

**TOMALES VILLAGE COMMUNITY SERVICES DISTRICT
BOARD MEETING**

Minutes of Meeting held September 9, 2009

Board Members Present: Nicole Vigeant, Bill Tucker, Walter Earle and Patty Oku
Board Members Absent: Kat Marando

Also Present: Karl Drexel, Administrator

Paul Duffey
Terry Duffey
Donna Clavaud

Paul Vink
Wayne Conroy

Board President Nicole Vigeant called the meeting to order at 6:03p.m.

Open Communication:

Shoreline Unified School District Superintendent Stephan Rosenthal addressed the Board members and guests about School Bond Measure D on the November ballot.

After confirming a Board Quorum without him, Bill Tucker excused himself from the meeting.

Approval of Minutes:

The Chair entertained a motion to approve the August 12, 2009 board meeting minutes and asked for any corrections and additions to the minutes. Terry commented that someone at the last meeting had high praise for the Sanitary Sewer Management Plan the Administrator submitted and she said it did not make it into the minutes. The Administrator noted that he would make the addition.

Patty Oku made a motion to approve the minutes of the August 12, 2009 Regular Board Meeting as amended. Seconded by Walter Earle. 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 additional lab tests, a regimen of probiotic enzymes, the first payment on the solar project, a tech support contract on Rockwell software and trucking and material costs for the Park parking lot. Walter asked about the sampling charges from Phillips. The Administrator noted that in order to switch over to BOD testing from COD, the District is required to submit both for the rest of the irrigation season so the Regional Board can see the comparisons and Phillips contract only covers one test and not two. He said we would continue to be billed for the second test for the next couple of months.

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, Bio Humanetics, American Solar, CED, Albini Trucking and miscellaneous office supplies and copies. Seconded by Patty Oku. M/S/U.

Phillips & Associates Report:

The Administrator reported that the Self Monitoring Report indicated that the COD levels exceed the permitted levels and so BOD tests are being conducted as well and submitted to the Regional Board. He noted that he had requested the Regional Board make that a permanent change to the Discharge Permit.

Committee Reports:

A. Newsletter Committee

Terry Duffey said the Newsletter would generally come out in October, but she asked the Board what they thought of having it later to include the election results. The Board thought that was a good idea. She said that in addition to the election results, there were several other topics to report on: the pond improvement project, the Park renovation project, the solar project, the Sphere of Influence study, the Swap Meet and Founders Day results. She also said the fall issue includes the year end financials.

B. Fundraising Committee

Walter reported that they moved the books to their house to sort through them, and that the sale was under control for the Swap Meet. He said they could still use more books. There was discussion about people asking about the book sale at Founders Day. There was discussion regarding signage and table set up and it was determined that it was under control. The Administrator reminded the Board that he would be out of town that day. Donna Clavaud noted that the Swap Meet organizers chalk off the grids for the booth spaces on Saturday and number each space, so people will know where they are supposed to be. Nicole Vigeant said that David would help set up the canopies early Sunday morning.

The Administrator reported that the District earned a net profit of \$1,127 with the wine sales, shirt sales and Madame Zublatsky. The gross sales amounted to \$1,037 in wine sales, \$120 in shirt sales and \$105 donation from Roberta. The expenses totaled \$135, which included ice, water, ABC license, table cloths and misc.

C. Community Advisory Committee

Terry Duffey reported that the advisory committee is working on setting up a "Meet the Candidates" event. She said they were looking at having it at the Town Hall on a Sunday afternoon sometime between the end of September and the middle of October. Patty Oku suggested it be around three weeks before the election and Nicole Vigeant reminded them that absentee ballots come out earlier than that and that they need to consider those voters. It was decided earlier in October would be the best time. Terry said the format would be that each candidate would give a five minute presentation and then have a question and answer period after all of the candidates have spoken. After that, there would be an open social gathering for those that want to stick around and talk to one another and the candidates. She said it could be about a two hour event. Patty Oku suggested that a sign be put up at the entrances to town rather than just posting flyers at the Post Office.

Pending Business:

A. Grant Writing

1. The Administrator reported that he met with Nick Zaninovich to review the As-Builts, the Self Monitoring Reports, the Operations Manual, look at the school infrastructure and meet with Rosenthal. He has requested some additional testing of the effluent for the study, which Phillips is going to start taking. Nick has been in contact with the Regional Water Board, the State Dept of Health, the County Environmental Health, and others.
2. The Administrator noted that there was nothing new to report on the Small Communities Grant. He said he was still waiting for the final billing from Piazza and some cleanup items.
3. The Administrator noted that he had nothing new to report on the RZH grant.
4. The Administrator noted that he had nothing new to report on the L WCF grant.

Terry

Duffey asked what has to be done to be finished besides the Dutton Structure. The Administrator noted that he hoped that would be all. He said the grant applications with the State talked about another play structure, but it was never in the plans or drawings that were submitted. He noted that the schooner structure that was envisioned early on is not feasible in the final layout of the Park and he will argue that the play structure was always going to be a second phase. He also said he was

going to ask for a final inspection without having all the benches, recycle bins, viewing areas and final landscaping done, but doesn't think that will be a problem. Donna Clavaud suggested that the school woodshop could build the benches and recycle bins. The Administrator noted that Bill Tucker said they didn't have a woodshop teacher this year, which is why Stephan Rosenthal said woodshop this year is "iffy". Karl said he was going to have David get in touch with the welding shop teacher and see if maybe they can build the grates for the BBQ.

B. Capital Improvement Projects

The Administrator reported that the Pond Project is virtually done except for some cleanup items and the final billing and O&M Manual. The Solar Project and Park Project will be discussed in a later agenda item.

C. Sass Property and LAFCO Sphere of Influence Study

The Administrator noted that he had nothing new to report on the Sass Project or Sphere of Influence.

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.

E. LAFCO Sphere of Influence Study

The Administrator reported that LAFCO was opening up the Sphere of Influence public hearing at their September 10, 2009 meeting and will keep it open for comments until their November meeting. He noted that LAFCO Staff recommendations and the SOI Update and Service Review were on the LAFCO web site, but were so long he did not make copies for the Board packet. He also showed the Board a copy of the Mitigated Negative Declaration that they are submitting along with the SOI Update to the County. He explained that the SOI Update and Service Review recommends the District boundaries should be expanded to include those properties adjacent to the current boundary that are zoned for uses of 1 acre minimum or less, which includes the Sass properties zoned for 6,000 square foot lot size. The Sass parcel that has the split zoning is being included intact, because LAFCO will not get into land use issues and will not split a parcel for the review. Therefore the whole lower 5 acre site is recommended for inclusion. The John Williams 7 acre property on Highway One across from the Church has been removed as mitigation to this Negative Declaration because even though the zoning allows 1 acre parcels, the County Land Use Map indicates it could be higher density if it is sewered. The Administrator is trying to get a better clarification of the Countywide Map designation so that the property might be restricted to the 7 one-acre sites and included in this SOI Update.

Terry Duffey presented a letter that the Administrator wrote to Peter Banning dated June 15, 2009 regarding the Board's thoughts and concerns about the Sphere of Influence Update. She said that the letter indicated that the Board wanted to comply with the Tomales Community Plan and that he commented that the high density parcels should be included in the District, but the lower density parcels should not. She asked if that letter was ever answered. The Administrator said it was not answered, but it was taken under advisement in the SOI Update and the information was used by LAFCO staff and the consultants. She said that they are including the part of the Sass property that is zoned for 2 acre minimum. The Administrator noted that since the property has not been legally split, LAFCO has no option other than including the entire parcel. Terry asked that when the property is split will the two acre parcel be annexed into the District. The Administrator noted that the property would be in the SOI, but it doesn't necessarily mean it would be annexed into the District, since that is another completely different process.

F. Clean Renewable Energy Bonds

The Administrator reported that the Solar Project is off and running. All of the panels have been delivered as well as the inverters and are locked in the container at the treatment plant. The contractor is going through the process of getting permits, Coastal Commission approval and design review. He said the first payment went out to the contractor on approval of the

contract, the second payment is due now with the delivery of the panels, a third payment is due upon completion and the final 10% is due after final inspection and approval by the District. He said the permitting that has to go through the Coastal Commission Design Review process would cost about \$13,000 per site. The County has offered to reduce that figure, but it is unclear by how much, so the Administrator said he would talk to the County and see what kind of negotiated price he could get.

G. Irrigation Field Vegetation Management Plan

The Administrator reported that he had a site visit with Rob Borello and he was going to get him an estimate and management plan, but he hasn't got it yet.

H. Groundwater Study

The Administrator reported that he had contacted two engineering firms to give an estimate for a groundwater study, Todd Engineers and ECON Engineering. Todd estimated it would be in the \$25,000 range, but would need more information as to what was needed. The other company is proposing a community collaborative program before they embark on a study to get a consensus of all of the stakeholders of what a groundwater study should look like. They are working up a proposal to present to the Board at the next meeting.

I. SDRMA Renewal

The Administrator submitted the SDRMA renewal notice and new exclusions for the liability and property insurance. The new exclusion "excludes coverage for any consultant or contractor that is not a full time employee of the member." Because the Administrator is an independent contractor, he asked the SDRMA for a clarification. SDRMA notified the District by letter that the Administrator is covered under the liability coverage because he is considered a "contract employee" since he works for and answers to the Board of Directors.

The Administrator reported that he had also asked the SDRMA to make a site visit and perform a complete audit of the District's property schedule. They did that and came up with several changes to the property insurance, including adding the new pond configuration and the new equipment associated with it, the new solar project and the Park additions. They also changed the valuation of the irrigation field and chlorine building, so that there was actually a net reduction in the premium for the property insurance for the 2009-2010 year.

J. SDRMA Election

The Administrator submitted the names and statements for the candidates running for the SDRMA Board of Directors. Discussion was held regarding the different applicants and the Board selected four candidates. The Administrator also submitted Resolution #09-06 required by the SDRMA for the selection process for candidate selection and adoption.

Patty Oku made a motion to adopt Resolution #09-06 selecting candidates David Aranda, Muril N. Clift, Allison Voigt Hamaker, and John C. Yeakley for the SDRMA Board of Directors. Seconded by Walter Earle. M/S/U.

K. CSDA Election

The Administrator submitted the names and statement of candidates running for the CSDA Board of Directors. Discussion was held regarding the different applicants and the Board selected one candidate.

Walter Earle made a motion to select Kathryn Slater-Carter for CSDA Board of Directors. Seconded by Patty Oku. M/S/U.

L. Complaints and Correspondence From the Community

The Administrator reported that there was no Correspondence from the Community.

New Business

A. Time and Format of Board Meetings

The Administrator reported that Venta Leon requested that the meeting time be changed from 6:00 to 7:30 in order to accommodate a larger number of people. Nicole Vigeant stated that she would like to keep the time as is. Walter Earle said he would prefer to keep the meeting time the same and that any later would be difficult. He added that if there were a number of

people who can't make the 6:00 time and we hear from them, then he would be willing to accommodate them somehow. Patty Oku agreed that the 6:00 time is best for her. The Administrator noted that there have been meetings that had audiences of up to twenty people, which indicated that it wasn't too difficult to make a 6:00 meeting. Terry Duffey said she thought the meeting time was changed to accommodate Bill Tuckers coaching schedule. The Administrator noted that the Board meetings originally started at 7:00 and the Board voted to have it changed to 6:30 in January of 2000, because of the late hour some of the meetings were ending. It was changed again in September of 2000 to 6:00 apparently to interest potential new Board members. At that time there were four members on the five member board and two of them were going to be leaving town and the Board. Terry also suggested that it might be a problem for new Board members if they have to drive to town from their work somewhere else. The Board agreed that if that becomes a problem for the Board, they would revisit the issue, but for the time being the meetings should begin at 6:00.

Venta also requested at the previous meeting that the Board consider changing the format of the Board meetings from a two table configuration where only the Board and committee chairs sit at and the rest of the attendees sit in an audience configuration; to a round table configuration where all people present sit around the same table, adding tables as the number of participants increase. The Administrator noted that the meetings are recorded and he has to transcribe the minutes by playing back the recording. He noted that when there are a lot of people sitting around the table during especially large meetings, there often times are numerous side conversations that disrupt the board discussions on the tape. He said he preferred a one or two table format with just the Board members and committee chairs in order to keep the minutes discernable. Nicole Vigeant also said she thought the smaller format was better, because sometimes when the Chair is trying to move the discussion on, some people don't always hear it because of the other conversations going on. Walter said he concurred. Patty also concurred as long as standing committee chairs were also at the table.

B. CSDA Committee Participation

The Administrator submitted a list of committee's for CSDA that are available for participation by the members. No members were available to participate.

Administrator's Report:

The Administrator submitted a daily timesheet which detailed his activities for the month.

Correspondence

The Administrator submitted copies of correspondence. No action was necessary.

Park Task Force

The Administrator reported that nothing was new on the Park Project. He noted that David Judd will be getting started on the Dutton structure soon. Nicole Vigeant asked the Administrator if he had updated the contract with Henry Elfstrom for the maintenance. He noted that he had not because he was waiting for the bathroom to be completely finished so Henry could start power washing it as one of his duties, but he didn't want him to start before it was ready. Walter Earle said he thought the Board should consider irrigating the meadow at the Park and he would be willing to talk to Phil Wyatt about a vandal proof system. He felt it wouldn't take a lot of water, but it might keep the grass that was seeded alive and might keep the weeds in check.

Adjourned at 7:15 PM

Next Meeting: October 14, 2009 6:00 PM.


Approved _____ Date 10-14-2009