



LAKE SHASTINA COMMUNITY SERVICES DISTRICT

Regular Meeting
 Wednesday, July 19, 2017, 1:00 p.m.
 Administration Building
 16320 Everhart Drive • Weed, California 96094 • (530) 938-3281

MINUTES

CALL TO ORDER AND ROLL CALL: 1:00 p.m.

LSCSD Board Roll Call: Cupp ✓ Layne ✓ Thomsson ✓ Two Vacant Seats

Also present: GM Drexel, SAC Nelle and AA Charvez. There were approximately 2 people in the audience. Secretary Drexel called the meeting to order.

APPOINT A TEMPORARY CHAIRPERSON

Motion by Dir. Thomsson second Dir. Layne to appoint Dir. Layne as Chairperson for this meeting.

Ayes: Directors Layne and Thomsson

Noes: Director Cupp

Absent: None

Two Vacant Seats

(Procedural item: 2-1 vote passes.)

PUBLIC COMMENTS ON CLOSED SESSION: None

ADJOURN TO CLOSED SESSION: With no objections by the Board, Dir. Layne adjourned to Closed Session at 1:03 p.m.

CLOSED SESSION: 1:04 p.m.

Also present: GM Drexel.

- A. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION Existing Litigation (Gov. Code § 54956.9) Moller v. LSCSD et. al.
- B. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION One Potential Case (Gov. Code § 54956.9(c)) Initiation of Litigation – Significant Exposure – CalPERS
- C. CONFERENCE FOR THE PURPOSES OF PERFORMANCE EVALUATION (Gov. Code § 54957 (b) – Title – General Manager

With no objections by the Board, Dir. Layne adjourned Closed Session at 1:25 p.m.

RETURN TO OPEN SESSION: 1:30 p.m.

Also present: GM Drexel, SAC Nelle, AA Charvez, FC Pappas, PC Wilson and District Counsel Winston. There were approximately 23 people in the audience.

PLEDGE OF ALLEGIANCE: PC Wilson led the Pledge of Allegiance.

REPORT ON CLOSED SESSION: Dir. Layne stated there was nothing to report out of Closed Session.

PUBLIC COMMENTS: Four (4) speakers.

CORRESPONDENCE: This is for correspondence directed to the District or the Board of Directors to be reviewed. No action necessary. Items received and filed.

- Letter to new residents
- Lacki letter

DISCUSSION / ACTION ITEMS:

A. Consideration of Appointment to fill Unscheduled Vacant Board Member Seat:

Candidates Greg Tennison, Norman MacIntosh, Rick Thompson, Paula Mitchell and Frankie Hayduk made brief statements to the Board. Dir. Layne stated that Candidate Emory Hanlon withdrew his name and Candidate Dave Hankins was not available to attend the meeting.

Dir. Thomsson stated that she would consider appointing Candidates Tennison, Hankins and Thompson. Dir. Cupp stated that she would consider appointing Candidates Mitchell, Thompson, MacIntosh and Hayduk. Dir. Layne stated that she would consider appointing Candidates Hankins, Tennison and Thompson.

A motion was made by Dir. Cupp to appoint Rick Thompson to fill the vacant Board Member seat. There was no second. The motion failed.

A motion was made by Dir. Cupp to appoint Paula Mitchell to fill the vacant Board Member seat. There was no second. The motion failed.

A motion was made by Dir. Thomsson and seconded by Dir. Layne to appoint Greg Tennison to fill the vacant Board Member seat. Yes Votes: Dirs. Layne and Thomsson; No Votes: Dir. Cupp. The motion failed.

A motion was made by Dir. Layne and seconded by Dir. Thomsson to appoint Dave Hankins to fill the vacant Board Member seat. Yes Votes: Dirs. Layne and Thomsson; No Votes: Dir. Cupp. The motion failed.

A motion was made by Dir. Cupp to appoint Norman MacIntosh to fill a vacant Board Member seat. There was no second. The motion failed.

A motion was made by Dir. Cupp to appoint Frankie Hayduk to fill a vacant Board Member seat. There was no second. The motion failed.

A motion was made by Dir. Thomsson and seconded by Dir. Cupp to reconsider this item (appointment of Board vacancy). Yes Votes: Dirs. Cupp and Thomsson; No Votes: Dir. Layne. The motion failed.

a. Administer the Oath of Office and Seat new Appointed Member: No action taken.

B. Election of President and Vice President – remainder of 2017 Calendar Year: No action taken.

CONSENT CALENDAR: (All items accepted/approved by the Board unless otherwise noted.)

1. A. Approval of Minutes: Regular Meeting June 21, 2017 and Special Meeting June 29, 2017
- B. Ratification of Disbursements: June 1 through June 30, 2017
- C. Budget Comparison / Variance Report: FY 2016/2017
- D. Accounts Receivable Aging Analysis: FY 2016/2017
- E. District legal costs related to Moller lawsuit: September 2015 to date \$126,930.07 and FY 16/17 year to date \$93,588.69

Motion by Dir. Cupp second Dir. Thomsson to approve Consent Calendar.

Ayes: Directors Cupp, Layne and Thomsson

Noes: None

Absent: None

Two Vacant Seats

POLICE AND FIRE DEPARTMENT REPORTS

2. Fire Department Monthly Report: FC Pappas reported.
 3. Police Department Monthly Report: PC Wilson reported.
- FC Chief Pappas and PC Wilson were excused from the meeting.

COMMITTEE REPORTS: This is the time for the Committee Chairs to give an update on their committee and make recommendations to the Board for consideration.

- A. Policy Committee: SAC Nelle reported.
 1. Report on Status
- B. Police Advisory Committee: Dir. Cupp reported.
 1. Report on Status
- C. Fire Department Advisory Committee: Dir. Thomsson reported.
 1. Report on Status
- D. Budget Committee: Nothing to report.
 1. Report on Status
- E. Water Well Advisory Committee: Nothing to report.
 1. Report on Status

DISCUSSION / REPORTS: NO ACTION ITEMS:

4. Report on temporary water outage and electrical problems on B-53: GM Drexel reported.

DISCUSSION / REPORTS: ACTION ITEMS:

5. Public Hearing: Delinquent Charges [Government Code §61115(b)] to be sent to 2017 Tax Roll: Public Hearing to hear and consider all objections or protests to CSD's Impending Delinquency Report of taxes, assessment and other charges levied for the fiscal year 2016-2017, being delinquent, shall be declared tax-defaulted pursuant to Government Code §61115(b) and shall direct the General Manager to file with the Siskiyou County Auditor/Tax Collector a copy of the final report, on or before August 10, 2017.

Dir. Layne opened the Public Hearing at 3:00 p.m. GM Drexel reported. Comments were received from the audience. Dir. Layne closed the Public Hearing at 3:04 p.m. The Board discussed.

Motion by Dir. Thomsson second Dir. Cupp to declare said delinquencies tax-defaulted pursuant to Government Code §61115(b) and direct the General Manager to file the final report with the Siskiyou County Auditor on or before August 10, 2017.

Ayes: Directors Cupp, Layne and Thomsson
Noes: None
Absent: None
Two Vacant Seats

6. Report on Renovation of B-114 and status: GM Drexel reported. The Board discussed.

Motion by Dir. Cupp second Dir. Thomsson to approve increasing the \$100,000 Capital Expenditure budget for B-114 repairs to \$109,000, funds to be taken from LAIF account (an increase of \$9,000).

Ayes: Directors Cupp, Layne and Thomsson
Noes: None
Absent: None
Two Vacant Seats

7. Discuss neutral third party counsel status and direction for staff: GM Drexel reported.

Dir. Cupp made a motion for GM to work with the LSPOA GM to get a legal opinion on the agreements received by the Committee. There was no second. The motion failed.

A motion was made by Dir. Thomsson and seconded by Dir. Layne to hire Kenny, Snowden and Norine to resolve LSCSD/LSPOA building, yard and staff issues for the LSCSD. Yes Votes: Dirs. Layne and Thomsson; No Votes: Dir. Cupp. The motion failed.

8. US Cellular lease agreement for antennas on Water Tank 4 at 5300 Tennis Ct.: GM Drexel reported. The Board discussed.

Motion by Dir. Thomsson second Dir. Cupp to direct staff to continue negotiations with US Cellular, with the assistance of Aires Advisors for a finished agreement and to have them move forward with their site investigations, permitting requirements, testing and public meetings.

Ayes: Directors Cupp, Layne and Thomsson
Noes: None
Absent: None
Two Vacant Seats

9. Consideration of initiating a General Manager search: Dir. Cupp reported. Dir. Cupp made a motion for the Board initiate a GM search. There was no second. The motion failed.

10. Renew or Terminate GM Contract: Dir. Cupp reported.

Dir. Cupp made a motion for the Board to re-negotiate GM Drexel's hourly rate to previous GM's rate and eliminate per diem. There was no second. The motion failed.

A motion was made by Dir. Thomsson and seconded by Dir. Layne to have GM Drexel bring KD Management contract back to the Board with rate and per diem options for consideration. Yes Votes: Dirs. Layne and Thomsson; No Votes: Dir. Cupp. The motion failed.

Dir. Thomsson asked GM Drexel if he would discuss contract changes at this meeting; GM Drexel stated he would bring contract options back to the Board for consideration in August.

11. Resolution for Amendment of Trustees for LSCSD Money Purchase Pension Plan: The Board discussed.

Motion by Dir. Layne second Dir. Cupp to adopt Resolution 6-17 naming Carol Cupp and Barbara Thomsson as trustees of the District Money Purchase Pension Plan and Trust.

Ayes: Directors Cupp, Layne and Thomsson
Noes: None
Absent: None
Two Vacant Seats

12. Consideration of District vehicle use policy: Dir. Cupp reported. GM Drexel stated that the Policy Committee will provide a draft vehicle policy and procedure for Board consideration.

13. Rancho Hills Community Association: action to vote Ballot for Election of Directors: The Board discussed.

Motion by Dir. Cupp second Dir. Layne to authorize the Dir. Layne to sign the RHCA ballot envelope so that it can count for the quorum requirement and take no action on voting the ballot.

Ayes: Directors Cupp, Layne and Thomsson
Noes: None
Absent: None
Two Vacant Seats

Prior to moving to Staff Comments: Dir. Thomsson stated she wanted to re-address Item A (Board Vacancy).

A motion was made by Dir. Thomsson and seconded by Dir. Cupp to appoint Rick Thompson to fill the vacant Board Member seat. Yes Votes: Dirs. Cupp and Thomsson; No Votes: Dir. Layne. The motion failed.

STAFF COMMENTS: One (1) speaker.

BOARD MEMBER COMMENTS: None

ADJOURNMENT:

With no objections by the Board, Dir. Layne adjourned the meeting at 4:23 p.m.

The next LSCSD Regular Board Meeting on Wednesday, August 16, 2017, 1:00 p.m. Closed Session, 1:30 p.m. Open Session, at the Administration Building.

Approval Date: _____

Carol Cupp, President

ATTEST:

Karl Drexel, Secretary