



**BEAR VALLEY
COMMUNITY SERVICES DISTRICT**

28999 South Lower Valley Road * Tehachapi, CA 93561-9637
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BEAR VALLEY COMMUNITY SERVICES DISTRICT
REGULAR BOARD MEETING MINUTES

DATE OF MEETING: JUNE 14, 2012
TIME OF CLOSED SESSION: 4 p.m.
TIME OF OPEN SESSION: 6 p.m.

1. CALL TO ORDER

- **PRESIDENT ZANUTTO CALLED THE MEETING TO ORDER AT 4 P.M.**

2. ROLL CALL

President Zanutto
Vice President Al Romano
Director Bill Mason
Director John Morgan
Director Bonnie Shea

- **All directors were present. Also present: Legal Council Kristin Hagan and Assistant General Manager/Secretary to the Board of Directors Sandy Janzen.**

3. ADJOURN TO CLOSED SESSION

- **PRESIDENT ZANUTTO ADJOURNED THE MEETING TO CLOSED SESSION AT 4:01 P.M.**

4. CLOSED SESSION

A. REQUEST FOR CLOSED SESSION REGARDING PUBLIC EMPLOYEE PERFORMANCE REVIEW GOVERNMENT CODE SECTION 54957
TITLE: GENERAL MANAGER

- **President Zanutto reported in open session that Mr. Yeakley is experiencing significant health issues.**

B. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE GOVERNMENT CODE SECTION 54957

- **No reportable action.**

C. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Hutchinson v. BVPD et al; Kern County Supervisor Court Case No. 276185) Government Code Section 54956.9(a)

- **No reportable action.**

D. CONFERENCE WITH LEGAL COUNSEL REGARDING ANTICIPATED LITIGATION; (Hutchinson v. BVPD et al; Kern County Supervisor Court Case No. 276185) SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO Government Code Section

54956.9(b)

- **No reportable action**

5. ADJOURN CLOSED SESSION

- **President Zanutto adjourned Closed Session at 5:20 p.m.**
- **President reconvened Open Session at 6 p.m.**

6. PLEDGE OF ALLEGIANCE

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

7. SUMMARY OF ACTIONS TAKEN DURING CLOSED SESSION

- **President Zanutto summarized actions taken in Closed Session as stated above.**

8. CONSENT CALENDAR MOTION:

- **THAT ALL MOTIONS INDICATED BY CONSENT CALENDAR ITEMS A THROUGH E BE ADOPTED EXCEPT FOR B: MASON. SECONDED: ROMANO. AYES: ALL. THE MOTION PASSED. MOTION TO APPROVE ITEM B: MASON. SECONDED: ROMANO. AYES: ALL. THE MOTION PASSED.**

9. PUBLIC COMMENTS:

- **Linda LeLievre (3431-391): suggested a chili cook-off to help fund proposed rate increase for customers of the wastewater treatment plant.**
- **Sandy Williams (3440-348): made comments regarding the minutes; contract employees; administrative leave and cost of living adjustments. Legal Council stated she had been asked to review language of contract for a chief of police for inconsistencies.**

10. BOARD COMMENTS:

- **There were no Board Comments.**

11. STAFF REPORT:

- **Ms. Janzen provided a written public works report.**

12. APPROVAL OF PROPOSED NEW ACCOUNTING SOFTWARE PROGRAM BY TYLER TECHNOLOGIES

- **MOTION TO DIRECT STAFF TO CIRCULATE A REQUEST FOR PROPOSAL FOR THE PURCHASE OF NEW ACCOUNTING SOFTWARE: MORGAN. SECONDED: MASON. AYES: ALL. THE MOTION PASSED.**

13. NO ITEM 13.

14. APPROVAL OF PROPOSAL FROM PROBOLOSKY RESEARCH, LLC. FOR OPINION RESEARCH REGARDING A POLICE TAX

- **MOTION TO REMOVE CONDITIONAL AUTHORITY AND APPROVE THE PROPOSAL FROM PROBOLOSKY RESEARCH, LLC. FOR \$9,200: MORGAN. SECONDED: ROMANO.**
- **MOTION TO AMEND ABOVE MOTION TO INCLUDE DIRECTION TO EACH DIRECTOR TO PROVIDE REDLINE IMPROVEMENTS TO DRAFT POLL**

QUESTIONS FOR CONSIDERATION: MORGAN. SECONDED: MASON.
AYES: ALL. THE MOTION PASSED. BOARD COMMENTS: SHEA;
MORGAN; ROMANO; MASON; ZANUTTO. LEGAL COUNCIL REMINDED
THE BOARD THAT THE DISTRICT WAS UNDER A LIMITED TIME
CONSTRAINT REGARDING A POLL AND THE ELECTION PROCESS.
PUBLIC COMMENTS: ALFRED GRAY (6779-001); ELLIOTT OSEAS
(3430-252); CHARLENE LACLAIRE (3430-260); SANDY WILLIAMS
(3440-348)LINDA LELIERE (3431-391); VITO FERRIN (3435-
024)

15. CREATION FOR THE POLICE DEPARTMENT OF THE POSITION:
SUPERVISING DISPATCHER
 - BOARD AGREED TO CREATE THE POSITION. INTERIM CHIEF
PILKINGTON STATED THAT FINANCE DIRECTOR RUDY HERNANDEZ
WAS IN AGREEMENT THAT THE DISTRICT COULD FUND SAID
POSITION. BOARD COMMENTS: MASON; ROMANO; ZANUTTO.
PUBLIC COMMENTS: RALPH KERMODE (3417-177); CHARLENE
LACLAIRE (3430-260). STAFF SUGGESTED THAT BOARD POLICY
BE SET REGARDING WHETHER OR NOT TO BEGIN USING GRANT
MONIES TO FUND PERSONNEL POSITIONS. PRESIDENT ZANUTTO
REFERED SAID TOPIC TO THE ADMINISTRATION COMMITTEE.
16. PUBLIC HEARING DECLARING AND ORDERING THE CONTROL,
REMOVAL, AND ERADICATION OF STARTHISLE
 - PRESIDENT ZANUTTO OPENED AND CLOSED THE PUBLIC HEARING.
NO ONE WAS IN ATTENDANCE FOR THE PUBLIC HEARING.
17. PUBLIC HEARING DECLARING AND ORDERING THE CONTROL,
REMOVAL, AND ERADICATION OF PINE BARK BEETLE INFESTATION
 - PRESIDENT ZANUTTO OPENED AND CLOSED THE PUBLIC HEARING.
NO ONE WAS IN ATTENDANCE FOR THE PUBLIC HEARING.
18. APPROVAL OF COMMUNICATIONS COMMITTEE'S RECOMMENDATION TO
REPLACE USTREAM VIDEO RECORDINGS OF CSD MEETINGS TO BE
REPLACED WITH OTHER VIDEO TAPE OPTIONS FOR PUBLIC REVIEW
FROM THE DISTRICT'S WEBSITE
 - STAFF INVITED DISTRICT TECH SUPPORT EXPERT JIM MILLER
FROM HIGH DESSERT WIRELESS TO EXPLAIN THE
TECHNOLOGY/MONEY ISSUES WITH USTREAM VS.VIDEO CAMERA
OPTIONS. THE BOARD AGREED TO CONTINUE WITH USTREAM AS
IS. BOARD COMMENTS: MASON. PUBLIC COMMENTS: CHARLENE
LACLAIRE (3430-260); SANDY WILLIAMS (3440-338). MR.
MILLER ANSWERED ALL QUESTIONS.
19. CONSIDERATION OF REQUEST BY SHEPPARD OF THE HILLS CHURCH
FOR "EXTRA-TERRITORIAL" WATER SERVICE IN CUMMINGS VALLEY
 - NO ACTION WAS TAKEN. LEGAL COUNCIL REMINDED THE BOARD OF
DIRECTORS OF THE STEPS OUTLINED IN THE LAST MEETING:
STAFF WILL RESPOND TO THE COUNTY; CHURCH WILL NEED TO
MAKE A DECISION REGARDING A WATERLINE OR WELL; THE CHURCH

WILL NEED TO APPLIY FOR A CONDITIONAL USE PERMIT AND THE DISTRICT WILL REPSOND. BOARD COMMENTS: MORGAN. PUBLIC COMMENTS: CHARLENE LACLAIRE (3430-260) AND RALPH KERMODE (3417-177).

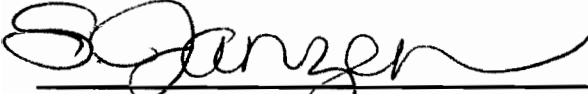
20. ADJOURNMENT

- President Zanutto adjourned the meeting at 7:55 p.m.



Rick Zanutto, President
Bear Valley CSD Board of Directors

ATTEST:



Sandra L. Janzen, Assistant GM
Secretary to the Board of Directors