

**BROOKTRAILS TOWNSHIP COMMUNITY SERVICES DISTRICT  
BOARD OF DIRECTORS  
Tuesday, May 13, 2008**

The Board of Directors of Brooktrails Township Community Services District met in regular session on May 13, 2008 at 7:09 p.m. at the Brooktrails Community Center.

**A. PLEDGE OF ALLEGIANCE**

**B. ROLL CALL**

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

**REPORT ON CLOSED SESSION**

From closed session held at end of April 22, 2008 meeting: No report given (continuation to May 13, 2008 meeting).

From closed session held prior to May 13, 2008 meeting: District Counsel said the Board met with its counsel on two matters of anticipated litigation and in both cases, received information from counsel. In one case, the directors had unanimously decided to initiate litigation.

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

President Skezas asked to postpone Item 5 of the action agenda for two weeks as he had been unable to review that due to illness, and the directors agreed.

**D. MINUTES OF PREVIOUS MEETINGS**

1. April 19, 2008. Director Orth moved to approve the minutes; Director Horrnick seconded and the motion carried unanimously.

April 22, 2008. General Manager Chapman said these minutes needed to be amended to reflect the fact that the District did not intend to adopt the Resolutions concerning rates and fees changes at the last meeting, but instead intended to schedule public hearings on the same. No resolutions would be adopted until after those hearings. He believed that reading this into the record would suffice. Director Orth suggested use of the word "introduce" instead of "adopt." He then moved to approve the April 22, 2008 minutes as amended; Director Horrnick seconded and the motion carried unanimously.

**E. SPECIAL PRESENTATION**

None.

**F. PUBLIC HEARINGS**

None.

**G. PUBLIC COMMENTS**

None.

**H. CONSENT CALENDAR**

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

3. Retroactive approval of checks for newsletter and rates & fees mailer. Director Orth moved to retroactively approve the checks for postage for the annual bulk mailings; Director Horrnick seconded. The motion carried unanimously.

**I. ACTION AGENDA**

4. Consideration of contract with California Conservation Corps for habitat conservation plan (HCP). Mr. Chapman said this habitat restoration was part of the requirements of the DF&G 1602 and USACOE 404 permit we have; work would commence May 15, 2008. This project was to replace 235 trees which will be inundated by the reservoir after completion of the Rubber Spillway Project. A total of 470 trees will be transplanted and will be watered. Additionally, we would help a few days with our crews to help transplant some of the bigger 10' – 25' trees. This would count as part of our "stakeholder's credit" for our USDA financing. The contract amount is \$41,380.00. Director Orth moved to approve the contract for \$41,380.00 with the California Conservation Corps for the habitat restoration plan; Director Horrnick seconded.

5. Consideration of resolution in support of formation of Community Energy Authority proposed by REMADE (Renewable Energy and Mendocino Activists for a Dependable Economy). postponed

6. Introduction of Ordinance amending Ordinance 63 by removing Romero parcel from list of greenbelt parcels, and setting public hearing. Mr. Chapman reiterated that Mr. Romero owns the former 16-acre "school" parcel. He informed the Board we committed to correct our trail and fire maps; we need to correct the greenbelt parcel listing. Director Orth moved to introduce the draft ordinance 136 and set a public hearing for May 27, 2008. Director Horrick seconded. The motion carried unanimously.

7. Consideration of resolution ratifying amendment to JPA with ACWA (health and other benefits). Mr. Chapman explained this was a housekeeping task and that changes to the JPA were necessary due to a recent tax status designation by the IRS. This will not change the District's plans or coverage's. Director Orth moved to adopt the resolution approving ratification of the JPA with ACWA and authorizing and directing the General Manager to sign the ratification certificate. Mr. Chapman clarified that the resolution would be Resolution 2008-18. Director Horrick seconded. Roll call vote on the motion 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 Orth said he had presented the REMADE proposal to LAFCO and had been invited to the City of Fort Bragg and elsewhere to present it and had received offers of support across the board. Director Horrick asked if it were all right with Director Orth if he made some revisions to the proposed resolution. Brief discussion followed.

**From District Counsel:** Mr. Neary said the District's water rights counsel has prepared a response to the protests filed on the water rights application applied last May 2007.

**From General Manager:** Mr. Chapman commented we were rejected by FEMA on Tank 9 but would still pursue an appeal when it arrives. He informed the Board we have completed Sections 1 and 2 of the SSMP on schedule.

**L. PUBLIC COMMENTS**

None.

**M. ADJOURNMENT**

Director Horrick moved to adjourn the meeting; President Skezas declared the meeting of May 13, 2008 adjourned at 7:28 p.m.

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GEORGE SKEZAS, President

ATTEST:

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MICHAEL V. CHAPMAN