

**BROOKTRAILS TOWNSHIP COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
Tuesday, September 8, 2009**

The Board of Directors of Brooktrails Township Community Services District met in regular session on September 8, 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: Williams, Ziady, Orth, Horrick and Skezas. 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. August 25, 2009. Director Horrick moved to approve the minutes; Director Orth seconded. The minutes were approved unanimously.

E. SPECIAL PRESENTATION

2. Fire Department – New Equipment demonstration (fire packs). Fire Chief Daryl Schoeppner advised we are required to get new equipment when equipment standards change. New fire shelters have been purchased with laminated silica fiber for better protection. Outmoded shelters had to be destroyed. Battalion Chief Noyer demonstrated use of a fire shelter.

Battalion Chief Noyer then described the current status of lot abatement. This year we wrote 738 grass lots and only 54 haven't complied. They will start writing wooded lots this month.

F. PUBLIC HEARINGS

None.

G. PUBLIC COMMENTS

None.

H. CONSENT CALENDAR

3. Review of Accounts Payable report and authorization to issue checks. Mr. Chapman pointed out the costs for major erosion rock work above Thimbleberry. Also, Doug Pohlson's bench has been purchased and installed. Director Orth moved to approve payment of the outstanding bills. Director Horrick seconded; the motion was unanimously approved.

I. ACTION AGENDA

4. Golf Course Annual Report – Ron Runberg / General Discussion, Golf Course issues. Mr. Chapman commented that golf has been declining in general across America for about six years. Ron Runberg, PGA, then said they were losing as many golfers as they were gaining. He went through some of his expense report with explanations. For example, he cited using the most shade-tolerant grass seed but that it was more expensive. He clarified that pro shop receipts were not included in his report. Mr. Runberg then referred to his six-year contract with two possible five-year extensions. He asked the Board where they stood on the extension.

Director Orth referred to his ballot statement where he said he had listed his proposed surcharge, artificial turf, capital expenses and trimming of limbs; if he is reelected, he will have received guidance from those who elected him. He said he felt artificial turf was the way to go considering long-term sustainability. Director Orth said we have identified a way to provide funds and pay it back over 15 years for capital improvements on the course. Director Orth said he'd like to see a management plan laid out by the calendar, the fees, the way to pay for it, and priorities, before the June renewal date, including putting in the first artificial green. He mentioned they were going to form a Specific Plan ad hoc committee to address the greenbelt areas and forest management and the golf course issues. Mr. Runberg said there is no forest management plan for Brooktrails and there needs to be something. Citizen Don Morris commented that the Greenbelt Stewardship Plan was approved three years ago. President Skezas said that was accepted by the Board, but not approved. Mr. Morris said there was a Specific Plan that was required to be updated. Director Orth said that will be next year, not this year. Mr. Morris cited the Redwood Park Management Plan; someone commented this was out of date.

Robert Melluish commented he and his crew have a good working relationship with Mr. Runberg and he takes care of things himself, knowing they are short-staffed, and he was for renewing his contract. The discussion turned to the quality of the golf course. Mr. Runberg said that if you walked the course currently, there are three fairways that haven't had any water in months and are rock-hard. He said he had been using less than his water allotment. Mr. Chapman confirmed the new meter was working and he is tracking the data for DHS. Mr. Runberg mentioned he was not hired to build a new golf course or irrigation system, but to maintain whatever the District gave him, and he would continue to maintain what the Board and community choose to have. He agreed there were other methods to try first before taking down the trees.

Director Williams asked District Counsel Neary about the termination provisions in the contract. Was there a time frame for notice if either party has decided not to extend? Mr. Neary felt the agreement contemplated that prior to June there would be a discussion of some nature. Director Williams said he felt both parties would want some substantial notice if either chose not to go forward, maybe 90 days or more. He felt the process needed to start fairly quickly, hand in hand with the question about taking down the trees. Mr. Runberg said the District was asking him for a year's notice but wouldn't provide that to him.

Director Ziady said she wanted more information: the amount that Brooktrails has spent on the Golf Course in the last three years, and the Pro Shop revenue [Manager's Note: The Pro Shop revenue can't be done because it is a contractual proprietary item]; she needed this data to know what was fair in negotiation. She felt the Board should agree to give Mr. Runberg six months notice. Mr. Runberg asked Director Ziady if she wanted to renegotiate the contract. Director Ziady said she might keep it the same but she had to have the missing information to decide.

President Skezas asked Mr. Runberg if he intended to renew. Mr. Runberg said yes. Mr. Skezas asked if Mr. Runberg wanted to keep the contract as is. Mr. Runberg said he would want to change the requirement for him to give one year notice. Mr. Chapman advised that he had some things he would change in the contract. He said what has really changed in the last five years is Mendocino County Air Quality regulations and he wanted a specific item in the contract about burning.

Mr. Morris said he hoped we could come up with an idea for a more environmentally sensitive golf course, and this might not be acceptable to Mr. Runberg. Director Orth cited section 4.1.2 which says sensitivity to the environment and said we can deal with that in the contract. Director Williams said if anybody was going to cut the trees down it would be the District, not the operator.

Citizen Wally Stahle said the past was prologue: Ron Runberg proposed to drastically change the course we gave him to maintain and he and his supporters were devoted to the idea of turning the trees into dollars and sunshine. What Mr. Stahle had gleaned is that the greens are regularly rebuilt for various reasons and there is the question of how well they were rebuilt and to what standards. If Mr. Runberg believes the greens are old and dilapidated, Mr. Stahle said, it opens the door for him to once again, in a few years, champion the idea of more sunshine. Mr. Runberg said they were trying to convert them to drain better. He said the soil underneath is clay and roots. He said the greens are healthier all around where they've taken out roots. Mr. Stahle mentioned last year that Mr. Runberg said you can have a golf course or a park, that we can't have both. Why not have a management plan for the golf course and open the position to a public bid? We know Mr. Runberg is likeable and well suited, he continued, but why not open it to other people. Mr. Runberg asked, what was not aggressive about what I have done? Mr. Stahle replied, your resistance to the idea of artificial greens. Some argument ensued. Director Ziady said there had been a positive change in Mr. Runberg's attitude.

Citizen Maryll Morris said she had looked through the report and noticed that when the District contracted with Mr. Runberg, the Golf Enterprise Fund had almost \$600,000.00 in it at the end of June 2004. Then in the 2004-2005 budget documents, she assumed that the Golf Enterprise Fund got distributed into the rest of the District funds but she wasn't able to figure it out. Mr. Chapman said the vast majority was the land value and had been transferred into the General Fund, via advice from our auditor, Terry Krieg, CPA.

Director Orth said there would be a new Board in December. Mr. Runberg asked if they could tonight give an answer. Mr. Chapman said they needed to meet at least meet by December. Director Ziady asked if she was able to move for a six month notice if they were not done in time. Director Williams commented it was only September and it was premature to entertain such a motion and they wanted also to get a memo from Mr. Neary.

Director Horrick moved to accept and file the report; Director Orth seconded and the motion carried unanimously.

Mr. Runberg asked about the Specific Plan timeline. Mr. Chapman said one of the issues we have in terms of staff was the MSR, which he didn't expect to get back until January 2010. He felt it was premature to proceed without this. Mr. Morris asked why this would prevent the District from starting to work on the Specific Plan. Mr. Neary said he agreed and said there was no legal requirement that the MSR be certified prior to planning. Mr. Chapman asked Directors Orth and Williams when they wanted to kick things off and it was decided to be Friday, September 18.

Mr. Runberg asked if anyone wanted to discuss anything else, and with no answer left the meeting with Wally Stahle.

J. ADDITIONS TO FUTURE AGENDAS

None.

K. SPECIAL REPORTS

From Directors: Director Ziady said the Recreation Committee would meet the fourth Thursday in October.

From District Counsel: District Counsel Neary said they received two requests to de-publish the opinion in the Paland case. This was not uncommon; when an opinion comes out the special interest groups look at it, such as landlord/property owner-type associations in southern California. He has ten days to file a letter answer; he wouldn't be surprised to see the Howard Jarvis Foundation put in a request also. He would copy this answer to the Board.

From General Manager: Mr. Chapman said we had a serious illegal dump on Dogwood Terrace that was cleaned up. He then referred to his General Manager report about water truck traffic coming off of Ridge Road. He had had at least two letters and two phone calls from people upset with the truck Jake noise. Director Ziady said we needed to know what it was we could do; the County was responsible for the road. Mr. Neary commented to transport water from one point to another requires an appropriation. Director Williams felt we should contact the County and say this is a problem and it's going to get worse.

L. PUBLIC COMMENTS

The Board President asked for audience members to be afforded a second opportunity to speak regarding matters not on the agenda.

Maryl Morris inquired about how the bulk water sales program was going. She attended a CERT meeting in August at the Fire Department and saw a large water truck marked H²O cut through the parking lot at 7:00 p.m. Mr. Melliush answered the question saying it was a local construction contractor. Ms. Morris asked about whether the water was potable. Mr. Chapman confirmed it as non-potable. Ms. Morris asked if the program was helping the District significantly financially; Mr. Chapman responded not significantly.

Don Morris said he had the fall bulletin regarding "Save the Redwoods League" about the plight of the redwood trees. He said the filmmaker took an 1,800-mile walk through the redwoods and that there would be a lot of information about canopy science, and he felt it would be informative for the District to see this film.

William Boosinger of Poppy Drive gave a long negative narrative regarding the golf operations and management. Eventually the Board President intervened and said all of this should have been brought up during the previous agenda item, before Mr. Runberg left, and he felt it was unfair to bring it up now.

M. ADJOURNMENT

Director Williams moved to adjourn. President Skezas adjourned the meeting at 8:24 p.m.

George Skezas, President

ATTEST:

MICHAEL V. CHAPMAN