

**BROOKTRAILS TOWNSHIP COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
Tuesday, April 10, 2007**

The Board of Directors of Brooktrails Township Community Services District met in regular session on April 10, 2007 at 7:05 p.m. at the Brooktrails Community Center.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Roll call showed the following directors present: Williams, Ziady, Orth, Horrick and Skezas. Also present were General Manager Chapman and District Counsel Neary.

REPORT ON CLOSED SESSION

District Counsel Neary reported that the Board met with counsel and gave direction and also met with its labor negotiator, Mike Chapman.

C. ADDITIONS/ADJUSTMENTS TO THE AGENDA

None.

D. MINUTES OF PREVIOUS MEETINGS

1. March 17, 2007. Director Orth moved to approve the minutes; Director Horrick seconded and the motion carried unanimously.

2. March 27, 2007. Director Orth moved to approve the minutes; Director Horrick seconded and the motion carried unanimously.

E. SPECIAL PRESENTATION

3. John Pinches, Third District Supervisor, Mendocino County Board of Supervisors – Second Access Road. Mr. Pinches spoke at length about the four-lane Willits Bypass. He thought the project was dead, but also felt confident about getting a two-lane bypass around the city. If this were done within the contemplated environmental footprint we would need only \$55-\$60 million. Turning to Brooktrails second access, he said the next step was to conduct a traffic flow study. Mr. Pinches felt additional funding would not be needed from Brooktrails, although he couldn't guarantee that; it depended on the cost of the project. The second access was at the top of the County's list for federal funding. If we don't acquire a Willits 101 bypass, however, the probability is that the second access road would go back to the south via Highway 20. Mr. Pinches then distributed public comments sheets for use by directors and staff and a letter from the County Department of Transportation to the Board of Supervisors.

Speaking on the second access road, General Manager Chapman reminded the Board that Doug Ellinger (a DOT engineer, now retired), said in 2003 the second access road would be about 3.2 miles at a cost of about \$4.2 million, this route being located just south of the airport and tying into Wild Oak Canyon and continuing down to Highway 101 about a mile north of the City of Willits. Mr. Pinches felt the cost wouldn't double every three years or so like most projects. Mr. Pinches said the first CTC meeting this June would be a determining factor; CalTrans is ready right now to acquire rights-of-way and they want to know, so this will not drag on.

Director Orth described a meeting last week where CalTrans had presented the parties with a highly simplified two-lane proposal that would lead to the four-lane project; he said it seemed to him they were really required to go the four lanes; they hadn't included the safety features that were needed with a two-lane. He said the environmental lifespan for the project to be built was about 20 years. Director Orth suggested impact fees as a way for the County to pay for increased infrastructure. Director Ziady said if we have an access road going down to Hwy. 20, but have a fire record of coming up from Hwy. 20 as has historically occurred, we will have a problem.

Mr. Pinches commended the District for taking action on its water supply and said most entities, including the County, have stuck their heads in the sand. He announced a county water workshop on Monday, April 23, 1:30 p.m., and said that the Governor was going to introduce a bond issue next year for water storage. Robert Melliush said that our dam projects were too costly for us to pay for ourselves, and that the County needed to chip in some money. Mr. Pinches responded that there was no extra County money to spend.

Switching gears, Mr. Pinches then discussed the Dos Rios project idea as one he would like to get on that list. Director Orth said that the state will drag its heels on any application for on-stream storage, and the County would fare better if it located sites for off-stream storage. Discussion then followed about the water problem in the City of Willits and its plan to shut down its bulk water fill station. Director Orth said our water rights application must address this issue.

Changing the subject, Mr. Pinches said the County was looking into defining water rights in Lake Sonoma. Lake Sonoma was built for the benefit of both Sonoma and Mendocino Counties, and we are entitled to share any extra water. It turns out, Mr. Pinches continued, that the Sonoma County Water

Agency has been selling the extra water to Marin County, at least 10,000 customers. He felt we would either get some water, or some money to deal with our water issues. Lastly, Mr. Pinches said that under California water law you can't hoard water, which is what Sonoma County was doing, and he said Mendocino County will call them on that.

Mr. Pinches said he wanted in future to see the County act as Brooktrails' "best partner." He asked to be called any time he can help, and once again applauded the District's efforts for its work on improving its water supply, saying it was head and shoulders above anyone else in the area. The directors thanked and applauded him.

F. PUBLIC HEARING

None.

G. PUBLIC COMMENTS

None.

H. CONSENT CALENDAR

3. Review of Accounts Payable report and authorization to issue checks. Director Horrick moved to approve payment of the outstanding invoice report; Director Orth seconded. The motion carried unanimously.

I. ACTION AGENDA

4. Consideration of Recreation Committee recommendations for Ohl Grove. General Manager Chapman explained that this matter was related to the next agenda item, the adoption of goals and objectives. Chair Ziady said the committee has some volunteers willing to work on the building projects and then described the plans for reconstruction. The demolition and removal of dangerous conditions would not be of significant cost. She then explained that we have a handicapped parking lot and bathroom now, and we needed to make sure that handicapped people can access them.

Director Orth moved that the recommendations of the Recreation Committee be adopted as changes to the Goals & Objectives. Director Horrick seconded. President Skezas asked if Director Orth were including bath house restoration; Director Orth said yes, his motion meant the goals as listed. President Skezas said this wasn't in the budget. Director Ziady said they were asking to encumber Recreation money from their fund. President Skezas said he had no problem with them putting the recommendations in the goals, but did have with them putting them in the budget without looking at it. The motion carried unanimously.

5. Adoption of Goals & Objectives FY 2007-08. President Skezas asked for a motion on the goals and objectives as just modified. Director Orth so moved; Director Horrick seconded and the motion carried unanimously.

6. Review of 2007 Annual Newsletter/Approve Costs General Manager Chapman requested comments from the Board on the draft presented, saying we would like to keep it to four pages this year at a mailing cost of about \$3,200.00. Director Ziady said when talking about de-silting Lake Emily, there was a lot of public concern about preventing re-silting, and asked if something could be put in about that. Regarding the second access road, could we put in a statement saying we are actively lobbying for it. Director Orth said he wanted to address that, having just had a report from John Pinches, and the state having now approved the environmental document that would allow the County to go forward. He said we need to rewrite that section, and he would be glad to do this. President Skezas said the description of how water would move from Lake Emily to the plant to Lake Ada Rose was confusing and created the impression that we'd be putting processed water into Lake Ada Rose. President Skezas said in the second line from the bottom in the Third Dam section, the word "probably" should be deleted. He said also regarding grant money that it should not be phrased that "we" were approved, because it was the Fire Safe Council that was approved for work in Brooktrails. President Skezas requested a motion to authorize the General Manager to amend and produce the newsletter and authorizing costs of up to \$3,200.00. Director Orth so moved; Director Ziady seconded. The motion carried unanimously.

7. Introduce draft Ordinance setting Sewer Standby Charge and schedule public hearing for April 24, 2007. Director Orth moved to introduce the ordinance, waive further reading, and schedule a public hearing for April 24, 2007. The ordinance would establish a \$50.00 charge per parcel for sewer standby for the coming fiscal year. Director Horrick seconded. Roll call vote was as follows:

AYES:	Directors:	Williams, Ziady, Orth, Horrick, Skezas
NOES:	Directors:	None
ABSENT:	Directors:	None

8. Introduce draft resolution setting Water Availability Charge and schedule public hearing for April 24, 2007. General Manager Chapman explained this would establish a \$30.00 water availability charge for an undeveloped lot and a \$5.00 water availability charge for a developed lot for the coming fiscal year. Director Orth moved to schedule a public hearing for April 24, 2007 to consider a resolution fixing fees as described above. Director Horrick seconded. Director Williams asked why sewer and water were

charged differently, and why the process was different. District Counsel Neary explained they are authorized under different codes, and that the 1980 Board had created the dichotomy between developed and undeveloped lots, which now is almost impossible to change due to Prop. 218. The slack is picked up in the base rate, to cover items typically funded with water availability charges. Director Williams asked if it would be a good time to address the dichotomy during the water projects 218 election. General Manager Chapman referred to page 3 of the budget book which explained the difference between this type of assessment fee and user charges. District Counsel Neary said the notion that you can have a base rate function as almost the equivalent of an assessment raised some potential problems, because water rates are subject to Prop. 218, and he felt the matter would be raised before too long. Mr. Chapman said he could justify the base rates at the budget meeting. Roll call vote was as follows:

AYES:	Directors:	Williams, Ziady, Orth, Horrick, Skezas
NOES:	Directors:	None
ABSENT:	Directors:	None

9. Receive draft Budget for FY 2007-08 and schedule public hearing for June 12, 2006. Mr. Chapman said the current proposed budget is \$4,659,958.00. He said he would address the \$100,000.00 sewer issue raised by the Finance Committee at the budget meeting. Director Orth moved to schedule the public hearing for June 12, 2006; Director Ziady seconded and the motion carried unanimously.

10. Consideration of agreement with Sage Software for direct deposit of employee payroll checks. General Manager Chapman said this has become a standard practice in the industry. First year cost was \$518.40; annually thereafter \$499.20. The proposed resolution approving this included authorizing signing of an agreement with Sage Software for processing through the bank. Director Orth moved to approve Resolution 2007-6 authorizing the use of Peachtree Direct Deposit, approving the use of ACH debits to our Bank of Willits checking account and authorizing the General Manager to sign the agreement with Sage Software. Director Horrick seconded. President Skezas commented the Board had considered this idea several years ago. Roll call vote was as follows:

AYES:	Directors:	Williams, Ziady, Orth, Horrick, Skezas
NOES:	Directors:	None
ABSENT:	Directors:	None

J. ADDITIONS TO FUTURE AGENDAS

None.

K. SPECIAL REPORTS

From Directors: Director Ziady asked that a letter be sent to Fire Safe Council and to CalFire thanking them for their work on the grant application. Mr. Chapman said this could be done as an administrative letter. Director Orth spoke about the Willits Bypass matter and said we will know in June.

From District Counsel: None.

From General Manager: General Manager Chapman said approval of our 1600 permit for the rubber spillway project was expected April 23, 2007. This will trigger our 401 permit process; we will go back to the Division of Dam Safety. At least five engineers would be visiting the project site this week during the barge core drilling. He said we will monitor the water level at all times as we could not afford to have any water go over the spillway.

Barbara Plaza asked what would happen if it did; Mr. Chapman said the project would be stopped. Mr. Melluish also explained to her that the District didn't want to increase turbidity in the creek, and if the water spilled over it could affect the fish that way. Mr. Melluish described the bypass valves that we can use to retain the level. Ms. Plaza continued to speculate that it could happen and said she would be watching it all.

L. PUBLIC COMMENTS

Ms. Plaza asked how many votes it took to make the rubber spillway project go through. Director Orth said it took a majority of the Board. Ms. Plaza asked if all of the people who owned houses were actually in the room. She said it was only three votes and the votes of residents don't count. In angst she left the meeting.

M. ADJOURNMENT

Director Horrick moved to adjourn, and President Skezas declared the meeting of April 10, 2007 closed at 8:35 p.m.

GEORGE SKEZAS, President

ATTEST:

