

NIPOMO COMMUNITY SERVICES DISTRICT

MINUTES

APRIL 7, 2004

REGULAR MEETING 9:00 A.M.

BOARD ROOM 148 S. WILSON STREET NIPOMO, CA

BOARD MEMBERS

MICHAEL WINN, **PRESIDENT**
JUDITH WIRSING, **VICE PRESIDENT**
ROBERT BLAIR, **DIRECTOR**
CLIFFORD TROTTER, **DIRECTOR**
LARRY VIERHEILIG, **DIRECTOR**

STAFF

DOUG JONES, **GENERAL MANAGER**
LISA BOGNUDA, **ASSISTANT ADMINISTRATOR**
DONNA JOHNSON, **BOARD SECRETARY**
JON SEITZ, **GENERAL COUNSEL**

The Nipomo Community Services District's mission is to provide the citizens of the District with quality, innovative, and cost-effective services through responsive and responsible local government to meet the changing needs of the community.

NOTE: *All comments concerning any item on the agenda are to be directed to the Board Chairperson. Consistent with the Americans with Disabilities Act, NCSB Board agendas and other writings will be made available to disabled persons in an appropriate alternate format. (If assistance is needed, please contact the District office at least two days before the meeting.)*

A. CALL TO ORDER AND FLAG SALUTE

President Winn called the meeting to order at 9:00 a.m. and led the flag salute.

B. ROLL CALL

At Roll Call all Board members were present.

C. PUBLIC COMMENTS PERIOD

PUBLIC COMMENTS

Any member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction, provided the matter is not on the Board's agenda, or pending before the Board.

Presentations are limited to three (3) minutes or otherwise at the discretion of the Chair.

There was no public comment.

C-1) SHERIFF LT. MARTIN BASTI, COMMANDER OF SOUTH COUNTY SHERIFF STATION

Presentation of sheriff activities in the Nipomo area

Sheriff Basti reported to the Board that there were a couple of commercial robberies this past month. There are plans to apply identification tags to farm equipment.

There will be a memorial service in May for officers who lost their life in the line of duty.

Lt. Basti will report to NCSB at the second meeting in May instead of the first.

There will be a Law Enforcement Special Olympics Torch Run. It will be in Nipomo

Tues. June 8. Law Enforcement Officer's raise money for Special Olympics.

President Winn asked Lt. Basti if a list of crimes is available. Lt. Basti will get the information to the District soon.

D. ADMINISTRATIVE ITEMS (The following may be discussed and action may be taken by the Board.)

D-1) WORKERS COMP – CONTRACT WITH SPECIAL DISTRICT WORKER'S COMPENSATION ASSOCIATION (SDWCA)

Review and consider resolution to contract with SDWCA Worker's Comp Program

The Board discussed possible participation in the SDRMA Workers' Compensation Program.

Director Wirsing made a motion and Director Trotter seconded to participate in the SDRMA workers' compensation program.

The following members of the public spoke:

Bonnie Eisner, workplace insurance representative - stated that she manages a workers' comp group with floor covering and asked the Board if they had looked into Capture Programs for the workers' comp. The rates are significantly lower.

Director Wirsing withdrew the motion and Director Trotter withdrew the second.

Upon motion by Director Vierheilg and seconded by Director Wirsing, the Board agreed to table this item until the May 12th meeting to give time to check about other insurance programs. Vote 5-0.

- D-2) DISTRICT INJURY AND ILLNESS PREVENTION PROGRAM (IIPP)
Introduction and review of revised District IIPP

The Injury and Illness Prevention Program was introduced and discussed. The Board will put comments in writing and submit before the May 12, 2004, meeting.

There was no public comment.

Upon motion by Director Vierheilig and seconded by Director Wirsing, the Board agreed to circulate the draft of the IIPP to employees for questions and comments. Vote 5-0.

President Winn commended staff for the work on this document and asked that it be noted in the Minutes.

E. OTHER BUSINESS

- E-1) PUBLIC RECREATION (PARKS)
Review the possibility of NCS D's activation of Public Recreation Powers

The Board discussed the possibility of activating its park powers.

There was no public comment. There was no action taken.

Director Trotter suggested that the Board respond to requests but not initiate park powers.

- E-2) REQUEST BIDS TO CONSTRUCT AND TEST HERMRECK WELL
Requesting bids to reconstruct the existing Hermreck Well

The Board discussed the possibility of reconstructing the Hermreck Well. There was no public comment. Upon motion by Director Trotter and seconded by Director Wirsing, the Board authorized the District to go out to bid to reconstruct the Hermreck Well and file a Notice of Exemption. Vote 5-0

F. CONSENT AGENDA *The following items are considered routine and non-controversial by staff and may be approved by one motion if no member of the Board wishes an item be removed. If discussion is desired, the item will be removed from the Consent Agenda and will be considered separately. Questions or clarification may be made by the Board members without removal from the Consent Agenda. The recommendations for each item are noted in parenthesis.*

- F-1) WARRANTS [RECOMMEND APPROVAL]
F-2) BOARD MEETING MINUTES [RECOMMEND APPROVAL]
Minutes of March 24, 2004, Regular Board meeting
F-3) RES. 2004-993 GRANTING A VARIANCE FOR SEWER LATERALS-TR 2456 (KING VENT) [REC APPROVAL]
Request to construct common sewer laterals for a 41-lot development (continued from 3-24-04)

**RESOLUTION NO. 2004-893
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
GRANTING A VARIANCE FOR THE
SEWER LATERALS FOR TRACT 2456, PHASE II (KING VENTURES)**

- F-4) ACCEPTANCE OF WATER IMPROVEMENTS - TRACT 2266 (NEWDOLL) [RECOMMEND APPROVAL]
Resolution accepting water and sewer improvements for Tract 2266

**RESOLUTION NO. 2004-894
A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER AND SEWER IMPROVEMENTS
FOR THE FOR TRACT 2266 (NEWDOLL)**

There was no public comment.

Upon motion by Director Blair and seconded by Director Vierheilig, the Board approved the Consent Agenda. Vote 5-0

G. MANAGER'S REPORT

G-1) REQUEST ATTENDANCE AT ANNUAL CSDA-SLO MEETING

Doug Jones, District General Manager, asked the Board who might attend the annual CSDA-SLO meeting, April 23, 2004 at 6:00 p.m. in Oceano. All Board members plan to attend.

H. COMMITTEE REPORTS

There were no committee reports.

I. DIRECTORS COMMENTS

The directors had the following comments.

Director Trotter read a statement into the record that he planned to read at the SLO County Board of Supervisors meeting today. A copy is attached.

Director Wirsing stated her thanks to Donna Mills for supporting Nipomo at the meeting last night.

Director Vierheilig stated that the Board needs to pursue supplemental water. He suggested starting a fund for a desalination plant.

Director Blair stated that he will go along with Director Trotter for a moratorium. He also thanked Donna Mills for her support.

President Winn stated that there will be a WRAC meeting this afternoon at the Agriculture Commission Bldg. He plans to be speaking at the meeting.

Water Planning Area #6 shows more water available than actually exists.

He also agrees that a de-sal plant needs to be pursued.

HSA

Sat. April 10 there will be a greenhouse growers annual open house in Nipomo.

There are 2 -3 million dollars in Quimby fees available to be used for capital improvements in Nipomo.

There will not be a Closed Session today.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9

- A. SMVWCD VS NCSD SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES.
- B. ANTICIPATED LITIGATION, ONE CASE GC §54958.9

ADJOURN

President Winn adjourned the meeting at 10:25 a.m.

The next regular Board meeting will be April 28, 2004.