

**BROOKTRAILS TOWNSHIP COMMUNITY SERVICES DISTRICT  
BOARD OF DIRECTORS  
Tuesday, September 26, 2006**

The Board of Directors of Brooktrails Township Community Services District met in regular session on September 26, 2006 at 7:02 p.m. at the Brooktrails Community Center.

**A. PLEDGE OF ALLEGIANCE**

**B. ROLL CALL**

Roll call showed the following directors present: Williams, Ziady, and Orth. President Skezas and Vice-President Horrick were absent by prearrangement and therefore Director Orth presided. Also present were General Manager Chapman and District Counsel Neary.

**REPORT ON CLOSED SESSION**

Director Orth reported that the closed session originally scheduled for this meeting had been postponed to October 10, 2006 when all directors could be present.

**C. ADDITIONS/ADJUSTMENTS TO THE AGENDA**

Director Orth stated that the closed session was scheduled to review the General Manager's performance and contract and postponing that session meant the directors needed an action at tonight's meeting to extend the General Manager contract. Director Ziady moved to add such an action to the end of the Action Agenda; Director Williams seconded and the motion carried unanimously.

**D. MINUTES OF PREVIOUS MEETINGS**

1. September 9, 2006 Director Orth commented that on p. 3714 in the first sentence of the Willits Bypass discussion, the words "legal decision" should be replaced with the phrase "Supreme Court decision on wetlands" and the word "planning" should be replaced with "Federal agency decision-making." Director Ziady moved to approve the minutes as amended; Director Williams seconded. Bob Terry commented from the audience that he hadn't been at that meeting but that on p. 3716, second paragraph discussion on adding flashboards to Lake Ada Rose, it says it would add 2 acre feet. General Manager Chapman said the correct figure was 12 acre feet. The motion carried unanimously.

September 12, 2006 The minutes review and approval will be tabled to the next meeting.

**E. SPECIAL PRESENTATION**

None.

**F. PUBLIC HEARING**

None.

**G. PUBLIC COMMENTS**

Maria Bates of Spring Creek asked about the rationing mailing. Mr. Chapman advised it was sent out on Friday, September 22, and a copy of the letter was in the meeting packet. Further comments included Phil Brossamle who asked how many Brooktrails residents used the golf course. He felt the water could be better used and the course made a park. Director Orth responded we are working our way out of a water moratorium and there will be some tough years in the next five; we are giving warning to the community that next August we will declare a water emergency to allow construction of the rubber spillway. An alternative was private water tanks and we would be educating people on them in the future.

An audience member asked if there was a way to build the spillway without having to drain it. Director Orth said we couldn't discuss an item not on the agenda. Mr. Chapman said anyone with questions like this could discuss them with him any time on the phone or in his office.

Patricia Cornell asked for an explanation of the water supply graph. General Manager Chapman referred to the Richard Estabrook projections; he said since the last meeting, plant water production has dropped and this was a favorable sign. Ms. Cornell said she would not be able to have a garden with the rationing. Mr. Chapman said we anticipate restricting use to 5,000 gallons. Director Orth reminded the audience that the new water infrastructure will improve our situation over the next five years and we will end up better off than other areas. Maria Bates said for someone who is already using very little water, conserving more would be very difficult. Director Orth said this would be discussed more in the future. An audience member asked about rainwater collection and whether there were rules and regulations on this and was told yes. Ms. Bates said it is not cheap or simple to bring in water tanks and asked the Board to keep this in mind. Lastly, Mr. Karch (name inaudible) of Clover Drive wanted to know if the rumor were true that Mr. Chapman was building a swimming pool, and Mr. Chapman said he was. He further inquired about a water line breakage that that day caused by a 3.7 earthquake. He questioned how our crews could possibly fix the line since Mr. Chapman recently fired an employee.

**H. CONSENT CALENDAR**

2. Review of Accounts Payable report and authorization to issue checks. Director Ziady moved to approve payment of the outstanding invoice report; Director Williams seconded and the motion carried unanimously.

## I. ACTION AGENDA

3. Approve bidding process for repair to Golf Course sewer line. General Manager Chapman said that we were unsuccessful in our attempt to camera the line in August. He said we would have to place a manhole before the damage could be assessed, and that would have to be done as soon as possible. Later, depending on the situation, the actual line repair would be done and that might run \$20,000.00 - \$30,000.00. He said he asked for a FEMA extension on our case to allow us time to diagnose and complete the repair. This must be fixed before the rains come.

Ms. Bates asked how the golf course intersected with the sewer line. An audience member asked for more information about the water line break. Director Orth said it was the main transmission line between the two lakes. Mr. Chapman said our crew could and would fix it.

4. Review and approve District letter to CalTrans re: Willits Bypass. General Manager Chapman referred to Hal Wagenet's and Phil Dow of MCOG's recent appearances before the Board on this issue. A draft letter was proffered for approval supporting the letter sent by MCOG to CalTrans. Director Orth briefly reviewed the situation of possible downsizing of the bypass; the transportation bond issue on the November ballot should provide 100% funding for the bypass if it passes. He read the MCOG letter which opposed downsizing to two lanes for the audience. Director Ziady moved to approve sending the draft letter; Director Williams seconded.

Ellen Drell of the Willits Environmental Center took the podium and said actual traffic volumes have not increased as expected and are lower here than elsewhere; based on that, she has always supported a smaller facility than four lanes. She said she did support a bypass, one that provided a Brooktrails access and was safe, and that the research the Environmental Center and others had done supported the idea that a two-lane bypass would serve that function. She said the District at one time had supported a two-lane bypass and suggested that be mentioned in the District's letter.

District Counsel Neary suggested sending a copy to John Bama, Executive Director of the CTC, as it would be his decision on the funding. Director Orth said Charles Fielder, to whom the draft was addressed, had the responsibility for the environmental aspect. He said a bypass being built to federal standards would be four lanes. He felt truck traffic through Willits would increase in the next 10 years, and said you have to look at a 20-year potential lifecycle and allow for all issues, which are more than just how many vehicles move through town. He noted that the ridge road to Ukiah had been shut down twice due to overturned trucks. He said he understood the Environmental Center was not in favor of the rail proposal going through the Eel River Canyon up to the north either; Ms. Drell said not necessarily. Ms. Drell said we have dealt with all the issues, maybe not in a way acceptable to the Board, but they all have been part of the discussion. Director Orth said Brooktrails does have an extensive comments package from four years ago which he suggested everyone read. The motion carried unanimously.

**Added item:** The Directors returned to this item at the end of the meeting. District Counsel Neary said he believed it required four-fifths of the Board to add an item to the agenda and three-fifths to act on it; he suggested they go ahead and act on it although it might be invalid. Director Orth said because there were two directors not present and the review of the General Manager's contract had therefore been postponed, he was requesting a motion to temporarily extend the General Manager contract until the October 10 meeting. Director Williams so moved; Director Ziady seconded and the motion carried unanimously.

## J. ADDITIONS TO FUTURE AGENDAS

None.

## K. SPECIAL REPORTS

**From Directors:** Director Williams said he would not be here for the October 10 meeting. Director Orth said he would be discussing the Specific Plan ad hoc committee formation with General Manager Chapman.

**From District Counsel:** None.

**From General Manager:** General Manager Chapman reported that the question of the slip near the spillway near Lake Emily which had made the 15' raising that reservoir "improbable" has now been settled by a proposal to remove the slide itself — and use this loose clay as fill for the dam. He then described raising Lake Ada Rose 28' as well for the audience, and said if these projects were both successful we would have enough water for 3,600 homes. He said he has been working on the AES CEQA documents for the past two weeks. He pointed out the preliminary engineering report from Hanson Engineering and said he would have a meeting with Greg Aanestad of USDA Rural Development regarding financing the next day. He said there were some water conservation tips section on the website now, and that the next water bills will include total gallons used. He then referred to the state-required Sewer Spill Management Program mentioned in his report. Director Orth explained that the state was putting quite a few more requirements on sewer systems which will incur future costs. Director Ziady asked if any of these costs could be split with Willits. Lastly, Mr. Chapman said he had had several conversations with Marsha Wharff, who advised that if you voted by mail in the June election, you would automatically receive a mail

ballot for the fall election. Anyone who voted at the City of Willits in June would be eligible to vote at the Community Center this November, because we now have an ADA door which is very light to open. He expressed appreciation again to Dean Durbin for helping us with this project, and also gave kudos to our crew for installing the door.

**L. PUBLIC COMMENTS**

An audience member asked why we would want 3,700 homes in Brooktrails. Director Orth clarified that the new building would occur over 60 years. He added that the Specific Plan provided mechanisms to reduce buildout from 6,600 to 4,000. An audience member asked how well the lot merger program was going; Mr. Chapman said between lot mergers and lot donations were now around 350.

Ms. Bates asked about appealing Board decisions to a state court. District Counsel Neary said there is a very short statute of limitations for those decisions that can be appealed; some cannot. He clarified for Ms. Bates that you had to go to Superior Court. He said Mike Sweeney filed a suit without an attorney against the Redwood Valley Water District; he won and it is a leading water supply case, which started the line of cases which require that planning for water availability be done. Director Orth said management decisions have to go through a Board appeal process. Ellen Drell asked if the appeal had to be made within 30 days; District Counsel Neary and Director Williams said it is generally 90 days. Mr. Neary said there are certain CEQA decisions which may have a time as short as 35 days.

At this point the Directors were reminded of the outstanding added item of the General Manager's contract extension and returned to the Action Agenda to handle that.

**M. ADJOURNMENT**

Director Ziady moved to adjourn, and Director Orth declared the meeting of September 26, 2006 closed at 7:54 p.m.

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GEORGE SKEZAS, President

ATTEST:

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MICHAEL V. CHAPMAN