

Ponderosa Community Services District

Minutes of meeting

March 14, 2013

Present:

Directors: D. Doty, C. Marchaunt, M. Moroney, B. Benton, Barbara Dolmovic

Absent: none

Staff: D. Robertson, J. Robertson, M. Towfiq

Guests: none

The meeting was called to order at 12:45 p.m. followed by the flag salute.

Comments from the Public

None

Communication

Received

From Fruit Growers Lab – test results

From Board of Supervisors – notice that two small districts request moving elections to even numbered years and consolidate with general elections

From RLK Coatings – via email request for letter of recommendation from PCSD related to tank coating

From S. Witherow received via email on Feb 18 letter dated Feb 17 requesting project bid notification – *secretary contacted 4 Creeks, the bid has not yet been published, there is no document to provide*

From S. Witherow received via email on Feb 27 letter dated Feb 25 requesting PCSD sexual harassment policy in place Jan 1, 2011 and subsequent revisions

From S. Witherow received on March 4 email response to PCSD response regarding Feb 25 request *The secretary will draft an appropriate response and apology for previous insufficient reply*

From S. Witherow received March 8 request for meeting documents

President Comments

Most of this meeting will probably be reports by secretary and treasurer

Minutes from previous meeting(s)

It was moved, seconded and passed to accept the minutes of the February 21, 2013 regular meeting with the addition of board action increasing the mileage reimbursement to match the amount currently allowed by the IRS

Secretary Report

Conference attended – certificate earned

Mr. Witherow requested a copy of the PCSD sexual harassment policy. The secretary was unaware if such a policy existed, referred matter to GM and consulted the board president. Yes, there was such a policy but no electronic version was available. A hard copy was provided to the secretary. The current policy was a generic form; the secretary has revised the policy to more accurately pertain to the PCSD. It will be reviewed during the policy review process and provided to Mr. Witherow.

Review of current policies, review and discussion of additional policies.

Current policies addressing harassment (111) and drug use (112) are Human Resource policies. Secretary recommends to board renaming these policies to separate them from procedural policies. The anti-harassment policy and employee drug use policy were reviewed. It was moved, seconded and passed to reaffirm policy 111 anti-harassment rewritten from its generic form to be specific to the PCSD and renamed as HR-101. It was moved, seconded and passed to reaffirm policy 112 employee drug use and rename as HR-102.

Policy 101 Board meetings – reviewed and revisions suggested

101.1 to reflect the current meeting time

101.2 special meetings may be called by the board president ADD if absent-any board member

101.2.1 ADD notification may be verbal

101.3 ADD General Manager to list of who can determine an emergency situation

101.4 ADD General Manager as one who can determine a meeting is adjourned

101.5 ADD Board will elect a President, Vice President from its members following biennial general election of directors

101.6 ADD The Board President will act as chair

101.7 CHANGE Chair to Board President

It was moved, seconded and passed to accept the suggested revisions to policy 101.

Policy 102 Board meeting agenda – reviewed and revisions suggested

102.1 CHANGE no later than 5:00 p.m. on the Wednesday prior to the meeting date, to no later than 5:00 pm the Friday prior to meeting date

ADD

102.1.1 If the board receives notice of a business item with insufficient time to include the item on the regular agenda, and it is determined that the item needs timely action, and there is sufficient time to call and post notice of a special meeting. A special meeting will be called to run concurrently with the regularly scheduled meeting.

102.1.2 Any item that is not listed on the agenda can be added to the agenda by a 4/5 majority vote of the board. These items should be considered in need of timely discussion and action that cannot wait until the next regular board meeting for determination, and there is insufficient time to call and post notice for a special meeting to run concurrently with the regular meeting.

102.2.1 ADD writing (includes email)...on Friday prior to date of meeting.

DELETE 102.2.2 The Office Manger shall be the sole judge of whether the public request is or is not a “matter directly related to District business”;

102.2.3 (now 102.2.2)

102.2.4 (now 102.2.3) ADD: The standard will be 3 minutes per speaker but remains at the discretion of the board.

102.4 ADD and on district website to posting location

Hearing no objections, the policy was affirmed with suggested revisions.

Policy 103 Minutes of Board Meetings – reviewed and revisions suggested

103.1.1 DELETE fire proof vault or fire-resistant cabinet ADD designated storage facility.

DELETE 103.1.2

103.1.3 (now 103.1.2)

- DELETE Record by number (a sequential range is acceptable) of all warrants approved for payment;

It was moved, seconded and passed to accept the suggested revisions to policy 103.

Policy 108 Expense Authorization – reviewed and revisions suggested

108.1 ADD and at least one board member

108.3 ADD and at least one board member

Hearing no objections policy 108 was affirmed with suggested revisions

Policy 109 Purchasing - reviewed and revisions suggested

109.2 ADD email to list of ways to gather price quotes, ADD at least one board member

109.3.1 (change numbering mistake to 109.2.1) CHANGE reach the Treasurer for approval any other Board member may approve the purchase, to reach the Treasurer and one board member for approval any two other Board members may approve the purchase.

Hearing no objections policy 109 was affirmed with suggested revisions.

Policy 110 Budget Preparation

110.1 ADD with input, advice and cooperation from the board member designated as the Financial Coordinator, or other board member if the FC is not available.

110.3 CHANGE Snow Monitor to Snow Coordinator, CHANGE June to May.

110.4 ADD adopted by resolution, CHANGE July to June, ADD The accepted budget shall be signed by the Board President and submitted to the County of Tulare.

Hearing no objections policy 110 was affirmed with suggested revisions.

Issues that need discussion from conference

- (Specifically addressing committees) Any group that meets with 1 director and enough people to constitute a quorum – even if they do not have voting authority are subject to the Brown Act – 72 hour posting of an agenda and open to the public. However – a group that is appointed (gathered) by the GM (or water manager, other staff, or single director) to act as advisory, that person brings recommendations to the board, not subject to Brown Act
- Website posting requirements – yes if the district maintains a website, the agenda (not packet) must be posted per the 72 hour requirement (our time zone) along with physical posting.
Per attorneys from Meyers/Nave, if there is a technical problem that prevents website posting – loss of server, loss of internet connection, computer crash, etc – the board may still have meeting as long as the physical posting requirements are completed. (no current case law)
Bill AB 792 currently before state legislature address this specific issue – if unable to post due to technical problems beyond the district’s reasonable control – board may conduct business after physical posting requirements are met AND announcing at the opening of the meeting the reasons for not posting or late posting to the website. Then will not be subject to cure and correct demand. This legislation is not yet controlling law.

Reports

- Treasurer
Please see Financial Executive Monthly Summary (posted to website)
Routine transactions – nothing specific to report

It was moved, seconded and passed to accept the treasurer’s report as presented.

- Financial Coordinator
Mr. Moroney will survey other districts, check with the county to determine reasonable compensation rates and bring a report to the next regular meeting for employee salary review.

- General Manager
Request Mr. Griesbach to complete employee reviews, create a review form to be placed in employee files annually
- Water Manager
No present to report
- Water Coordinator
Need to install 10 water meters during summer months.
Want the water pipes at PCSD building completed by the end of April
Problem on Karen Dr, possibly install a fire hydrant at the end of that street.
- Snow Monitor – no snow
Snow Coordinator
- PPOA/PCSD Liaison
Nothing to report
- Committees
Forest Service – have received the signed rights-of-way document and special use permit for Holby Well access road.

Director Comments

None

Unfinished Business

Ongoing items

- PCSD building maintenance
 1. Replace portions of fascia boards
 2. Paint building
 3. New roof—with additional roof over fire truck door – request for plans
- Update water ordinance 99W
- **Status on water system improvement project**
4 Creeks in consultation with USDA engineer, call for bids should be published soon.

New Business

- Carried forward from February meeting - Report on feasibility of cell service within Ponderosa community – micro cell technology

Hearing no objections, this item will be dropped from the agenda.

- Review of current board policies, discussion and revision as needed.
Review, discussion, possible revision and adoption of additional proposed policies.
Due to time constraints, any further policy review, revisions or adoption of new policies will be placed on a future agenda.

Meeting adjourned at 3:36 pm

The date for the next regular Board meeting will be **Thursday April 11, 2013 at 12:30 p.m.** in the District Building.

Minutes prepared by Jennifer Robertson/Board Secretary