

**BROOKTRAILS TOWNSHIP COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
Tuesday, November 10, 2009**

The Board of Directors of Brooktrails Township Community Services District met in regular session on November 10, 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, and Horrick. President Skezas was absent with notice, and therefore Vice-President Horrick presided. 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. October 13, 2009. Director Orth moved to approve the minutes; Director Ziady seconded. The minutes were approved unanimously.

E. SPECIAL PRESENTATION

None.

F. PUBLIC HEARING

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 was unanimously approved.

3. Retroactive approval of check for connection fees mailer postage. Director Orth moved to retroactively approve Check #023974 in the amount of \$1,477.42; Director Ziady seconded; the motion was unanimously approved.

I. ACTION AGENDA

4. Bob Axt, District Architect – discussion on various issues. Bob Axt provided a letter to the directors (not part of packet). He mentioned in a homeowners association in Placer County, fences became a big issue. They came up with a solution called “good neighbor” fences: solid wood fences between side yards and rear yards for privacy. However, our Specific Plan requests that fences be kept open. He suggested that in side and rear yards where properties abut, solid wood fences up to 6’ high be approved. In front yards, particularly on narrow roads, obscure fences should not be permitted over 3-1/2’ high. He recommended that the Specific Plan be amended that all front yard fences in the 20’ foot front setback be required to be open.

Mr. Axt then addressed storage shelters. His letter included a drawing showing the issues that occur. He felt that in the community’s interest it should permit small storage structures in the front and rear yards for sheltered parking and storage. The rule now, however, rarely enforced, is that long-term parking in the front yard and street frontages is illegal, per the County. Storage is required to be screened by landscaping by our Specific Plan. He had attached proposed yard shelter standards to his letter. He recommended such shelters be at least 6’ from property lines except the front shelter should be at least 10’ in clearance; the reason for this was that when cars get out into the narrow streets they can see approaching traffic in both directions before backing out. Parking shelters, if these were approved, would be required to use the existing driveway. He proposed covers being compatible in color with existing homes. If a permanent building over 120 square feet is built, it has to have a building permit, and if it’s in a setback, it should be required to have a variance, which would require both the District and the County to approve the location of the yard shelter. He then turned to gazebos. If these are built in the backyard and the eave doesn’t get higher than the fence, that’s okay; but it can invade the privacy of the neighbor.

Moving on, other structures have been built in backyards that are tall and a detriment to the neighbor. Therefore he would require that the eave height be no more than 8' and the ridge height no more than 10'. The structure itself should be no more than 200 square feet. If over 120 square feet and a permanent structure it needs a permit. He said there are an awful lot of structures already placed on the ground, so the idea is to get some reasonable regulation that allows them to exist where needed without interfering with the viewshed or traffic, and to permit them.

Mr. Axt moved on to hillside zoning, which, he said, is addressed in the Specific Plan but not in the County General Plan. Director Orth said he didn't agree with everything he'd just heard. The hillside zoning ordinance always made sense to him because it allows you to modify to the terrain. Mr. Axt said steep banks can be a serious problem, depending on how close that property is to the paved road, which can wander all over the right-of-way and extend beyond it in some instances. Referring to his handout of hillside zoning standards, he noted that where you have a steep bank, the bank has to be cut back at a 45-degree angle at the driveway, from the face of the bank to the face of the garage, so you can see as you back out of the garage. This isn't always easy, and some slopes are just not going to be built on. Secondly, as you encroach on the front setback, which hillside zoning all over the world allows, you increase the size of the side setbacks, as shown on his drawing. This gives you space to create the cut in the bank, and it keeps your driveway from being right next to someone else's driveway on the same hillside, which can be a real hazard.

Director Orth said people who merge second or third lots then have twice the road frontage and we need to make allowances for that, as we want to reward lot mergers. Mr. Axt said once they've been merged, the side yards are still 6' from the property line, and we want to push the driveway back 6" for every foot it encroaches on the front setback. Where you have multiple merged hillside lots, it may be possible to diagonally run a driveway up the side of the hill. When you do that, you're increasing the possibility of erosion and road failure. Director Orth said, you're saying only one driveway per lot, but if someone gets a second lot and wants to put a garage on that lot, wouldn't that be allowable even if there's an existing driveway? Mr. Axt said we could allow one driveway for every minimum lot width of 60', so a 120' lot could have two driveways. Continuing, Mr. Axt said solid fences in front yards where you have merged lots don't disturb him if they're out of the visibility. On corner lots, smaller lots, however, the inside of a corner going around the bend, they should not be permitted. Solid up to 3 or 3-1/2' would be no problem, but beyond that, open. Director Orth mentioned CHP is driving and citing those fences with line-of-sight issues.

Mr. Axt mentioned the biggest hillside issue is often drainage. He had looked at a Sherwood Road house recently where the owner was redirecting drainage down to the house below it. You can take it either to the street or an existing drainage channel and that's the limit. He has used that as a rule but was not sure if it is in the Specific Plan.

Don Morris from the audience said he understood that part of the Sheriff's medical marijuana guidelines require a solid fence around the garden; would grow houses thus be granted an automatic variance? Mr. Axt said he would want the open fencing in the front yards. Mr. Morris said regarding allowable uses on residential property, it seemed to him that if somebody has a commercial marijuana operation, that's a nonconforming use. Mr. Axt said the Specific Plan and General Plan go to quite extensive length on animal-raising activities on residential property but he could not offhand think of any for vegetable. The Board may want to consider allowable uses on residential properties. Vice-President Horrick thanked Mr. Axt for his presentation.

5. Solid Waste of Willits – Consideration of Resolution amending agreement to add Yard Waste curbside pickup to service. Mr. Chapman said pursuant to the discussion at the last meeting we have to amend the contract. He confirmed we still have to go through the public hearing process on November 10, 2009. Director Orth asked if we had any calls from the public following publication in the Willits News; Mr. Chapman said none that he was aware of. He mentioned that he had checked the resolution language against the original contract. Vice-President Horrick said after the public hearing, we still have the option open to make the yard waste pickup an "optional service" or "part of the regular service." Mr. Chapman confirmed that, and that this choice would be made by the parties from time-to-time, and included in the rates resolution. He confirmed Jerry Ward would continue the free disposal at the dump.

Vice-President Horrick mentioned that he was kind of rethinking his position and wanting to make a motion for the optional service. Mr. Chapman said that could be done at the public hearing meeting; he mentioned that President Skezas had voted against mandatory pick-up at the last meeting. Director Orth moved to adopt Resolution 2009-13 amending Exhibit A to the agreement with Solid Wastes of Willits; Director Williams seconded. Roll call vote was as follows:

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

6. Review and approve additional chapters SSMP for 11/1/09 deadline. Mr. Chapman reviewed the background on this process of preparation of the Sewer System Management Plan, which began about a year and a half ago. At various points we have to have certain chapters completed. He gave credit to

Lily Phoenix for the Overflow Emergency Response Plan. He expressed confidence that the RWQCB (Regional Water Quality Control Board) would like this. He had sent a copy to LAFCO, without response yet. He mentioned that next year we will have to take a GPS and get a satellite reading on every manhole in the District, all 1,025, and this was a somewhat difficult process, possibly impossible, in places due to redwood tree canopy. He then pointed out on page 3 there was an error in the capital percentage; the correct figure to the City of Willits was 37.69%.

Director Orth noted the goals in Chapter 6 and asked if that would be revised next April 2010 when training had occurred. Mr. Chapman explained this process was due for approval November 1, 2009, and reflects our situation at a point in time. Every couple of years you have to look at your goals anyway, so one of our goals was to have this vacuum truck to help us maintain our sewer lines, as well as help us during sewer spills, which occasionally do happen. We therefore would like to have it listed as a goal and then reach it. Mr. Chapman pointed out the field report form which follows state guidelines, and described the difference between Category 1 and 2 spills. Director Ziady then complimented management for saving probably \$R20,000.00 by preparing this report in-house and getting free consultation. Mr. Chapman said it was a quid-pro-quo; we allow the CRWA (CA Rural Water Association) to come in here to conduct seminars free of charge, and they in turn help us on our SSMP. In closing he again gave credit to Lily Phoenix for spending many hours on this project in the past six months. He noted he would have to come up with a map in the next 12 months which will be one of our goals. Rather than manholes by numbers, the State prefers GPS positioning so they can Google it.

Mr. Chapman then read the proposed motion. By motion and roll call vote, approve the new SSMP chapters 3, 4, 6, 7, 10 and 11, and the suggested changes to previously-approved chapters, and the current appendices A, B, C and D and their attachments. Director Williams so moved; Director Ziady seconded. Roll call vote was as follows:

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

7. Consideration of resolution accepting Sarlande lot donation. Mr. Chapman said the interesting thing about this donation was that the lot is very buildable. Director Orth moved to adopt Resolution 2009-14 accepting a grand deed of real property from Danya Sarlande. Director Williams seconded. 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 said the Recreation Committee met October 22 and will meet again in January and February to review goals and objectives.

From District Counsel: Mr. Neary noted that Ruth Rockefeller had passed away at the age of 91; he used to refer to her as the First Lady of Brooktrails. Her husband was the first manager of Brooktrails and they moved here in summer 1965. She was his teacher when he was in school and a big inspiration to him and he would miss her.

From General Manager: Mr. Chapman advised we hired a new employee who formerly worked for Harwood and Microphor. His name was Jeremy Bemish. His background was in mechanics, pumps, and hydraulics. David Frost, a former Harwood plant manager, gave him a high reference. Mr. Chapman then mentioned that Robert Melliush was coming back next week. Moving on he said we are still struggling with the Jeep issue. He was waiting for Mr. Melliush to come back to discuss it, because we didn't budget it this year to replace it. If we do so this will affect being able to get another tank liner.

L. PUBLIC COMMENTS

None.

M. ADJOURNMENT

Director Orth moved to adjourn. President Skezas adjourned the meeting at 7:49 p.m.

George Skezas, President

ATTEST:

MICHAEL V. CHAPMAN