

**BROOKTRAILS TOWNSHIP COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
Tuesday, November 9, 2010**

The Board of Directors of Brooktrails Township Community Services District met in regular session on November 9, 2010 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, Horrick and Skezas. Director Orth was absent with notice. Also present were General Manager Chapman and District Counsel Neary.

REPORT ON CLOSED SESSION

1. District Counsel Neary reported that the Board met on one matter of existing litigation, Brooktrails v. City of Willits, received information from counsel and gave direction. The Board received information from counsel and gave direction on two matters of anticipated litigation.

C. ADDITIONS/ADJUSTMENTS TO THE AGENDA

D. MINUTES OF PREVIOUS MEETINGS

2. October 26, 2010. Director Williams moved to approve the minutes of the October 26, 2010 meeting. Director Ziady seconded and the motion carried unanimously.

E. SPECIAL PRESENTATION

None.

F. PUBLIC HEARING

3. Hearing on Solid Wastes of Willits proposed rates for garbage collection for 2011. Mr. Chapman said the rate increase was 0.84%. President Skezas opened the public hearing at 7:04 p.m. There being no comments, he closed the public hearing at 7:04 p.m.

G. PUBLIC COMMENTS

None.

H. CONSENT CALENDAR

4. Review of Accounts Payable report and authorization to issue checks. Director Horrick moved to approve payment of the outstanding invoices. Director Williams seconded, and Mr. Chapman explained the volunteer firemen remuneration to him; the motion was unanimously approved.

5. Preauthorization of second check run for November 24, 2010. Director Horrick moved to authorize a second check run on November 24, 2010 which will be retroactively reviewed and approved at the December 14, 2010 meeting. Director Williams seconded; the motion was unanimously approved.

I. ACTION AGENDA

6. Consideration of adoption of resolution setting revised garbage collection (SWOW) rates to be effective January 1, 2011. Manager. Chapman thanked Jerry Ward for attending. Director Williams moved to adopt Resolution 2010-18 approving the rate schedule for garbage collection and curbside recycling to be effective January 1, 2011. Director Ziady seconded. Jerry Ward said that the problems he was having with the County regarding his recycling center would not affect services here. Fort Bragg was going the other way and had put out a request for proposals last month. SWOW submitted one. Roll call vote was as follows:

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

7. AFCO Sphere of Influence / Municipal Service Review Report – Review of Chapter 7: Determinations. Mr. Chapman said he attended a special LAFCO ad hoc meeting the prior week. What was before the Board tonight had been partially rewritten by John McCowen, one of the members of the ad hoc committee. The resulting product was a combination of writing contributed by Mr. McCowen and Frank McMichaels, Executive Director of LAFCO. Mr. Chapman advised that wordsmithing needed to be held to minimum due to the publishing constraints of LAFCO on this formal document. Mr. Chapman had emphasized the importance of the second access road at the ad hoc meeting, and suggested that if this road were accomplished, we did have a potentially doable project (i.e., Lake Ada Rose project). But, even if the water moratorium were lifted, lack of a second access to relieve traffic congestion and provide emergency access could preclude buildout.

Jerry Ward said he has been with LAFCO more than a year and Brooktrails' process was delayed because one commissioner was gone. LAFCO felt the determinations were simply too long, and they wanted to set an example of what these should look like in future. LAFCO is obligated to do all these reports every five years. Next time around, this document will probably only need a few pages done, as only changes in the next five years will be discussed. From what he has seen, the commissioners viewed the District as being well run by the Board and staff.

Counsel Neary said there were two things that had struck him as being readable either way. For the record, he referred to Paragraph 2 of the staff report and its mention of a determination having been made by the Board relating to the relationship between the Second Access and buildout. That, he said, is not necessarily a Brooktrails determination. Theoretically, somebody could come in with an application for 2,000 building permits, if we had the water, and the County would have to issue those permits whether there was a second access or not. This is a hyper technical point. Secondly, he referred to the various references under "Wastewater" in the MSR summary [regarding City of Willits], and pointed out for the record that these aren't necessarily the position of Brooktrails, but instead are the position of LAFCO, and this distinction should be made clear for the record.

President Skezas said he had a problem with 37.69 percent, and he would rather see "responsible for a percentage of" rather than a specific number. Mr. Chapman said the third page discussed about wastewater, second paragraph, he inserted the word "expanded" – it says the District is entitled to use up to 37.69% of the expanded treatment plant capacity and he emphasized that point. President Skezas said as long as we've got that on the record, he didn't have a problem.

Director Horrick moved to approve the new condensed versions of Chapters 7, 8, 9 of the LAFCO MSR. Director Williams seconded. The motion carried unanimously.

J. ADDITIONS TO FUTURE AGENDAS

None.

K. SPECIAL REPORTS

From Directors: None.

From District Counsel: None.

From General Manager: None. He confirmed for President Skezas that we are releasing water for the fish. Director Williams complimented District staff on their quick and thorough response to his report of water running down the street Wednesday afternoon. It was a major line break.

L. PUBLIC COMMENTS

None.

M. ADJOURNMENT

Director Horrick moved to adjourn; President Skezas adjourned the meeting at 7:23 p.m.

George Skezas, President

ATTEST:

MICHAEL V. CHAPMAN