

**TOMALES VILLAGE COMMUNITY SERVICES DISTRICT  
BOARD MEETING**

Minutes of Meeting held March 14, 2012

**Board Members Present:** Walter Earle, Patty Oku, Joyce Coll and Eric Knudsen  
**Board Members Absent:** Hope Sturges (Until 7:15)

**Also Present:** Karl Drexel, Administrator

Sue Sims  
Nicole Vigeant

**Board President Walter Earle called the meeting to order at 6:05 p.m.**

**Approval of Minutes:**

The Chair entertained a motion to approve the February 8, 2012 board meeting minutes and the February 15, 2012 Special Meeting minutes. With no corrections or additions:

**Eric Knudsen made a motion to approve the minutes of the February 8, 2012 Regular Board Meeting and the February 15, 2012 Special Meeting. Seconded by Joyce Coll. 4 Ayes, 0 Noes, 1 Absent.**

**Financial Report:**

A. &B. The Administrator submitted the financial reports and a list of payables for the months of February – March along with copies of the check registers for the month of February. He noted that he changed programs with ATT for Santa Rosa so now internet and phone are billed separately and for less than what we had been paying. It was also noted that the County billed the District \$250 for the November election even though there was only one candidate. This is their minimum charge. The Administrator noted that Craig Fechter’s recommendation was to include in the financials a Year-to-Date Comparison P&L and a Budget v Actual Comparison, which are (and have been) included with the financials.

**Patty Oku made a motion to accept bank statements, accept the financial reports, and approve expenditures. Seconded by Eric Knudsen. 4 Ayes, 0 Noes, 1 Absent**

C. The Administrator collected the Conflict of Interest Reports Form 700 from all of the Board members to be submitted to the County. He also noted that the Political Reform Act of 1974 requires the District to adopt a Conflict of Interest policy every two years. He submitted Resolution 12-01 for review and adoption establishing that the District accepts Section 18730 of the California Code of Regulations as the Conflict of Interest policy and acknowledges that Form 700 is a public record.

**Eric Knudsen made a motion to adopt Resolution 12-01 establishing the District’s Conflict of Interest policy. Seconded by Joyce Coll. 4 Ayes, 0 Noes, 1 Absent**

**Phillips & Associates Report:**

A. The Administrator submitted a copy of a letter to the SUSD explaining the problems the District has been having with rocks in the system. He also submitted a copy of a picture showing hundreds of small rocks inside the collection pipe from the high school that were that were hydro-flushed and vacuumed out by Roto Rooter. He also noted in the letter that the contractor responsible for breaking the school’s lateral was responsible for reimbursing the District’s cost for the repairs. He also noted that the final cost figures were not available until the comminutor is taken apart and examined.

The Administrator also reported that there were problems with the SCADA system still. He noted that the SCADA system is collecting data, but not every day. He said he had a SCADA integrator working on the issue.

### **Committee Reports:**

#### **A. Newsletter Committee**

Terry Duffey was not in attendance due to illness.

#### **B. Fundraising Committee**

The Administrator reported that he had submitted a request to Bank of Marin for grant funding for the Park and also a request to Supervisor Kinsey for a community Partnership Challenge Grant for the Park. He had not heard back from them. Eric suggested the request be extended to Jared Huffman as well. Nicolle suggested that Friedman's might be willing to donate or pay for some specific item if they don't provide a grant. Patty said she would put together a laundry list of things she could use for the Party.

Eric and Patty reported that they had a second Party in the Park meeting with Sam Dolcini, who gave ideas on auctions and auction prizes. Eric reported that they are well along in the planning for the Party. He noted that Nicole is in charge of the music, and the booth spaces are almost all spoken for. The food booths are Bros Paella, brats and dogs, and Hope's oyster bar. He said he talked to Jay regarding the Indian food, but that he may not be willing to share the profits for the benefit of the park. He said he was going to talk to him again. It was suggested that an invitation be extended to Amy Carpenter. Eric is going to contact her. Eric also said that Jan Lee was going to pour her hard apple cider in the beverage tent. The Party will buy the cider at cost and sell it with the beer and wine.

Patty reported that she might be able to get another non-profit organization with a bulk permit to help with the mailings for the Save the Date cards and the tri-fold. She said she would continue to look into it. There was discussion about what the theme of the fundraising should be and it was decided that raising funds to pay back borrowed funds would be the reason and the theme would be "Flush the Debt".

#### **C. Policy and Planning Committee**

1. The Administrator reported that he had one application for the Park Committee and no applicants for the Finance Committee. Eric noted that there was one additional application that was coming for the Park Committee. Walter also reaffirmed his offer to be one of the Board representatives on the Park Committee. The Administrator reminded them that in all of the information he gathered for committees, almost all Districts set up committees made up of Board members only and their GM. Having committees of non-Board members is the exception and not the rule. He also noted that standing committee meetings need to be noticed, agenda'd, minutes taken and reports given to the whole Board. The standing committees are still only advisory committees even though they may have three Board members on them. The Administrator also advised the Board that an ad-hoc advisory committee is a committee set up to work on or investigate one issue and report to the Board their findings or recommendations. Once that report or recommendation has been filed the ad-hoc committee is dissolved automatically and no longer exists. If the Board wants to set up a new ad-hoc committee with new directions, they can at any time. Likewise, the Board can set up any number of advisory committees as standing committees. Discussion was held as to what direction the Board wants to take for committees. No decision was made beyond the Finance and Park committees.

Patty Oku recommended that the District place an ad in the West Marin Citizen for 4 weeks and asked the Administrator to get the price for a classified ad in the Marin IJ and the Press Democrat.

2. The Administrator reported that he had nothing new to report on the Policy Manual.

## **Pending Business:**

### **A. Grant Writing**

1. The Administrator noted that he was not working on any grant proposals at this time.

### **B. Capital Improvement Projects**

1. The Administrator reported that David had submitted a punch list of items that need to be finished for the final inspection. Patty said he was leaving on vacation on the 4<sup>th</sup> of April and would get it done before he leaves. The cost is expected to run about \$3500. A question came up as to whether or not the Park has the funds. The Administrator said the Park still has funds from the Kinsey grant. He also reminded the Board that the grant from Kinsey was to complete an irrigation and sprinkler system, which hasn't been done. It was suggested to do it after Founders Day. Eric recommended that it be designed and priced out and be shovel ready and then decide when to do it. Walter offered to talk to Phil Wyatt about a sprinkler system design.

### **C. SSMP**

The Administrator reported that there was no changes from the State yet and that he was going ahead with the SSMP as if it were going to be required, until he hears differently. noted that he went to Sacramento and met with the education director for CSDA and discussed getting more free or low cost seminars for small districts. She said they were working on that and gave him a list of upcoming events, seminars and webinars that are free or low cost to members. They also discussed the possibility of offering scholarships for small districts and recording the seminars to have available at a reduced cost through the website.

### **D. Public Hearing on Budget**

The Administrator reported that he has started work on the budget, but said he won't have anything for the April meeting, but that maybe he could be ready for a public hearing between the April meeting and the May meeting.

### **E. Advisory Committee Letter**

1. The letter recommended that the Board hire an accountant to handle all of the financial duties of the District. Eric noted that an accountant would be very expensive and that maybe a bookkeeper would be sufficient. He also noted that even though the Board has been asked to reduce costs, this would be adding another layer of costs. Patty noted that when the discussion came up with Craig Fechter, he said during the normal course of operations there would be several people involved in bookkeeping. However, when he learned that one of the board members was actually checking the bank statements every month, he felt that was sufficient to maintain the checks and balances needed for a small district. It was also sufficient for the previous District auditor. She reminded the Board that the strategic plan was developed over many days by many community members as well as the Board and that one of the outcomes of that planning session was to establish a financial committee to review the monthly financials, the monthly payables, the budget and overall costs and make recommendations to the Board. She recommended that the Board wait until a Finance Committee is established, or at least until the response from the ad in the Citizen is known before taking any action on this item.

## **Board Member Hope Sturges joined the meeting at 7:15**

Sue Sims commented that although the letter said accountant, she did not think that it was necessarily a CPA that they were talking about. Hope Sturges indicated that Melinda Bell was a CPA and would only charge \$35/hr. The Administrator interjected that the recommendation from the advisory committee was different from what was established in the Strategic Plan, in that it says the accountant would be the Treasurer for the District and perform all accounting responsibilities, including issuing checks and payments. This is something quite different than an advisory committee. Patty reiterated her recommendation that the item be tabled until the ad in

the Citizen runs, the notices are put up in the outlying towns and a Finance Committee is formed. The item was tabled by consensus.

2. The issue of the advisory committee recommendation that the position of Administrator be put out to bid and a contract developed. Patty Oku noted that the bi-annual performance review for the Administrator is due and that the review should be completed before any action is taken on this item. Walter Earle asked if it could be accomplished by the next meeting and Patty re-iterated the process from the previous reviews. She noted that all Board members filled out their own responses and met in a closed session to discuss and compile the information. Then there was another closed session with the Administrator to go over the results and the Administrator's self-evaluation. Eric Knudsen interjected that putting the Administrator's position out to bid is not found anywhere in the Five Year Strategic Plan and he said he personally did not see the need, but that he did see the need to complete the bi-annual performance review. The Administrator noted that the agenda referenced Public Contract Law, but he said the code that Hope had sent to the Board which was in the Board packet was more pertinent to professional services contracts than the Public Contract Law.

Discussion was held and it was decided that each Board member would complete their own responses and get them to Eric to compile by April 4th. Then hold a closed session before the next meeting with Karl to discuss the performance reviews. The closed session will be scheduled for 5:30 on April 11<sup>th</sup> and the regular meeting at 6:30.

3. The issue of the advisory committee recommendation that the Operations and Maintenance contract be put out to bid. Patty Oku asked the Administrator what the status of the contract revisions was. The Administrator reported that he had sent Phillips the revisions he proposed and has not heard back. Patty asked if there were certified contract operators in the area. The Administrator said he only knew of one and he was getting ready to retire. He also said he knew of one in Auburn. Hope said you can get a list of certified operators through the SWRCB. She also said that all one would have to do is apply for the contract operators certification. Discussion was held regarding the qualifications of an O&M operator and it was determined that the operators would have to be an experienced company that provided their own insurance, were able to be bonded, had a qualified staff, paid all employee taxes, provided proper training and had enough people to provide 24/7 emergency response.

Walter Earle indicated that the time and money to put the O&M contract out to bid would be more than he would be willing to go for. He also said he wasn't in the group that came up with the suggestion to put O&M out to bid, or he would have objected at the time. He said he felt that Phillips is providing a good service at a good price and if they were to bid on a new contract, he feared it would be much more expensive. Patty said that Deborah Parrish has all of the different notes and paperwork, but felt that some of the things didn't always come out the way they were intended.

The Board decided to ask the Administrator to continue with the negotiations of a revised contract with Phillips and see where it goes. Walter and Patty indicated that they would work up a letter to be mailed out to those that signed this letter.

#### **F. Complaints and Correspondence**

The Administrator submitted a copy of the letter he sent to the Duffey's with regard to their concerns. It was also in the Board packet and made a public record.

### **New Business**

#### **A. CSDA Board Nominations**

The Administrator submitted a notice that the CSDA Board is seeking nominations for a 4 year term from this Region.

**B. Marin Transit**

Doris Pareus submitted a request for support for their transportations grants. The Administrator submitted a letter he proposed for that support. The Board agreed that it should go out to the Department of Transportation.

**Administrator's Report:**

The Administrator submitted a written report of the month's activities.

**Open Communication:**

No open communication

**Correspondence**

No action needed

Adjourned at 8:00 PM

Next Meeting: April 11, 2012 5:30 PM.



April 11, 2012

Approved

Date