

## **BIG LAGOON COMMUNITY SERVICES DISTRICT**

### **APPROVED MINUTES of the Regular Monthly Board Meeting - Saturday August 21, 2021 - 6:00 PM Meeting held using ZOOM**

#### **1. Chair's Call to Order (Bill)**

The open/regular meeting of the Big Lagoon Community Services District convened at 6PM.  
Board members in attendance: Bill Wenger, Chair; Gus Satein, Vice Chair; Dick Maier, Treasurer;  
Chuck King, Director; Joey Blaine, Director  
Staff in attendance: Mara Friedman, Board Secretary; Val Castellano, Water Operator  
Community members in attendance: Margie Adler, Louise Minor

#### **2. Recognize Public Correspondence Received by 5:00 PM, August 20 (Bill)**

Dana's correspondence received Friday evening 8/20 regarding Coast Central awarding grant money.

#### **3. Agenda for August 21, 2021 (Bill) Amend / Approval**

There were no changes to the agenda. Agenda is approved as distributed by Bill.

#### **4. July 24, 2021 Unapproved Meeting Minutes (Bill) Amend / Approval**

There were no changes to the meeting minutes. Minutes are approved as distributed by Bill.

#### **STATUS REPORTS (Public may comment after each report is given)**

##### **5. School Pipeline Project (Bill)**

Bill reached out to the rural development specialist at RCAC and was told that she has developed a work plan and budget for the school pipeline project. This plan was forwarded to State Water Boards and it is estimated to take 4-6 weeks to hear back from them.

##### **6. Brush Removal Around Well Site (Bill)**

Cal Fire crew removed a remarkable amount of brush from the well site. They were not able to chip the slash piles on either side of the road. Coastal Tree is coming in about a week and they will spend a day chipping 80-90% of the slash. All the chips will be broadcast on the ground. Cal Fire will hopefully return in the winter (after fire season) to complete the project to everyone's satisfaction.

##### **7. Vice-Chair's Report (Gus)**

###### **7.1 Water meter replacement update**

We are taking another look at the viability of the cellular option. A cellular coverage test (to be performed by a cellular company), should occur in the next few weeks. This test report will inform us as to our viable options. In answer to Louise's question, the ultrasonic option is 98.5% accurate, while the other options are 97% accurate. The ultrasonic option has a longer life in comparison to the other meter technologies.

##### **8. Treasurer's Report (Dick)**

###### **8.1 July Financials: P&L, Balance Sheet**

Our well site expenses have been more than usual this year. The chipping will put us at the end of our initial budget allocation of \$3600. As we still have several months left of this year, Dick would like to propose to the board to allocate an additional \$3K for maintenance of the well site.

Motion made that the board increase the well site budget allocation an additional \$3K.

Motion: Gus, Second: Joey – Motion Approved: 5 ayes, 0 nays.

With Joey's help, credit cards are now accepted for bill payment on our website. Of the 7 people who attempted this payment option, only 4 completed the process. Dick thinks the fee associated with payment was the probable cause of the incomplete actions. Discussion ensued regarding whether the district should cover the 3.8% processing fee or not? There are issues if we pay the fee. It was decided that our customers have the choice as to how payment is done, and that if they choose to use a credit card, they will pay the fee.

## 8.2 Pre-covid and covid-related overdue accounts

Dick is preparing the financial information required for the California Water Arrearage Payment Program survey, to be submitted by September 10<sup>th</sup>. California may reimburse some portion of covid related arrearages, although it may be months until we find out how much.

He shared the following accounts receivable information: 45% represents covid dollars; 55% represents dollars outside of the covid period. Of that 55%, 91% is associated with 3 addresses in our district. He will have a more detailed financial report in September.

Louise is concerned about the pre-covid arrears. She asked if we have a policy to deal with non-payment, to which Dick answered not at this time. Dick agreed with Louise that the board should establish a policy. She suggested that liens be placed on properties that have long-time overdue accounts. This would assure that the overdue funds are recovered if/when the house sells. Joey stated that McKinleyville CSD works with a collection agency on aged accounts (over 3 months). Very few accounts have had to be turned over to the county for a lien, which is against the owner of the house. We do have a policy that the owner is ultimately responsible for the water bill, whether or not a tenant is occupying the house. Joey will get Dick a copy of the McKinleyville policy, which will provide a good starting point as we begin to develop our own policy. Dick and Joey will work together and Dick will present a first draft of an overdue account policy at the September meeting. California has issued an executive order that it is illegal to turn off water service for non-payment during covid.

## 9. Water Operator's Report

### 9.1 Water Table Level – was at 92' on May 3, 2021 (Val)

Gus and Val sounded the well on 8/5 and it was at 92 feet 8 inches. Our water quality is good and we are in pretty good shape. We are currently using an average 7K gallons of water a day. Our well is almost 200 feet deep.

10. Meter Reader's Report (Dana) Report to be given in September.

11. Storage Capacity & Fire Suppression status report (Dick) Nothing to report.

**ACTION ITEMS** (Public may comment by raising a hand after Board discussion and before the Board votes)

## 12. Leak Adjustment Policy - included in the Packet (Chuck)

Chuck apologized that the policy included in packet was not the most recent draft, which was subsequently distributed to everyone. The policy was changed to address gallons of water lost, rather than monetary value. After some discussion, it was decided to change the word 'permitted' adjustments to 'allowed' adjustments. Bill will make the change to the policy. There was no public comment.

Motion made to adopt the new Leak adjustment Policy (with correction as noted above).

Motion: Gus, Second: Joey – Motion Approved: 5 ayes, 0 nays.

Joey will post our new Leak Adjustment Policy to the website.

### **13. Volunteer Liability Waiver – included in the Packet (Gus)**

#### 13.1 What our insurance does and doesn't cover

Gus made contact with our liability insurance representative Wendy Tucker at SDRMA, and asked her what our existing liability insurance policy provides, in light of the fact that we are an all-volunteer board with mostly volunteer help from our community. He read a message from Wendy describing our existing policy limits. In essence, our liability insurance does not provide coverage for any board member or volunteer, unless it involves injury or damages to a third party. This is important clarification for our community to be aware of.

The purpose of the proposed volunteer waiver is to establish a clear understanding that all volunteer activity undertaken for BLCSD involves potential risk for injury and property damage. It is critical that all volunteers, including board members, understand the risks and agree to waive all responsibility from BLCSD. Gus noted that the proposed volunteer waiver included in the packet is similar to liability waivers used by most public organizations as protection from lawsuits. BLCSD volunteer activities are done for the benefit of our community and he feels all volunteers need to take responsibility for their decision to volunteer.

Motion made to move the volunteer waiver forward for discussion.

Motion: Chuck, Second: Joey – Motion Approved: 5 ayes, 0 nays.

The board proceeded to debate the proposal. In answer to Dick's question, the volunteer liability waiver is not a requirement from our insurance provider. Any volunteer who chooses to sue BLCSD is in essence suing ourselves. Chuck asked if the proposed waiver is for clarity only and does not protect against a possible lawsuit, why do we need the waiver? Gus responded that the waiver provides full transparency that volunteers are expected to take ownership for their activity should injury/loss occur. Bill added that it is commonplace to sign waivers for all sorts of activities, but this does not mean that one signs their rights away. He feels waivers are important because it makes clear to volunteers the district's expectations for them to be prepared by outfitting themselves with proper protective gear based on the activity. Chuck advised that we need to change the wording of 'waiver'. Joey added that the National Park Service calls their form 'Acknowledgement of Inherent Risks'. Bill, Chuck and Gus like this wording. Bill likes some of the language from the Trinidad Coastal Land Trust Liability Release Form. Val thinks we need to contract out dangerous activities and he personally is not willing to sign a volunteer waiver. Gus feels it important to have a formal acknowledgement between community members that we take ownership for our actions. Dick agrees that our original language needs to be reworked. Chuck wondered if there are affordable liability policies available and Dick replied that would apply only to employees and it would be workers comp, which is to avoided at all costs. Louise emphasized the importance to make it clear to volunteers that our insurance does not provide medical coverage. Bill concluded that we will revisit this in September and that he and Gus will work together on rewording the language. Margie feels that this has been an excellent exploration and discussion and it is important for us to take responsibility to manage our water district.

**NEW BUSINESS** (Public may comment by raising hand after Board discussion)

### **14. Drought Emergency Conservation Measures (Chuck)**

Chuck feels it is important for us to explore possible actions that our water district can take to mitigate the longstanding drought. He will head a work group to explore this topic. To invite others to join this group, Chuck will send Mara the invitation. She will send an email out to the community and Joey will also post the invite on the website. Dick let Chuck know that CA Water Resources Board has a water conservation portal on their website. Joey will also send Chuck water conservation info from McKinleyville CSD.

**15. Backflow Devices (Gus)**

Gus will provide a report in October.

**16. PUBLIC COMMENT**

Any member of the public may address the Board on any item that is not on the agenda. By law, the Board cannot take action on items that are not on the agenda.

Margie expressed her appreciation for all the good work provided by our board members and volunteers.

Val suggested we hire John Morgan as a consultant regarding the best way to approach the issue of new valve connections. He has 25 years experience and is held in high esteem. Gus will follow up with Val and make contact with John to undertake a survey sometime soon.

**17. Future Agenda Items From Board Members**

Dick feels we should add a budget line item for a capital improvement account (to cover back flow device/meter update). Bill will work with Dick and Gus to make sure the agenda item is described correctly.

Gus will reach out to Kathy Richards (Badger) to see if she will make a presentation at our September meeting. If she agrees, Bill will add her to the agenda.

**18. Adjourn**

With no other business, the Chair adjourned the meeting at 7:16 PM.

The next regular meeting will be Saturday September 18<sup>th</sup> at 6 PM via Zoom.

Submitted by Mara Friedman, Board Secretary