

MINUTES OF THE FRCD BOARD MEETING

Wednesday, December 09, 2009

The regular meeting of the Board of Directors of the Florin Resource Conservation District was called to order at 6:30 P.M. by Barrie Lightfoot, Chair, at 8820 Elk Grove Blvd., Elk Grove, CA.

Call to Order; Roll Call; and Pledge of Allegiance.

Directors Present: Chuck Dawson, Barrie Lightfoot, Elliot Mulberg, Tom Nelson and Tony Perez
Directors Absent: None
Staff Present: Leo D. Havener, Jr., general manger; Ann Siprelle, general counsel; Tom Bartlett, treasurer/finance manager; Stefani Phillips, secretary/human resource specialist; Jeffrey Maupin, operations manager; Ellen Carlson, management anaylst; and Scott Myers, district engineer
Associate Directors Present: Rich Lozano and Don Menasco
Consultants Present: Richard Wilson, Sentium; Joe Richardson and Brian Nash, Richardson & Company; and Rick Robinson, Best Best & Krieger, LLP
Public Present: Bob Grey, David Beales, Charlotte Sato, Eric McDonald, Richard Hettinger, and Roy Herburger

Public Comment

David Beales voiced his concerns about his water service billing statement. After a water meter was installed at his residence he questioned the accuracy of the billing statements.

Charlotte Sato stated she would like to have the full meter reading placed on the billing statement and she would like to know how the meter works.

Eric McDonald questioned the accuracy of the water service billing statements.

Richard Hettinger stated that there was an overbilling on his water service statement since his meter was installed at his residence. He also stated he would like to have the full meter reading placed on the billing statement.

Barrie Lightfoot, Chairman, asked for a motion to add an item to the agenda.

MSC (Mulberg/Dawson) to add LAFCO Ballot for Special District Commissioner – Office No. 6 and Alternate Special District Commissioner – Office No. 6 & 7 to the agenda, 5/0: Dawson: aye; Mulberg: aye; Nelson: aye; Perez: aye; and Lightfoot: aye.

A discussion period occurred.

MSC (Mulberg/Nelson) to vote for the incumbents Gay Jones and Jerry Fox to the available seats, 5/0: Dawson: aye; Mulberg: aye; Nelson: aye; Perez: aye; and Lightfoot: aye.

1. Consent Calendar

- a. Approve Meeting minutes for October 28, 2009
- b. FRCD Cash Flow Worksheet – October, 2009
- c. Warrants Paid – October, 2009
- d. Monthly Summary – October, 2009
- e. Monthly Water Connections – October, 2009
- f. Revenue vs. Expense Graphs FY 09-10 - October, 2009
- g. Revenues and Expenses – Actual vs Budget
- h. Month End Investments
- i. General Manager Report
- j. Approve 9th Amendment to General Manager Employment Contract

Agenda items (a) and (j) were pulled from the agenda for further discussion.

MSC (Mulberg/Nelson) to approve items b-i of the Consent Calendar, 5/0: Dawson: aye; Mulberg: aye; Nelson: aye; Perez: aye; and Lightfoot: aye.

Elliot Mulberg, director, stated the minutes for the October meeting needed to be revised to remove his name from a motion since he was not present.

MSC (Nelson/Dawson) to approve item (a) of the Consent Calendar with revisions, 4/1: Dawson: aye; Mulberg: abstention; Nelson: aye; Perez: aye; and Lightfoot: aye.

MSC (Nelson/Dawson) to approve item (j) of the Consent Calendar, 5/0: Dawson: aye; Mulberg: aye; Nelson: aye; Perez: aye; and Lightfoot: aye.

2. Presentation FY' 08-09 Annual Audit

Joe Richardson and Brian Nash, Richardson & Company; presented the FY' 08-09 Annual Audit to the Board of Directors. They stated the scope of the audit was increased due to the Districts pursuance of the Government Finance Officers Association Award. Mr. Richardson stated the audit was a clean opinion and that there were great improvements made over the last two years.

Leo D. Havener, Jr., general manager, complimented Tom Bartlett, finance manager's, for his efforts on the financial report. Mr. Richardson and Mr. Lightfoot stated Mr. Bartlett did a good job.

3. Invasive Weed Removal Project

Ellen Carlson, conservation coordinator, shared with the Board the efforts that were made with the invasive weed removal.

4. Walk on the Wildside

Ms. Carlson requested sponsorship from the FRCD for WOW's annual event which will be held on May 8, 2010.

MSC (Nelson/Dawson) to approve sponsorship in the amount of \$1000.00 for WOW, 5/0: Dawson: aye; Mulberg: aye; Nelson: aye; Perez: aye; and Lightfoot: aye.

5. Elk Grove Unified School District's Service Learning Program

Ms. Carlson requested sponsorship from the FRCD towards environmental education.

A brief discussion followed. The Board requested that the item be brought back to the January meeting for action.

6. Directors Comments/Suggestions & Subjects for Future Board Meetings

Chuck Dawson, director, stated that the elections for the officers and committees need to be placed on the January agenda.

Mr. Mulberg requested information on water related legislation.

The Board would like an update at the January meeting regarding the water service billing statement issue.

7. Closed Session

a. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Subdivision (a) of Section 54956.9)

Name of case: Florin Resource Conservation District v. JBK Finance, LLC, et al, Yolo County Superior Court Case No. CV08-974

b. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Subdivision (a) of Section 54956.9

Name of case: Florin Resource Conservation District v. Union Bank of California, Sacramento County Case No. 34-2008-0002509

c. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION

(Subdivision (a) of Section 54956.9)

Name of case: J.B. Jones v. FRCD, EGWS, et al, Sacramento Superior Court Case No. 34-2009-00046310

No reportable action taken.

Respectfully submitted,

Stefani Phillips

Stefani Phillips, Secretary