

**VENTURA RIVER COUNTY WATER DISTRICT
REGULAR MEETING HELD FEBRUARY 9, 2006**

Pursuant to due and official notice, a regular meeting of the Board of Directors of the Ventura River County Water District was held at 409 Old Baldwin Road, Ojai, California on February 9, 2006.

President M. Hanson called the meeting to order at 5:30 o'clock p.m.

There were present Directors Jack Curtis, Marvin Hanson, Tom Jamison, Ed Lee and Eddie Ramseyer. Also present were General Manager Matthew Bryant and, recording secretary/Office Manager Janet Schaefer and, District Counsel Lindsay Nielson. Public present was Mr. George Galgas of 523 E Katherine Avenue.

E. Ramseyer moved for approval of the minutes of the Regular Board meeting held January 11, 2006 and the Emergency Board meeting January 24, 2006 seconded by J. Curtis and carried.

E. Lee moved for approval of the Financial Statements for December 2005, and the Disbursements for January 2006. Accounts Payable check numbers 7554 - 7607, Trust check numbers 2475 - 2486, and Payroll check numbers 3861 - 3875 totaling \$104,312.80 seconded by T. Jamison and carried.

J. Curtis moved to open the public hearing on Ordinance 2006-208 Amending Compensation to be paid to Directors seconded by T. Jamison and carried. Mr. Galgas asked what the cap is on how much compensation can be raised 5% or 10%? M. Bryant responded that it is 5% per year. Mr. Galgas requested to be put on the record that the Board is requesting \$110 and that is not 5%, \$5 would be 5%. President Hanson clarified that the actual amount requested is \$60 and it has been over 12 years since Director Compensation has been increased. Mr. Galgas again stated that he felt the increase should not be more than 5%. Counsel Nielson expressed it is 5% per year. M. Bryant then read the full Ordinance 2006-208. Mr. Galgas asked what is the increase \$110, \$160? M. Bryant answered \$60. Mr. Galgas said but still there is a cap on it and when you adopted this new Resolution when did that take place? President Hanson responded that we are doing that right now, this is the public hearing. Mr. Galgas stated he was still a little bit confused, if there is a 10% cap and you are increasing it \$60 in other words \$160 that certainly doesn't square with my figures. M. Bryant stated that in Water Codes Section 20200 it states that the cap is 5% per year. Mr. Galgas stated he understood that. Director E. Lee clarified that there has been no increase for 12 years. Mr. Galgas asked have you submitted any claim form for procuring that? In other words did you do that last year or 12 years previous? Counsel Nielson stated that they have not adjusted it in 12 years. Mr. Galgas stated he is aware of that but what you are doing is 5% per year for 12 years is \$60 is that you are doing? M. Bryant answered yes. Director J. Curtis asked Mr. Galgas if he understood that this is a requirement of AB1234 that went into effect as of January 1st this year. Mr. Galgas said I haven't read that so I don't know. Director J. Curtis stated well then you should read it because that is what we are doing exactly that. We have never had this before and now we are putting it into policy. Mr. Galgas stated he requests a copy of that. Counsel Nielson stated the other thing is that this is less than the water code allows. I think Casitas gets \$200. Mr. Galgas responded well they are in a different league. Director T. Jamison asked what the maximum allowed is and Counsel responded I think it is \$250. T. Jamison clarified that the Board could have raised the rate annually but chose to keep the rate low. M. Bryant stated that the calculation is 5% per year added to the original \$100 would be an allowable of \$163 but the Board chose to raise it to \$160. Mr. Galgas stated that clarifies some of the issues but nonetheless I would like to have a copy of that. I am not privy to that. M. Bryant told Mr. Galgas that all the Assembly Bills adopted by the State of California are available on-line but Staff will send Mr. Galgas a summary of AB1234 with the minutes.

J. Curtis moved to open the public hearing for Resolution 2006-210 for a CEQA Negative Declaration for the Valley Meadow 12" Mainline relocation project, seconded by T. Jamison and carried.

E. Lee moved approval of the Staff request to declare surplus and authorize disposal of the old Baldwin Tank #2 identified on the District's Depreciation Schedule as Group 4 item 6 with a zero book value, seconded by J. Curtis and carried.

M. Bryant reported that demolition of the old Baldwin tank #2 is complete. Construction of the new tank was to begin Monday February 6, 2006 but was delayed by Superior Tank Company due to an equipment failure. M. Bryant reported that Superior Tank is requesting a progress billing #1 for tank demolition in the amount of \$11,250.00. E. Lee moved approval of the progress payment with the stipulation that the check is not released until Superior Tank is on-site to begin construction of the new tank, seconded by E. Ramseyer and carried.

T. Jamison moved for approval of Budget Transfer #4 to fund the Valley Meadow Mainline Relocation Project, seconded by J. Curtis and carried by a unanimous roll call vote. From 77750000 12" Main Repair Valley Meadow \$50,000, From 93500000 Appropriation Contingency \$360,000. To 91500029 16" HDPE Pipeline @Valley Meadow \$410,000.

M. Bryant reported that a draft of the Steelhead HCP was submitted to NOAA Fisheries and Fish & Game for their comments. Both agencies sent a letter rejecting the draft HCP until major changes and reorganization of the document are accomplished. Entrix has submitted a proposal to assist in accomplishing the task. J. Curtis wanted to know what Entrix's level of responsibility is to make the appropriate corrections. J. Curtis felt that Entrix is a Consultant hired specifically to draft an acceptable document. M. Bryant will make that inquiry at the next meeting of the cooperating agencies scheduled for March 27, 2006.

M. Bryant reported that Staff from the Ojai Valley Sanitary District (OVSD) had approached him requesting water from VRCWD for sewer cleaning. J. Curtis stated to the President that he is abstaining from any discussion on this matter. M. Bryant reported that prior to the drought of 1992 VRCWD provided some water to OVSD for this purpose but no formal agreement could be found. M. Bryant explained that since 1992 OVSD was using a non-potable well source that is high in nitrates from Meiner's Oaks County Water District. Recently the pump in the well failed. M. Bryant told the OVSD Staff who to call to have the pump pulled to determine the need for repair or replacement. Director E. Lee inquired about the quantity of water needed. M. Bryant responded that it could be as much as 40,000 gallons per day. E. Lee moved to decline the request. The motion died for lack of a second. No further action was taken.

M. Bryant reported on well production and use. The aquifer level in Well #2 at February 1, 2006 was 18.6' to water.

M. Bryant reported that Forest Home Ministries on Burnham Road repaired the fire line to the Dining Hall. Staff was present when the line was flushed and approved by the Fire Department. Additionally, all irrigation has been tied to their well system except one planter that will be tied in when the fire line is backfilled. Forest Home is now in compliance with all stipulations on their Will Serve Letter.

J. Schaefer reported that the audit contract with Porter & Company CPAs expired June 30, 2005. Letters requesting proposals have been mailed. Staff will include the proposals at the April 12, 2006 Board meeting.

M. Bryant reported that J. Curtis was awarded Director of the Year by the Ventura County Special Districts Association at the annual dinner held February 7, 2006. The Board congratulated Director Curtis on this honor.

M. Bryant reported that the AWA of Ventura County will hold its monthly breakfast on February 16, 2006.

J. Curtis moved to close the public hearing at 6:30 o'clock p.m. and approve Ordinance 2006-208, seconded by T. Jamison and carried by a unanimous roll call vote.

Ordinance 2006 - 208

An Ordinance Amending the Compensation Authorized to be paid to Directors Pursuant to Water Code Section 20200, Et. Seq.

Whereas, pursuant to Division 10, Chapter 2 commencing with Section 20200 of the Water Code, the Directors of the Ventura River County Water District are currently authorized to receive One Hundred Dollars (\$100) per day for each day's attendance at meetings of the Board or for each Day's service rendered as a Director by request of the Board, not exceeding a total of ten (10) days in any calendar month; and

Whereas, the Directors of the Ventura River County Water District come within the provisions of Section 20201, ET. Seq., of the Water Code authorizing compensation in excess of One Hundred Dollars (\$100) per day; and,

Whereas, the fees authorized to be paid to Directors of Ventura River County Water District have not been adjusted for nearly 12 years;

Now, therefore, be it Ordained by the Board of Directors of the Ventura River County Water District as follows:

1. The most recent version of the existing By-Laws, Revised June 8, 2005, are hereby amended by this resolution.
2. MEETING FEE
 - a. Board Meeting/Day of Service – Each member of the Ventura River County Water District Board of Directors shall be paid a fee of one hundred sixty dollars (\$160) for each regular, adjourned, or special Board meeting attended, or each day of service rendered as a director by request of the Board. Board members shall not be compensated for a Board meeting and a day of service on the same day.
 - b. Committee Meeting – Each member of the Ventura River County Water District Board of Directors shall be paid a fee of one hundred dollars (\$100) for each committee of the Board meeting attended. Board members shall not be compensated for a committee meeting held on the same day as a Board meeting or day of service if such compensation would exceed the maximum daily limit of hundred sixty dollars (\$160).
3. DAY OF SERVICE – A day of service at the request of the Board shall mean attendance at a meeting, conference, or seminar as specifically requested by a formal action taken by the Board.
4. EXPENSES – Each member of the Ventura River County Water District Board of Directors, the District General Manager, and each staff member authorized by the General Manager shall be entitled to have reasonable expenses incident to attendance at meetings, seminars, conferences, or other District business, paid by the District as follows:
 - a. The District on request may prepay registration fees, common carrier transportation, and first night's lodging. Actual costs of subsequent lodging shall be reimbursed on submission of a signed claim form accompanied by paid receipts.
 - b. An allowance for meals may be advanced at a per diem of fifty-four dollars (\$54) with no receipts required. For partial days, meal allowances shall be at the rate of eleven dollars (\$11) for breakfast, seventeen dollars (\$17) for lunch, and twenty-six dollars (\$26) for dinner with no receipts required. Actual costs of meals in excess of these amounts shall be reimbursed on submission of a signed claim form accompanied by paid receipts. Payment shall not be advanced or reimbursed for any meals, which are provided as part of registration, or any other similar fee paid by the District. In the case where per diem advances exceed actual attendance dates, the excess shall be returned to the District within seven (7) calendar days after returning from the event for which the advance was made.
 - c. All other incidental expenses, such as local travel, baggage handling, taxi, etc. shall be reimbursed on submission of a signed claim form. Receipts are required for each expenditure item, which exceeds five dollars (\$5).
 - d. Use of personal vehicles for travel in carrying out the business of the District shall be reimbursed at the United States Internal Revenue Service approved mileage rate on submission of a signed claim form.
 - e. Authorized expenses are for Board members or staff only and shall not include expenses for other family members, entertainment, alcoholic beverages, or normal personal needs.

Be It Further Ordained, on or after the effective date of the Ordinance, the compensation of the Directors of Ventura River County Water District shall be increased to One Hundred Sixty Dollars \$160.00 per meeting day, pursuant to the provisions of Section 20200 of the Water Code, provided that compensation shall not be paid for more than a total of ten days (10) in any calendar month; and

(1) This ordinance shall become effective sixty (60) days from the date of its passage.

Adopted, Signed and Approved this 8th day of February 2006.

Ayes: Curtis, Hanson, Jamison, Lee, Ramseyer

Noes: None

Absent: None

Marvin L. Hanson
Marvin Hanson - President Board of Directors

Attest:

Matthew L. Bryant
Matthew L. Bryant, Secretary
Board of Directors

J. Curtis moved approval of Resolution 2006-209 Adopting a District Travel Policy, seconded by T. Jamison and carried by a unanimous roll call vote.

**Resolution 2006-209
A Resolution of the Board of Directors of the Ventura River County Water District
Adopting a District Travel Policy**

Whereas, the Ventura River County Water District Board of Directors and District Staff are obligated to travel from time to time for conferences and training and to generally conduct the affairs of the District; and

Whereas, it is in the best interests of the District and its constituents to establish guidelines for the authorization, attendance and reimbursement of travel expenses for conferences, meetings, and training seminars; and,

Whereas, a comprehensive summary providing such guidelines does not currently exist as a single document; and

Whereas, the Board of Directors believes that the establishment of a comprehensive Travel Policy will establish procedures for fair and uniform reimbursement of expenses and provide full visibility of such expenses to the constituents of the District;

Now, therefore, Be It Resolved by the Ventura River County Water District Board of Directors that it is the policy of the District to reimburse actual and necessary expenses incurred by Board members and employees of the District while on authorized travel for District Business; and,

Be It Further Resolved that the attached District Travel Policy is adopted to provide guidelines for reimbursement of all such travel and supersedes any previous guidelines established by Board policy or administrative directive; and

Be It Further Resolved that the General Manager is delegated authority to fully implement the District Travel Policy effective immediately.

Adopted, Signed and Approved this 8th day of February 2006.

Ayes: Curtis, Hanson, Jamison, Lee, Ramseyer

Noes: None

Absent: None

Marvin L. Hanson
Marvin Hanson, President

Attest:

Matthew L. Bryant
Matthew L. Bryant, Secretary

J. Curtis moved to close the public hearing at 6:32 o'clock p.m. for a CEQA Negative Declaration for the Valley Meadow Main Line Relocation Project, seconded by T. Jamison and carried. E. Lee moved for approval of Resolution 2006-210 seconded by T. Jamison and carried by a unanimous roll call vote.

Resolution 2006-210

A Resolution Approving a CEQA Negative Declaration for the Valley Meadow 12" Line Relocation Project

Whereas, the Ventura River County Water District Board of Directors have prepared an environmental assessment for the relocation of the Valley Meadow 12 - inch pipeline by boring into the bedrock within the existing easement located on assessors parcel book 33, page 35, parcel 50, Ojai, California; and

Whereas, on the basis of the evaluation a Negative Declaration was prepared for the project; and,

Whereas, notice of a public hearing to be held on February 8, 2006 was published in the Ojai Valley News on Wednesday January 18 and Friday January 20, 2006; and

Whereas, after the public hearing the Directors of Ventura River County Water District unanimously approved the project without any mitigation measures or overriding considerations; and

Now, therefore, **Be It Resolved** that the Board of Directors of Ventura River County Water District find that the project could not have a significant effect on the environment, and staff is instructed to post a Notice of Determination at the County for 30 days.

Adopted this Eighth day of February 2006.

Ayes: Curtis, Hanson, Jamison, Lee, Ramseyer

Noes: None

Absent: None

Marvin L. Hanson
Marvin Hanson - President

Attest:

Matthew L. Bryant
Matthew L. Bryant, Secretary

The meeting was adjourned to executive session at 6:48 o'clock p.m. to discuss potential litigation. Mr. Galgas left the meeting.

The meeting reconvened at 7:08 o'clock p.m. President Hanson stated for the record that the executive session was held to discuss potential litigation and no action was taken.

There being no further action to come before this meeting on motion duly seconded the meeting was adjourned at 7:08 o'clock p.m.

Attested:

Marvin L. Hanson
Marvin Hanson, President

Eddie P. Ramseyer
Eddie P. Ramseyer, Vice President