

**TOMALES VILLAGE COMMUNITY SERVICES DISTRICT
BOARD MEETING**

Minutes of Meeting held July 8, 2009

Board Members Present: Nicole Vigeant, Bill Tucker, Kat Marando and Walter Earle
Board Members Absent: None, One seat vacant

Also Present: Karl Drexel, Administrator

Paul Duffey	Donna Clavaud
Terry Duffey	Bonnie MacLaird
Patty Oku	Wayne Conroy
Ted Anderson	Blair Fuller

Board Member Bill Tucker called the meeting to order at 6:05p.m.

Open Communication:

Bonnie MacLaird addressed the Board to discuss the upcoming Swap Meet. She advised the Board that every year the organizers select a local non-profit to be the beneficiary of any profits the silent auction or sponsorships produce and this year they have selected the Tomales Community Park to be the beneficiary. She said she wanted to make sure the Board was on board and did not have a problem with them promoting the Swap Meet and the Park being the beneficiary. She also discussed the idea of having kid's activities in the Park, such as pony rides, games, things that kids can do, etc. during the Swap Meet as another fundraising idea for the Park. Bonnie mentioned that Rosemary Domenic was spear heading the auction and was wondering if there could be a specific project at the Park that this would be funding, such as benches, signage, landscaping, entrance gate, etc – something tangible that could be advertised and promoted. Nicole Vigeant assured Bonnie that the Board had no problem being a beneficiary from this event. The Administrator asked Bonnie if there are children's events at the Park, would they want to have the kids crossing the highway or would they want to do the Swap Meet in the Park. She said they were no big enough yet to put it on in the Park. She said there was going to be an organizational meeting on Sunday to discuss all this and make booth assignments. The Administrator suggested that David Judd could be at the meeting and discuss the Park's needs. Other suggestions that came up were to sell benches for donations with memorial plaques, convert the old pond to a water feature or fountain, rebuild the gazebo bigger. The Administrator said they planned on doing all of those things, except enlarge the gazebo, so what ever Bonnie and Rosemary felt was more marketable for the auction, would be what we do with the money.

Nicole advised the Board that she will not be available for the August meeting.

Board Member Application

The Chair introduced Patty Oku, who had applied for the open Board seat vacated by Margaret Graham. The term expires in December 2011. Patty was the only applicant to apply for the open seat.

Nicole Vigeant made a motion to appoint Patty Oku to the Board for the remainder of the term that expires in 2011. Seconded by Kat Marando. M/S/U.

The Administrator administered the Oath of Office and seated Patty Oku as the new Board member.

Approval of Minutes:

The Chair entertained a motion to approve the June 10, 2009 board meeting minutes and asked for any corrections and additions to the minutes. Terry Duffey corrected the minutes regarding the well for Martin Strain's oyster facility saying the well was near the school, not at the school.

Walter Earle made a motion to approve the minutes of the June 10, 2009 Regular Board Meeting. Seconded by Nicole Vigeant. M/S/U.

Financial Report:

A. & B. The Administrator noted that there was nothing to add to the financials in the Board packets. The exceptional expenditures included a payment to Phillips for the replacement of the lift station grinder pump. The pump costs about \$2000 and the Administrator noted that the pump supplier indicated the pumps will have to be replaced about every five years.

Nicole Vigeant 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, SDRMA, Capital One, Marin County Counsel, Friedman Bros. and miscellaneous office supplies and copies. Seconded by Patty Oku. M/S/U.

The Chair Opened the Public Hearing Regarding Rate Changes and the 2009 – 2010 Budget

C. The Administrator distributed copies of the Final 2009 – 2010 approved budget that had been approved at the last month's meeting. Terry Duffey asked for clarification regarding the rate increase and wanted to know if it was in fact only for the repayment of the bonds for the solar system. The Administrator explained that it was and would be accounted for separately. She also discussed an article that indicated there were hazardous materials in solar panels, which she was unaware of. The article said there was nitrogen trifluoride, which is 17,000 times more potent than carbon dioxide as a green house gas. Walter Earle noted that the panels the District is buying are made in the US under much stricter manufacturing regulations overseen by the EPA. Terry also noted that the article indicated that because of the hazardous materials in the panels, they will be difficult to dispose of when the time comes, and should be recycled if possible. She asked if there was any discussion regarding the disposal or the toxicity of the solar panels, because she hadn't heard any. The Administrator noted that he had not heard of the toxicity issue, however, he said it made sense since most electronics have hazardous materials in them and have to be disposed of carefully. He said that the panels should not have to be disposed of for another 35 years and hopefully the industry will come up with a solution for disposal. The article was "*The not so sunny side of solar panels*" by Jonathan Parkinson.

Paul Duffey asked if the District had a contract with PGE. The Administrator noted that the District has a contract for the PGE California Solar Initiative rebate and for the purchase of the energy produced. Paul also asked what the monthly bill increase for the school district will be. The Administrator noted that the school does not have a monthly bill, but rather has an annual bill based on the annual operating expense of the District. Paul asked how much will this project reflect on the school's annual bill based on the District's operating expense. The Administrator explained that the annual payback is \$18,000. The current PGE bill is approximately \$8,000 per year, so the increase to the District will be approximately \$3400.

The Chair asked if there needed to be another motion to approve the budget. The Administrator noted that the budget had already been approved and need not be approved unless it was changed because of the public hearing, however it wouldn't hurt to vote again.

Nicole Vigeant made a motion to accept the Final 2009 – 2010 budget as submitted, including a rate increase of \$5/month per EU. Seconded by Kat Marando. M/S/U.

The Chair Closed the Public Hearing Regarding Rate Changes and the 2009 – 2010 Budget

Phillips & Associates Report:

The Administrator reported that the Self Monitoring Report indicated that the Dissolved Oxygen in the first pond was low so the aeration was bumped up to create more oxygen. He said that it was still within limits of the permit, but that it should be higher. He reported that Steve Phillips believes the ponds are still developing and will right themselves, but he is watching it. Nicole Vigeant asked what COD stands for. The Administrator noted that it stands for Chemical Oxygen Demand. He explained that there were two tests for wastewater, the COD test and the Biological Oxygen Demand (BOD), but he is not sure what they are actually measuring. The Districts permit requires a COD test, but most treatment plants use the BOD test. Phillips is going to run both for a couple of months to see what it tells them. Kat Marando read the definition of BOD as the quantity of oxygen used in the biochemical oxidation of organic matter over a specified period of time and specified conditions. COD is the same test for organic and inorganic matter. Walter Earle asked if the COD is being taken at the treatment plant or the irrigation field. The Administrator said the samples are taken at the discharge from pond three, and have been higher than should be, which is why Phillips is going to run different samples at different points to get a handle on where they should be.

Committee Reports:

A. Newsletter Committee

Terry Duffey said there was nothing to report.

B. Fundraising Committee

The Administrator reported that he sent out letters to 10 wineries for Founders' Day. Two have responded – Cline Cellars and Pt Reyes Vineyards. He noted that he has not yet followed up with phone calls.

Nicole reported that she will work on the raffle for Founders' Day and the Swap Meet when she gets back from vacation in August. Discussion was held regarding the booth space for the Swap Meet and Walter and Nicole are going to decide what they need.

C. Community Advisory Committee

Donna Clavaud reported they had nothing at this time to report

Pending Business:

A. Grant Writing

1. The Administrator reported that he contacted Nick Zaninovich Engineering with a Request for Proposal for the Tertiary Feasibility Report and Planning Study. He noted that they met and reviewed the requirements for a planning study and identified which of those would be required for a feasibility study and which would be reserved for the Planning Study if the District chose to go forward with it. It was decided that the proposal from Zaninovich would be split in to three separate tasks – a preliminary feasibility study to determine the costs, operating expenses, the types of systems, etc; an expanded planning study if it looks feasible; and the CEQA documentation and process if the District chooses to move forward with the project. Nicole Vigeant asked if the contract with Zaninovich was for all three tasks and the Administrator said that it was, as far as the tasks and the price was concerned, but if it becomes apparent that it is not feasible after the first task the balance of the contract is voided. Patty asked if the grant is not completely used does the District lose the balance, and does the District get paid from the grant for the costs of the first phase. The Administrator indicated that yes it would cover all of the costs incurred and that the balance may be moved to a different project if the CDBG administrators decide another project is warranted.

Nicole Vigeant made a motion to contract with Nick Zaninovich to perform the feasibility study for a tertiary treatment system. Seconded by Kat Marando. M/S/U.

The Administrator also reported that he had heard about an engineering competition at UC Davis and this year's winner was a team that developed a new type of Ultra Violet system for tertiary treatment of wastewater. He submitted a copy of a letter he sent to the team leader offering Tomales as a test site for their system. They responded favorably saying they would consider it when they had developed the system some more.

2. The Administrator noted that there was nothing new to report on the Small Communities Grant. He did note that Piazza has some minor cleanup work and that Control West had some computer work to finish up. He also reported that the final 10% retention the District held back from Piazza will be paid when the project is complete, but that the District can't recoup those funds for one year.
3. The Administrator noted that he had nothing new to report on the RZH grant. He noted that the RZH withholds the last 20% of the funding and funds won't be released until the project is finalized.
4. The Administrator noted that he had nothing new to report on the LWCF grant. He noted that the LWCF withholds the last 10% of the funding and funds won't be released until the project is finalized.
5. The Administrator also submitted a letter from Supervisor Kinsey responding to the request for funding to pave Valley St. to Dillon Beach Rd. Kinsey said there was no money at this time and that the Dept of Public Works would not pave it because it was not a County maintained road. He did say that they would keep it "on their radar" if any funding came up in the future.
6. The Administrator noted that the Department of Water Resources does not have money available for water studies and groundwater management plans. He said DWR had money from Prop 50, which is gone and money from Prop 84 which is frozen at this time. They may be opening up for applications in the fall. He noted that the USDA has money from the stimulus act that may be an avenue for groundwater study through the Rural Community Development Agency, but he has not been able to get a hold of anybody. The Administrator reported that he contacted Todd Engineering and ECON Engineering in Sebastopol regarding submitting a proposal to complete a full groundwater study and groundwater management plan at the request of the Board at the last meeting. Todd Engineering said that a GWMP and GWS that would deal with the quality, quantity, measurement and monitoring would probably cost about \$25,000. ECON is reviewing the Kleinfelder and Todd reports to see what they can use from that and will give us some kind of proposal. Todd indicated that they often times will write a proposal that would include them applying for funding on the basis that if they get the funding, they would get the job. He said they will do that for free or on a shared cost basis when money is available. He said ECON led him to believe they might do something similar. The Administrator noted that until he gets more information from either Todd or ECON, he is unable to pursue funding when it comes up, because nobody knows what exactly it will cost. Both companies made it very clear that any type of groundwater study would have to take in a lot of assumptions, unless you monitor every well on a regular monthly or quarterly basis and/or metering the usage of the water.

The Administrator submitted a copy of a letter sent out to the community members that voiced a need for a groundwater study requesting feedback on what everybody wanted to see in such a study, and got one response back from Terry Duffey. Her recommendation is that a study needs to address the quantity and quality of water in the Franciscan and Wilson Grove, a map of both, how much development can happen without depleting the other wells, is there a threat of aquifer depletion, what is the potential for salt water intrusion.

Terry Duffey also reported that the Department of Water Resources has published a series of booklets entitled "Valuation of Ground Water Resources." She noted they are available at the County libraries for review. They contain information on the hydrology and geology of each area being evaluated. She said they contain maps of the different underground formations and can estimate the amount of water in the ground. She said she found one on the Petaluma formations done in 1982, which is not that old in hydrology and geology terms. She mentioned that after they estimate the amount of water, they can look at the shape of the aquifer and groundwater movement. They then can tell about the groundwater recharge. They also have studies on the mineral constituents of the water, i.e. the minerals, hardness and salinity. The reports also have plans for groundwater management which require data collection over a long period of time.

B. Capital Improvement Projects

The Administrator noted that previous discussion covered the capital improvement projects.

C. Sass Property and LAFCO Sphere of Influence Study

The Administrator submitted a copy of the letter he sent to LAFCO on behalf of the District explaining the Board's support of including the high density properties in the Sphere of Influence study and their desire that the SOI comply with the intent of the Tomales Community Plan.

D. Tomales Farm and Dairy and LAFCO Sphere of Influence

The Administrator noted that he did not have anything new to report on the Tomales Farm and Dairy. He noted that the same surveyor for the Tomales Farm and Dairy has submitted another lot line adjustment with the County. This time it was for Shoreline Unified School Districts property adjacent to TF&D property. He noted that it did not change anything except rearranging lot sizes on property already in the District.

E. Clean Renewable Energy Bonds

The Administrator reported that CREBS Purchase Agreement closed on the last day of June assuring the 16 year payback, which will reduce the annual payments.

F. SSMP

The Administrator submitted correspondence regarding the District's requirement to file an SSMP notice of Intent with the State Water Board. He noted that the correspondence between the District and the State Board and Regional Board go back to 2005, when the State issued new rulings for sewer collection systems. It was unclear whether or not systems that collect and treat wastewater under current WDRs were required to participate in this new program. The State said the Regional Board had the answer and the Regional Board said the State was the final say. This went around and around for a while and it was determined that the District was required to report monthly to the State under the new program, but that they did not need to pay a new WDR permit fee. However, there is a new person in charge at the State level that is saying the District does have to pay the additional fees and that those fees go back to 2004. The Administrator noted that he has sent copies of all of the correspondence to the State and the Region and is still in negotiations in an effort to resolve the issue.

G. Complaints and Correspondence From the Community

The Administrator reported that there was no Correspondence from the Community. Walter asked if there were any written objections received for the rate increase and the Administrator reported that there were none.

New Business

A. Irrigation Field Vegetation Management

The Administrator reported that he asked a company that specializes in vegetation management to look at the gorse issue at the irrigation field site and come up with a proposal. The company came out and indicated that the gorse was taking up about 5-7 acres of the irrigation field and that there are some areas of standing water that have produced water weeds that are more common to wetlands than an irrigation field. He recommended that they

both be dealt with vigorously. His proposal would be to cut down the gorse and spray it with an herbicide on a selective basis. They would then mow the field on a twice a year program to prevent the gorse from going to seed and would rip the areas with standing water to get better percolation. The Administrator also noted that he talked with Kevin Furlong about it and he suggested the Borello bothers would do the same thing, so there are options. However, according to everybody who he has talked to that deal with gorse insist it needs to be sprayed. Nicole Vigeant requested the Administrator get additional information from other companies and to find out exactly what type of spray each would use. The Board asked if cattle or goats could be brought in to control it. The Administrator noted that cattle were being used to a degree for the grass, but they will not eat the gorse. He said he doubted that goats would eat it at the stage it is in, but once it is cut down, they would eat the new shoots and with mowing and/or goats, it could be kept from going to seed. Walter suggested that a long term plan using ripping and grading every few years could help the drainage and the control of weeds over time.

B. Department of Justice Registry of Charitable Trust

The Administrator reported that the Department of Justice sent the District a letter saying that the District has not filed the required annual reports. The Administrator noted that he has never seen anything from this agency and has not filed their RRF-1, nor does the District file IRS Form 990. He reported that he filed a current Form RRF-1 with an explanation that a government agency is not required to file such a Form. He said he has not heard back from them.

Administrator's Report:

The Administrator reported that he did not submit the regular Administrator's report since he submitted a daily timesheet which detailed his activities for the month.

Correspondence

The Administrator submitted copies of correspondence. He noted that Todd Engineering has peer reviewed the most recent Kleinfelder hydrology report for the Sass project. No action was taken.

Park Task Force

The Administrator noted that the parking lot has been graded and rocked in preparation to paving. He noted that David has run into some difficulty with a new person in Public Works who has not been forthcoming with needed information and has said the entrance way to the parking lot needs to be less steep, when in fact Valley St is already too steep. David has tried to get an understanding as to how to accurately grade the drive and has been unsuccessful. She says the driveway to the parking lot has to be a pedestrian pathway because it is coming off a county road, even though the county has said it is not a county road. She said a pedestrian pathway cannot exceed 5% grade and Tim Furlong said all driveways he has done can go up to 15%. So Tim contacted Steve Kinsey, who contacted the head of Public Works, who said it was fine to go up to 10% and sent it back to the gal at the desk. However, she is still saying it needs to be 5% so the parking lot is on hold until that is resolved.

David Judd is going on vacation and won't be back before the middle of August, so the Dutton House play structure will not be done before Founders Day but will be started right after Founders Day.

Adjourned at 7:43 PM

Next Meeting: August 12, 2009 6:00 PM.



Approved

August 12, 2009

Date