



BEAR VALLEY COMMUNITY SERVICES DISTRICT

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BEAR VALLEY COMMUNITY SERVICES DISTRICT REGULAR BOARD MEETING MINUTES

DATE OF MEETING: February 14, 2013 – **HAPPY VALENTINE'S DAY!**
TIME OF CLOSED SESSION MEETING: 4 p.m.
PLACE OF CLOSED SESSION MEETING: BVCS D 28999 S. Lower Valley Rd
TIME OF OPEN SESSION MEETING: 6 p.m.

1. CALL TO ORDER

- **President Zanutto called the meeting to order at 4 p.m.**

2. ROLL CALL

President Rick Zanutto
Vice President Bill Mason
Director Charlene LaClaire
Director Al Romano
Director Bonnie Shea

- **All directors were present. Also present: Kristin Hagan, District Legal Counsel; Jeff Hodge, General Manager; Sandy Janzen, Assistant General Manager/District Secretary; Rod Walthers, Sergeant; Rudy Hernandez, Finance Director/Treasurer and Larry Tuma, III, Public Works Superintendent.**

3. ADJOURN TO CLOSED SESSION

- **President Zanutto adjourned the meeting to Closed Session at 4:01 p.m.**

4. CLOSED SESSION

A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE Govt. Code, §54957

- **No reportable action.**

B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE Govt. Code, §54957

- **No reportable action.**

C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE Govt. Code, §54957

- **Item dropped from the agenda.**

D. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION; (Harris v. Bear Valley Community Services District et al.; United States District Court Case No. 1:12-CV-01664-LJO-JLT) Govt. Code §54956.9(a)

- **No reportable action.**

E. PUBLIC EMPLOYMENT: CHIEF OF POLICE (Govt. Code, §54957)

- **No reportable action.**

5. ADJOURN CLOSED SESSION

- **President Zanutto adjourned Closed Session at 5:57 p.m. and reconvened Open Session at 6 p.m.**

6. PLEDGE OF ALLEGIANCE

- **Director Romano led the Pledge of Allegiance.**

7. SUMMARY OF ACTIONS TAKEN DURING CLOSED SESSION (President Zanutto)

- **President Zanutto provided the summary of actions taken during Closed Session as stated above.**

8. CONSENT CALENDAR

All items listed on the Consent Calendar are considered to be routine and noncontroversial by staff. However, if discussion is required, the item will be removed from the consent agenda and will be discussed after the consent agenda is approved.

CONSENT CALENDAR MOTION:

THAT ALL MOTIONS INDICATED BY CONSENT CALENDAR ITEMS A THROUGH N BE ADOPTED EXCEPT FOR G-N; MASON. SECONDED: ZANUTTO. THE MOTION PASSED UNANIMOUSLY. President Zanutto opened Board Comments. Vice President Mason requested Item G be pulled. Director Shea requested Items H, I, J, K, L, M, and N be pulled from the Consent Calendar. **MOTION THAT ITEMS H-N BE CONTINUED UNTIL THE MARCH 28, 2013 STRATEGIC PLANNING SESSION: SHEA.** There was no second. The motion failed. Vice President Mason requested details from staff regarding cash balances. Mr. Hernandez was instructed to provide said details at a later date. President Zanutto opened Board Comments for Item 8-H. Directors Romano and Zanutto commented. President Zanutto opened Public Comments. Linda LeLievre (3431-391) and Kirk Wooldridge, BVSA General Manager commented. President Zanutto opened comments for Item 8-I. There were no Board Comments. Linda LeLievre (3431-391) and Kirk Wooldridge, BVSA General Manager commented regarding the petition. President Zanutto opened comments for Item 8-J. Director Romano stated support for the project. Linda LeLievre (3431-391) and Peggy Mueller (1040-201) objected to the project. Kirk Wooldridge explained the need for more square footage. President Zanutto opened comments for Item 8-L. There were no Board Comments. Kirk Wooldridge requested support for the project. President Zanutto opened comments for Item 8-M. Director Romano asked why the BVSA had not budgeted for the project. Vice President Mason stated that the improvement project was a good use of Park and Recreation funds. Director LaClaire concurred. Linda LeLievre (3431-391) stated that Park and Recreation funds are received by the District in a lump sum payment. President Zanutto and Kirk Wooldridge discussed Ms. LeLievre's statement. President Zanutto opened comments for Item 8-N. Director Shea asked what Lake Savers are. Kirk Wooldridge clarified. Director Romano commented on the BVSA maintenance of the lakes and the cat tails. Linda LeLievre (3431-391) asked who is on the BVSA's Lake Quality Advisory Committee and stated that funding should not be approved due to a conflict of interest. President Zanutto and Kirk Wooldridge named the BVSA committee members. President Zanutto closed Board and Public Comments. **MOTION TO APPROVE CONSENT CALENDAR ITEMS 8 G-N; MASON. SECONDED: LACLAIRE. AYES: ZANUTTO, MASON, LACLAIRE. NOES: ROMANO, SHEA.**

- A. Board Minutes – that the minutes of the January 10, 2013, January 24, 2013 regular board meetings and the January 25, 2013 special board meeting be accepted as submitted.
- B. Committee Reports – that the notes from the committee meetings be accepted as submitted
- C. Monthly report of Strategic Planning Objectives
- D. Disclosure of Expenses as submitted
- E. Register of Warrants for January 2013
- F. Treasurer's Report – that the monthly Treasurer's report for December 2012 be accepted as submitted
- G. Financial Statements for December 2012 as submitted
- H. Approval of BVSA project as recommended by the Liaison Committee for: Beaubien Field Path
- I. Approval of Park and Recreation Funding as recommended by the Liaison Committee for BVSA Project: Beaubien Field Path

- J. Approval of BVSA project as recommended by the Liaison Committee for: OTCC Food & Beverage Storage Shed
- K. Approval of BVSA project as recommended by the Liaison Committee for: Equestrian Center Lounge Room Addition
- L. Approval of BVSA project as recommended by the Liaison Committee for: Whiting Center Air Conditioning (Fitness Center, Green Room, and Alcove)
- M. Approval of Park and Recreation Funding as recommended by the Liaison Committee for BVSA Project: Whiting Center Air Conditioning
- N. Approval of Park and Recreation Funding for Reimbursement as recommended by the Liaison Committee for BVSA Project: Four Island Lake Treatment (Lake Savers)

9. PUBLIC COMMENTS

This is the time set aside for those wishing to address the Board on matters not on the Agenda which fall under the authority of the Board. No action may be taken by the Board except to set the matter presented for the next regular Board Meeting. Please state your name and address and provide the Secretary with the Public Comments Information Form so you can be properly included in the consideration of the item. Please limit your comments to three minutes so that all who wish to speak can be heard.

- **President Zanutto opened Public Comments. Linda LeLievre (3431-391) requested an update regarding the hiring of a Chief of Police. Mr. Hodge stated that the District is moving in a cautious and judicious manner.**

10. BOARD COMMENTS

- **There were no Board Comments.**

11. STAFF REPORTS

Financial Report

- **Mr. Hernandez provided a written report. Vice President Mason made comments regarding the Budget Calendar. President Zanutto asked for clarification regarding reserves and cash flow. Clarification provided.**

Public Works Status Report

- **Mr. Tuma, III provided a written report. Directors Zanutto, Mason and Romano commented. Public Comments were made by Linda LeLievre (3431-391) and Ralph Kermode (3417-177). Mr. Tuma, III and Director Romano provided a joint report regarding the February 14, 2013 Water Availability Preservation Committee meeting.**

Public Safety Report

- **Sgt. Walthers provide a written report. Directors Mason, Romano, and Shea commented. Public Comments were made by Linda LeLievre (3431-391), Ralph Kermode (3417-177), Vicki Williams (3431-049) and Kirk Wooldridge.**

12. PRESENTATION OF EAGLE SCOUT SERVICE PROJECT BY JOSHUA RYAN EPPLER (6803-001): REQUESTING APPROVAL FOR 10'X12' SHADE STRUCTURE AT THE BEAUBIEN ATHLETIC FIELD (Mr. Hodge)

- **MOTION TO APPROVE EAGLE SCOUT SERVICE PROJECT BY JOSHUA RYAN EPPLER(6803-001) FOR CONSTRUCTION OF 10'X12' SHADE STRUCTURE AT THE BEAUBIEN ATHLETIC FIELD: ROMANO. SECONDED: SHEA. THE MOTION PASSED UNANIMOUSLY. Board Comments in support of the project were made by all directors. Public Comments made by Linda LeLievre (3431-391) and Kirk Wooldridge.**

13. PRESENTATION OF FY 2011-12 AUDIT REPORT BY DISTRICT AUDITOR PAUL J. KAYMARK (Mr. Hodge)

- **MOTION TO RECEIVE AND FILE 2011-12 AUDIT REPORT BY DISTRICT AUDITOR PAUL KAYMARK: ROMANO. SECONDED: MASON. President Zanutto and Vice President Mason requested clarification. Directors Romano and Shea**

thanked the Auditor. There were no Public Comments. THE MOTION PASSED UNANIMOUSLY.

14. PRESENTATION OF GENERAL FUND FIVE YEAR FISCAL REPORT BY CONSULTANT BILL STATLER (Mr. Hodge)
 - **MOTION TO RECEIVE AND FILE THE GENERAL FUND FIVE YEAR FISCAL REPORT PRESENTED BY CONSULTANT BILL STATLER: ROMANO. SECONDED: LACLAIRE. Board Comments were made by all Directors. Public Comments were made by Linda LeLierve (3431-391); Ralph Kermode (3417-177) and Kathy Ferrin (3435-024). THE MOTION PASSED UNANIMOUSLY.**
15. APPROVAL OF ATTENDANCE AND EXPENDITURES FOR BOARD OF DIRECTORS (BY NAME) AT THE ACWA 2013 SPRING CONFERENCE AND EXHIBITION (Mr. Hodge)
 - **MOTION TO APPROVE ATTENDANCE AND EXPENDITURES FOR DIRECTORS ROMANO AND SHEA AT THE 2013 ACWA SPRING CONFERENCE: ZANUTTO. SECONDED: LACLAIRE. MOTION PASSED UNANIMOUSLY. Kathy Ferrin (3435-024) requested pricing information. Staff provided said information.**
16. ASSIGNMENT OF CITIZEN VOLUNTEERS TO BOARD COMMITTEES (Mr. Hodge)
 - **PRESIDENT ZANUTTO ANNOUNCED THE APPOINTMENT OF CITIZEN VOLUNTEERS CHRIS BROWN, RALPH KERMODE, AND DON KORDES TO THE PUBLIC SAFETY COMMITTEE.**
17. BOARD APPOINTMENT OF DISTRICT NEGOTIATOR(S) FOR UPCOMING MEMORANDUM OF UNDERSTANDING NEGOTIATIONS WITH BOTH THE MISCELLANEOUS AND SAFETY UNIONS (Mr. Hodge)
 - **PRESIDENT ZANUTTO OPENED BOARD COMMENTS. Board Comments were made by Directors Zanutto, Mason, LaClaire, and Romano. Public Comments were made by Bob Lefler (3557-418) and Linda LeLierve (3431-391). Legal Counsel provided clarification. DIRECTOR LACLAIRE NOMINATED PRESIDENT ZANUTTO AND VICE PRESIDENT MASON TO SERVE AS DISTRICT NEGOTIATORS WITH THE GENERAL MANAGER. Following questions by Director Romano, the motion was revised. MOTION TO APPOINT PRESIDENT ZANUTTO TO SERVE WITH THE GENERAL MANAGER AS DISTRICT NEGOTIATORS: LACLAIRE. SECONDED: MASON. THE MOTION PASSED UNANIMOUSLY.**
18. ADOPTION OF A RESOLUTION DECLARING AND ORDERING THE CONTROL, REMOVAL, AND ERADICATION OF PINE BARK BEETLE INFESTATION AND SETTING A PUBLIC HEARING (Mr. Hodge)
 - **MOTION TO ADOPT A RESOLUTION SETTING A PUBLIC HEARING DECLARING AND ORDERING THE CONTROL, REMOVAL, AND ERADICATION OF PINE BARK BEETLE INFESTATION FOR 6 PM ON MARCH 14, 2013: ZANUTTO. SECONDED: ROMANO. THE MOTION PASSED UNANIMOUSLY. There were no Board or Public Comments.**
19. DISCUSSION REGARDING UTILIZATION OF PARK AND RECREATION FUNDS TO PAY FOR LAKE FILL WATER (Mr. Hodge)
 - **Item discussed. Board Comments made by all Directors and Legal Counsel. Public Comments made by Linda LeLierve (3431-391). ITEM REFERRED TO BOTH THE LIAISON AND INFRASTRUCTURE COMMITTEES.**
20. APPROVAL OF PARK AND RECREATION FUNDING AS RECOMMENDED BY THE LIAISON COMMITTEE FOR THE BVSA PROJECT: EQUESTRIAN CENTER LOUNGE ROOM ADDITION (Mr. Hodge)
 - **MOTION TO APPROVE PARK AND RECREATION FUNDING IN AN AMOUNT NOT TO EXCEED \$18,562 FOR BVSA PROJECT: EQUESTRIAN CENTER LOUNGE ROOM ADDITION: ZANUTTO. SECONDED: MASON. Board Comments were made by Director Romano. Public Comments were made by Linda LeLierve (3431-391), Ralph Kermode (3417-177) and Kirk Wooldridge. AYES: ZANUTTO, MASON, LACLAIRE. NOES: ROMANO, SHEA. THE MOTION PASSED 3:2.**


21. REQUEST FOR RELIEF FROM HIGH WATER BILL: ICO MS. ANN BREWER (3430-074)

(Mr. Hodge)

- **MOTION TO DENY REQUEST FOR RELIEF FROM HIGH WATER BILL: ICO MS. ANN BREWER (3430-074); ROMANO, SECONDED; ZANUTTO. Board Comments were made by Director LaClaire. There were no Public Comments. THE MOTION PASSED UNANIMOUSLY.**

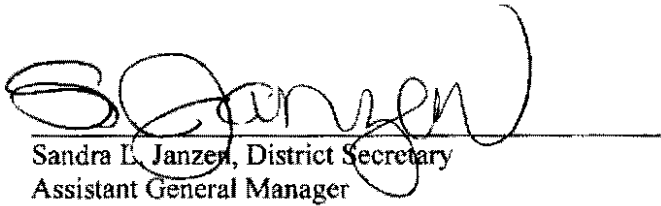
22. ADJOURNMENT

- **President Zanutto adjourned the meeting at 10:14 p.m.**



Rick Zanutto, President
Board of Directors

ATTEST:



Sandra L. Janzen, District Secretary
Assistant General Manager