

Golden West Community Service District
P.O. Box 448, El Dorado, CA. 95623
www.gwcsd.org



April 11, 2015- Meeting Minutes for Golden West Community Services District
Regular Meeting, held at Fire Station 44
6109 Quartz Dr., El Dorado, CA 95623

1. Call to Order/Roll Call – President MacConnell called the meeting to order at 9:58 a.m. Board Members present were Ken Hasse, Diana Kaighn, Audrey Keebler, Connaught Lindberg and John MacConnell, constituting a quorum. General Manager Ed White, and Secretary Marc Regelbrugge were also present.
2. Approval of Agenda – Keebler moved to approve the agenda as submitted. Hasse seconded. The motion passed unanimously (5-0).
3. Adjournment to Closed Session – Lindberg moved to adjourn to closed session for discussion of the Mica lawsuit with legal counsel. Keebler seconded. The motion passed unanimously (5-0), and MacConnell adjourned the meeting to closed session at 10:00 a.m.
4. Reconvene to Open Session and Announcement of Actions Taken in Closed Session – President MacConnell reconvened the meeting in open session at 11:21 a.m. District Engineer George Sanders joined the meeting as it was reconvened. Keebler reported that the Board had given direction to the attorney in the closed session. No other actions were taken.
5. Consent Calendar – Hasse moved to approve the Consent Calendar. Keebler seconded. The motion passed unanimously (5-0).
6. Financial Report – Financial Officer Keebler presented the Financial Report, appended hereto. Keebler highlighted that the District's balance as of March 10, 2015 was \$234,952. Keebler detailed invoices paid in March and directed interested parties to review the Revenues and Expenditures report prepared by the County. In addition to the invoices listed as received through April 7, General Manager White indicated the District had just received an invoice from All Green in the amount of \$3,566 for the weed-spraying contract. MacConnell began a discussion of the need for policy guidance on reimbursing Director expenses made without prior Board approval. A director had submitted an invoice for expenses incurred copying pleadings and for mileage. Another

portion of the expense was incurred to copy draft Bylaws for Board review. The consensus among the Board was that Board authorization is required in advance of incurring reimbursable costs on behalf of the District or the Board. The Board further concurred the invoiced cost incurred to copy the Bylaws was pre-authorized in that it was incurred for the functioning of the authorized Bylaws committee. The Director who had submitted the invoice for reimbursement agreed to re-submit an invoice for costs incurred to copy the Draft Bylaws document for the Board.

7. Culvert Discussion – MacConnell led a discussion of the issue raised at the March meeting regarding responsibility for culvert maintenance and replacement on private driveway encroachments to District-maintained roads. The District’s policy on road encroachments is established under Ordinance No. 1, originally filed in 1985 in Book 3774 of the Official Records of El Dorado County at Page 399. General Manager White had also located a copy of Ordinance No. 1 with somewhat different language than the recorded version. It was not immediately clear whether the latter version superseded the recorded version, or whether the latter version was recorded with the County. Ordinance No. 1 does not assign responsibility for driveway culvert maintenance, but the District’s Encroachment Permit does assign such responsibility to the driveway owner. The District’s former Road Policy (1997) also assigns driveway culvert maintenance responsibility to the driveway owner. However, the most recently enacted Road Policy (2013) says nothing regarding culverts. Hasse indicated that both Ordinance No. 1 and the Encroachment Permit require updating so the District will have a clear and workable policy on encroachments and culvert maintenance. District Engineer Sanders offered that, until the District’s policy is clarified, the Board might consider encroachment and culvert issues on a case-by-case basis, and issue formal findings in each case to support their determination of any action to be taken or assigned. No action was taken on this item.

8. General Manager’s Report – The General Manager’s Report addressed several topics:

- a) **Weed-Spray Contract:** The General Manager reported that the current phase of the Weed-Spray contract had been completed, and that follow-up work to complete the project was done well. The contractor will return in June to treat re-emergent growth.
- b) **Report on Proposed Contract:** The General Manager presented three quotations from Joe Vicini, Inc. for drainage improvements identified as most critical by the General Manager and District Engineer. In the context of the discussion under item (7), the Board decided to approach discussion of each quote, and its attendant scope, separately.
 - i. Following discussion, the Board found that the proposed work near 7509 Crystal Blvd., addressed by Vicini Job No. 5910, was directly the responsibility of the District. Keebler moved to approve Vicini Job No. 5910 for contract as written. Hasse, Lindberg and Kaighn seconded. The motion passed unanimously (5-0).
 - ii. Following discussion, the Board found that the proposed work near 6832 Crystal Blvd., addressed by Vicini Job No. 5911, involved both District

responsibility (for drainage) and property owner responsibility (for culvert), but that the situation presents a clear and present threat to public safety. Specifically, excessive water and debris could wash into the road if the culvert is not properly replaced after the drainage is improved. In view of this danger and potential liability to the District, Kaighn moved to approve Vicini Job No. 5911 at its original scope (including culvert replacement) and cost (\$3,250). Keebler seconded. The motion passed unanimously (5-0).

- iii. Following discussion, the Board found that the proposed work near 6631 Sodalite, addressed by Vicini Job no. 5927, the Board found that the drainage improvements considered were appropriate to mitigate damage to private property caused by overflow, that the culvert presently under the driveway encroachment was undersize and posed a potential risk to the public in the event overflow washed into the roadway, and that the District's responsibility for maintenance of Sodalite extends some distance beyond the referenced address. Keebler moved to approve Vicini Job No. 5927 at its original scope and cost (\$4,160). Lindberg seconded. An amendment was offered to state specifically that the motion was to mitigate liability and public safety issues potentially arising from substandard drainage at the site. Keebler and Lindberg accepted the amendment, and the motion passed unanimously (5-0).
- iv. The General Manager requested authorization for a single contract to address the work approved by the three preceding votes. Kaighn moved to authorize the District to enter into Contract No. 2015-April-11 Drainage Ditch, Culvert Repair/Replacement, in an amount not to exceed \$9,920.00. Lindberg seconded. The motion passed unanimously (5-0).
- c) Encroachment and Pothole Repair: This item was discussed under the following item.
- d) Crystal Boulevard Resurfacing Discussion: The District Engineer is preparing a request for bids to re-pave Crystal Blvd. south of Mica to the cul-de-sac using double chip-seal over engineered fabric. Target cost for the project is \$175,000. In view of District expenditures allocated for drainage work, the Engineer recommends targeting approximately \$25,000 toward pothole and encroachment repair. The Engineer will recommend how best to allocate that scope among Ferrite, Sodalite, Oak Ridge Circles South and North, Obrizo, Cinnabar and Barite.
- e) Public Contract Code: The General Manager reported that the Board Consultant is working to collect information required to adopt the code, and noted that compliance with the code will require some overhead work for proper noticing and advertising, and compilation and maintenance of an approved contractors list. No action was taken on this item.
- f) Documents Requested for Storage: The General Manager requested Board members to submit documents for retention in the storage archive, stressing that the Board conscientiously follow the District's Record Retention Policy to guide which documents are to be placed in storage. Documents specifically mentioned included: Ethics Training certifications, Forms 700 submitted as

candidates and as Board members, public documents relating to litigation, letters of intent, letters of resignation and oaths of office. Lindberg mentioned she would forward documents pertaining to elections to the General Manager for the archive.

9. GWCS D Road Maintenance Responsibilities – MacConnell raised the question of whether the document “GWCS D Road Maintenance Responsibilities,” version 1.3, dated March 9, 2013 should be recorded with the County. After some discussion, MacConnell accepted the task to draft a resolution authorizing and directing such recordation.

10. Web Site Discussion – A general discussion on the structure, features and uses of the District web site highlighted technical features such as PDFs with clickable links for ease of navigation and the provision of many years worth of District documents for public review. It was also noted that usage data show limited use by local residents.

11. Discussion on Creating Standard Form Letters – After some discussion as to the convenience, utility and uniformity of Form Letters for certain common District functions requiring correspondence, the Board reached consensus on two points: (i) that the Board rightly reserves authority to approve reply by form to certain inquiries, and (ii) that the processes and procedures for replying to inquiries should be properly codified in the Procedures Manual, presently being assembled for Board review by the Board Consultant.

12. Lawsuit Report – Keebler reported that the case is moving slowly, and that the Board gave direction to the District Counsel in the closed session, as discussed under item 4, above. A discussion ensued addressing the Board’s approach to notify the public regarding the District’s involvement in the lawsuit. It was noted that the lawsuit has been an agenda item for the past several Board meetings, and that discussion of those agenda items has been captured in the meeting minutes. It was further noted that all public information regarding the lawsuit is available for public review at Superior Court in Cameron Park. The Board directed the Secretary to include the following statement in these minutes:

A lawsuit to Quiet Title was filed by a District resident of Mica Street against District residents of Ramales Lane in June 2014. The Case number is PC20140277. The GWCS D was named as a Cross-Defendant in a Cross-Complaint filed in this case in September 2014. The District received a Notice of Pendency of Action regarding the Cross-Complaint in November 2014.

The Board further requested the Financial Officer to provide a monthly breakdown of legal expenses that summarizes costs related to the lawsuit. No further action was taken.

13. Progress Report from the Bylaws Committee – Kaighn provided each Director with a copy of the first-draft Bylaws document for their review. Kaighn stated the Committee is prepared to disband as it has finished its assigned task by delivering the draft document to the Board, and she thanked District residents who participated in the Committee. Kaighn further recommended a Board workshop to discuss and refine the Bylaws draft. Such a workshop must be properly noticed, open to observation by the public and take no formal

action. The Board considered possible dates and venues for such a workshop, but none were decided.

14. Correspondence – The following correspondence was discussed:

- a) Keebler reported on correspondence from LAFCO detailing their proposed 2015-16 budget.
- b) Lindberg reported on notices received from the Registrar of Voters relating to the fall election. Notice of intent to participate in the election must be an agenda item for the May meeting so it can be approved, signed and sent to the Registrar prior to the July 1 deadline. Lindberg will coordinate with the Registrar to establish which Director terms are up for election.
- c) MacConnell read a letter from a District resident regarding a plugged culvert on Mica Street roughly 400 feet west of Highway 49. No action was taken.

15. Director Reports – Lindberg stimulated a discussion regarding possible venues for a Board workshop on the Bylaws document. Possibilities included a conference room in the Library (Kaighn to gather more information), Diamond Fire's Station 49 also has a conference room that might be available (Hasse to investigate), and Rayley's also has a meeting room available to the public (Kaighn to verify). Kaighn requested that Board practice be to bring all matters that may require advice from District Counsel to a meeting of the Board to authorize such action. An exception to this practice would be in the case of an emergency, where such action could be taken upon agreement of two Board members. The Board concurred.

16. Open Public Forum – No discussion.

17. Adjournment – Lindberg moved to adjourn. Kaighn seconded. The meeting was adjourned by unanimous vote at 2:54 p.m.

Respectfully Submitted,

Marc Regelbrugge
GWCSO Secretary

Golden West Community Services District
PO Box 448
El Dorado, CA 95623

Financial Report Prepared for 11 April 2015 Board Meeting

Beginning Budget FY 2014-15	\$301,639
Appropriation for Contingencies (subtract from total)	\$ 25,000
Total Remaining for Services and Supplies	\$276,639

BUDGET ACTIVITY YEAR TO DATE from 10 March 2015 EDC Rev/Exp Detail

Object Code	Description	Estimated	Actual	Balance
4100	Insurance	2,500	1,635	865
4191	Road Maintenance	231,499	17,300	214,199
4197*	Maint/Supplies	0	20	-20
4220	Memberships	790	488	302
4260	Office Expense	1,300	287	1,013
4300	Prof/Spec Services	21,250	10,457	10,793
4303*	Road Maint/Const (Spot on Signs)	0	475	-475
4304*	Agency Admin Fee	0	88	-88
4313	Legal Services	15,000	8,768	6,232
4400	Pub/Legal Notices	1,500	438	1,062
4420*	Rent/Leases Eqpt (PO Box)	0	92	-92
4440	Rent/Lease Bldgs	800	964	-164
4500*	Special Dept Expense	0	84	-84
4602*	Mileage/Employee	0	596	-596
4604	Mileage/Volunteer	2,000	102	1898
Total Services and Supplies		276,639	41,687	234,952

Invoices Paid in March 2015

4100	State Compensation Fund premium	376
4191	Vicini, Inc-work on Crystal curve	1,300
4260	Office-reimburse for MORE shredding	30
4300	Hope Leja Consultant Serv February	1,304
4300	EL White Enigma Mgt Serv February	575
4400	EDC Elections	265
4602	Hope Leja Mileage February	101
4602	EL White Mileage February	40

Outstanding Invoices/Charges submitted 7 April 2015

4300	GM EL White Enigma Mgt Serv March 1-31, 2015	500
4602	GM EL White Enigma Mgt Serv March 1-31, 2015	36
4300	Consultant services Hope Leja March 1-31, 2015	753
4602	Consultant mileage Hoe Leja March 1-31, 2015	33

801116 Golden West - Community Service Districts

Revenues and Expenditures

Summary Accounting Period ended March 31, 2015

	Estimated / Budget	Actual Amount	Balance
801116 Golden West - Community Service Districts			
Revenue			
1 Taxes			
100 Prop Tax: Curr Secured	60,813.00	35,899.79	24,913.21
110 Prop Tax: Curr Unsecured	0.00	1,301.57	-1,301.57
120 Prop Tax: Prior Secured	0.00	-21.02	21.02
130 Prop Tax: Prior Unsecured	0.00	19.57	-19.57
140 Prop Tax: Supp Current	0.00	342.64	-342.64
150 Prop Tax: Supp Prior	0.00	261.11	-261.11
175 Tax: Special Tax	54,200.00	33,402.30	20,797.70
1 Taxes	115,013.00	71,205.96	43,807.04
3 Fines, Forfeitures and Penalties			
360 Penalty & Cost Delinquent Taxes	0.00	54.70	-54.70
3 Fines, Forfeitures and Penalties	0.00	54.70	-54.70
4 Revenue from Use of Money and Property			
400 Rev: Interest	0.00	540.37	-540.37
4 Revenue from Use of Money and Property	0.00	540.37	-540.37
5 Intergovernmental Revenue - State			
820 ST: Homeowner Prop Tax Relief	0.00	333.50	-333.50
5 Intergovernmental Revenue - State	0.00	333.50	-333.50
22 Fund Balance			
1 Fund Balance	186,626.00	0.00	186,626.00
22 Fund Balance	186,626.00	0.00	186,626.00
Total Revenue	301,639.00	72,134.53	229,504.47
Expense			
30 Salaries and Employee Benefits			
3060 Workers' Compensation Employer Share	0.00	-30.96	30.96
30 Salaries and Employee Benefits	0.00	-30.96	30.96
40 Services and Supplies			
4100 Insurance: Premium	2,500.00	1,635.48	864.52
4191 Maintenance: Roads	231,499.00	17,300.00	214,199.00
4220 Memberships	790.00	488.00	302.00
4260 Office Expense	1,300.00	287.36	1,012.64
4300 Professional & Specialized Services	21,250.00	10,456.60	10,793.40
4303 Road Maint & Construction	0.00	475.09	-475.09
4313 Legal Services	15,000.00	8,768.00	6,232.00
4400 Publication & Legal Notices	1,500.00	437.89	1,062.11
4420 Rent & Lease: Equipment	0.00	92.00	-92.00
4440 Rent & Lease: Building & Improvements	800.00	964.12	-164.12
4500 Special Dept Expense	0.00	84.03	-84.03
4602 Mileage: Employee Private Auto	0.00	596.28	-596.28
4604 Mileage: Volunteer Private Auto	2,000.00	101.92	1,898.08
40 Services and Supplies	276,639.00	41,686.77	234,952.23
77 Appropriations for Contingencies			

801116 Golden West - Community Service Districts

**Revenues and
Expenditures**

Summary Accounting Period ended March 31, 2015

	Estimated / Budget	Actual Amount	Balance
7700 Appropriation For Contingencies	25,000.00	0.00	25,000.00
77 Appropriations for Contingencies	25,000.00	0.00	25,000.00
Total Expense	301,639.00	41,655.81	259,983.19
801116 Golden West - Community Service Districts	0.00	30,478.72	30,478.72

801116 Golden West - Community Service Districts

Revenues and Expenditures

Summary Accounting Period ended March 31, 2015

		Estimated / Budget	Actual Amount	Balance
Report Total	Revenue	301,639.00	72,134.53	229,504.47
	Expense	301,639.00	41,655.81	259,983.19
		<u>0.00</u>	<u>30,478.72</u>	<u>30,478.72</u>