

# Wallace Community Services District

P. O. Box 398, Wallace, Ca 95254 - 209 763-2882

Historic Wallace School House

7999 Ward Avenue, Wallace

**Thursday, January 21, 2010**

**Regular Meeting of the Board of Directors**

**Meeting Notice & Agenda**

## CALL TO ORDER AND ROLL CALL

Directors; Patsy Bailey, Larry Howen, David Reyner, and Jerry Zedlitz.

## AGENDA

**\*No information included in packet**

### Old Business

1. **Closed Session Attorney Michael McGrew and the Board will discuss settlement proposal regarding possible law suit. After the closed session the Board will report any action taken. \***
2. **Closed Session Personnel. Discussion/action district personnel. \***

### New Business

1. **CCWD Report. Discussion/action CCWD report maintenance and repair needs for District facilities. \***
2. **Committee assignments. President Patsy Bailey will appoint the committee Chairpersons for the Finance Committee, the Open-space and Gate Committee, Roads and Utilities Committee, and the Interagency Coordinating Committee. \***
3. **Public Comment. The public may address the Board on any item not on the agenda. Please keep your comments concise as the Board may not take action on any item not on the agenda.**
4. **Board vacancy Action with regard to the resignation of Director Fusselman. \***
5. **Directors Comments \***
6. **Correspondence \***

### Consent Agenda

1. **Bills for Payment. Discussion/Action approval of Bills for Payment**
2. **Approval of minutes of the December 17, 2009 Regular Meeting and the December 23, 2009 Special Meeting.**
3. **Rescind \$1000. Discussion/Action rescinding reward for information. \***
4. **Adjournment**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please contact WCSD Office at 763-2882. Notification in advance of the meeting will enable WCSD to make reasonable arrangements to ensure accessibility to this meeting. Any documents that are made available to the board, before or at the meeting, not privileged or otherwise protected from disclosure, and related to agenda items will be made available for review or purchase at \$0.15 a page.

# WALLACE COMMUNITY SERVICES DISTRICT

P.O. Box 398 Wallace, CA 95254 209 763-2882

MARK FUSSELMAN'S BARN

9500 WALLACE LAKE DRIVE, WALLACE CA 95254

## Draft Minutes

### Regular Meeting December 17, 2009

#### CALL TO ORDER AND ROLL CALL

The meeting was called to order at 7:00 PM by Board President Pat Bailey. Present were directors Larry Howen, Jerry Zedlitz and David Reyner. Also present was General Manager and Secretary/Treasurer Reid Johnson. Director Mark Fusselmann was absent.

#### REGULAR AGENDA

##### OLD BUSINESS

#### **1. CLOSED SESSION DISCUSSION-SETTLEMENT PROPOSAL REGARDING POSSIBLE LAW SUIT.**

The Board of Director's and Attorney Michael McGrew held a closed session to discuss a settlement proposal regarding the Torte Claim served on WCSD demanding the return of a \$12000.00 road repair fee to John Boyd. Upon completion of the closed session the board reported that the issue had not been resolved and stated it would be continued to the next regular meeting.

##### NEW BUSINESS

#### **1. DISCUSSION AND POSSIBLE ACTION ON CONTRACTING WITH CCWD TO PROVIDE CONTRACT EMPLOYEES FOR WATER AND WASTEWATER.**

Bill Perley from Calaveras County Water District attended the board meeting to speak about the services CCWD can provide. He started by talking about his qualifications and many years of experience in the water and wastewater business. Mr. Perley expressed his willingness to assist us in assessing the needs of the district. He then spoke about his tour of the water and wastewater plants and reported the need to resolve compliance issues at the water plant in regards to our use of chlorine gas. He also reported the issues with the trickling filters leaking at the wastewater plant and the need to form a plan to repair them. Mr. Perley then spoke about the possible need to put in manholes and flushing points at key spots in the pipes for the septic and wastewater system. He also talked about inspecting residents septic tanks and having them pumped if warranted. Director Zedlitz asked if there would be an additional cost for pumping of septic tanks. Mr. Pearly said it would be an additional charge, then added he could probably negotiate the cost down to approximately \$250.00 per tank and could handle about 4 tanks per day.

Mr. Perley expressed the ability of CCWD to operate the water and wastewater plants and bring us into compliance in a short period of time. He talked about his flexibility in working with WCSO, stating that he would be willing to work in tandem with anyone WCSO hired to operate our plants in the future by providing back-up services. He also said once he gets our systems up to speed he could assist us in the hiring process.

Cathryn Jackson asked about the repair of the trickling filters at the wastewater plant. Mr. Perley said he would need to do further research, possibly using some camera equipment for inspecting in areas that are not accessible.

Director Zedlitz motioned to move forward in contracting for the professional services of CCWD with the agreement that CCWD will provide an assessment of the staffing and give us their recommendation as to how we should proceed.

Motion: J. Zedlitz

Second: D. Reyner

Passed: 4-0-0-1

## **2. DISCUSSION AND POSSIBLE ACTION WITH TRI-LAKES BAPTIST CHURCH FOR NEW MEETING PLACE.**

Jerry Zedlitz started the discussion by commenting on the ease of access and the fact that it is heated and well lit.

Larry Howen said he liked the idea that it's outside the gates, eliminating the need to change the public access time for the gate when board meetings are scheduled.

David Reyner stated that he felt the building was too small.

Jerry Zedlitz made the motion to contract with Tri-Lakes Baptist Church on a month to month basis.

Motion: J. Zedlitz

Second: L. Howen

Passed: 3-1-0-1

## **3. DIRECTOR'S COMMENTS**

David Reyner questioned the monthly rental fee for the storage unit at the wastewater plant. It was decided by the board to add this as an agenda item at the next meeting, to discuss a possible more cost effective solution. Mr. Reyner also spoke about the amount paid for legal aid and asked about putting parameters in place to control the costs.

In response to Mr. Reyner's concern about the costs regarding legal aid, Mr. Zedlitz suggested the board work on putting a policy in place to set guidelines.

President Bailey stated her hope is that the board can work to make changes that all will appreciate.

## **4. CORRESPONDENCE**

The board received written correspondence from Chuck Cantoni, after reviewing it the board decided to table it to the next regular meeting.

## **5. MANAGER'S REPORT**

GM Reid Johnson reported the average water production for the month of November was 34,023 gallons per day. All water samples were taken and tested in accordance with the sampling plan and all test results met the drinking water standards. He also stated that CDPH has not yet responded to the well #3 report and well #2 continues to be the district's sole water supply.

Mr. Johnson reported the average wastewater treatment and disposal was 13,627 gallons per day and that all reports, weekly sampling and lab test data were submitted. He said he received a revised proposal for \$900.00 from Jeff Allen to do vegetation maintenance at the wastewater storage reservoir and recommended the work be done. Mr. Johnson also reported that at least two of the trickling filters are leaking which could potentially put us at risk for a sanitary sewer overflow. He recommended the filters be replaced as soon as possible.

He also reported the safety edge strip has been replaced on the exit gate and that no road repairs had been done due to temperatures being too low to apply asphalt materials.

Reid Johnson expressed that he enjoys working for Wallace Community Services District and appreciates the experience. He also stated he agreed with many of the recommendations made by Bill Perly of CCWD. Mr. Johnson presented the board with a cost saving proposal and expressed his willingness to work with CCWD to correct any issues.

## **6. PUBLIC COMMENT**

Al Plessel commented that Reid Johnson inherited the problems with the water and wastewater plants.

## CONSENT AGENDA

### **1. BILLS FOR PAYMENT**

The board motioned to approve all bills for payment.

Motion: J. Zedlitz

Second: D. Reyner

Passed: 4-0-0-1

### **2. APPROVAL OF MINUTES FOR THE REGULAR MEETING OF NOVEMBER 19, 2009 AND SPECIAL MEETING OF DECEMBER 4, 2009.**

The board voted to approve the minutes of the Regular Meeting of November 19, 2009 with the addition of information to item 8 on the agenda, and the Special Meeting of December 4, 2009 with minor spelling corrections.

Motion: D. Reyner

Second: J. Zedlitz

Passed: 4-0-0-1

## EMERGENCY ITEM/TRANSFER OF FUNDS

The board moved to add an emergency item to the agenda in order to execute the transfer of funds from the General Acct. to the Bank Of The West checking account in the amount \$18,000.00

Motion: J. Zedlitz

Second: D. Reyner

Passed: 4-0-0-1

**3. ADJOURNMENT TO THE REGULAR MEETING OF JANUARY 21, 2010.**

Upon motion duly made and seconded, the board voted to adjourn the meeting to the next regular meeting on January 21, 2010.

Motion: D. Reyner

Second: L. Howen

Passed: 4-0-0-1

**DRAFT MINUTES**

Respectfully Submitted,

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T. Jones, Administrative Assistant

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Pat Bailey, President

**WALLACE COMMUNITY SERVICES DISTRICT**

P.O. BOX 398  
Wallace, CA 95254

MINUTES

Special Meeting of the Board of Directors

December 23, 2009

Meeting Place:

Mark Fusselman's Barn, 9500 Wallace Lake Drive, Wallace, Ca 95254

Board Members present, Patsy Bailey, Mark Fusselman, Larry Howen, David Reyner, and Gerald Zedlitz.

Board President, Pat Bailey, called the meeting to order at 7:00 PM. She announced that Jackie Neill would be the substitute note-taker as Tamara Jones was unavailable. Mrs. Bailey thanked Mr. Fusselman for the use of his barn and returned the barn keys.

Mrs. Bailey stated the reason for the special meeting, discussion and possible action was WCSD contract personnel. As Mr. Fusselman was unable to attend the previous board meeting there was clarification regarding the contract with CCWD (Calaveras County Water District). At the last board meeting the Directors had voted to contract with CCWD for utility services and General Manager requirements. At the same meeting CCWD was asked to do an assessment of WCSD personnel. After meeting with the WCSD contract General Manager Bill Perley, CCWD; Director of Utilities contacted WCSD legal counsel and they discussed the contract and licensing requirements.

The resolution terminating the contracts of DAE Engineering and JOL Enterprises, prepared by Michael McGrew (SEE ATTACHED) was read for the record by President Bailey. Following the reading the Directors discussed the resolution. Gerald Zedlitz made a motion to accept Resolution 2009-14 and the motion was seconded by David Reyner. Discussion included the work done by the Ad-Hoc Staffing Committee which recommended that WCSD hire part-time contract workers. Mr. Zedlitz stated that he felt now that the compliance issue had been brought to the attention of the Board continuing to operate out of compliance could open the Board up to legal problems.

After the Board discussion Mrs. Bailey opened the discussion up for public comment. Resident Bill Pugh read from the Brown Act regarding Emergency meetings. He questioned who would be WCSD's General Manager and discussed his opinion that the Board would be going into a closed session and that too was a violation of the Brown Act. Resident Cathryn Jackson spoke about the possibility of the fine for being out of compliance and the hardship that would place on the District.

President Bailey conducted a roll call vote. Director Fusselman abstained. Directors Bailey, Howen, Reyner and Zedlitz voted to adopt Resolution 2009-14.

**ADJOURNMENT TO THE NEXT REGULAR MEETING ON THURSDAY,  
JANUARY 21, 2010.**

Respectfully submitted,  
DRAFT MINUTES

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Jackie Neill, Substitute Recording Secretary

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Patsy Bailey, President, WCSD