

**BROOKTRAILS TOWNSHIP COMMUNITY SERVICES DISTRICT  
BOARD OF DIRECTORS  
Tuesday, January 27, 2009**

The Board of Directors of Brooktrails Township Community Services District met in regular session on January 27, 2009 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, Horrnick and Skezas. Also present were General Manager Chapman and District Counsel Neary.

**REPORT ON CLOSED SESSION**

Chris Neary reported that the Board met on January 13, 2009 in closed session regarding pending litigation; he gave information and received direction. Also on January 13th the Board met in closed session regarding anticipated litigation and received information and gave direction to counsel. This evening, the Board met on two matters of anticipated litigation; Mr. Neary received direction and gave information.

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

None.

**D. MINUTES OF PREVIOUS MEETINGS**

1. January 10, 2009. Director Orth moved to approve the minutes; Director Williams seconded. The motion carried unanimously.

January 13, 2009. Director Orth asked that in the first paragraph on page 3915, after the sentence ending "in good faith," a sentence be added stating, "Director Orth stated he withdrew his motion." He then moved to approve the minutes as so amended; Director Horrnick seconded. The motion carried unanimously.

**E. SPECIAL PRESENTATION**

None.

**F. PUBLIC HEARINGS**

None.

**G. PUBLIC COMMENTS**

William Boosinger of Poppy Drive discussed the Golf Course trees. He expressed disappointment with the handout because it talked about both 41 and 54 trees in its cost estimations; he said an actual count of trees on the map, even minus the two that were removed, you come up with over 41 trees: around 50. Also he said the packet contained only information on cutting the trees, with no biologist information about the value of the trees to the environment, or the pulling of 25,000 gallons/water/day during a seven-month watering season to keep the course green. He said you might cut the trees down this year and then later decide you can no longer afford to water the course: now you've lost both the course and the trees. He said the 50 homes that water would support on the waiting list would be curious to know how we can justify using that much water. He said this is really the most beautiful part of Brooktrails and it was basically reserved exclusively for 50 Brooktrails golfers, based on Ron [Runberg's] own figures, to the exclusion of others who live here. Also, the people in Brooktrails are being asked to subsidize this to the tune of \$20,000/year when between 98% of the residents do not need that course. He visualized these trees growing bigger and more rare and said this would be the only trail in Brooktrails that was handicapped-accessible; he could visualize a playground, biking trails, etc. He wanted more public hearings and said it needed to be a longer process. He said he believed, whether we're talking about trees or not, that the Golf Course should go, because we're using so much water and subsidizing it to such extent.

General Manager Chapman said he and Mr. Runberg had a miscommunication on the stumps and he had thought there would be ultimately 40 stumps; he wasn't aware that about 10 of those stumps had two shoots. For the record he said the course was not using 25,000 gallons/day; by contract it was using approximately 17,000 during the dry season. He also had put Mr. Runberg on notice that if we ever had a serious water problem, a rationing situation, the golf course would be shut off and we would work something else out for him. As to the subsidy, the cash flow out the door was around \$8,000.00 and the \$20,000.00 figure included depreciation.

Director Orth voiced the Board was not voting in February and that he would not be at the February 24<sup>th</sup> meeting. Mr. Chapman said the second meeting in February will be a public meeting and

no decision would be made that evening. Director Orth said he could address his issues on the matter at the March 7<sup>th</sup> planning meeting.

Tom DeMarchi of Crawford Drive addressed the golf course issue, recalling that his father was a golfer. Mr. DeMarchi volunteered with organizations that have had a fundraising benefit at the Golf Course of great benefit to them. He had been thinking of his grandson and wondered what that generation would make of this, in light of climate conditions. In an acre of trees, he said in his estimation, there were about 640,000 gallons of water stored. He said it seemed counterproductive to cut down trees that draw banks of fog in with their moisture. He wondered if his grandson would say he was glad we had preserved these beautiful trees. He had walked the course and tried to imagine what it would be like in the summer there with increasing temperatures. He discussed that Ukiah had removed trees and the temperatures had risen.

## **H. CONSENT CALENDAR**

2. Review of Accounts Payable report and authorization to issue checks. Director Ziady asked about the relocation of the water main by the Lodge. Mr. Chapman confirmed this was done last fall. Also, we are getting two storage containers, one for the Water Department and one for Administration. We were running out of space for box storage, as well as we had to fence our maintenance yard. Director Orth moved to approve payment of the outstanding invoices, including the listed Rubber Spillway construction invoices, and Director Horrick seconded. The motion carried unanimously.

## **I. ACTION AGENDA**

3. Introduction of draft Ord. 137 adding greenbelt rules to Ord. 63; setting Public Hearing. Mr. Chapman said this was about the third meeting where we have discussed signs and related rules, and we had to clarify some rules, including mushroom picking. An ordinance had been prepared for introduction and we needed to set a public hearing. We have already reviewed the signs' text. Director Williams asked if the ban on mushroom picking was because of the numbers coming in and the destruction they caused. Director Orth said in the past you had crews coming from Oregon and throughout California and their harvest methods destroyed the actual beds and their future propagation. He continued that our regulations disallow commercial operations on our greenbelt and it was reasonable to disallow commercial harvesting. Director Orth moved to introduce the draft ordinance, waive further reading, and set a public hearing for February 10, 2009. Director Ziady seconded. The motion carried unanimously.

4. Annual Brooktrails Water Report. Mr. Chapman said he had reviewed these numbers with Richard Estabrook, our resident modeler, who agreed with all the numbers. Mr. Chapman pointed out that in 2008 we went from 1,511 connections to 1,553 due to the duplex connections we added a year ago. Our 2008 production at the water plant, the critical number, averaged 202 gpd (gallons per day) per customer as compared to 214 gpd per customer in 2007. He mentioned there had been some pretty significant breaks in a total break count of 22. Director Orth said he'd like to add the state average in future. Mr. Chapman answered we are half the state average, due to having very few lawns. Mr. Chapman pointed out other unusual events of the year, the airport water use by helicopters due to the summer fires, the raw water that went into the Rubber Spillway Project construction, as well as watering the trees we planted. He said this year we are tracking every aspect of water use. He then reviewed the statistics focusing on water loss. DHS was mostly concerned with gallons per day during the dry season. He mentioned that CF&G just let us go from 15cfs (cubic feet per second) to 12 cfs for the balance of this spring. He mentioned that if we had rainfall for three day the reservoir would probably fill up.

Director Orth moved to accept the annual water report. Director Horrick seconded and the motion carried unanimously.

5. Consideration of increase in Hanson Engineering contract limit – Lake Emily Dam Safety drawings. Mr. Chapman reviewed that Hanson Engineering needed \$10,000.00 more in payments, as itemized in their January 22, 2009 letter, to cover additional work due to the Roseman issue (about \$5,000.00) and the additional work required by Dam Safety. Also, some change orders had occurred due to the extensive seepage encountered during construction. Director Orth moved to approve the extension of the Hanson Engineering contract from a negative \$1,971.02 balance to \$8,028.29 (rounded \$8,100.00) additional by approving \$10,071.02 that will round up to \$8,100.00 additional funds. Director Horrick seconded and the motion carried unanimously.

## **J. ADDITIONS TO FUTURE AGENDAS**

None.

## **K. SPECIAL REPORTS**

**From Directors:** Director Orth said he would miss the February 24th meeting because he was meeting with the City of Point Arena on the County Energy Authority issue. Mr. Chapman said we have an obligation on two grants for thinning in the Greenbelt, and we set aside money for these.

**From District Counsel:** None.

**From General Manager:** Director Williams asked about the commercial nursery on Blue Lake Road referenced in the report. Mr. Chapman said we would potentially ask for a hearing in March to set a usage cap. Right now we have the authority to do what we need to in the event of an emergency declaration. However, we have about 15 individuals who abuse the system, and he would like to write them to invite them to attend that hearing and let them know there would be a potential ceiling, if approved by the Directors. Director Ziady mentioned they were out of compliance with zoning laws. Director Williams said this raised some real issues. If they've got a commercial nursery operating since 1989 they may raise the issue of rights. Mr. Chapman said we don't know if they've been at this same location for 20 years but they have been licensed this long. He said he would send them a courtesy letter explaining they were one of the reasons we were talking about this issue

Director Ziady said on the issue of septic, we might at some point let residents know we are aware that there are some new special rules. Counsel Neary said the more stringent standards occur when a system is within a certain distance of a watercourse, but there were several different standards. If you fell into that second category then the proposed regulations are very stringent and controversial. Director Ziady said we could let them know this is coming and give them a number for information.

**L. PUBLIC COMMENTS**

None.

**M. ADJOURNMENT**

President Skezas adjourned the meeting at 7:51 p.m.

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George Skezas, President

ATTEST:

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MICHAEL V. CHAPMAN