



# LAKE SHASTINA

## COMMUNITY SERVICES DISTRICT

Regular Meeting  
Wednesday, December 21, 2011 – 5:00 p.m.  
Administration Building

### MINUTES

#### CALL TO ORDER:

LSCSD Board Roll Call: Cupp ✓ Moller ✓ Murphy absent Roths absent Wetter ✓

Also present were GM McCarthy, PWS Moser, SAC Nelle, PC Alves, AA Charvez and District Counsel Robert Winston present for Item 10. There were approximately 11 people in the audience.

#### CLOSED SESSION: called to order 4:00 p.m.

1. A. Personnel (Gov. Code Section 54957): General Manager Contract: Pres. Wetter reported that the Board has opened negotiations with the General Manager to renew contract.
- B. Personnel (Gov. Code Section 54957): Police and Fire Departments: Dir. Moller reported that the Board is considering consolidating the Police and Fire Departments under one administrator. The Board will be holding informational meetings for public input. Notification of these meetings will be on the District website and notice boards.
- C. Conference with Legal Counsel Anticipated Litigation (Gov. Code Section 54956.9(c): Federal and State Coordination: Item moved out of Closed Session and addressed under Item 10.
- D. Conference with Real Property Negotiator (Gov. Code Section 54956.8): APN: 109-090-170: No report.

#### **Motion by Dir. Cupp second by Dir. Moller to adjourn Closed Session at 4:55 p.m.**

**Ayes: Directors Cupp, Moller and Wetter**

**Noes: None**

**Absent: Directors Murphy and Roths**

#### REGULAR MEETING: called to order at 5:00 p.m.

PLEDGE OF ALLEGIANCE: Pres. Wetter led the Pledge of Allegiance.

PUBLIC COMMENTS: None

#### CONSENT CALENDAR:

2. A. Approval of Minutes: Regular Meeting November 16, 2011
- B. Ratification of Disbursements: November 1 to November 30, 2011
- C. Budget Comparison FY 2011/2012 YTD
- D. Approval of LAIF Transfer – Police Department

#### **Motion by Dir. Moller second by Dir. Cupp to approve Consent Calendar.**

**Ayes: Directors Cupp, Moller and Wetter**

**Noes: None**

**Absent: Directors Murphy and Roths**

10. Federal and State Coordination: update: (Item was addressed after Item 2.) Pres. Wetter and Tony Intiso, Siskiyou County Water Users Association, gave an overview of the District's rights, as a government agency, to request that Federal and State agencies making policies that impact the District, work with the District. The Board discussed with District Counsel Robert Winston the requirements of a resolution regarding Coordination. Mr. Winston stated that the mandate for the Federal and State agencies to work with local agencies is not contingent on passing a resolution and that if the Board wants to pass a resolution, it does not require detailed statutes; however there are specific requirements in the "Demand for Coordination" letter to the Federal or State agencies. Pres. Wetter and Dir. Moller agreed to meet with Mr. Winston to draft a resolution that would meet the desires of the Board.

#### PUBLIC HEARINGS:

3. Public Hearing: Proposed Animal Control Ordinance – Second Reading, Public Hearing and Adoption: Pres. Wetter read proposed Animal Control Ordinance by title. GM McCarthy gave a brief overview of ordinance. The Public Hearing was opened at 5:53 p.m. Comments were received from members of the audience. The Board discussed fee structure. The Public Hearing was closed at 6:19 p.m.

#### **Motion by Dir. Moller second by Dir. Cupp to approve Second Reading and Adoption of Ordinance 1-11 regarding Animal Control within LSCSD boundaries as presented.**

**Ayes: Directors Cupp, Moller and Wetter**

**Noes: None**

**Absent: Directors Murphy and Roths**

DISCUSSION / ACTION ITEMS

4. Fire Department: monthly report: The Board received IFC Paulus' monthly report; Dir. Moller asked for clarification on item under Fire Department News.
5. Police Department: monthly report: PC Alves updated the Board on Police Department activities.
6. Consideration of proposed ordinance regarding Building Address Numbers: Pres. Wetter stated that, due to public safety issues, building address numbers need to be visible from the street. The Board asked staff to proceed with the first reading and public hearing for proposed ordinance.
7. Wastewater Ponds Construction: approval of Final Payment

**Motion by Dir. Cupp second by Dir. Moller to approve the Progress Payment #3-Final to Hat Creek Construction of Burney CA for the Sewer Pond Rehabilitation Project in the amount of \$50,410.60.**

**Ayes: Directors Cupp, Moller and Wetter**

**Noes: None**

**Absent: Directors Murphy and Roths**

8. Consideration of resolution regarding enforcement of District fees: GM McCarthy reviewed Government Code Section 61115 and the District's Collection Policy regarding authorized enforcement for collection of District fees. This resolution would enable the turning off of services for non-payment of any CSD fees billed on the same invoice.

**Motion by Dir. Moller second by Dir. Cupp to adopt Resolution 9-11 regarding enforcement of District fees.**

**Ayes: Directors Cupp, Moller and Wetter**

**Noes: None**

**Absent: Directors Murphy and Roths**

9. Consideration of allowing Credit Card Payments: SAC Nelle reviewed proposed agreement with Official Payments Corporation (OPC) to implement credit, debit and E-check payments online and by phone for the LSCSD. The Board discussed.

**Motion by Dir. Cupp second by Dir. Moller to adopt Resolution 10-11 regarding the acceptance of credit card payments for the LSCSD and authorizing the President to sign agreement with OPC.**

**Ayes: Directors Cupp, Moller and Wetter**

**Noes: None**

**Absent: Directors Murphy and Roths**

10. Item addressed after Item 2.

11. Appointment of Officers for 2012 Calendar Year

A. President

B. Vice President

C. Secretary / Treasurer

The Board agreed to table Item 11.A and 11.B until the January meeting.

**Motion by Dir. Cupp second by Dir. Wetter to appoint General Manager McCarthy as the District Secretary/Treasurer.**

**Ayes: Directors Cupp, Moller and Wetter**

**Noes: None**

**Absent: Directors Murphy and Roths**

**BOARD MEMBER COMMENTS:** Dir. Moller thanked LSPOA for participating in the Christmas Tree Lighting Event and stated that the tentative date for next year is Saturday, December 1. Dir. Cupp thanked LSPOA and staff for the very nice Holiday Luncheon.

ADJOURNMENT:

**Motion by Dir. Moller second by Dir. Cupp to adjourn meeting at 6:54 p.m. to the next Regular Meeting on January 18, 2012 at 5:00 p.m.**

**Ayes: Directors Cupp, Moller and Wetter**

**Noes: None**

**Absent: Directors Murphy and Roths**

Approval Date: \_\_\_\_\_

\_\_\_\_\_  
Tom Wetter, President

ATTEST:

\_\_\_\_\_  
John McCarthy, District Secretary