SWEETWATER SPRINGS WATER DISTRICT

BOARD OF DIRECTORS MEETING

MINUTES*

(*In order discussed)

Board of Directors Meeting
August 2, 2012
6:30 p.m.

Board Members Present:	Victoria Wikle Sukey Robb-Wilder Gaylord Schaap Richard Holmer Jim Quigley
Board Members Absent:	(None.)
Staff in Attendance:	Steve Mack, General Manager Julie A. Kenny, Secretary to the Board
Others in Attendance:	Mike Gogna, Meyers Nave et al. David Warner, Meyers Nave et al.

I. CALL TO ORDER

The properly agendized meeting was called to Order by President Sukey Robb-Wilder at 6:32 p.m.

II. CHANGES TO AGENDA and DECLARATION OF CONFLICT (6:32 p.m.)

(None.)

III. CONSENT CALENDAR (6:33 p.m.)

Director Schaap moved to approve the Consent Calendar items as submitted. Director Wikle seconded. Motion carried 5-0, except that Director Quigley abstained from voting on Item III-A (Minutes of the July 7, 2012 Board Meeting) because he was absent at the meeting. The following items were approved:

A. Approval of the Minutes of the July 5, 2012 Board Meeting

B. Approval of Operations Warrants/Online payments/EFT payment

C. Receipt of Item(s) of Correspondence:

D. Letter dated July 25, 2012 from California Department of Public Health re 2012 Annual Inspection (of Guerneville Water System)

IV. PUBLIC COMMENT (6:34 p.m.)

(None.)

V. ADMINISTRATIVE (6:34 p.m.)

A. **(6:34 p.m.) Public Hearing; Discussion/Action re Approval of Resolution 12-14, Overruling Protests and Confirming Report on Annual Flat Charges for the Sweetwater Springs Water District.** The GM provided a brief overview of this item. President Robb-Wilder opened the Public Hearing at 6:35 p.m. There were no comments, so she closed the Public Hearing. Director Wikle moved to approve Resolution 12-14, Overruling Protests and Confirming Report on Annual Flat Charge for Sweetwater Springs Water District. Director Quigley seconded. Motion carried 5-0.

B. **(6:37 p.m.) Discussion/Action re Res. 12-15, Appointing David Warner as District counsel.** The GM provided an overview of this item. Director Holmer moved to approve Resolution 12-15, Appointing David Warner as General Counsel. Director Quigley seconded. Motion carried 5-0.

C. **(6:47 p.m.) Discussion/Action re FY 2011-12 4th Quarter Actual vs. Budgeted Operations and Capital Expenditures and County Balances.** The GM provided an overview of this item. Board questions and discussion ensued. No action was taken.

D. **(7:02 p.m.) Discussion/Action re Resolution of Crystal Communications lease issues and purchase of radios.** The GM provided an overview of this item. Board questions and discussion ensued. No action was taken.

E. **(7:10 p.m.) Discussion/Action re Rio Vista Terrace saddle failures.** The GM provided an overview of this item. Board questions and discussion ensued. No action was taken.

F. **(7:25 p.m.) Discussion/Action re Compensation for Board members.** The GM provided an overview of this item. Board questions and discussion ensued. No action was taken, but this item was calendared for discussion at the September meeting.

G. **(7:48 p.m.) Discussion/Action re Board and General Manager Goals and Objectives focusing on Goal 6.** The GM provided an overview of this item. Board questions and discussion ensued. No action was taken, but this item was calendared for discussion at the October meeting.

VI. GENERAL MANAGER'S REPORT (8:27 p.m.)

The General Manager reported on the following items:

1. Laboratory testing
2. Water Production and Sales
3. Leaks
4. Russian River Flow at Hacienda
5. 2013 CIP
6. USDA Financing
7. Toilet Rebate/Direct Install Program
8. In-House Construction Projects
9. California Department of Public Health Inspection (DPH)
10. Vacation
11. Gantt Chart

VII. BOARD MEMBERS' ANNOUNCEMENTS/COMMENTS
(8:34 p.m.)

(None.)

VIII. CLOSED SESSION (8:34 p.m.)

At 8:34 p.m. President Robb-Wilder announced the items for discussion in Closed Session. Discussion ensued about Item VIII-C, Conference with Labor Negotiator re General Manager. The District Negotiator was changed from Board President to Legal Counsel.

** At 8:43 p.m. the Board took a brief recess. The meeting reconvened at 8:48 p.m.

The Board went into Closed Session at 8:48 p.m. At 9:33 p.m. the meeting reconvened and the following actions on Closed Session items were announced:

A. **Conference with Legal Counsel – Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9. Number of cases: 1**
Direction was given to staff and legal counsel.

B. **Conference with Legal Counsel – Existing Litigation, pursuant to subd. (a) of Section 54956.9.**
Name of case: <u>John Bruce Berry, et al. v. F. Korbel & Bros. et al.</u>
Direction was given to legal counsel.

C. **Pursuant to Gov. Code Section 54957.6 – Conference with Labor Negotiator**
District Negotiator: Legal Counsel
Unrepresented Employee: General Manager
Direction was given to District Negotiator.

IX. ITEMS FOR THE NEXT AGENDA (9:30 p.m.)

1. Board compensation
2. Crystal Communications
3. Rio Vista saddle issue
4. Minutes format
5. Closed Session – GM evaluation

ADJOURN

The meeting adjourned at 9:37 p.m.

Respectfully submitted,

Julie A. Kenny
Clerk to the Board of Directors

APPROVED:

Victoria Wikle: _____
Gaylord Schaap: _____
Sukey Robb-Wilder: _____

Jim Quigley: _____

Richard Holmer _____