

Minutes of the REGULAR Board Meeting for the  
Scotia Community Services District  
Thursday, May 16, 2019 at 5:30 P.M.

**A. CALL TO ORDER/ ROLL CALL/PLEDGE OF ALLEGIANCE** The regular meeting of the Board of Directors of the Scotia Community Services District convened at 5:33 pm with the following Directors in attendance.

Diane Bristol, Director – Present

Paul Newmaker, President – Present

Scott Pitcairn, Director – Present

Susan Pryor, Director – Present

Nina Sellen, Director - Present

Staff Present: Leslie Marshall, GM; Margaret Long, Legal Counsel; Jennifer McDonald, BC

**B. SETTING OF AGENDA** The Board may adopt/revise the order of the agenda as presented.

**-NO CHANGES-**

**C. CONSENT CALENDAR**

1. Approval of Previous Meeting Minutes; April 18, 2019
  2. Approval of April 1, 2019 -April 30, 2019 Check Registers
  3. Approval of Planwest Partners Invoices (2) March and April 2019 Public Comment:
- **NO PUBLIC COMMENT-**

**Motion: To Approve the Consent Calendar**

**Motion: Pryor Second: Pitcairn**

**Motion Vote:**

**Ayes: (5) Bristol, Newmaker, Pitcairn, Pryor, Sellen Opposed: 0 Absent: 0 Abstain: 0**

**Motion Carried? YES**

**D. PUBLIC COMMENT & WRITTEN COMMUNICATION**

GM Leslie Marshall presented (written communication) a letter from 8th grader, Breanna Moore from Scotia Union Elementary School. The student is pursuing fundraising for their upcoming 8th grade school trip. She is hoping to get sponsorships for doing community cleanup around town.

A community member asked about the gate at Fireman's Park and when the park will become accessible on the weekends. GM Leslie Marshall updated the community member on the status of the gate automation that is currently being installed noting that it should be operational in the very near future with the gates opening at sunrise and sunset.

## **E. BUSINESS**

### **1. New Business –**

#### **a. Receive a Presentation from Mike Borger of REC Solar.**

- The northwest has less solar potential than other parts of California, but Scotia still can benefit financially and environmentally from the use of solar technology.
- SCSD has higher than average energy bills with the river pumps being the costliest source of consumption.
- The preliminary idea of a floating solar; pontoon like installation within the log pond was introduced. This design would cover approximately 20% of the surface area of the pond and would include a bridge to access/service the pontoons.
- Design could generate 690 Kilowatts and offset about 95% of the costs of the river pumps.
- Option A to fund the solar infrastructure; SCSD pays cash up front. Explore grant options available. Potential grant sources include California Energy Commission (CEC) or the United States Department of Agriculture (USDA).
- Option B to fund the solar infrastructure; A Power Purchase Agreement (PPA). REC Solar is owned by Duke Energy (East Coast Utility and one of the biggest investors in renewables) and they would wind up owning the solar infrastructure and sell us the energy at below PG&E rates at approximately 8.4 ¢ a KW hour price. It would start out saving the district approximately \$33,000 a year (escalating each year) and in the range of 2 million dollar over its lifetime

*The REC Solar presentation was a preliminary and an informational presentation only and the board took no action.*

#### **b. Review and consider approving Humboldt Redwood Company's gravel extraction proposal for the Scotia CSD Eel River gravel bar.**

- HRC proposed to extract 30,000 yards on the SCSD gravel bar. GM expressed an overall concern for the pedestrian and recreational traffic of the area during peak summertime with the operation of heavy equipment and the safety closure of the bar. Spencer Watkins (HRC) stated HRCs flexibility with timing of the proposed extraction and potentially might wait until the elementary school is back in session (mid-August).
- Frank Bacik (Town of Scotia) commented that they have a neighborhood of tenants down near the extraction site. He also stated TOS had not approved extraction since 2008, due to conflict with recreation potential on gravel bar.
- Mr. Watkins presented additional materials for the SCSD board and staff to review (an aerial image of the visual impact made by the process) as well as the permitting documents from various agencies and a historical schedule of past extractions (volumes & locations).
- HRC maintains the mineral rights to the location.
- HRC hoping for a go-ahead from the SCSD by mid-June as they will be conducting pre-extraction meetings with the California Department of Water Resources and the US Army Corps of Engineers.
- Director Bristol asked if it would be a conflict of interest if she or President Newmaker (both

employees of HRC) were to vote on the motion. Legal counsel indicated that unless they stood to gain either financially or professionally from their decision, then it is not a conflict of interest.

**Motion: To move forward in discussion with HRC regarding the proposal for gravel extraction at the SCSD Eel River Gravel Bar (Scotia Dam Bar)**

**Motion:** Newmaker Second: Pryor

**Motion Vote:**

**Ayes:** \_ (5) Bristol, Newmaker, Pitcairn, Pryor, Sellen, **Opposed:** Q, **Absent:** Q, **Abstained:** Q

**Motion Carried? YES**

**c. Review and discuss Humboldt Wind Energy DEIR, to be led by legal counsel.**

- Margaret Long, legal counsel for the SCSD informed the board they would vote on if counsel would comment on behalf of SCSD to the County of Humboldt on the TerraGen project.
- Log Pond; counsel commented on the DEIRs intent to extract water from the Log Pond for uses other than the current NPDES permit allows and outside of allowable areas for discharge. The amount of water is more than staff feels the pond can provide. DEIR inaccurately lists the pond as HRC property.
- DEIR fails to address light pollution as well as insufficiently addresses impacts to the tribal and the historical aspect of Scotia.
- President Newmaker discussed the recently published article on the Wiyot Tribe's stance against the Wind Energy project based from a perspective of land.
- TOS representative Frank Bacik commented that the Log Pond is a last resort source of water for fire suppression in the town.
- Mr. Bacik also made comment that the project is inconsistent with the County's General Plan regarding vistas in open spaces.

**Motion: To authorize legal counsel to comment on the Humboldt Wind Energy Project on behalf of the SCSD.**

**Motion:** Pryor **Second:** Newmaker

**Motion Vote:**

**Ayes:** (5) Bristol, Newmaker, Pitcairn, Pryor, Sellen, **Opposed:** 0, **Absent:**0, **Abstained:** 0

**Motion Carried? YES**

**d. Discuss lead abatement on the museum plaza.**

- SCSD GM Marshall reviewed the subject with the board. Encapsulation is a potential solution (legal counsel and engineers to be consulted prior to commencing with this decision).
- Director Bristol asked if it might be feasible to get a second opinion (and second soil sampling) from another company in hopes that the amount of lead present in the soil has naturally diminished over time.

**Motion: To seek another bid for lead remediation and proceed with the drafting of a letter to Friends of No. 9**

**Motion:** Pitcairn **Second:** Bristol

**Motion Vote:**

**Ayes:** (5) Bristol, Newmaker, Pitcairn, Pryor, Sellen, **Opposed:** 0, **Absent:** 0, **Abstained:** 0

**Motion Carried?** YES

**e. Consider approving a 5-foot water line easement on vacant lot 33, adjacent to the Town of Scotia offices.**

- The district engineer recommends SCSD Board approves the request for an easement which will supply raw water for fire suppression.
- **Motion: To approve as 5-foot water line easement on vacant lot 33.**

**Motion:** Bristol **Second:** Pitcairn

**Motion Vote:**

**Ayes:** (5) Bristol, Newmaker, Pitcairn, Pryor, Sellen, **Opposed:** 0, **Absent:** 0, **Abstained:** 0

**Motion Carried?** YES

**2. Old Business -**

**a. Second Reading and Adoption of Ordinance No. 2019-1, Amending Ordinance 2016-2 Parks & Recreation.**

Changes to Ordinance No. 2019-1, Amending Ordinance 2016-2 Parks & recreation includes discussion on the following:

No overnight use, No glass, Insurance update, Restroom facilities, Administrative changes

**Motion: To waive the second reading and adopt by title, Ordinance No. 2019-1, Amending Ordinance 2016-2 Parks & Recreation.**

**Motion:** Pryor **Second:** Pitcairn

**Motion Vote:**

**Ayes:** (5) Bristol, Newmaker, Pitcairn, Pryor, Sellen, **Opposed:** 0, **Absent:** 0, **Abstained:** 0

**Motion Carried?** YES

**b. FY 2019-20 Draft Budget Review #2**

- Briefly discussed the Census Designated Place (CDP) status of Scotia, largely under County jurisdiction, prevents us from receiving property taxes or bed taxes (were the Scotia Inn to reopen). These revenues go to the county.
- Board will adopt the final budget for the FY 2019/2020 at the June meeting .

**F. REPORTS**

The Board may briefly discuss any particular item raised, no action will be taken on these items.

1. **President's Report:** none
2. **Board Director Reports:** none
3. **General Manager's Report:**

- Corridor Project update; Fisch Drilling is assessing the new river pump which has a blown motor due to an inadequate valve installation.
- TOS is replacing all of the linear infrastructure in main corridor before deeding over the corridor project and beginning Phase 3 construction.
- Mr. Singh from the Division of Dam Safety inspected dam at the log pond. SCSD could benefit from reclassifying the hazard level from high down a level, to significant by drafting a letter to D.D.S..
- Informed the Board of staff research to increase security at the water tanks (possibly cameras) and to deter vandalism.
- Informed the Board of GPS units installed on the District vehicles.
- ADA stairs have been painted at the Church Street office. Final inspection by the County to take place soon.

4. **Special Counsel's Report:** none
5. **Engineer's Report:** none
6. **Fire Chief's Status Report:** none
7. **Board Clerk Report:** none

**Board Training:** TBD

**G. ADJOURNMENT** 8:07pm

These minutes were approved by the Board of Directors of the Scotia Community Services District on June 20, 2019 at its duly-noticed regular meeting in Scotia, CA.

APPROVED:



Paul Newmaker, President

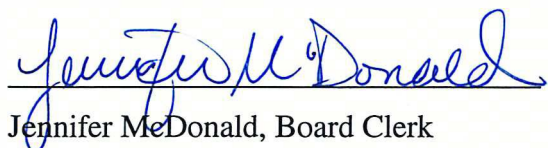
Board of Directors

Scotia Community Services District



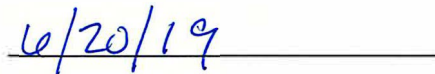
Date

ATTEST:



Jennifer McDonald, Board Clerk

Scotia Community Services District



Date

Next Regular Meeting of the SCSD will be June 20, 2019 at 5:30 PM.

A Special meeting may be held prior to that.

Notice regarding the Americans with Disabilities Act: The District adheres to the Persons requiring special accommodations or more information about accessibility should contact the District Office. Notice regarding Rights of Appeal: Persons who are dissatisfied with the decisions of the SCSD Board of Directors have the right to have the decision reviewed by a State Court. The District has adopted [Section 1094.6](#) of the [Code of Civil Procedure](#) which generally limits the time within which the decision may be judicially challenged to 90 days.