

**BROOKTRAILS TOWNSHIP COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
Tuesday, April 22, 2008**

The Board of Directors of Brooktrails Township Community Services District met in regular session on April 22, 2008 at 7:00 p.m. at the Brooktrails Community Center.

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

Roll call showed the following directors present: Ziady, Orth, and Skezas. Also present was General Manager Chapman. Director Horrick arrived at 7:01 p.m. District Counsel Neary arrived at 7:15 p.m. Director Williams arrived at 7:12 p.m.

REPORT ON CLOSED SESSION

See Closed Session entry at end of minutes.

C. ADDITIONS/ADJUSTMENTS TO THE AGENDA

The question of adding a possible emergency item in closed session at the end of the meeting was deferred until District Counsel's arrival. Addition of the item was addressed after the Fire Department report presentation. Mr. Neary said Section 54956.9(c) would be the appropriate section reference for a closed session. Director Orth moved to add a closed session at the end of tonight's meeting to discuss potential litigation pursuant to Section 54956.9(c); Director Ziady seconded. Roll call vote on the motion was as follows:

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

D. MINUTES OF PREVIOUS MEETINGS

1. April 8, 2008. Director Orth asked that on page 3856, Special Reports from Directors, the words "for financing public projects" be deleted and the words "the Mendocino County Energy Authority JPA." With this change, he moved to approve the minutes of the April 8th meeting. Director Ziady seconded and the motion carried unanimously.

E. SPECIAL PRESENTATION

2. Award to Eddie, the Arson Dog. Fire Chief Schoeppner reviewed Eddie's career of service as an arson dog. He explained that Eddie had been recently diagnosed with lymphoma and therefore retired from service effective April 1. His services have been covered by donation; the District has only had to cover Chief Schoeppner's training and time involved in Eddie's training. President Skezas presented an award plaque honoring Eddie for his service to the community and Eddie was brought out to general applause and photographs were taken.

3. Annual Fire Report. Fire Chief Daryl Schoeppner described various incidents of firefighting and rescue from 2007 and showed slides. The fire engine was refurbished and Chief Schoeppner thanked the Board for going to this expense; it is now being made fully OSHA-compliant. He acknowledged the staff, the Board and the General Manager's support for community fire safety. We now have a full roster of 20 but will lose a couple who are CalFire employees during fire season. He thanked Captain Noyer and Leslie Quinn for their dedication to the abatement program; we are writing 1,600 notices a year, he said, and you can see the results in the opening up of the landscape. Fire loss totaled \$25,000.00 (vehicle).

Chief Schoeppner reviewed future goals. He said hazard abatement is a constant battle and hopefully will get easier year by year. The Department will continue to work with Brooktrails CERT. The County will provide a container for disaster supplies but we must fill it with the supplies. We will go in together with Willits on one and place it at the airport.

Work with the Fire Safe Council will continue and he is impressed with the work the inmates are doing; some private contractors will also be hired when the inmate crews are occupied elsewhere during fire season. Our Fire Department received about \$19,000.00 from the County's "172" money last year from the approximately \$500,000.00 distributed to the joint fire departments. Chief Schoeppner said we have gotten the lion's share of the grants to this point but we are not the only fire district in the County and he felt grants would go to others now.

Chief Schoeppner wrote another grant this year for a water tender under the Assistance to Firefighters grants as we did not get a grant last year. Captain Noyer is now writing grants also and has written one for communications equipment. We just completed a CalFire grant for wildland firefighting gear and should hear by July. An issue that needs addressing is that we have no water rescue equipment;

we would have to call Little Lake under mutual aid in such a situation to bring out their boat. We would look to the Firefighters Association for help with part of this. We know people do swim in the lake, although this is not allowed.

The annual table top meeting will be held in late May. Director Orth asked about earthquake evacuation plans, in light of the dam construction and the increase in earthquake activity. Chief Schoeppner said there really isn't anything and he and Mr. Chapman need to look at this.

Chief Schoeppner said we need to replace the truck Captain Noyer is driving (#5401), which was a PG&E donation and now has 188,000 miles. It needs to have a foam tank on it; the duty officer will be in this vehicle and with foam can accomplish more. This could be done under a lease purchase contract.

Chief Schoeppner addressed tree removal permits, showing an example of a lot that had been almost clearcut, with no permit. He contended that the Fire Department cannot enforce something there is no policy for. The Fire Department is trying to enforce defensible space, which people see not as limbing a tree, but rather as taking it out. Chief Schoeppner also showed a treehouse sided with wooden shakes. This also needs to be addressed. We are also finding incidents of people cutting trees for marijuana crops. He stressed tree cutting over 6 inches is increasing, including on the greenbelt, and is brazen. He said the people doing this also leave the debris and this increases the fire load. The most recent incident involved cutting on the greenbelt of 16 merchantable trees and secondary falls from when the big trees came down. President Skezas noted that this was just information and we are not acting on this question.

Director Ziady asked about incidents related to grows; Chief Schoeppner said they're there, and we see them constantly and we are seeing people from out of the area come in and purchase homes as grow houses and he felt it was getting worse. Emergency disaster and medical supplies were discussed; Chief Schoeppner said we only have enough for about 50 people, and CERT is heavily involved in this.

Chief Schoeppner took questions. He confirmed the crew on the ridge is both chipping and burning debris; in some cases a chipper cannot be got down to them. More chipping will be done in residential areas.

The directors thanked Chief Schoeppner for the report.

F. PUBLIC HEARINGS

4. Sewer Standby Ordinance, 2008. President Skezas opened the public hearing at 7:49 p.m. There were no comments and the public hearing was closed at 7:50 p.m.

5. Water Availability Charge, 2008. President Skezas opened the public hearing at 7:51 p.m. There were no comments and the public hearing was closed at 7:51 p.m.

G. PUBLIC COMMENTS

Bob Houtz of Poppy Drive advised they were planning a cleanup day for Brooktrails for Saturday, May 17. He said he is trying to arrange automobile pickup at no charge. He requested from the public the loan of trailers for the day to reduce gas costs. He asked if the first house on Brooktrails Drive could be cleaned up; Mr. Chapman responded it was referred to the Sheriff's Department and we have written numerous code citations on it, but they pay no attention. President Skezas asked if there were limitations on what can go into the dumpsters; Mr. Chapman said we cannot put hazardous material (paints, fluorescent lights, batteries, etc.), but confirmed we can put in green waste. Mr. Chapman said the cleanup day is in the newsletter. There will be two dumpsters. Mr. Chapman said he needed to get hold of Mike Sweeney from the County regarding various dumpsites in the District. Mr. Houtz said one volunteer does have a winch on his truck and if advised of where these places are, he could do it. Mr. Houtz also said some small trees are blocking the view on exiting the parking lot.

H. CONSENT CALENDAR

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

7. Retroactive approval of checks involved in Rubber Spillway Project. Mr. Chapman noted we made substantial payments, including those for easement values deposited with the State Treasury, the payoff of the LaSalle Bank loan with USDA funds received last week, and other payments totaling \$610,000.00. Director Orth moved to retroactively approve Check #022286 for \$32,463.00 to the State Treasury and Check 3022292 for \$4,541.20 to First American Title Company, both pertaining to easements required for the Lake Emily Rubber Spillway Project. Director Horrick seconded. The motion carried unanimously.

Director Orth then moved to retroactively approve the wire transfers for LaSalle Bank and for RCAC and Check #1030 for Jones-Hall Inc. and Check #1031 for Obermeyer Hydro, Inc. for a grand total of \$606,701.82 from the USDA Rural Development closing on April 16, 2008. Director Horrick seconded and the motion carried unanimously.

Bob Terry asked from the audience if there were problems acquiring the easements; Mr. Chapman said we spent \$65,000.00 – \$70,000.00. Mr. Neary responded there were several that never responded to

our offer and we had no choice but to get a possession order by filing an action; other transactions have closed. President Skezas noted this discussion was not on the agenda and could be part of Public Comments.

I. ACTION AGENDA

8. Consideration of Sewer Standby Charge Ordinance; schedule public hearing for protests to individual charges for June 24, 2008. Director Orth moved to waive further reading of Ordinance 135 and to adopt Ordinance 135 establishing sewer standby charges for Fiscal Year 2008-09 and set a public hearing for protests for June 24, 2008. Director Horrnick seconded. Roll call vote on the motion was as follows:

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

9. Consideration of resolution setting Water Availability charge for FY 2008-09; schedule public hearing for protests to individual charges for June 24, 2008. Director Orth moved to adopt Resolution 2008-17 fixing water availability/capability charges for Fiscal Year 2008-09 at \$30.00 for undeveloped properties and \$5.00 for developed properties, and to schedule a public hearing to hear protests to the individual charges for June 24, 2008. Director Horrnick seconded. Roll call vote on the motion was as follows:

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

10. Receive and file annual Fire Report. Director Orth moved to receive and file the annual Fire Report; Director Ziady seconded. Director Orth commented on CERT's assistance during the snow emergency. The motion carried unanimously.

11. Consideration of rates and fees for FY 2008-09; schedule two public hearings for June 10 and June 24, 2008; approve rates and fees mailer. Mr. Chapman reviewed the budget meeting which was held the previous Saturday. At that meeting it was decided to increase the water base rates by 5%; the current rate of \$32.45 would increase by \$1.62 to \$34.07 per month. The directors approved the increase in the sewer base rate from \$30.07/month by \$2.50 to \$32.57 per month. He noted the Board also needed to set public hearings and to approve the rates and fees mailer content and costs.

NOTE: By unanimous motion on May 13, 2008, Directors clarified that the intention in this proceeding was to introduce draft Resolutions as described below and to set appropriate public hearings, after which hearings the Resolutions could be adopted. Therefore, Resolutions 2008-18 and 2008-19 were adopted at this meeting in error and their numbers are returned to the available-number sequence. Director Orth moved to approve Resolution 2008-18 repealing Resolution 2007-10 and establishing rates and charges for water and sewer utility connections and services, and to set public hearings for June 10 and June 24, 2008. Director Horrnick seconded. President Skezas apologized for not being present at the Saturday budget meeting and expressed concern at raising the sewer rate when we have no information from City of Willits. Roll call vote was as follows:

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

Director Orth then moved to waive further reading of and to approve Resolution 2008-19 establishing fees and charges for the use of the Brooktrails Golf Course and to set public hearings for June 10 and June 24, 2008. Director Horrnick seconded. Roll call vote was as follows:

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

Director Orth then moved to approve the rates and fees mailer and to approve costs not to exceed \$650.00. Director Horrnick seconded. The motion carried unanimously.

J. ADDITIONS TO FUTURE AGENDAS

None.

K. SPECIAL REPORTS

From Directors: None.

From District Counsel: Mr. Neary said that Steve Cameron had decided to convert his duplex to a single-family dwelling. He obtained a building permit to do this. President Skezas asked if the zoning would be changed. Mr. Neary said he doubted that. President Skezas said that leaves that question open for the future. Regarding the easements, Mr. Neary said we really only have problems with one parcel,

which NRLL had bought and then had sold to as Mr. Kelleher. Mr. Chapman said Mr. Kelleher had visited our office as well.

From General Manager: Mr. Chapman said Dam Safety wanted us to determine if the slope above Lake Emily is slipping.

L. PUBLIC COMMENTS

None.

M. ADJOURNMENT

Director Horrick moved to adjourn the regular meeting; President Skezas declared the meeting of April 8, 2008 adjourned at 8:15 p.m. and announced the directors would stay for closed session.

CLOSED SESSION

Closed session pursuant to Government Code Section 54956.9(c) – Discussion regarding initiating litigation. *Results will be announced at the next regular meeting.*

GEORGE SKEZAS, President

ATTEST:

MICHAEL V. CHAPMAN