

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 Stuart Nielson was also present, on behalf of Lindsay Nielson.

Absent: None.

2. Approval of the minutes

Approval of the November 21, 2017, Regular Meeting minutes:

Mr. Etchart made the motion to approve the November 21, 2017, Regular Meeting minutes with a minor wording correction on page 3. Mr. Harrold seconded the motion.

Etchart/Harrold
All Ayes
M/S/C

3. Public Comments

Elizabeth Anne Von Gunten was present. Ms. Von Gunten stated that she has concerns that the Board Committees were not noticed at Ace Hardware or Farmer & the Cook. Ms. Von Gunten stated that she will bring this matter of proper notice to the DA office. Ms. Von Gunten will email Mr. Hollebrands her public statement. Mr. Krumpschmidt requested that the District website be amended to have standardized formatting for all meeting agendas and minutes posted. The Board agreed that all meetings will be noticed at least 72 hours in advance and noticed online and in the 3 designated locations.

Susan Moll was present. Ms. Moll is concerned regarding the previous months' closed sessions regarding property negotiations. She stated that her name should be included on the agenda not just the parcel number,

further that there were no negotiations to be taken place without the property owner present. Mr. Kentosh stated that the Board will request that Mr. Nielson review the agenda items. If changes need to be made they will do so as required.

Wilma B. Foley was also present. Ms. Foley thanked the District for their hard work during the Thomas Fire.

4. General Manager's Report

- **Thomas Fire Events – Mr. Hollebrands will share a PowerPoint of images and timelines during the January 16, 2018, Board meeting. This was a major event that began on the night of Monday, December 4th. MOWD crew was on alert, all systems were online, and tanks were observed; we had constant communication with OES, media outlets, contractors and emergency personnel. MOWD never lost pressure; we had a rented generator from Quinn in place for backup power. Damage was sustained Wednesday, December 6th to the Treatment Plant motor controls, and SCADA panels affecting wells 1 & 2. Power was restored to well 7 on Wednesday. MOWD responded accordingly, and the Board members were kept updated throughout the event. We are still in the recovery phase. Edison has assisted with two backup generators and approximately 100 gals/day of fuel, as well as set a new pole on 12/10/2017. Oil Field Electric built two panels and installed them on 12/11/2017.**

Ms. Von Gunten noted that purchasing a generator was on the priority list back when she was on the MOWD Board. Mr. Krumpschmidt stated that it has remained a priority and that due diligence is being done to ensure the appropriate equipment and location decisions are made regarding purchasing a generator. Ms. Moll noted that during the Thomas Fire, the fire crews left her Ag water running; Mr. Etchart stated they did the same with his property as well.

- **SDRMA Insurance Claim #7238 – Mr. Hollebrands filed the claim on 12/8/2017, current expenses are >\$100,000.**
- **FEMA Claim – Mr. Hollebrands filed the FEMA claim on 12/8/2017.**
- **Warehouse (CUP) – Hearing before the Planning Commission scheduled for 2/22/2018.**
- **District O&M Report – The District Board reviewed the report and asked for clarification on when Casitas would declare Stage 4 drought, Mr. Hollebrands replied at 30% or below, Stage 4 would be declared.**
- **Fencing Update – Postponed lower portion to 1/29/2018. More discussion under item 9a.**
- **Casitas MOU – No update.**
- **Well 4 Rehab – All job bids will be presented at the December 19th meeting for review. WREA meeting to review the site plan for the new motor controls, the District personnel will perform the line extension work.**

- **District Generators – The Board requested that Mr. Hollebrands report in February 2018 data related to the type of generator and approximate cost.**

5. Board Committee Reports

- **GSA Board December 14, 2017 – Ms. Engle summarized the most recent meeting, including:**
 - **Bylaws were adopted;**
 - **TAC meeting- Work plan comment period. Ms. Engle recommends MOWD comment letter to address concerns of the District. Ms. Engle to draft letter, review by Board before submittal.**
 - **GSA funding for a local study for monitoring the well at San Antonio Creek into the basin. QAPP standard operating procedures will be created for the types of studies being done.**
 - **GSA email policy template was shared with MOWD Board for review and consideration in the development of our MOWD email policy.**
- **Executive Committee December 13, 2017 – Mr. Kentosh stated that he, Mr. Krumpschmidt and Hollebrands were present for this special meeting of the Executive Committee. The meeting was noticed 24 hrs prior, as required by the Brown Act; however, future committee meetings will be noticed with 72 hrs or greater for the convenience of the public.**
 - **Previous closed session item GM performance evaluation and possible salary adjustment was discussed. The performance evaluation was then reviewed with Mr. Hollebrands.**

6. Old Business

- **Safety/Emergency Preparedness - Actual response Thomas Fire.**
- **Zone 2 Generator Budget Allocation – There was discussion regarding the process and implementation of the Zone 2 generator. Purchase will be made from the General Fund and then a Zone 2 incremental fee will be applied to repay the general fund over-time. Three phases were discussed: a) Engineering (now); b) budget; c) notice to Zone 2 customers (prop 218).**

7. Board of Directors Reports

- **Mr. Etchart – shared photos of the Thomas Fire.**
- **Mr. Krumpschmidt – None.**
- **Mr. Harrold – shared devastation caused by the Thomas Fire in upper Ojai.**
- **Ms. Engle – None.**
- **Mr. Kentosh – None.**

8. Financial Matters

- Approval of Payroll and Payables from November 16th to December 15th, 2017 in the amount of:

Payables -	\$99,513.56
Payroll -	\$34,962.05
Total -	\$134,475.61

There was clarification on three payables: (1) Report of Income “Taxes” – MOWD receives a portion of county property tax dollars; (2) CA Special District 2018 Membership \$4,102.00, Board requested Mr. Hollebrands gather completed trainings for last 2 years and accumulative training cost compared to membership fees by April for the next budget cycle; (3) Mr. Hollebrands clarified that all Thomas Fire related expenses would be marked on a “Fire” line item.

Mr. Harrold made the motion to approve the Payroll and Payables from November 16th to December 15th, 2017. Mr. Etchart seconded the motion.

Harrold/Etchart
 All Ayes
 M/S/C

9. Board Discussion and/or Action

- Tank Farm Fence Location – Mr. Kentosh reviewed the meeting that was held on November 28, 2017, with himself, Mr. Hollebrands, Lindsay Nielson, Ms. Moll brought her sister, a friend and one local resident. The meeting was aimed at addressing past differences and creating an action plan of possible resolutions. Mr. Kentosh requested a delay to the January start of the fencing to allow the group to continue working together so they can explore alternatives such as additionally insured, for a mutual benefit. Mr. Krumpschmidt expressed concerns regarding ongoing potential liability on MOWD property during the postponement period. Mr. Etchart and Ms. Engle added that they would not want this delayed past the February Board meeting. Mr. Harrold requested that a written statement of all the recommendations and action items be provided to the Board for review and consideration. It was the opinion of the Board that they would be willing to consider alternatives to fencing the smaller portion of the fence in question and move forward with the larger portion of the fencing; if the alternative actions are not satisfactory to the Board they will continue with fencing the entire property. Ms. Moll requested an opportunity to speak on the matter. Before addressing the matter, Ms. Moll reiterated that they had a good meeting in November and she brought Christmas gift bags. The Board thanked her for the gesture but explained that they could not be accepted. Ms. Moll then displayed an overlay of property lines that she had prepared on top of the Assessor Map of the property; she stated that

it is her belief that the Assessor Map is wrong and that the property in question belongs to her and not to MOWD. Ms. Moll stated that if the District continues forward with fencing off the property that it is a form of taking and that the District should pay her fair market value for that part of her property, about an acre, that she would not be able to drive down or use. Mr. Kentosh summarized the steps in a survey of record with the county and how surveyors determine the property lines based on various points of data and deeds. Adjustments may be made based on the County surveyor recommendations. Once the property boundaries are agreed upon by the hired surveyor and the County surveyor, they are filed and become a legal document of sorts. The District does not dispute the record of survey. The District survey was to set markers based on the record of survey. Mr. Neilson clarified that surveyors are legally allowed to set markers for reference points without recording the survey. Mr. Krumpschmidt stated that the District has done due diligence to assess the property lines and they are congruent with the record of survey and that the District should move forward with its best interests. Anyone in disagreement with the survey of record will have the responsibility to hire a surveyor to challenge the county record. Based on the discussions with Mr. Moll at the board meeting, it appeared that most of the progress made at the November 28th meeting has been lost. Mr. Kentosh apologized to the Board for the apparent lack of progress made on this matter.

- **SDRMA Resolution 20171219 Worker's Compensation** – The resolution is to allow Workers Compensation coverage to Board Members and any MOWD volunteers while conducting MOWD related business. Mr. Krumpschmidt made the motion to adopt Resolution 20171219. Ms. Engle seconded the motion. There was no discussion. The motion went to a Roll Call Vote – Kentosh – Aye, Krumpschmidt – Aye, Engle – Aye, Harrold – Aye, Etchart – Aye. Resolution 20171219 passes unanimously.
- **Earth Systems Report** – The compaction report for the Tank Farm indicate unacceptable compaction of the 10'x18" area. Mr. Hollebrands will request job bids and WREA recommendations. Ms. Moll will be notified when the work is scheduled to be done on the property.
- **Board Email Policy** – Executive Committee will be scheduled in January 2018 to review the draft email and retention policies and an update will be provided to the Board January 16, 2018.
- **Well 4 Bids** – Tabled to January 16, 2018.
- **Highway Bids** – Tabled to January 16, 2018.
- **GM Evaluation & Compensation** – Mr. Kentosh stated that a comparison with other GM salaries was reviewed and that it would be appropriate to recommend a 2% cost of living and 5% merit salary, for a total increase of 7% retroactive to August 1, 2017.

Mr. Etchart made the motion to approve GM salary increase of 7% retroactive to August 1, 2017. Mr. Krumpschmidt seconded the motion.

Etchart/Krumpschmidt
All Ayes
M/S/C

10. Closed Session: None.

11. Meeting Adjournment

There being no further business to conduct at this time, Board President James Kentosh adjourned the meeting at 8:21 PM.

President

Secretary