

Ponderosa Community Services District

RESPONSIBLY PROVIDING PURE MOUNTAIN WATER AND EFFECTIVE SNOW REMOVAL

Minutes of meeting

November 21, 2019

Present:

Directors: D. Doty, R. Cope, L. Gray, T. Stewart

Staff: T. Griesbach, J. Robertson, T. Harness

Absent staff: J. Landers

Contractor: K. Klemcke

Guest: B. Arnold, Beth Benton, Frank Ohnesorgen

The meeting was called to order at 12:25, followed by the flag salute.

President Comments

Mr. Doty welcomed the guests. Reminder there will be no regular meeting in December. Director elect Benton will be sworn in at the January meeting. It has been reported that the key to the PCSD snow blower is missing.

Comments from the Public

The road repaving on the district roads looks nice.

Minutes from October 10, 2019 regular meeting.

Mr. Doty noted that the amount for additional snow removal for fire hydrants was reported incorrectly in the draft minutes. It should have read an additional \$1/ each additional 6 inch increment, not \$1/ additional inch. The secretary will correct the error. It was moved by D. Doty to accept the October 10, 2019 regular meeting minutes as corrected. The motion was seconded and passed with none opposed.

Water Service Report

Mr. Harness reported that 10 water meters have been installed

October use averaged 8,837 gallons/day over a 35 day period.

There were no major leaks. There is a small leak at the bleeder valve on Tamarack.

All bleeder valves will be turned on next week.

The transfer pump was rebuilt and reinstalled, new shut off valves were also installed at Holby.

Communications

Received email – US Forest Service notice that prescribed burning would begin above Springville

Attorney via email and phone regarding status of decision from FPPC

Auditor sent copies of PCSD annual financial report

Staff Reports:

Secretary:

Mrs. Robertson attended CSDA's annual board secretary training conference. She shared some information she learned or that was affirmed at the conference.

Regarding Form 700

All elected or appointed directors must file when:

- Assuming office – Tammi Stewart/Beth Benton
- Annually – each January, due by April, covers the previous year

- Leaving office – no one at this time

It is not the secretary’s job to tell Directors which forms to use, she can make suggestions, but it is each Director’s responsibility to make the determination. If they need assistance;

- Go online to the FPPC site and read the reference pamphlet
- Call the FPPC advice line
- You are signing this form under the penalty of perjury, and the secretary cannot give legal advice.

The job of board secretary is to notify when to file and provide the forms. Forms cannot be filled out for you, other than the information in sections 1, 2, 3 on the cover sheet. (name, address, position, etc) Each Director must determine which, if any, schedules to file.

Filers are only required to report anything that happens within the district...i.e., rental income, business income, employment.

The secretary will notify you to complete your forms. If they are not submitted to her, she will give you a second notification. If the forms are still not delivered, the secretary is supposed to notify the FPPC and they will follow up with enforcement. Failure to file can result in penalties from the FPPC up to \$5000.00

PCSD is not required to file electronically on the FPPC website. The forms stay in this office. They are subject to public records request, and they are open to the public at any time if someone wishes to view them.

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Regarding Prop 218 as it pertains to snow removal fees

Snow Removal – per our attorney, we treat this as a property related fee – meaning the fee is a result of owning property in Ponderosa.

- Fees may not exceed funds required to provide the property related service
- Revenues shall not be used for any other purpose
- Shall not exceed proportional cost attributed to the parcel
- In order to justify an increase in costs, we must provide a rate study and we must show that no customer is being charge disproportionately. (suggest independent rate study)

It was also suggested a 5 year spread sheet of costs versus income specific to snow removal, not to be mailed with the notice, but to have copies available for the hearing.

This is subject to a protest hearing and ballot vote of the property owners.

Count only the actual ballots returned, majority of those ballots decides the vote.

Note: if fees are collected through the tax roll; create a policy for annual reports.

Mail notice of rate increase 30 days prior to effective date.

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Regarding public participation in PCSD board meetings

Brown Act: Public Right to Comment

- Public must be able to participate at every meeting.
- Opportunity to comment on agenda items must occur either before or during consideration by the board, but before action.
- May not limit ‘negative’ comments
- Board may adopt a reasonable time limitation on public testimony on a particular issue AND for each speaker.

Every agenda item for regular meetings shall provide an opportunity for member of the public to:

- Directly address the board (not staff) on any item of interest to the public (try to keep board members from engaging with the commentator)
- Before or during the board’s consideration of an item that is within the subject matter jurisdiction of the board
- Provided that no action shall be taken on any item not appearing on the agenda unless the action of otherwise authorized by subdivision (b) of section 54954.2

In order to add an urgency item to the agenda...

The board needs to find that the item came to attention of the board after the agenda was posted. A 2/3 vote, at the beginning of the meeting, is required in order for that item to be added to the current agenda.

Per government code 1090

Prohibits a director from participating in the making of a contract, in which he has a financial interest. If the director has a direct financial interest (owner) the whole board cannot enter into the contract. If the GM has a financial interest, the board can contract as long as the GM does not advocate for the contract.

There is a rule of necessity – it is non-statutory and very limited application

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Website concerns

Newest update to ADA website compliance is that all online documents must be searchable and index-able. It was suggested to avoid color if possible on documents

**General Manager**

Mr. Griesbach attended a meeting on Nov. 14, at the request of the board. It was sponsored by the EPA through Wichita State University. They discussed asset management and have a new computer program with a template. It requires data entry of all hard assets, and then computes an estimated lifetime for each item. They also offered help with rate setting and customer outreach.

Mr. Griesbach turned in a technical assistance form asking for help with snow removal and aged water tank replacement. Most of the financial assistance offered was loans with low interest rates; the exception was from USDA rural assistance which offers grants.

**Water Coordinator’s Report**

Mr. Klemcke spoke with Jason at State Water. Jason has been given the BSSP (bacT site sampling plan) and a picture of the repaired leak on Holby tank. Jason has acknowledged receiving these items.

The Lead/Copper test had 2 out of 10 test sites over the allowed amounts. All 10 sites will be retested this month

Mr. Klemcke also met with RLK Coating; he is waiting to hear back from them.

Thompson tank will provide an estimate as well.

Mr. Cope reported that a booster pump still needs to be pulled, have bearings and motor repaired, then reinstall. It should take 2 days. This pump serves the Lodge only.

Snow over the propane tank at Summit is completed.

Holby well site is set for winter.

Propane tanks at well sites are at 80%, tank at PCSD building is at 60%.

**Snow Coordinator**

Mr. Doty reported we received 2 inches of snow, no plowing was done.

The next storm is due over Thanksgiving.

**Financial Coordinator**

Mr. Gray reported vouchers paid totaled \$27,784.86...\$20,000 went to High Sierra Snow Removal.

**Treasurer's Report:**

Ms. Landers was unable to attend the meeting; however she sent the regular printed report via the secretary.

Ms. Landers also requested the board pass a resolution authorizing her to move \$35,000 from 735/USDA short term asset reserves into 735/7024 building and improvements line item, in order to pay invoice(s) received from Vollmer Excavation Inc for the paving of district roads.

Ms. Landers consulted with USDA representative, Lisa Butler. Ms. Butler agreed to allow the use of these funds with a repayment plan of five years.

It was moved by D. Doty to accept Resolution 2019-179-A authorizing the treasure to submit a request to the County of Tulare requesting a transfer of funds within 735 as explained above. The motion was seconded, there was no further discussion. The motion carried by a unanimous roll call vote. D. Doty – aye, T. Stewart – aye, R. Cope – aye, L. Gray – aye.

**PPOA Liaison** – they are working on a plaque for the memorial bench and working on a new sign for the front of the subdivision

**Forest Service** – Prescribed burning will begin soon around Ponderosa.

**Director's Comments:**

None

**Unfinished Business**

Ongoing items

- Finish interior of PCSD building
  - Propane tank cover at Summit – completed
  - Roof at Holby – postpone until spring
- Status on installation of security doors – not done

**New Business**

There will be no regular business meeting in December 2019.

The next regular meeting will be on Thursday January 9, 2020 at 12:30 pm in the district building.

Adjournment 2:30 pm

Minutes prepared by Jennifer Robertson/Board Secretary