

Regular Meeting  
December 21, 2021  
6:00 pm

Meiners Oaks Water District  
202 W. El Roblar Drive  
Ojai, CA 93023-2211

## Minutes

The meeting was called to order at 6:00 pm.

1. **Call to Order**

The meeting was called to order by the Board President, Mike Etchart, at 6:00 pm via teleconference.

2. **Roll Call**

**Present:** Board President, Mike Etchart, Board Directors: James Kentosh, Diana Engle, Christian Oakland, and Loni Anderson. Staff Present: General Manager, Justin Martinez, and Board Secretary, Summer Ward. Attorney Present: Stuart Nielson, and Greg Jones - closed session only.

**Absent:** None.

3. **Approval of the Minutes**

**Approval of November 16, 2021, Regular Meeting Minutes**

Director Engle made the motion to approve the November 16, 2021, Regular Meeting minutes. Director Oakland seconded the motion.

Director Kentosh requested the minutes clarify which attorneys are present for closed session only and confirmation of the New Meters & Expansion of Services Committee membership.

No public comment.

Engle/Oakland

**Roll Call Vote:**

Etchart - Y      Engle- Y      Kentosh - Y      Oakland – Y      Anderson - Y

All Ayes – M/S/C

4. **Public Comments** – None.

**\*\*The Board went into closed session at 6:05 pm\*\***

**\*\* G. Jones joined at 6:09 pm\*\***

5. **Closed Session: The Board of Directors held a closed session to discuss litigation, pursuant to the attorney/client privilege, as authorized by Government Code Sections §54957 & 54956.8, 54956.9, and 54957.**

- Meiners Oaks Water District v. Moll, Ostling and Ojai Vista Farms 56-2018-00515474-CU-OR-VTA/

**\*\* G. Jones left at 6:40 pm \*\***

**\*\*The Board adjourned closed session at 6:42 pm\*\***

Attorney S. Nielson stated that the Board discussed current ongoing litigation in closed session, and no actions were taken.

6. **Financial Matters**

**Approval of Payroll and Payables from November 16 to December 15, 2021, in the amount of:**

Payables:	\$133,417.99
Payroll:	<u>\$ 41,727.52</u>
Total:	\$175,145.51

Director Engle made the motion to the Payroll and Payables from November 16 to December 15, 2021. Director Oakland seconded the motion.

Director Engle requested clarification on the status of the Nitrate Removal budget.

No public comment.

Engle/Oakland

**Roll Call Vote:**

Etchart - Y      Engle- Y      Kentosh - Y      Oakland – Y      Anderson - Y

All Ayes – M/S/C

7. **Board Discussion/Actions**

**a. Receive and discuss request from customer D. Hill regarding the Meiners Road tank location. (D. Hill)**

Mr. Hill, owner of the property where the Meiners Rd tank and antenna are located, stated that he is present to discuss the feasibility of the equipment location. Mr. Hill noted that the old tank came down today. He provided photos of a proposed new location, closer to Meiners Rd. Mr. Hill offered to meet with District Directors onsite to discuss options.

Director Kentosh offered to meet with Mr. Hill and Mr. Martinez on site to discuss options. Director Kentosh noted two requirements still need to be assessed and met, including Fire Department and Public Health, and recommended getting a water system

design report. The Board requested this discussion item be added to the next regular meeting agenda.

No Public Comment.

No Motion.

**b. Approve Resolution 20211221: AB 361 – Brown Act: Remote Meetings During a State of Emergency, subsequent to Resolution 20211116. (Ward)**

Ms. Ward presented Resolution 20211221: AB 361 - Brown Act: Remote Meetings During a State of Emergency, subsequent to Resolution 20211116.

Director Anderson made the motion to approve Resolution 20211221: AB 361 - Brown Act: Remote Meetings During a State of Emergency. Director Engle seconded the motion.

No Public Comment.

Anderson/Engle

**Roll Call Vote:**

Etchart - Y    Engle- Y            Kentosh - Y            Oakland – Y            Anderson - Y

All Ayes – M/S/C

**c. Review revised Ordinance: Director Compensation, for public hearing notice to publish on 12/24/2021 and 12/31/2021. (Etchart/Ward)**

Ms. Ward presented the revised Ordinance 22-01-18: Director Compensation, replacing Ordinance 98-10-20. Ms. Ward and Attorney S. Nielson reviewed that the participation in legal, administrative, or other official proceedings on behalf of the District was added to the policy language. The public hearing notice is scheduled to be published in the Ojai Valley News on December 24 and 31, 2021. The public hearing is scheduled for the Regular Board Meeting January 18, 2022.

No Public Comment.

No Motion.

**d. Discuss and approve future District financial auditing standards to be followed per auditor’s recommendations. (Ward/Martinez)**

Ms. Ward presented information provided by the District auditor regarding updates to the auditing requirements. The Government Auditing Standards now have independence requirements that Fanning & Karrh, CPAs do not feel they can adhere to under the existing circumstances. The performance of the audit in addition to the preparation of financial statements and preparation of adjusting journal entries present

threats to independence. MOWD is not required to follow the Government Auditing Standards, but rather the generally accepted auditing standards in the US and State Controller's Minimum Audit Requirements for California Special Districts. Should MOWD choose to continue with the Government Auditing Standards, a larger firm or an additional CPA would be required, at an additional expense to the District. If the District chooses to discontinue following the optional standards, Fanning & Karrh, CPAs can continue performing the District financial audits. Ms. Ward noted that Ventura River Water District does not follow the optional Government Auditing Standards.

Director Kentosh recommended discontinuing the optional standards and revisit in a future year. Director Oakland stated that if not required, the District should not spend rate payer money on it.

The Board was in consensus to discontinue following the optional Government Auditing Standards at this time and provided direction to staff to inform the District auditor of its decision.

No Public Comment.

No Motion.

#### **8. General Manager's Report**

Mr. Martinez reported that the Casitas Lake level is at 32.7%. The District is currently on Casitas water, demand has slowed, and the lower connection was turned off 10/28/2021. Mr. Martinez has continued working with Patrick at the Division of Drinking Water on the blending pilot project. The Meiners Road antenna tower project has been completed. The grant applications for source water options and AMI metering are in process, pending update from Regina Hirsch. Mr. Martinez reported the 28-day rainfall totals, 4.52" at Casitas Dam and 6.18" at Matilija Canyon. Mr. Martinez reported that the tank inspection and cleaning was completed, with an official report of recommendations pending. The District's old service truck and golf cart have been listed on GovDeals, with the auction scheduled for 14 days.

No Public Comment.

#### **9. Board Secretary's Report**

Ms. Ward presented the monthly Board Secretary report, highlighting that the District recruitment of the temporary administrative clerk is in process with 78 applicants, the CA Executive Order N-42-20 moratorium on customer disconnections for non-payment is set to expire December 31, 2021, and public records request from UC Berkeley/SPUR regarding customer water shut-offs after March 4, 2020, received December 17, 2021. Ms. Ward noted customer arrearage payments stalled, individual letters are being mailed to account holders with significantly past due balances. The California SWRCB Water Arrearage Payment Program for customer assistance is available, the District had not submitted its application yet due to pending clarification

regarding tax liability for customers receiving those utility credits. Ms. Ward stated the IRS has provided clarification that there would be no tax liability for District customers that receive the utility credits. After discussion, the Board was in agreement to proceed with submission of the Water Arrearage Payment Program application. Ms. Ward reported that work on the Allocation Program billing configuration and bill printing has been completed and will proceed with implementation of the new allocations with the December 31, 2021 bill statements.

No Public Comment.

**10. Board Committee Reports**

- Executive Committee: No update.
- UVRGA: Director Engle reported that the GSA received a lengthy comment letter 24-hrs prior to the public hearing and has postponed the hearing for one month, to allow inclusion of the comments.
- Allocation Committee: See Board Secretary report.
- Budget/Rate Committee: Committee to meet in January.
- Emergency Management Committee: No update.
- Staff Procedures Committee: No update.
- New Meters & Expansion of Services Committee: Committee to meet in January.

**11. Old Business**

- State Water: Director Kentosh stated that Casitas is in negotiations regarding the Ventura connection; Casitas will provide an update.
- Matilija Dam Removal Update: No update.
- Nitrate Removal: Director Kentosh reported that he and Mr. Martinez met with MKN to discuss the draft report, and it looks good; the final report will be provided in January.

**12. Director Announcements/Reports**

- Director Engle: No report.
- Director Oakland: No report.
- Director Kentosh: Encouraged Directors to sign up for direct deposit, it is an easy process and to contact Brandi for enrollment.
- Director Anderson: Attended the Ventura River Watershed meeting on December 2, 2021. Discussions included the instream flow document, grants, fire prevention programs for homeowners, and the CA condor project.
- Director Etchart: No report.

13. **Meeting Adjournment**

There being no further business to conduct at this time, Board President Mike Etchart adjourned the meeting at 7:53 pm.

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**Board Secretary**

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**Board President**