

**BROOKTRAILS TOWNSHIP COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
Tuesday, July 28, 2009**

The Board of Directors of Brooktrails Township Community Services District met in regular session on July 28, 2009 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, Horrnick and Skezas. Director Williams arrived at 7:03 p.m. Also present were General Manager Chapman and District Counsel Neary.

REPORT ON CLOSED SESSION

None.

C. ADDITIONS/ADJUSTMENTS TO THE AGENDA

None.

D. MINUTES OF PREVIOUS MEETINGS

1. July 14, 2009. Director Orth moved to approve the minutes; Director Ziady seconded. The minutes were approved 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 bills. Director Horrnick seconded; the motion was unanimously approved.

3. Preauthorization of August 12 check run. Director Orth moved to authorize a check run on August 12, 2009 for retroactive approval at the August meeting. Director Ziady seconded; the motion was unanimously approved.

I. ACTION AGENDA

4. Resolution honoring Doug Pohlson; consideration of memorial bench. Mr. Chapman read the resolution into the record:

RESOLUTION NO. 2009 – 10

A RESOLUTION OF THE BROOKTRAILS TOWNSHIP COMMUNITY SERVICES DISTRICT BOARD
OF DIRECTORS HONORING DOUG POHLSON

WHEREAS, Doug Pohlson was an employee of the District for three decades and provided innumerable important services to the District, both as an employee and as a volunteer firefighter; and

WHEREAS, during his long service he played several important roles, including:

- serving as Assistant Parks Superintendent;
- managing the operational maintenance of the Golf Course;
- providing licensed pesticide services for the District;
- expanding his licensing certification to join the water/sewer utility crew;
- serving as a volunteer firefighter; and

WHEREAS, Doug Pohlson passed away in June 2009 unexpectedly after a brief illness; and

WHEREAS, he was valued by all personnel for his skill, friendly and calm manner, and devotion to duty, and his absence has been keenly felt by all.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Brooktrails Township Community Services District — it wishes to express its appreciation and gratitude to

DOUG POHLSON

for his three decades of service to the District as a public service employee, and for the gift of his presence and personality that made a difference for both the employees and our community.

BE IT FURTHER RESOLVED that the Secretary of the Board is hereby directed to publicize this Resolution and make it a part of the permanent record of the Township for all to see.

INTRODUCED AND ADOPTED this 28th day of July, 2009 at a regular meeting of the Board of Directors of the Brooktrails Township Community Services District by the following roll call vote:

Director Orth moved to adopt Resolution 2009-10; Director Ziady seconded. Roll call vote was as follows:

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

President Skezas then presented Ginger Pohlson with a plaque commemorating Doug Pohlson's three decades of service to the District, along with a framed presentation copy of the resolution. Mrs. Pohlson thanked the Board.

Discussion turned to the proposed purchase of a memorial park bench to be placed in the Ohl Grove in honor of Mr. Pohlson. Director Ziady said that because Mr. Pohlson had performed so much for the parks, and was innovative in his reduced scale of pesticide use, and loved the Ohl Grove, the Recreation Committee had agreed to recommend that the bench be placed in his honor. The estimated \$1,000.00 cost would be spent from the Recreation budget. Director Ziady moved to approve purchase of the memorial bench for the Ohl Grove area with Recreation funds; Director Orth seconded. Roll call vote was as follows:

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

5. Consideration of purchase of vacuum truck and sewer camera / USDA funding. Mr. Chapman explained this purchase was subject to loan approval from the USDA. Staff received three bids for the truck (and looked at one on site) and proposed purchasing of the Aquatech B6 series truck from Nixon-Engli Equip Co. at a cost of \$265,548.00. He cited that the state SSMP plan is presenting significant demands on every community and is one reason we need this truck. The expected life of the vacuum truck was 15 years, and he mentioned some other design features of the truck, items such as the 2000-psi jet unit, customized hose, and a bypass pump. Director Orth then discussed with Robert Melluish in the audience specific capabilities of the vacuum, items such as rear mounted reel equipment. Wally Stahle asked about maintenance costs and whether it would require special technicians to come and make repairs. Mr. Melluish said crew would be receiving training in maintaining this. The discussion turned to special Cal-OSHA regulations and the extensive training required.

The conversation then turned to the camera unit because the District was looking for a sewer camera replacement with 90° tilt capabilities. This would give us the capabilities of looking up side laterals and pinpointing the source of blockages and infiltration. Mr. Chapman said he got the bid on the Nova Star camera system reduced from approximately \$71,000 to \$63,724.89. Mr. Melluish added that the manufacturer was the same as our old one, 3T Equipment Co. located in Rohnert Park. Mr. Melluish said we didn't need a GPS feature as our mapping was already complete.

Director Horrnick moved to allow the General Manager to execute the necessary paperwork with USDA Rural Development for a \$330,000.00 loan for purchase of the vacuum truck and sewer camera as described. Director Orth seconded. Roll call vote was as follows:

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

6. Consideration of overall issues of architectural variances on carports. Mr. Chapman asked for Board discussion and guidance. Director Orth started by suggesting he wanted fireproof materials as a requirement. He said every lot in Brooktrails has unique characteristics and architects like to address those individually. He said our architect has asked us to accommodate that ability to design the best house on a small lot in Brooktrails. He agreed with the general guidelines in the letter but wanted the Fire Chief to sign off on the carports.

Director Horrnick asked if this was on a case-by-case basis or blanket. Mr. Chapman said it was more of a policy issue on the whole aspect. Director Horrnick said he would prefer case-by-case review. President Skezas said he would like to address only the existing red-tagged lots and that addressing new construction was a separate issue and he wouldn't propose this for new construction at all. Counsel Neary

commented as long as they meet the criteria in the Bob Axt letter then they could come to the Board; President Skezas agreed that that was his perception too.

Director Williams asked if the issue regarding structural integrity and fire safety should be added to this list. He was assuming the District Architect would apply all the rules, but only to preexisting structures. However, he didn't read this letter to say that these rules do apply only to preexisting structures. Directors agreed it should be existing structures. Director Williams said it might hurry the process along if the District Architect consulted with District Counsel; he felt there were legal issues to be addressed. Director Ziady said she'd like it to be clear that this was a setback issue but that other construction guidelines are necessitated. President Skezas said the fire issue should be put into that direction as well and that the District Architect present an annual report.

Wallace Stahle commented as who defines what's visually unobtrusive. Don Morris said these were site development standards for the Specific Plan, and he said those standards were set in consonance with the County zoning ordinance. If you want to change the Specific Plan, he said, you're going to have to amend the County zoning code. Director Ziady commented that these would not change the Specific Plan. Director Orth said the Specific Plan could vary from the County; Mr. Morris said it couldn't be less restrictive. Mr. Orth said the Architect has stressed for several decades that it's better to open up some requirements to create more environmentally-friendly structures in the District. Board gave direction to District Counsel to discuss some of these potential legal issues with Bob Axt, District Architect.

7. Specific Plan Update discussion. Mr. Chapman asked to hear from Directors Orth and Williams. He mentioned the LAFCO MSR may not be back until next year, and that it seemed to him this document needed to be somewhat finished before we march into the Specific Plan update process. Director Orth said the General Plan update was critical to the Specific Plan; he thought August 27, 2009 was the pass date for the final form. He mentioned that we have to intermesh the County changes so we know where we specifically differ. Don Morris said that the County hasn't been updated since 1997. Director Orth said this General Plan draft update still doesn't accomplish all the required elements; there are more to be done in the next two years. Director Williams asked if there were some things unique to Brooktrails that we could start on now, like legacy trees, golf course trees, Ada Rose. Director Orth agreed we could start on these. He said we should have an advisory committee to work on the tree issues. The ad hoc committee could discuss with staff forming that committee. Director Orth said we'll recommend a policy on how to form such committees, have some general understandings and then advertise for such membership; we can tweak it from experience. Mr. Chapman asked for a date for the meeting with the ad hoc committee; Monday, August 3, 2009 at 4:00 p.m. was set.

Don Morris said he understood Golf Course issues to fall under the Redwood Park Master Plan. Director Orth said it also related to the Golf Course contract issues which are still up in the air. Don Morris suggested calling it a task committee where people could actually produce product.

8. Discussion regarding potential solar project with financing by California Energy Commission. Mr. Chapman said he had attended a solar project at the Sonoma waste facility where they built a solar field with 5,200 moveable panels on 4-acres. He then discussed the various ways this could be done: buy it yourself; lease it; or, most often, do a Power Purchase Agreement (which Director Orth commented Willits did for its solar installation). Mr. Chapman said he met an attorney who has been doing this kind of work exclusively for seven years; you hire them to protect you from the solar developer because there is a lot of risk.

Turning in a different direction, Director Orth reviewed that the documents that he had provided reflected a 3% long-term loan for energy efficiency (and not just solar, as pumps were eligible). Mr. Melluish reported that PG&E had said we have fairly efficient pumps, but he felt that we could go to fully-efficient pumps on a 15-year loan. Director Orth said the Lake Ada Rose project will create a solar field for us later as part of that project. He cited putting in a high-efficiency model pump for the Golf Course. Mr. Melluish said PG&E were only looking at pumps over 25hp and we have 7 of these now. He said he hadn't seen 100% efficiency pumps; ours are 88-90%. He said the Golf Course pump was under 25hp. Director Orth said he was thinking small, but at the same time, this allows us to "own" instead of relying on private investment developers. If you own the system, you'll have a much greater stake as energy prices continue to rise.

Continuing, Director Orth said this was a start-up tryout program and he suspected that the program will increase over time. He wanted to make the Board aware of this way to own our own improvements; he said if there was a qualified project we could do, we should send in an application. Mr. Melluish asked if PG&E would do the evaluation or if we had to hire someone. Director Orth said the loan would pay 100% of the cost for planning, although the planning aspect has to pay back in two years, not fifteen. You have to use it on items that will last 15 years. On a side note Director Ziady voiced the state's recent tax taking should be taken into consideration; Mr. Chapman said we still don't know the State's exact taking amount this will be at this time.

J. ADDITIONS TO FUTURE AGENDAS

None.

K. SPECIAL REPORTS

From Directors: Director Ziady said the Recreation Committee had approved the Fire Chief’s proposal to use the rest of the Fire Safe money for wet-weather burning and trail clearing. Part 1 of three parts of the Willits Creek Erosion Project was underway and will cost about \$7,000.00. The committee had discussed ATV entry signs and greenbelt signs at length and discussed the parents’ potentially substantial liability for fires started by their children with ATVs. They would work on a newspaper article with the Fire Chief about this for public education, and the Chief was willing to include this issue on his school visits. They agreed to look at the entry sign during the budget process starting in January. The decision was made to keep the last building in Ohl Grove for possible future uses. The Committee will meet again in October.

Director Orth said that the City of Willits had voted 3-2 against formation of the area Energy Authority and he was pursuing reconsideration. He discussed an MOU and said they are working to clarify specific issues with City of Ukiah and others to be addressed in the MOU.

From District Counsel: Counsel Neary said we continue to have successful meetings with Willits staff on several sewer issues; there would be a committee meeting in August.

From General Manager: Mr. Chapman said he wanted to disconnect the telephone jack in the Community Center which is a \$41 monthly charge for something we don’t use. On the SSMP, we will need some help on Sections IV and V to meet our November 1, 2009 deadline. He had been contacted by Greg Aanestad of USDA about sewer rates relative to the City of Willits plant (using a projected construction cost of \$26 million only). To this note, he added, Mr. Aanestad suggests that we go to \$53 in 2010, \$59 in 2011, and \$65 in 2012. In other news he mentioned that Mendocino Department of Transportation will be doing some significant patching and chip-sealing in the area, and agreed to help in this cause with raw water from the reservoir. Also, once he finds out how much the state will take [Prop. 1A suspension], he will send a memo to each director.

He then referred to a letter from Linda Williams from The Willits News demanding the names and usage information on users violating the excessive use cap. Counsel Neary had okayed her letter. Mr. Chapman’s overriding concern was to alter behavior. We were gearing up for August enforcement using restrictors, but he felt there had to be a little bit of subjectivity involved. When he gets the end of July list, he will personally call each one and ask if they are going to come in and work with him; otherwise, he will inform them they will have a water restrictor installed. They will have the right to appeal, however, the earliest this appeal could be heard would be August 28, 2009. He wanted to use common sense on this; he wanted people to recognize the issue and come into compliance with as little hostility as possible.

L. PUBLIC COMMENTS

Wallace Stahle said a long-term energy source in the District was the small trees that the abatement process partly takes care of. He mentioned the gasifier concept. Director Orth said we did do a REDI demonstration project that should be looked at to see how it is now, 10 years later.

M. ADJOURNMENT

Director Horrick moved to adjourn. President Skezas adjourned the meeting at 8:10 p.m.

George Skezas, President

ATTEST:

MICHAEL V. CHAPMAN