

NIPOMO COMMUNITY SERVICES DISTRICT

AUGUST 4, 2004

10:00 A.M

MINUTES

REGULAR MEETING

BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT

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 10:07 a.m. and led the flag salute.

B. ROLL CALL

At Roll Call, the following Board members were present.
Directors Vierheilig, Wirsing and Winn. Director Blair arrived at 10:10 a.m.
Director Trotter had a planned absence.

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.

C-1) SHERIFF COMMANDER MARTIN BASTI, COMMANDER OF SOUTH COUNTY SHERIFF STATION
Presentation of sheriff activities in the Nipomo area
Commander Basti is on vacation and will return next month.

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

D-1) BACKYARD BURNING – LIMITED BACKYARD BURN COMMITTEE - HOFF
Mr. Hoff, Chair of BBC will address the District on green waste and burning

Mr. Greg Hoff, Chairman of the Rural Fire hazard Removal Committee spoke to the Board. He stated that the two year extension given by the APCD for stopping backyard burning sunsets September 1st. The committee is trying to have a public meeting with APCD to discuss the burning issue.

The following member of the public spoke:

Istar Holliday, outside District resident (Sheridan Rd.) – stated that the chipping and shredding of green waste has not worked out. She asked for an open forum for discussion.

Ed Eby, NCSB resident – agrees that a public meeting should be held to include APCD.

Earl Gufstason – outside District resident, Northview Ave. – urges the Board to help find a better way to dispose of green waste than chipping, etc.

F. Fisher, outside District resident - President of the Backyard Burning Committee – urges the Board to support their efforts.

President Winn part of a note from Ms. L. J. Hansen stating that to prevent the spread of disease in the trees, the waste should be burned.

Dick Mobraaten, NCSB resident – stated that he is in favor of burning. The rules for a State agency (CDF) should be the same in SLO County as in other counties (e.g. Tuolumne County).

D-1) BACKYARD BURNING – LIMITED BACKYARD BURN COMMITTEE – HOFF (CONTINUED)

Director Blair agreed that diseased plants need to be burned to control disease. There needs to be a consistent policy.

Director Vierheilig this committee developed seven alternatives to burning which do not seem to be working.

Upon motion of Director Wirsing and seconded by Director Blair, the Board agreed to direct staff to write a letter to APCD with a copy to Supervisor Achadjian.

D-2) WATER RATE STUDY

Review Board committee on selecting a consultant for a rate study

Director Vierheilig explained that he and Director Trotter reviewed the proposals from three firms to perform a Rate Study for the District. They suggested The Reed Group, Inc. for the contract.

There was no public comment.

Upon motion of Director Vierheilig and seconded by Director Wirsing, the Board directed staff to prepare a contract agreement for a District rate study with The Reed Group, Inc. and authorize a budget adjustment of \$20,000 from reserves to cover the cost of the study.

Vote 4-0

E. OTHER BUSINESS

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 July 26, 2004, Special Board meeting

Minutes of July 28, 2004, Regular Board meeting

Director Wirsing asked about Item E-1 from the July 28, 2004, meeting. The Board discussed some items on the warrants. There was no public comment.

Upon motion of Director Blair and seconded by Director Vierheilig, the Board unanimously approved the Consent Agenda. Vote 4-0

G. MANAGER'S REPORT

Doug Jones, District General Manager, stated that the contractor for the waterline across the park and in Camino Caballo has executed the contract and has received the notice to proceed.

The well driller will begin abandoning the existing Hermreck Well soon.

H. COMMITTEE REPORTS

I. DIRECTORS COMMENTS

Director Vierheilig noticed the equipment ready for the waterline across the park.

Director Blair stated that the County Fire Dept is trying to change the fire regulations in the Summit Station area. The system was designed for a 500 gpm and storage was allowed. The proposal is not to allow storage and a requirement for 1000 gpm for the existing services and the Robertson annexation. He suggested that we need clarification with County Planning.

President Winn stated that CSDA sent information on the State Budget in relation to ERAF-3.

He noticed that the well at Rancho Road and S. Thompson is being pump-tested.

WRAC meets today at 1:30 in SLO. On the agenda is well monitoring on the Nipomo Mesa. He encouraged people to attend.

He would like to see a progress update on the Dana Wells at every meeting.

October Festival to be held on Oct. 9th. He proposes that if Directors Wirsing or Trotter wish to staff an NCSD booth, neither Director Blair nor Winn should be involved because they are running for re-election.

He proposes a Special Meeting for Friday, August 6th for General Manager contract approval.

The following member of the public commented on the items on the Closed Session for Friday. Ed Eby NCSD resident - asked if the public will have time to review the items on the agenda after the Closed Session for Friday. Mr. Seitz answered that only the agenda needs to be posted 24 hours in advance for a Special Meeting.

Jon Seitz, District Legal Counsel, announced the need to go into Closed Session to discuss the following:

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL Pending Litigation GC§54956.9
SMVWCD VS NCSD SANTA CLARA COUNTY CASE NO. CV 770214 AND ALL CONSOLIDATED CASES.
- B. ANTICIPATED LITIGATION – TWO CASES – GC§54956.9

The Board came out of Closed Session and had no reportable action.

ADJOURN

President Winn adjourned the meeting at 11:32 a.m.

The next regular Board meeting will be August 25, 2004.