

MINUTES

The meeting was called to order at 6:00 p.m.

1. Roll Call

The meeting was called to order by the Board President James Kentosh at 6:00 pm at the District Office.

Present were: Board President James Kentosh, Board Directors Mike Krumpschmidt, Diana Engle, Larry Harrold and Mike Etchart. Staff Present: General Manager Mike Hollebrands and Board Secretary Summer Ward. Attorney Lindsay Nielson was also present.

Absent: None.

2. Approval of the minutes

Approval of the December 19, 2017, Regular Meeting minutes:

Mr. Etchart made the motion to approve the December 19, 2017, Regular Meeting minutes with a minor wording correction on page 2, item 4 date and page 3 abbreviation correction to "QAPP," page 5 remove "in" congruent from statement from Mr. Krumpschmidt. Mr. Harrold seconded the motion.

Etchart/Harrold
All Ayes
M/S/C

3. Public Comments

Mr. Kentosh presented "Guidelines" for public comment session. Mr. Kentosh reviewed relevant portions of the Brown Act and created the guideline accordingly:

- 3 minutes per public speaker
- Comment period will be provided for each agenda item;
- Speakers are to stand at the lectern and introduce themselves for the record.

Ms. Von Gunten stated that the public meetings are a time for the Board to receive comments from the public.

Ms. Moll asked if there is a request that a statement be included in the minutes, will it be included?

Mr. Nielson clarified for the Board that they can briefly respond to a public comment but it is not the intent to engage in discussion on the public comment.

Mr. Krumpschmidt made the motion to approve the Public Comment Guidelines. Mr. Etchart seconded the motion.

Krumpschmidt/Etchart
All Ayes
M/S/C

Public Comments:

Susan Moll was present. Ms. Moll stated that the Board President stamped “draft” on her June 22, 2017 response letter and that this is her 3rd request to have her response included in the August 2017 minutes. Ms. Moll also mentioned that Mr. Nielson’s email was hacked and Ms. Moll read the hacked email that she received and expressed concern regarding security of her information that may have been obtained by the hacker. Ms. Moll also expressed concern because of her receiving one other strange email previously from Stacey Gilbert. Ms. Moll provided a copy of the letter and email from Stacey Gilbert.

Elizabeth Anne Von Gunten was present. Ms. Von Gunten made four comments. Public Comments section is for receiving comments not for discussion. Public Records Act requires that her written statement be included in the meeting minutes, which they previously have not been. FEMA has Emergency Management training for elected officials coming up and she will email that information to Mr. Hollebrands for distribution. Ms. Von Gunten has requested a copy of the completed CalFire After Action Report for MOWD for the Thomas Fire.

4. Financial Matters

- Approval of Payroll and Payables from December 16th to January 15th, 2018 in the amount of:

Payables -	\$44,510.25
Payroll -	\$36,498.12
Total -	\$81,008.37

Public Comments: Ms. Moll referenced line item “Benner & Carpenter” what is the history of payment, what expenses are included in that item?

Mr. Harrold made the motion to approve the Payroll and Payables from December 16th to January 15th, 2018. Mr. Etchart seconded the motion.

5. Board Discussion/Actions (public comments after each item)

A. Benner & Carpenter (Larry Frager)

Mr. Frager presented the 1976 parcel map and identified markers during onsite survey that matched parcel map and county records, most were within 2-3 inches of the mapped location. The few markers not found were extrapolated using the angles and distances between the found markers and all indicate matches with county record. Temporary flags were placed in those extrapolated sites. An official county recording is only required if the surveyor places a 1" pipe with marker tag, which Benner & Carpenter did not do at that time of the survey. Mr. Nielson clarified that it is illegal to move or deface county recorded markers. Mr. Krumpschmidt asked of Mr. Frager if in his professional opinion there was any doubt in the accuracy of the parcel map, of which Mr. Frager confirmed he is confident in the accuracy of the parcel map. Mr. Frager stated his professional licensing for the record as a Licensed Land Surveyor and professional engineer. Mr. Kentosh made the request that Mr. Hollebrands contacted Benner & Carpenter to set and record each corner of the tank farm property with the county, if the expense is within the GM's approval limit, if it is not it will come to the board for approval. The board was unanimously in support of Mr. Hollebrands completing this task.

Public Comments:

Ms. Von Gunten requested that it be indicated on the map where a marker should have been found and where actual markers were found. Ms. Von Gunten also requested electronic copies of the 2 maps Mr. Frager presented.

Ms. Moll stated that there were two records of survey for the property in 1941 and 1956. She went to the county GIS to make corrections and made requests to the county surveyor for other related changes. Ms. Moll had in hand and presented a marker pipe that she states she found lying by her water valve #RE224 and that Steve found a marker #3069 on the property.

Ms. Foley stated for the record that the history of 0.22 acres came from the deed for that triangle of land which extends up from the original parcel and then downward.

B. Tank Farm Fence Location

Mr. Kentosh restated that this is to complete the perimeter and corner of the tank farm property carried forward from last meeting. Mr. Kentosh gave a brief summary of the December regular meeting agenda item asked if there was any new information that should be considered regarding fence location. Ms. Engle clarified with Mr. Hollebrands that at the time Ms. Moll purchased the property there was a chain connected to two poles across that access road, the prior owner did not use that as a primary access.

Public Comment:

Ms. Moll stated that the fencing would not allow her to turn around and that she would lose an acre of her land. This is a form of taking and to follow the legal land acquisition guideline. She stated to not move forward until county recording is done. She will do anything to make it safe.

Ms. Foley asked if the fencing will include the triangle of land. Mr. Kentosh affirmed yes. Ms. Foley noted that she was on Ms. Moll's property during the fire and that she had told the fire crews they had access to turn around at the top driveway and that this would cut off the access road.

Ms. Von Gunten felt she was cutoff during her response and that it was disrespectful and that she wanted to recommend a recorded survey, seek the highest legislative authority. Ms. Von Gunten noted that if Ms. Moll is left with less than 10 acres of useable agricultural land she will lose her agriculture designation and that has its own set of ramifications.

Ms. Maroney stated that she is a good friend of Ms. Moll and was present with Ms. Moll at the November 28, 2017 meeting and would like to know what happened with the liability insurance and electrifying the gate for access.

The Board discussed continuing forward with fencing while the district pursues recording the markers with the county. The board agreed that fencing would be inside the temporary wood markers, to be prudent and place fence further inside markers, if county survey requires adjustment then the fence would be moved accordingly.

C. Damage to Tank Farm Property

The damages to the Tank Farm are viewed as a civil matter according to local authorities. Damages include removal of flow berm, excavation of the main line and removal the removal survey markers. Mr. Hollebrands is currently obtaining cost estimates from WREA for the repairs, if the total is less than \$10,000 it will go to small claims court. Mr. Hollebrands

will proceed with making the necessary repairs while the civil matter is being processed.

Public Comment: Ms. Moll stated that the flow berm is just a speed bump and that she installed ballards, she felt compelled to make it safer. In regards to compaction, the surveyor was digging deeper than she dug and stated that she has photographs.

D. Moll Allocation Request

Mr. Kentosh reviewed the allocation waiver request submitted by Ms. Moll. The information provided on the request form was incomplete and did not include the amount of units being requested. Mr. Etchart and Mr. Kentosh both offered assistance to Ms. Moll in how to estimate units for an agricultural land. The request was not approved pending more information from Ms. Moll.

Public Comment: None.

E. Replacement of Well 4

Mr. Hollebrands presented the bid summary sheet based on the job specifications created by the hydrogeologist. The board discussed the bid variances and work history and reputation of each bidding company. Mr. Hollebrands clarified for the Board that these bids do not include the motors, control panels, or VFD's, etc...these additional items are not in the current budget and will need to come from reserves. The Board will discuss further during the upcoming budget meetings. Mr. Hollebrands recommended Layne Christensen for the job as they have the most experience with this type of drilling and a long history of high quality work for the District. The Board requested that Mr. Hollebrands request a bid from the hydrogeologist for his presence during onsite drilling.

Public Comments: None

Mr. Etchart made the motion to approve the Layne Christensen bid for the Well 4 Replacement job. Ms. Engle seconded the motion.

Etchart/Engle
All Ayes
M/S/C

F. Board Email Policy

The Executive Committee met and discussed the template provided last meeting by Ms. Engle, as well as the information provided by Mr. Nielson. The Board is in agreement that the District should move forward with creating the Board email accounts and develop and adopt a clear email and retention policy.

Public Comment:

Ms. Von Gunten referenced back to around 2010 when there was a large project to file scan and purge, there was a retention policy at that time. Ms. Von Gunten added that the Clinton email investigation is still ongoing.

G. MOWD Officer Elections for 2018

Mr. Kentosh stated that it is healthy to have rotation of positions and that he has acted as President for 18 months. The Board agrees that annual rotation of positions would be beneficial.

MOWD Board President – Mr. Krumpschmidt made a motion to nominate Mike Etchart. Ms. Engle seconded the motion.

**Krumpschmidt/Engle
All Ayes
M/S/C**

MOWD Vice President – Mr. Krumpschmidt made a motion to nominate Jim Kentosh. Mr. Etchart seconded the motion.

**Krumpschmidt/Etchart
All Ayes
M/S/C**

Public Comments: None

H. Presentation on Thomas Fire – presentation at end of meeting.

6. General Manager's Report

- **Highway Bids - pending**
- **District O & M Report – Mr. Hollebrands met with the State onsite and the District anticipates receiving its Discharge Permit in February 2018.**
- **Thomas Fire Recovery Updates – The staff have trenched approximately 1,000 feet at wells 1, 2 & Treatment Plant. The generators will be removed by next week and Edison will be picking up the full cost approximately \$24,000/month. The insurance claim is up to \$100,000 and the equipment to date has reached \$86,000. There is a FEMA meeting scheduled for January 22, 2018 to review the application process and required documentation.**
- **District Generators – Tabled to February 2018**
- **AWA meeting – Eric Bolt, NASA will be presenting at the January breakfast with a 2018 weather outlook.**

Public Comment: Ms. Von Gunten requested an after action report on the CalFire template for the Thomas Fire events.

7. Board Committee Reports

- **Executive Committee – January 5, 2018**
Mr. Kentosh reported that the Executive Committee and Mr. Hollebrands met on January 5th to review the email policy template that Ms. Engle had provided last month. Recommendations and further editing of the policy will be made as discussed in item F.
- **GSA – postponed to January 18, 2018**

8. Old Business

- **Financial: CA Special District Training Expense – Tabled to March 2018**

9. Board of Directors' Reports

- **Mr. Etchart – requested that a link for the landslide website be added to the MOWD website. Ms. Ward will make the website revision.**
- **Mr. Harrold – stated that the Thomas Fire was a good example of our emergency response and would like the board to consider not purchasing a generator.**
- **Ms. Engle stated that the ground water/surface water model work plan public comment period has been extended. Ms. Engle drafted the comment letter on behalf of the MOWD as discussed at the December 2017 regular meeting. Mr. Kentosh will sign and Ms. Engle will submit the completed comment letter.**
- **Mr. Krumpschmidt shared that the new assisted living started construction on El Roblar, they are to meet a net zero consumption. The water saving efforts will begin at Meiners Oaks Elementary School and then to other schools within the district until net zero is reached. The site will have a MOWD allocation, with additional units already purchased from Casitas.**
- **Mr. Kentosh noted that when he was out jogging he noticed and removed a garage sale sign that was posted over our drought sign. Mr. Kentosh also reported that the AWA has appointed him to the Nomination Committee.**

10. Closed Session: The Board of Directors will hold a closed session to discuss personnel matters or litigation, pursuant to the attorney/client privilege, as authorized by Government Code Sections 54957 & 54956.8, 54956.9 and 54957.

- **No closed session items.**

11. Thomas Fire Presentation

Mr. Hollebrands prepared and narrated a 58 slideshow of the timeline and impact of the Thomas Fire in the Meiners Oaks District.

12. Meeting Adjournment

There being no further business to conduct at this time, Board President James Kentosh adjourned the meeting at 9:35 PM.

President

Secretary