

TOMALES VILLAGE COMMUNITY SERVICES DISTRICT BOARD MEETING

Minutes of Meeting held June 9, 2010

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

Board Members Absent: None

Also Present: Karl Drexel(Administrator), Jane Healy, Paul Duffey, Terry Duffey, Margaret , Ted Anderson, Donna Clavaud, Bert Crews, and another lady from Byron Randall's old house.

Call to Order: Board Vice President Bill Tucker called the meeting to order at 6:05p.m.

Open Communication:

Jane Healy stated that she was not an official representative of SUSD, and that she is the only person on the SUSD Board who is also a TVCSD rate payer. She wanted to stress that the SUSD Board had to make a lot of cuts financially and if we were prudent the TVSCD would do the same. Upon request of the TVCSD Advisory committee, it was decided to discuss the Advisory Committee's letter signed by thirty five people in the community before discussing the budget. Bert Crews stated that the problem he was having after coming to these meetings for a year and ½, is that this seems to be a board in town made up of volunteers unlike any other board in town, because, if asked, members of other boards would state that they pick up a hammer and nails to help with the work of their board and also fund raising. Bert stated that he's working with a transit board made up of all volunteers including drivers and administrative staff. He asked if the TVSCD really needed large board packets and copies of every check written. He asked if the board could really change how the board operates and take on more of the activities of the district. Bert asked the board, after apologizing to Karl, what would happen theoretically if Karl dropped dead who would take on the responsibilities of the district. He stated that everybody on the board would say, "not me", and wanted to clarify that it was the board that would have to take on those responsibilities. Patty stated that we would have to hire someone else really quickly like Phillips and Associates to do the administrating, to which board members agreed. Bert stated that the TVCSD advisory committee has been asking to take a tour of the facility for over a year now. And he asked when was the last time any board members were at the ponds or the irrigation field. He stated that Bill was the longest standing member on the board and that he should know how to take on the operation of the TVSCD by now. He stated that he was frustrated because all the other boards in town volunteers do some of the activities of that board and they don't just go through the paper work once a month at a meeting. Bert stated that that's where the letter came from was from frustration like this and the fact that nobody is getting raises now days. Bert stated that for the past year that TVSCD Advisory Committee has been promised that as projects finish up that the administrator would be paid half time. Walter and Bill said that it was never specifically stated as half time. Terry brought up that the job was originally at halftime job. Patty Oku stated that in all of this, why is the committee only asking that administrative costs be cut? She asked why not raise rates? She stated that the TVSCD advisory committee is wanting to reduce the costs to the SUSD but is unwilling to put anything in for it. Paul Duffy asked why we couldn't hire somebody for less money to count the birds and take a water samples. Hope stated they have to be state certified sewer treatment and distribution operator. Hope also clarified that the operating of the sewer system and the administrating of the district are two different things and that you must be certified to do sewer treatment and distribution and that nobody is qualified or knowledgeable enough to administrate the district who is on the board because specific state laws that must be complied with. Margaret stated that

when the board is bombarded with a bunch of different issues, it is overwhelming for the Board and hard to process. The problem is not that the board is insensitive, doesn't care, or doesn't do anything. With each different issue there is a process of evaluation and breaking it down and how much things would cost. This takes time. And with bombardment of a lot of different issues, it is overwhelming and harder to get any one thing done. Bert stated that it may be that all the board gets are little pieces thrown at them. Jane stated that what she sees as a community member is the job creep that started to happen with the administrator and his position. She said it started with the administrator trying to increase the sphere of influence of the district against the wishes of the Tomales Design Review Board. She stated that one reason why she started coming to these meetings is because that the Shoreline Unified School District was liberally sprinkled in the TVSCD March or April 2010 minutes as somehow all for tertiary water. She stated that the SUSD board members are not interested in the financial obligation of that project and never were earlier this year. Walter clarified that the tertiary project is dead, we were not going through with it now, and board members agreed. Jane said that her main point was the job creep and the administrator's salary to justify that. Walter responded to Bert's earlier mention of volunteering. He stated that he thought everybody on the board works pretty hard. He said that as a board member he's spent around 20 hours this month doing board business and issues. He said a lot of work can't be seen. He said it wasn't very fair of Bert to say that board members do not put in any volunteer time, just because we're not building something doesn't mean we're not doing anything. Board members agreed. Walter said that he thought we could simplify the packet. He also said he'd like to have a shorter meeting. He said on the other hand, he thought seeing the financial part of it was crucial. Because 9 times out of 10 it's because of something financial that districts fail. So he wanted to stress that part too and how important that is. Eric thanked the Community Action Committee for the letter and to those ratepayers who signed it. He said he understood that there were 210 people living in town and that there were 109 hook-ups. He acknowledge the fact that the Community Action Committee's letter consisted of about one 3rd the hookups which makes it something to look at. Bert stated that the letter was asking for specific action: to table the decision of the budget. Bill said that we could not table a budget that was due in July 1. Patty also stated that we could not table a budget that was due in July, it would violate statutes. The issue of cutting back the administrator's position and pay was brought up by Bert and Terry. It was compared to other districts administrators' pay which has been researched by the community action committee. It was pointed out that the administrator of the Graton plant has a \$4000 monthly salary cap. Patty brought up that they have a large budget, they larger community service district, and they have a lot of ancillary staff. She stated that even though we are a very small district that we still have to follow all the guidelines of any large district. And because we're a government entity we just can't ask for volunteers to do the things that need to be done and there needs to be certifications. She stated that certainly some things can be done voluntarily. Bert brought up that maybe there's certified people out there that may be interested in volunteering. Walter said they had to be licensed by the state of California. Hope stated that there is no one certified in Tomales to be a sewer treatment operator. Paul wanted to point out the fact that the letter with 35 signatures is actually an overwhelming response and that there was only 25 signatures needed to approve the solar project. Bill stated that the 25 people who responded to the solar project survey were the only people who responded so it's misleading to assume that it represents everybody. Patty stated that would benefit the services district to poll the town and do a survey.

Additions, corrections, and approval of the May 12, 2010 board meeting minutes:

Walter wanted to amend the minutes to state that in Margaret's Mosquito Committee report that the mosquitoes here "are different than" should be changed to "don't commonly carry" the West Nile virus . Terry Duffey wanted to clarify on page two and the Levy 4 funding. Karl stated that we were supposed to get \$2000/ year for the last 10 years but that we got \$23,000/year the last 10 years and that's why we are going through these legal issues right now. Karl stated that \$16,000 of the \$23,000 is from the unitary tax and that the other \$6000 was from the Levy 4 tax.

Motion to accept the minutes of May 12 board meeting made by Patty Oku seconded by Hope Sturges ayes 3 nays 0.

Financial Report:

- A. Accept bank statements and approve expenditures:** Karl stated he has nothing to add further to what he's already submitted in the board packet. City Sewer was paid, Rob Borello for the gorse removal, some sampling costs from Phillips and Associates, the engineer's report, and construction management on the pond projects.
- B. Financial statements: Walter Earle made a motion to accept bank statements, financial statements, and approve expenditures. Eric Knudson seconded it, Ayes 3, Nays 0.** Paul Duffy wanted to add that he would like the board packet to still include the copies of the cashed checks.
- C. Levy 4 Funding and Unitary Tax:** Karl stated that the Levy 4 funding check will be deposited this week for O8-09 and O9-10 and that will be the end of the Unitary tax as we've known it. Patty had a question about the Aqua Shadow and whether the bill in the board packet was a monthly charge. Karl stated that it wasn't. He said that there was an initial cost and that the bill also reflects a six month supply. Terry asked Karl how much Aqua Shadow is used. Karl stated that he was putting 2 packets in pond two and 2 packets in pond three once a month.
- D. Final budget 2010 – 2011:** Terry asked when the final capital projects would finish. Karl stated that the pond project was complete. Karl stated that he's been working on the park project for five years now and he's not sure when that will be complete. As far as the solar project, he stated that the solar panels are in and we're still waiting for PG&E to approve them, which should happen in about six weeks. He stated that he would have the final pond projects acquisitions in the next couple weeks. Terry asked the board whether we would reconsider the budget again after the capital projects are completed. Karl stated that we could, Hope agreed. Patty stated that the budget should always be up to constant reevaluation. Walter also stated that when the capital projects are done, the budget could be reevaluated and he doesn't see any new projects for Karl unless there's a new play structure grant for the park. **Eric Knudsen made a motion to accept the fiscal budget for 2010-2011, Patty Oku seconded it. Ayes 3, Nays 0.**
 - 1. Resolution 10-02: Eric Knudsen made a motion to accept resolution 10 – 02 updating the Sewer Regulation 108 showing the sewer rate as unchanged, Patty Oku seconded the motion. Ayes 3, Nays 0.**
 - 2. Resolution and 10-03: Walter Earle made a motion to accept a resolution 10-03 continuing the Levy 4 Ad-Valorem tax, maintaining the sewer rate, and maintaining the connection fee, Eric Knudsen seconded it. Ayes 3, Nays 0.**

Phillips and Associates Report: Irrigation has been started. Some sprinkler heads had to be repaired that the cows knocked over.

Committee Reports:

Newsletter Committee: Nothing to report

Fundraising Committee: Susan Rockrise donated the first three months for the container Rental at the park, which amounted to \$327, and Sam Cohen donated \$500 toward the cost of materials. Margaret stated that they would be collecting books for the book sale for Founders Day and that she will be putting up signs also. Discussion was held regarding the wine tasting. Karl said he'd try to get glasses and contact the wineries. It was decided we'd sell T shirts from last year. Eric stated that the Presbyterian Church was definitely

interested in continuing the BBQ this year. Bill stated that he would ask Sandy Bell whether the Boosters Club wanted to have a booth.

Community Advisory Committee: Bill stated that the board understands and listens to the Community Advisory Committees and understands the concerns and that the board is in the process of addressing the issues. It may not be happening as fast as the committee wants. But that we are in the process of addressing the issues brought up in the letter.

Mosquito Committee: Nothing to report.

Pending business

Grant Writing

Community Development Block Grants: Karl stated he submitted the final funding request. The engineer's report is in the board and administrator's possession.

Small Communities Grant: (pond project) Karl stated he was finishing up the last request.

Prop 40 and the Land and Water Conservation program Karl stated the land and water conservation program will not be giving TVSCD any more funding until the park project is finished

Capital Improvement Projects:

Pond Project Status: O&M Manual, the revenue program, and performance report all were completed and sent. Karl stated he still working on the SCADA project. We have not had any further glitches with the licensing. As far as the plant tour Karl stated he's available at any time. Eric asked if it could be on a Saturday. Bill stated it could be in conjunction with a park party in mid August. Karl stated he is in Tomales once or twice a week so if anybody wants to go to the ponds and the irrigation field all one has to do call him.

Park Project Status: Karl stated that the park project is ongoing, some of the clapboard is up.

Sass property:

Karl stated that he had been in contact with West America Bank and met with Sass and a bank representative on June 8th regarding the two parcels that Carinalli owned of the four single lots on 2nd St., two of which are still owned by Sass. Karl discussed with bank officials what it would take for the properties to be annexed into the district as far as fees. Karl stated nothing came of it. Karl offered a discount on each hookup if perhaps they prepay. Terry stated that LAFCO will not accept this. Karl stated we have to look at all options for revenue for the district. Jane stated that sewer hookups should be viewed as an investment. Jane stated that it's not fair to the people who currently own houses to offer hook-ups at a discounted rate, Tomales is not a bargain bin, and one wants to protect the value of their investment by not underselling it. Karl stated that his conversation with West America Bank was to see what their plans were, like whether they're going to develop or dispose of the properties. The discount offered to them was just a talking point, and that the board would have to approve any discount.

Tomales Farm:

Nothing new to report.

Clean Renewable Energy Bonds/Solar project:

Karl reports the panels are in, we are waiting for PG&E to get a permit from the county. He cannot get it because there is no completion letter or permit. Karl stated he talked to people at the California Solar Initiative that integrate the solar with the PG&E. He did not have any success because we do not have a permit. The last person Karl talked to gave him an email address in which he explained that the solar system is ready to go and that Karl is not signing a completion letter because the acquisition system is not connected yet so it's not complete but their portion of it is complete. Karl has not heard back from them. The safety inspection report is good. Karl stated he had correspondence between Tom Willard and Peter Cook who knows the Rockwell SCADA software we're using. They integrated Las Galinas' solar into their SCADA System. We are just waiting to hear now. We are also able to consolidate a portion of the park and the lift station to a portion of one or both of the solar systems. The bill to American Solar is divided up into 4 payments. The third payment is due when PG&E approves it. The final payment is when the district accepts it. The next payment of \$76,000 is financed through Clean and Renewable energy bonds and is in Deutsche bank.

Irrigation field and vegetation management:

Rob Borello was done with gorse removal.

The Administrator's Performance Evaluation:

Next meeting will have the performance evaluation completed. It was brought up in town that Karl used to get paid a month in advance. Hope asked when the month was where he didn't get paid. Karl stated that was August 2009.

Complaints and correspondence from customers.

Karl sent letters to Jill Sartori regarding the SUSD's costs to TVSCD and how they have gone down considerably in the last few years. Walter stated that he does not think that the board can negotiate the school district's portion that they pay for sewer. And that if they want to adjust their percentage that our administrator would have to meet with their administrator and then after it could be discussed with their respective boards. Bill stated that you need legal counsel in a matter of that sort. Walter also stated that nobody gets charged sewer rates based on a meter that shows the amount of sewage that is going down the pipes. And that the amount SUSD pays for sewer is not very much considering their budget and that their rates are going down.

New business: Regulations require commercial establishments to have grease traps and maintain them. When the new owners of the William Tell started to upgrade and make changes the County called and asked whether TVSCD had grease trap regulations in the district and Karl replied to them that we did. It's a state regulation as well. They did not know what size they should have. Karl has had to work on creating a new ordinance on grease traps and interceptors.

SDRMA: TVSCD's liability insurance is 2.5 million for this year. Karl stated he did not put it in payables this year because one year he paid it before the new fiscal year and it showed on the financials that the District

paid \$14,000 one year and then did not pay anything for the next year.

The Administrators Report: nothing to add. Karl stated he put in 173 hours last month.

Meeting adjourned at 7:37 PM.

Next Meeting: June 9, 2010 6:00 PM.

Submitted By Hope Sturges

 June 9, 2010

Approved

Date