

TOMALES VILLAGE COMMUNITY SERVICES DISTRICT BOARD MEETING

Minutes of Meeting held April 14, 2010

Board Members Present: Walter Earle, Bill Tucker, Patty Oku, Hope Sturges, Eric Knudsen

Board Members Absent: None

Also Present: Karl Drexel(Administrator)

Jill Sartori (School Board Member), Bill Bonini, Alex Magan, Paul Duffey, Terry Duffey, Dennis Schutz, Ted Anderson, Donna Clavaud, and Bert Crews.

Board Vice President Bill Tucker called the meeting to order at 6:02p.m.

Open Communication:

Walter Earle announced, without objection from the board, that at the next month's meeting there will be a closed session for a performance review of the administrative position. He stated that we will open the meeting to the public at 5:30pm and then the Board will go to a closed session. And then hopefully reopen our agenda meeting at 6:15pm. If this changes it will be posted on the agenda. And that this has worked well in combining it with our regular board meeting in the past. A performance review is something that was started 3 or 4 years ago. We can't make any decisions or take notes Walter Earle stated. It is a time to sit down with Karl and talk about his work. And the only thing we can talk about is his position as administrator.

Bill Bonini brought up whether the administrator should be present. Jill Sartori said that the superintendent of the school generally does not attend his performance review unless by special request, but attends other closed meetings.

Hope Sturges gave a report with Karl Drexel on their trip to Graton to view their treatment processes. Karl stated we are trying Aqua Marine shadow in the treatment ponds. We have done two doses so far. Ponds in Dillon Beach do it and the ponds require an initial dosing. Karl stated that we have not had any problems with algae in upper ponds.

Jill Sartori came on behalf of the Shoreline Unified School District Board to the meeting to talk about discussions at their board meetings about the percentage fees paid to the Tomales Community Services District for sewer services. They have had a chance to review the contracts that have led up to the 34 % agreement and they were entered into in the early nineteen eighties last which was thirty years ago. She was asking if it was a good time to reevaluate whether they are paying their fair share and if anything has changed in the last 30 years. Karl Drexel stated this has been brought up every year for the last several years with Stephen Rosenthal superintendent for the Shoreline Unified School District. He stated the school would be paying more if it was based on how the regular rate payers pay. He stated the school is more like the William Tell where it is based on potential seating. Karl stated he would provide information for Jill on the schools rates and how they are determined and offered to speak at the school board meeting about it. Jill stated they may easily be paying their fair share but that the school is looking for ways to cut costs.

Approval of Minutes:

Walter Earle made a motion to approve the minutes of March 10, 2010 Regular Board Meeting Minutes. Eric Knudsen seconded it.

Paul Duffy stated that Gary Phillips said that “we have a simple system we do not have any spray fields at the end of airport runways” to amend the minutes. Paul Duffy stated at the last meeting he asked Gary Phillips what exactly is Phillips doing now and his reply was “right now we are not doing much.” And Paul wants that put in. Patty Oku stated that most minutes give the gist of what is going on at a meeting and they are not supposed to be verbatim. She asked whether we could outline the meeting more. Bert Crews agreed that the in detail, lengthy minutes were over kill and that it could be a cost cutting measure if the minutes were more brief. Jill stated that school board meetings that are 4 hours long have minutes that are only a couple pages. Hope stated that she wanted to get her hands dirty and she feels she doesn’t do much for the board and would love to do the minutes. Karl Drexel said he would be very happy to not do the minutes. Walter Earle also agreed we could streamline the minutes. Terry said she thought they could be shorter. Paul said they had to be accurate and concise. Paul asked the board how we are constantly trying to look at ways to cut costs like the Shoreline Unified School District. Patty stated that she would like to thank Karl for submitting those forms to the agency for the last several years on obtaining thirty thousand dollars for actually holding these meetings. Bill Tucker said that he thinks these funds to provide a tertiary feasibility study were provided by a grant so we are going on with that study. He stated to the public that he the Board hears the Community Action Committee loud and clear that you’re not for tertiary but we already have the grant money and we wanted to study. Karl is not 100 % convinced that tertiary is not the way to go. Bill stated he would like to hear the end result and then as we go. And then as a board we will have to make that decision and decide which way to go. Karl stated that the TVCSD would not go tertiary for the school if the school doesn’t want it. When Rosenthal asked Karl whether we could turn our treated water into tertiary for irrigating, we could have turned and paid for the study out of our operating expenses. Karl stated that was when the district waited for grant money to investigate. And this was a way we saved money. Jill stated that since we still have the grant money it certainly makes sense to finish the study. Paul questioned the accuracy of the study, such as local ranches are interested. Jill stated she doesn’t want to see any increases to the schools rates.

Alex Magan brought up that our bylaws are not consistent with state law in the fact that our bylaws state that a board member should be secretary and a board member should be treasurer. These bylaws are out of date and superseded by California law because of California law under 61000.

Terry Duffy stated the minutes of last month should be amended to say Gary Phillips is not against tertiary treatment except at schools.

Motion made to accept the minutes all those in favor 4 ayes, 0 nays.

Financial Report: Administrator stated he had nothing new to report.

Jill Sartori asked to move up SUSD letter from Dr. Rosenthal and response if we had any questions for Dr. Rosenthal. Eric Knudsen brought up a word missing in the letter which Jill stated she thought it was ways to reduce “costs”. Bill Tucker asked Jill whether the water the High School has is adequate water to irrigate the fields. Jill stated she talked to Mr. Rosenthal and that they were not in favor of using tertiary water to irrigate the fields.

There was a motion to accept the last months bank statements, expenditures, and financial statement by Patty Oku. Walter seconded it. Four ayes 0 nays.

Levy 4 funding:

Karl stated that when the district was formed after Prop 13, the special district did not get any percentage of county sales tax. What they did get was a unitary tax and the unitary tax from the county was calculated based on what the difference between what people here were paying in a special tax and what the actual amount of the loan payments were and it was calculated incorrectly. So actually the county paid the district \$179,000 more than what they were supposed to be paying. The ad valorem tax when it was first established was based

on a rate 75 cents per 100 valuation of property and over time North Marin Water District reduced that and picked up the difference and lowered it to 2 cents per 100 valuation. The 2 cents per 100 valuation was never enough to cover the cost of the loan payments, which the district was paying to cover construction loan. The county is not going to have us pay back the \$179,000, but going forward the unitary tax will go back to what it should be. Instead of the \$20-24,000 per year we were getting we will get \$2,000. Theoretically the county will cover the unitary tax for 08-09, 09-10, and possibly 10-11. County Counsel is still trying to decide whether to still give us the 2 cents per 100 valuation, so increased rates or increased tax or a combination may be needed to offset the difference.

SB 90 Brown Act and LAFCO claims 5, 6, thru 8 and 9:

The state government requires that whenever they mandate something, that they pay the actual costs. The Brown Act was enacted several years ago and mandated that agendas be prepared and posted prior to a Board meeting. SB 90 requires the state to reimburse districts for their cost to do this by either actual costs or a flat rate. We submitted for reimbursed for 2000 thru 2005. The District was paid for 2001-02 and 2004-05, but the state says they still owe it to us for the rest of the years. The State put a moratorium on the reimbursement program for 2005 on. They reinstated it this year and allowed Districts to file for reimbursement for 2005 thru the present. The Administrator submitted requests for reimbursement for those years. They also introduced a new reimbursement program because LAFCO was required to do sphere of influence study. The District's costs for collecting and submitting information was also reimbursable. If you combine the two of them we got a total of about \$30,000.

Phillips & Associates Report:

Nothing new from them except Karl discussed a letter sent to Phillips and the starting of Aqua Marine Shadow. Terry Duffy asked if we were irrigating yet. Karl reported that irrigation has not started yet in the irrigation fixtures need to be cleaned. Eric wanted to talk about the letter dated March 16 address to Phillips and Associates, signed sincerely Tomales rate payers. Eric stated that the unknown person who wrote the letter in signing it Tomales ratepayers plural was misrepresenting most, if not all ratepayers. Paul Duffey said that he had called and talked to Gary Phillips and also wrote a letter to them asking him about whether they still provided administrative services. Paul said that Gary Phillips stated to Paul that it would take a 318 hours a year to administrate the district and that the cost would range from \$30.00 an hour \$109 an hour.

Newsletter Committee:

Terry Duffey completed the newsletter. Everybody was really pleased with it and she said she would send it out tomorrow.

Fundraising Committee:

Walter Earle stated that if Founder's day happens he would have the book sale at that time and would help organize it. Walter said he would currently start collecting books.

Community Advisory Committee:

Donna Clavaud wanted to draw attention to an unsigned employment contract for the Administrator's position that was drawn up in 2000. Donna stated that she thought the performance review should go by his job description and that we should have a current and up-to-date job description. Donna Clavaud stated that she thought the job description from 2000 was good, it just needed to be updated. Bert Crews urged the board to take apart the administrator's job description and not just allow the administrator to create his own. Patty Oku suggested that the community advisory committee come up with the administrator's job description and bring it to the next meeting. Patty Oku stated that she volunteered to come up with the questions to ask the

administrator during his appraisal and that she intended to use the job description from 2000 as a basis.

Mosquito committee:

Nothing new to report.

Grant writing:

The engineer's report is still going on. It is almost done and we got the first bill from the engineer. The small communities grant is the pond project. We did do an extension. The grant is complete however we are not in a position to submit the final request for financing. And so we got an extension. We still have to get the Operations Manual and a performance report completed.

Prop 40 and Land and Water Conservation are the park grants. We got an extension approved by the state for the Land and Water Conservation grant. It just has to be approved by the Federal government. The RZH grant doesn't expire until June 30, 2012.

Capital Improvement Projects:

A notice of completion went out in March and Karl stated he was working on the performance report and Operations Manual. Karl stated we were still having trouble with the SCADA system and he is now dealing with an actual Rockwell technician. The status system does everything fine except for when pulling reports on daily flows, pump starts, daily aerator starts and aerator time and pump times. And any time we reboot the computer or shut it down and restart it logs an accumulation.

Posts for the park structure are up and they will pour concrete on Friday. Karl stated that it would be about three weeks before finishing after that but it's not for sure.

Sass Property:

Karen Karlow asked Karl to submit a will serve or will not serve sewer service letter including which parcels are within the sphere of influence and which are not. Basically it stated that the parcels within the sphere of influence could be served but it would be up to the property owners to apply for annexation, pay the annexation fees and pay hookup fees. The other two parcels that are not in the sphere of influence would have to apply to LAFCO for an amendment to be included the sphere of influence and annexed by the district. A collection study would have to be done, on the eight inch line on Railroad and Carrie Streets which would determine how many houses could be built on the lower acreage lots. The developer would be required to pay for this collection study. Karl stated he would like to eliminate pumping and monitoring and just do it using an easement through the lower parcel to connect those future houses to the sewer.

Tomales Farms:

Nothing new to report

LAFCO Sphere of Influence Study:

The LAFCO sphere of influence study was approved and resolutions were submitted.

The Clean and Renewable Energy Bonds and Solar Project:

The project is in the works and some of the solar panels are in. The inverters are in and the wiring is done.

New radios will be used and one will be able to go online to see if the inverters are working. Karl stated he believes that we should stay with MCE. Hope agreed.

Irrigation Field Vegetation Management:

Rob Borello stated he could do the easement as well as the rest of the irrigation field and submitted a proposal for \$ 5,900. Mike Parks submitted a proposal for the spraying after Borello comes in for \$1,800 for one round of spraying. Walter Earle urged us not to use spray year after year. He suggested reseeding grass and planting willows in the perimeter areas of the irrigation fields.

Motion was made to accept Borello's and Mike Parks' proposals by Patty Oku, seconded by Hope. 4 ayes, 0 nays

Complaints and Correspondence from Customers:

Dan Erickson's issue has been resolved.

Administrators report:

The Administrator submitted a daily time sheet.

Correspondence:

Frequently asked Questions on the MCE can be accessed at their web site.

Meeting adjourned at 7:40 pm

Minutes submitted by Hope Sturges

Next Meeting: May 12, 2010 6:00 PM.



May 12, 2010

Approved

Date