

BIG LAGOON COMMUNITY SERVICES DISTRICT

**Approved MINUTES of the Regular Monthly Board Meeting Approved Feb 20, 2021
Saturday, January 23, 2021 - 2:00 PM Teleconference Via Zoom**

OPEN SESSION

1. CALL TO ORDER

The open/regular meeting of the Big Lagoon Community Services District convened at 2:08 PM with the following in attendance:

Board Members Present: Bill Wenger, Chair; Gus Satein, Vice Chair; Dick Maier, Treasurer;

Chuck King, Director; Absent: Joey Blaine, Director

Staff Present: Mara Friedman, Board Secretary; Val Castellano, Operator; Dana Hope, Meter Reader

Community Members: Larry Davis, John & Loretta Donohoe, Rob Wilson, Cindy Maier, Margie Adler

2. PUBLIC COMMENTS RE: AGENDA

2.1 No written public comments were received prior to the meeting.

2.2 Larry Davis commented on Action Item 8.5: He objects to the Board donating credit card reward points to Covid relief and considers the decision as setting a bad precedent. He also commented that decisions of this type should never be made without community involvement.

2.3 Rob commented on Meeting Minutes item 2.3 and will address concerns when we get to Agenda Item 4.

2.4 Dana has concerns and will comment when we get to Agenda Item 4.

3. APPROVE JANUARY 23, 2021 AGENDA

There were no other changes to the agenda.

Motion made to approve 1/23/21 meeting agenda.

Motion: Satein, Second: King - Motion Approved: 3 ayes; Maier absent

4. REVIEW DECEMBER 19, 2020 MEETING MINUTES

4.1 Dana made a correction to the Minutes: Item 1. It was Cathy Dickerson who attended the meeting.

4.2 Rob addressed Item 2.3: Questioned why the community was not notified before the decision was made to reduce the discussed water bill overage due to a leak by half? He explained that since the owners were aware of the leak situation and did not take proper actions to repair the pipe, they should not receive any reduction on their bill. He is concerned that the Board has set a precedent without community input.

Motion made to add Rob's comments to Agenda Item 9 Public Comments.

Motion: Satein, Second: King – Motion Approved: 4 ayes, 0 nays

4.3 Dana commented on minutes item 2.3: requested that the word *complained* be changed to *noted*.

Motion made to approve the 12/19/20 minutes with Dana's corrections.

Motion: King, Second: Satein – Motion Approved: 4 ayes, 0 nays

5. WATER SYSTEM OPERATOR'S REPORT

Val thanked everyone who helped clear brush to get to the valve at the school.

Our daily average water usage is 4-6k gallons.

In 2020, we pumped approximately 2,100,000 gallons.

On Tuesday 1-26, Scott Gilbreath will do an inspection of the system.

We have great water of the highest quality!

Our well is 200 ft. deep and our water pump is located at 185-195 feet.

The steady rains are replenishing our aquifer.

Gus has assisted Val to locate water lines for an upcoming trenching project for 97 Roundhouse Creek utilities.

BLCSD is to be named as an additional insured by the contractor for this project.

6. TREASURER'S REPORT

The financials were discussed and accepted as submitted.

Dick has been investigating the option of taking credit card payments from our customers. Two companies, *Quickbooks* and *Square* provide this service. Customers can choose if they want to pay by check or credit card.

7. WEBSITE FEASIBILITY REPORT (In Blaine's absence the Chair introduced Joey's report)

Joey's report is included in the packet. He hopes to have additional information in February.

8. ACTION ITEMS

8.1 Revised Meter Box Maintenance Ordinance

After reviewing the issue of meter box maintenance with Dana and others, Gus recommends establishing a new 3-part policy:

Step 1: Let all customers know that they are responsible for cleaning their meter boxes and keeping the brush around the meter boxes cut back.

Step 2: Anyone who does not clean out the inside of their water meter box and clear away brush around it, will receive a warning notice. If they do not comply by the next reading (in 2 months), they will be penalized a minimum of \$35.00, which will be added to their next water bill.

Step 3: The customer receives a water bill with the fee for maintenance service added.

In discussion, Dick, Chuck and Gus clarified that the \$35.00 fee is based on a minimum of an hour's work. If the clean-up project requires more than an hour, additional charges will be based on a \$35/hour rate.

8.1.1 John Donahoe expressed concern that even though he regularly cleans inside his meter box, moles can fill it with dirt within one or two days. Dana shared that it is apparent which customers are maintaining their boxes and situations where a mole freshly deposited soil inside a maintained box.

8.1.2 Loretta Donahoe said she strongly opposes the penalty and making money off our community members, as she willingly and freely cleaned out meter boxes when she read the meters.

Dick responded that we are billing for services rendered only and the goal is not to profit in any way.

8.1.3 Gus recommends that we implement the new meter box maintenance policy starting February 1.

Motion made to approve the new meter box maintenance policy.

Motion: Maier, Second: King – Motion Approved: 4 ayes, 0 nays

8.2 Easement Boundary Survey

Bill provided background about having a survey done. Our current well might be outside our easement area. Before we consider drilling a new well, we need to make sure it is within our easement boundary.

Dylan Kolstad (surveyor) responded to Bill's request to only survey the eastern boundary line. He provided an estimate of \$1600 (low end). He noted that it could cost more, depending on what he finds when he is doing the survey. Discussion ensued about how much we are willing to spend. Gus preferred having a full survey done to know where all five corners are of our easement. Rob concurred with Gus that it is important to do a complete survey. Dick noted that we know our boundaries on three sides and only the east boundary is unknown. Chuck expressed concern that our current well could be outside our easement.

Motion made to set a budget of \$2000.00 for the survey. If the work, once started, will exceed 2K, the board will decide how to proceed.

Motion: Maier, Second: King – Motion Approved: 3 ayes Wenger, Maier, King; 1 nay Satein

8.3 Board Meeting Frequency (Revision to the Bylaws)

Bill looked through past board minutes and discovered a change to the Bylaws regarding meeting frequency. In February 2014, the board decided to meet quarterly rather than monthly. Bill recommended the Bylaws be revised and the board return to having monthly meetings, and allow a members to participate telephonically.

Motion made to revise the Bylaws to state that the board will meet monthly, and telephonically.

Motion: Satein, Second: Maier – Motion Approved: 4 ayes, 0 nays

8.4 Duties and Responsibilities

8.4.1 Board Members

8.4.2 Board Secretary

Motion made to accept the written descriptions of the duties and responsibilities described in the information packet.

Motion: King, Second: Satein – Motion Approved: 4 ayes, 0 nays

8.4.3 Water System Operator

8.4.4 Water Meter Reader

8.4.5 Daily Chlorine Tester

Gus consulted with Val, Bill and Dana, and also used previous BLCSD job descriptions, to develop the duties and responsibilities for present and future Water System Operator, Water Meter Reader, and Daily Chlorine Tester. He noted that our water system requires complex maintenance and he thanked Val for the excellent job he has done for our community.

Motion made to approve the descriptions of the duties and responsibilities of the Water System Operator, Water Meter Reader and the Daily Chlorine Tester.

Motion: King, Second: Maier – Motion Approved: 4 ayes, 0 nays

Rob raised this question: What do we do if something happens to Val? Discussion ensued about options and recommended course of action. Chuck noted that in the case of an emergency, we have contingencies. Bill and Gus know how to do most of the day-to-day operations, and we would have time to hire a water operator to come out for specific needs and provide oversight.

Val suggested that Brian MacNeil is the first person we could contact in case of an emergency. Val has worked with and recommends Brian. He also noted that Brian is highly qualified and would only have to come on site once a month. He mentioned that we still have a contract with Steve Meurer. Val also stated that we should contact Scott Gilbreath, water system engineer.

Dana recommended getting in touch with the water operators from the smaller water districts around us: Orick, Westhaven and Trinidad. This way we begin to establish a relationship and cooperation with our neighboring districts. Gus concurs with Dana and said the board will reach out.

Bill related that the LAFCO (Humboldt Local Agency Formation Commission) representative noted that ideally, districts cooperate with each other.

8.5. Credit Card Rewards Redemption

The issue of redeeming reward points on the district's credit card account came up at the Dec 19th meeting. The marketing material sent with the letter about redeeming reward points was misleading. It was not clear at the time that points could be used to offset the balance of the bill. During discussion at the previous board meeting, the board chose to redeem the points toward local Covid relief, as there did not appear to be an option to apply the points to the credit card balance.

Several members of the community expressed their opposition to this after the Dec 19th meeting, and it was quickly decided to investigate the matter further before any action was taken. Dick found out that our rewards points can be applied to reducing our credit card balance and this will be standard practice going forward.

Larry and Rob voiced their concern that this decision was made without community input. In the future the board will not rush through a decision like this without first getting all the facts, and allowing time for public input on the matter.

Motion made to use our district's credit card reward points to offset the balance of the bill.

Motion: King, Second: Satein – Motion Approved: 4 ayes, 0 nays

9. PUBLIC COMMENT

9.1 Greg Sidoroff sent an email to the board prior to today's meeting stating that he would like the information packet be included with the emailed agenda. Bill read his email to the attendees and asked that the following email dialog on this matter be entered into the record.

Jan 20, 2021

Hi, thanks for sending this [the agenda]. I'm a bit confused as to why if you want information you have to request the packet? Perhaps I'm missing something but it doesn't seem fully transparent to create an extra step to get all the information? There should be no additional cost involved as it would just be an attachment to the initial email? I realize if you are able to and hopefully do create a website that will facilitate this as well. Thanks for your consideration. Greg

Jan 20, 2021

Hi Greg, The physical posting of an upcoming agenda does not require that the Information Packet be attached. There only needs to be instructions on how to get the Packet. Also, it is not a requirement that we email the agenda to everyone in the district. We do this as a courtesy, and it works because we're a small district. Much larger districts post agendas at high-traffic public venues, publish in newspapers, etc. They do not blast out emails with the upcoming agenda to hundreds or thousands of customers. By asking BLCSD customers to request the Packet we get an idea about community engagement. If only two households ask for the packet that tells us something--people just aren't that interested in the district's business. If we sent out the Packet along with the Agenda some people will be annoyed, treating the whole affair as so much spam. This will disappear once we have a website in place.

If you have future concerns regarding an upcoming Agenda, or Information Packet, please share them with me, as I alone am responsible for their preparation. Including all the Board members in your email puts me, and the other board members, in an awkward position, as I'm not able to share my response to you with them due to the Brown Act. If you wish to be added to the Agenda, or bring this up at the end of the meeting during the public comment portion of the meeting, I invite you to do so

Attached are the documents in the Information Packet. Regards, Bill

Jan 21, 2021

Bill, thanks for sending these [documents in the Information Packet]. I am 100% positive you are more in tune with what is required and not required to be done by law than I am. However, I will respectfully disagree with your reasoning and analogy. Information sharing that is not confidential in my opinion is critical to transparency and by creating hurdles based on finding out who is interested, to me is just not a valid enough reason to not do so when the opportunity is easily there. This is a volunteer district which is managed by many who are friends and neighbors- it's very different than any large district, having the information out there eliminates the "rumors" and in my opinion makes the volunteers' jobs easier. I realize a website will change some of these concerns. I am fairly certain that I am not going to be available at the meeting time on Saturday so please accept this email as a formal request to have all correspondence from me and you in regards to this item read into the minutes during the public comment period. I do not want to put you or anyone else in potential non-compliance of legal obligations. Thank you, Greg

9.2 Rob expanded on his initial response to Item 2.3: He wondered why the community was not notified before the decision was made to partially reduce the water bill? He explained that since the owners knew of the leak situation and did not repair the pipe properly, they should not receive any reduction on their bill. He is concerned that the Board has set a precedent without community input.

9.3 Val commented that he was impressed with the meeting as democracy in action.

9.4 John spoke of his strong concern regarding our water capacity issue, especially if there is a fire. He also commented on compensation for the recent water leak, stating that in the past he experienced a leak due to an earthquake and was not compensated. He stated that a water leak can happen to anyone.

9.5 Rob voiced his concern regarding water capacity in case of an emergency and hopes we are moving forward to increase capacity with perhaps a new well. He also stated that he feels the information packet should be automatically emailed to everyone and that people can choose if they want to open it or not.

9.6 Dana noted that she had emailed the board prior to today's meeting regarding her support to automatically send the information packet to the entire community with the agenda. This would be best practice and facilitate ease of communication and transparency. Rob concurs with Dana on this matter and feels this should be a topic of public conversation at the next meeting.

10. FUTURE AGENDA ITEMS FROM THE BOARD

10.1 Our policy regarding water leaks needs to be revisited.

Recently one of our homeowners had a water leak. It was thought the leak would have been difficult to detect. The owner of the house at the time requested that she not be responsible for the total amount of the cost of the leak. After discussion, the board made the decision to split the cost attributed to the leak with the homeowner.

Rob provided some history about the house and the previous homeowner. He said there had been three previous leaks in the same pipe and noted that a proper repair was never done, only a temporary "band aid." All the board members present agreed that if they had this knowledge when they were discussing this issue, they would likely have made a different decision regarding partial reduction of bill.

Dana and John gave examples of what happened when they had leaks on their property. They took full responsibility for them. It is clear that we need to develop a policy that is fair. Gus stated that we need to create an information loop in order to make better decisions regarding leaks and especially repeated leaks. Dana recommended doing some research to learn what other small water districts do regarding water leaks.

Margie noted that while it is good to have a policy, sometimes it is good to look at specific cases.

Gus suggested that we put this question out to entire community and allow the decision regarding our water leak policy be determined by a democratic process.

Dana noted that while the policy has been black and white in the past, the policy can change over time.

Bill assured everyone that this topic would be on next month's meeting agenda.

10.2 Water Storage

Loretta and John are concerned about water storage and what is being done to address this issue.

Bill explained that increasing water storage is the top priority of the current board, which is one reason why we are looking into drilling a new well, as well as adding increased storage capacity.

A work group focused on water storage is being formed.

Loretta stated that John would like to volunteer for this group.

11. ADJOURN

Motion made by Bill to adjourn the meeting.

Open Session adjourned at 3.55 pm.

Next meeting will be February 20, 2021 at 2 pm on Zoom.

Submitted by Mara Friedman, Board Secretary