul Duffey asked if someone was altering the chemistry of the ponds don't they need an operator's license? Gary said unfortunately not. Paul said then he could go in and add chlorine in the pond. Gary said if he had the authority of the District he could. The only thing he couldn't do was to sign reports, unlike water systems where nobody can touch it without the proper certifications. Paul Duffy asked Gary Phillips what exactly is Phillips doing now and his reply was "right now we are not doing much."

Donna Clavaud said she was somewhat confused. She has always thought that Phillips & Associates was the operators of the system and there is now this pilot study being done that you are not operating? Gary said for clarity of thinking you could say that. Certainly if the District came in and said they were going to pump 2,000 lbs of chlorine into the pond they would say not happening. But clearly testing different things, trying different levels of aeration, looking at alternatives in sampling, in cooperation with operators is not a problem and does not interfere with their job. The Administrator commented that the ponds are new and it takes time for all of the right bacteria and enzymes to develop and to take hold for a proper treatment pond system. He has to report to the State Waterboard that the system is working as a requirement of the State Grant not a requirement of the WDR. In order to be able to report that, there needs to be a base number and a recording of several samplings. He noted that he and Steve Phillips have been trying different things, he has been getting suggestions from Steve Harris, a lagoon troubleshooter, the CRWA trainers and all of the efforts have been and continue to be in cooperation with Phillips & Assoc. That is what this "pilot study" is all about. Patty Oku noted that all of the e-mails between Karl and Steve and others have been in the Board Packets for the last several months, so there is nothing new.

Gary said the first thing to do is to decide what the objective of the pond design was and is it meeting the objective. Did it have a BOD level as an objective? Is it supposed to meet any specific requirements? He said he didn't know because he hadn't seen the engineers report. Paul commented that he had talked to Lee Erickson and the only input he had was about grading and plumbing and had nothing to do with the performance expectations.

Board member Hope Sturges asked if the COD in the last 30 years were within the limits for us to irrigate. The Administrator said that the COD limits have always been met except for the end of the irrigation season when the COD levels spike and irrigation is shut off. He also explained that CODs or BODs have never been taken at the treatment pond because it was not necessary. Hope said that this was a new thing and something to watch out for? The Administrator noted that it was something entirely new, had nothing to do with the District's WDR and it may or may not ever be used, but that he is collecting data that needs to be recorded so that future decisions can be made.

Gary apologized for being brought into this without having had the time to have the discussion before hand with Steve and Karl, but he said as he sees it, the project on the pond was to remove the biosolids, install a grit chamber, line the ponds, and increase the retention, but he was still confused as to whether the engineering was to produce a certain level of COD or BOD at this pond or was it just a mechanical project of putting liners in increasing the retention, etc. The Administrator reiterated that the engineering was never to establish specific BOD numbers or to meet any specific requirements. The treatment pond was converted into three different ponds for a variety of reasons. First of all the treatment pond had an accumulation of 30 years of biosolids. We decided to line the ponds in order to prevent any leakage or to dissuade any previous rumors of leakage, to eliminate the Fats, Oil, and Grease from the system, and to clarify the treated wastewater to something higher than just plain secondary treated wastewater. This design, which was originally Steve Harris' from the CRWA, was to produce a higher clarified effluent by going through a series of settling ponds rather than one big pond. The design has nothing to do with storage or increased capacity. He said the pond configuration was doing what it was designed to do until there was an algae bloom that increased the turbidity of the third pond.

Gary said that it appeared that the project that you did was designed and built to meet certain criteria and that it is meeting that criteria. Now there is a pilot project to see if it will do something more and that would be to see what the BOD would be at the treatment pond level. The lab tests that are being done now are for internal reporting and internal investigation to see what the pond is doing and what the pond is capable of doing. The Administrator noted that the reason that this ever came up was that for years, we have been unable to irrigate the last bit of the storage ponds during September and October because the COD levels were high. One year, during a fifty year storm, we were forced to spray irrigate on an emergency basis during a rainy winter. We were forced to pay for daily lab tests, sample Walker Creek on a daily basis, take flak from the oyster growers, and report non-compliance to the Regional Board. This project was designed to try to eliminate that problem in the future.

Hope commented that she thought the COD levels at the irrigation field were out of compliance. The Administrator said that the COD levels at the irrigation field were within compliance during irrigation and when they spiked at the end of the season, irrigation was shut off. That is why we are trying to find other alternatives. He reiterated that up through all of last year into September when we were still working on the ponds, our COD levels were never out of compliance. Terry Duffey interjected and noted that on the report to Steve Harris the COD levels at pond #3 were at 140 and CODs at the irrigation field at 350 on Sept 9, 2009. She asked if 350 was in compliance. The Administrator said that at the time, we were not irrigating so that there was no non-compliance. We were taking samples for internal testing and review and did not have anything to do with our WDR.

Terry asked Gary about the last time he and Steve were here, she said he was very definitely against tertiary treatment, and with three new Board members could he talk about that. Gary said he was not against tertiary treatment, except in schools. He said tertiary treatment on the high school fields brings with it a myriad of complications. Gary said his advice to the Board would

not be to irrigate the schools with treated wastewater, but if they did, to be sure they go into it with their eyes open. He said the risk factor of irrigating a golf course or highway median where there is little or no exposure and where there is exposure it is primarily adults. But when you have children and youth with a daily exposure the risk factor increases. He also noted that trace pharmaceuticals are showing up in wastewater and nobody knows what the consequences of that will be. The science is not there yet. Bert Crews asked Gary if he would explain what he means by trace pharmaceuticals. Gary gave an example that occasionally he has to take a nuclear high stress test, where radioactive isotopes are injected into him. He said for the next two days whenever he urinates, those radioactive isotopes go directly into the wastewater stream and are not treated through the normal treatment process. He said the same thing happens with people taking chemotherapy, hormones, and other highly toxic drugs that are not treated for. Ted Anderson noted that NIH is involved in a two year study regarding tertiary recycling for this very reason and because of the data they have collected indicated that there was incomplete elimination of bacteria. Gary said tertiary treatment is just the third phase of treatment and does not eliminate all pathogens or any level of sterility. It just means it has been filtered and treated to a higher level than secondary.

Board member Hope Sturges asked Gary if he had changed his position of being opposed to tertiary treatment for the community and what he felt the cost would be. Gary said he did not know of any District that was using recycled wastewater on school grounds successfully. He noted that he was involved in setting up school irrigation with recycled water in Occidental in the 70's and it was a failure. The kids didn't like it, the parents didn't like it and it was an expensive project. Board member Patty Oku asked if there were health issues and Gary noted that there were not, but that there would be if it continued. Hope then asked about the cost. Gary said it was very expensive even with grants to build it, because the ongoing operating costs keep going. Hope said that there was also a no "backsliding" law where if you go to tertiary you can't go back to secondary treatment. Gary said that was how the law read, but there were instances of exceptions where the technology didn't work and they were allowed to go back to it.

Ted Anderson asked Board member Bill Tucker if he was a school representative on the Board. Bill stated that he is a member of the Board and he is an employee at the school. Ted said he was wondering if the school had weighed in on this issue since they don't have any money and certainly would not be able to get involved in a project of this magnitude. He said he could not see the rate payers of Tomales supporting paying for all of the irrigation for the school when only 10% of the school population comes from Tomales. He said if the school district wants treated wastewater for irrigation they should pay for the whole thing because they are the only people who would benefit from it. He went on to say that tertiary would change the quality of the water that perks into the ground, but it would cost people a lot of money and it doesn't do anything for the ratepayers of this town to go to tertiary. Ted went on to say that at a previous meeting the Administrator surmised that because the EPA and the SF Bay Regional Water Board are becoming more and more strict on their requirements that it was only a matter of time where tertiary treatment would be the norm if not a requirement. He went on to say that he contacted Blair Allen at the Regional Water Quality Control Board and asked him if the Board was considering requiring tertiary treatment for Tomales. He said that Blair told him they were not and said that in some instances tertiary treatment was a good thing, but that it isn't necessary in all cases. Ted also mentioned that he discussed the pond system and pond performance with the Regional Board.

Gary asked how the discussion of tertiary came up. Hope said that people are scared because it is going to raise their rates tremendously and she feels that is a valid important concern. People don't want to pay double what they pay now to irrigate the schools. She said people can't afford it. She said the issue comes up at every meeting because people are worried that the Board is going to move forward with a tertiary system without the communities input.

Gary said, again, that the Tomales system is reliable, relatively new, and robust. He said the lagoon design and spray irrigation away from people is ideal. He said he did not see a risk of the Regional Board stopping Tomales from doing what it is doing now. Hope asked Gary why would we do tertiary if we didn't have to. Gary said he would ask the same thing.

Board President Walter Earle said he would like to move on and the Board agreed.

Committee Reports:

A. Newsletter Committee

Terry Duffey reported that she would like to update an old Newsletter that showed a schematic diagram of the system as it was with a schematic of the three pond design with an explanation of how the system works. She also indicated that there would be an introduction of the new Board members, the resignation of the previous members and articles on the park and the solar projects. She also said she was going to try and get the request for donation slip included in this issue.

B. Fundraising Committee

Nothing to report.

C. Community Advisory Committee

Paul Duffey said he tried to get a schematic diagram of the three pond system and he called Lee Erickson for a copy and he was reluctant to give it out and said he could go through Karl. He said he thought it would be real useful to have the plans at the meetings so if someone asked where the high lift pumps were, we could show them. Especially new Board members. He said he would like a schematic of the three pond system. The Administrator said he could e-mail him the schematic. Patty Oku asked if it was legal to give out copies of the plant schematics. The Administrator noted that there is a lot of discussion going on in the industry about just that thing. The plans are not considered public records and are not subject to the Public Records Law, primarily for safety concerns. Utilities across the country are upgrading their safety procedures and protecting their plant designs. He said the As-Builts are 47 pages long, but he would be able to e-mail Paul the single schematic of the three pond system.

Donna Clavaud said it would be nice to have something printed up on the wall of the pond design for reference. Venta Leon said that there have been discussions about having a tour of the plant, which hasn't happened and she thinks it would be a good idea. She said that as the weather is getting better she would like to see that get put on the calendar. She also said she thought it might be a good idea for a field trip for some of the school kids. Walter said that the Board would look at doing something in May.

Board member Patty Oku asked the committee if they were still going to email the Board members copies of their surveys of other District. Donna said that she would.

D. Mosquito Committee

Nothing to report.

Pending Business:

A. Grant Writing

1. The Administrator reported that the second part of the CDBG project is in progress. He reported that he submitted an application for this year's CDBG for additional funding for the Park, but it was not approved. The staff recommended that Tomales not be in this year's funding since they have received funding two out of the last four years. Terry Duffey said that she noticed that the Engineer's Report was supposed to be for \$7,000. She asked what happens if the report comes in over budget. The Administrator noted that the contract was for an hourly rate "up to a maximum of \$7,000".

2. The Administrator reported that he is still working on the O&M Manual and a Project Performance Report. He noted that everything was supposed to be completed by March 31, 2010, so they are extending it for another year.
3. The Administrator reported that he has submitted an extension request for the RZH Grant.
4. The Administrator reported that he has submitted an extension request for the RZH Grant.

B. Capital Improvement Projects

1. The Administrator reported that the Pond Project is done and Piazza has requested the retention funds. He said he was waiting for them to clean up some debris that was left over and as soon as that is complete, he will pay the retention. As soon as the O&M manual and Performance Report are complete he can submit a request for final payment. Terry Duffey asked if the SSMP was done. The Administrator noted that it was not complete. Terry asked if it has to go into the O&M Manual. The Administrator said it did not, that it was a separate stand alone manual.
2. The Administrator reported that the Dutton House play structure is ongoing. He said that everything is lined up for the holes for the posts. Drilling the holes and setting the posts has been delayed due to weather. The Administrator also brought up the survey of the community regarding the palm trees several years ago. He noted that it was the consensus that the palm trees stay, however, with the palm tree being blown over, he said the Board needs to re-think that decision. Walter said they could probably be thinned. Patty Oku said she could get a cherry picker from her son-in-law. Walter said he could probably reach it with a ladder.

C. Sass Property and LAFCO Sphere of Influence Study

Nothing new to report.

D. Tomales Farm and Dairy and LAFCO Sphere of Influence

Nothing new to report

E. LAFCO Sphere of Influence Study

The Administrator reported that the LAFCO Sphere of Influence Study has gone back to the original staff recommendation, leaving out the Tomales Farm and Dairy property on Highway 1. The public hearing is slated for March 11, 2010.

F. Clean Renewable Energy Bonds

The Administrator reported that the solar project finally has approval to proceed. American Solar has started to move forward, by notifying all of the utilities that have underground lines in the area. Terry Duffey asked if the Administrator knows what happens with net metering if the District does not opt-out of the Marin Energy Authority. The Administrator said he did not know what MEA was planning on doing with that, but he would check it out.

G. Irrigation Field Vegetation Management Plan

The Administrator noted that he got a hold of Rob Borello and he is working on a proposal. The Administrator also said that he got a call from Mike Parks who would do the spraying of the re-growth about 6 months after the mowing of the gorse. He also is working on a proposal.

H. Groundwater Study

The Administrator reported that he has not pursued a groundwater study because of the objections of even getting pricing, so he hasn't done anything. Patty Oku asked if getting a price for a study was a bad idea. Hope Sturges said it was just one more thing that didn't need to be done, so why do it. Walter Earle said that the previous Board asked the Administrator to look into it at the request of the community. Donna asked if that wasn't still the case. The Administrator said the initial request came from Bruce Bramson as a part of the LAFCO SOI and the Sass project, however, the discussion at the last meeting or the meeting before seemed to center around not doing anything with a groundwater study so he has not pursued it. He said it would have to be taken up by the County or Design Review if they want to

pursue it. Board Chair Bill Tucker requested that it be taken off of the agenda until such time that the issue comes up again.

I. Complaints and Correspondence From the Community

The Administrator noted that he received a letter from Dan and Lee Erickson regarding Dan's sewer lateral backing up. He sent them the schematic of the sewer main at that location and told them that the District would be glad to work with them as necessary, but that laterals are the property owner's responsibility. The Administrator also researched and forwarded information about root control chemicals and measures. He said he has not heard back from them. Paul Duffey said he looked at it and it is exceptionally steep. He said the pipe was transite pipe until it goes to ABS and the roots are not penetrating the pipe, but are coming in at the joints. He said it could be an infiltration problem at that point.

New Business

A. Whistle Stop Transportation

Bert Crews said he would talk about that meeting. He reported that there was a meeting at the church with some community members from Tomales and Dillon Beach, along with someone from Whistle Stop and from Marin Transit. He said there were several organizational ideas tossed around. He said the Town Hall doesn't want to be in charge, the Presbyterian Church didn't want to be in charge and he said he was sure the TVCSD did not want to do it, so the discussion centered around how it would be set up and who would take charge. He said it was obvious that Marin Transit and Whistle Stop will bend over backwards to get Tomales a bus and it could happen in 6-8 months or sooner. Bert said he suggested forming a Transit Committee of concerned citizens to set something up. He said he was following up insurance options. Patty Oku asked about the insurance the District already has. The Administrator reported that he was notified by SDRMA that the District policy would cover the buses if they were District buses for liability, but that it did not cover volunteer drivers and did not cover collision. He said that Bert was spearheading the insurance issue, so the District would probably not be involved, but that it was available for discussions with Whistle Stop and Marin Transit. He also noted that the Marin Transit guy told the group that the County would help with procuring grants for upkeep and maintenance. Bert also said that there were other things that the bus could be used for such as commute bus for going and coming to work as well as shopping, etc. Maintenance was also discussed with ideas such as the Fire Department handling it, or SUSD. He said the next meeting would be to decide the organization of the committee and then maybe a community at large meeting or a questionnaire as to what people want to see. He said the next meeting was Tuesday March 23rd at 6:00 at the church.

Administrator's Report:

The Administrator submitted a daily timesheet for February and said he had nothing to add to it.

Correspondence

The Administrator noted that there was a Safety and Education Day put on by SDRMA coming up if any Board members were interested. He also reported that he found out that anybody in the community can take the courses that RCAC, CSDA, CRWA and SDRMA put on. Also RCAC has videos of the webinars on their website if anybody was interested and didn't make the webinar.

Adjourned at 7:30 PM

Next Meeting: April 14, 2010 6:00 PM.


Approved _____ April 14, 2010
Date