

Minutes of the REGULAR Board Meeting for the
Scotia Community Services District
Thursday, December 16, 2021 at 5:30 P.M.

A. CALL TO ORDER/ ROLL CALL/ PLEDGE OF ALLEGIANCE at 5:30 PM

Paul Newmaker, President– Present

Diane Black, Vice President – Present

Delia Ansted, Director – Present

Susan Pryor, Director – Present

Nina Sellen, Director – Present

Leslie Marshall, GM; Julie Hawkins, Board Clerk; Sophia Meyer District Legal Counsel

Steve Deike, Mike Foget, Frank Bacik, Rene Abrams, Lt. Taylor, Ginger Campbell

B. SETTING OF THE AGENDA

Changing the order of the agenda. The presentation will move to before Item E (Closed Session)

Then we will move to item H1d, H1f, H2a, and H2b. Then item H1b, H1c, H1g, and H1h

Table Item H1e

C. CONSENT CALENDAR

1. Approval of Previous Meeting Minutes—Regular Meeting November 18, 2021
2. Approval of RCB Check Registers November 1-30, 2021
3. Approval of Umpqua Check Registers November 1-30, 2021
4. Approval of RCB Mastercard Statement – October Statement
5. Approval of Umpqua Visa Statement – October Statement
6. Approval of Planwest Partners Invoice— November 2021
7. Board Director Stipends

Motion: To Approve Consent Calendar

Motion: Black **Second:** Pryor

Motion Vote: Ayes Ansted, Black, Newmaker, Pryor Sellen **Opposed:** None **Absent:** None

Abstain: None

D. PUBLIC COMMENT & WRITTEN COMMUNICATION

One letter from Town of Scotia regarding Phase 3, two letters from HRC regarding their charges for storm water and wastewater. No additional public comment.

E. ADJOURN TO CLOSED SESSION at 6:01 PM

1. Call to Order

2. Roll Call

Paul Newmaker, President– Present

Diane Black, Vice President – Present

Delia Ansted, Director – Present

Susan Pryor, Director – Present

Nina Sellen, Director – Present

3. Government Code §54956.9; Discuss pending litigation with District Legal Counsel

4. Government Code §54956.9; Discuss anticipated litigation with District Legal Counsel (Two Items)

5. Closed session discussion

F. ADJOURN TO OPEN SESSION at 6:47 PM

a. Report out of closed session

Direction was given to staff.

G. PUBLIC HEARING – None

H. BUSINESS

1. New Business -

a. Presentation by Ginger Campbell and Lieutenant Taylor Humboldt County Sheriff's Office regarding Neighborhood Watch and other community resources

Board accepted a presentation about public safety in Scotia. In the event that residents need to report suspicious behavior, activities, or a crime not in progress they are encouraged to call the non-emergency line (707)445-7251 Be sure to press "0" for the Operator. Contact Lt. Taylor at jataylor@co.humboldt.ca.us

b. Election of Board Officers and Appointment of Signatory(s)

LM introduced, Board discussed and determined that the Board Officers and Signatories should remain the same.

No Public Comment

Motion: To Appoint Paul Newmaker as President

Motion: Pryor **Second:** Sellen

Motion Vote: Ayes All – Ansted, Black, Newmaker, Pryor, Sellen **Opposed:** None **Absent:** None

Abstain: None

Motion: To Appoint Diane Black as Vice President

Motion: Sellen **Second:** Pryor

Motion Vote: Ayes All – Ansted, Black, Newmaker, Pryor, Sellen **Opposed:** None **Absent:** None

Abstain: None

Motion: To Assign Susan Pryor as signatory.

Motion: Black **Second:** Newmaker

Motion Vote: Ayes All – Ansted, Black, Newmaker, Pryor, Sellen **Opposed:** None **Absent:** None

Abstain: None

c. Approve 2022 Board Meeting Calendar

LM introduced and board discussed.

No public comment

Motion: To Approve the 2022 Board Meeting Calendar

Motion: Ansted **Second:** Pryor

Motion Vote: Ayes Ansted, Black, Newmaker, Pryor Sellen **Opposed:** None **Absent:** None

Abstain: None

d. Resolution No. 2021-16: A Resolution of the Scotia Community Services District Board of Directors to Adopt Scotia Community Services District Conditions of Approval for Infrastructure Acceptance into the District

LM introduced and board discussed. No public comment

Motion: Adopt Resolution No. 2021-16: A Resolution of the Scotia Community Services District Board of Directors to Adopt Scotia Community Services District Conditions of Approval for Infrastructure Acceptance into the District

Motion: Newmaker **Second:** Sellen

Motion Vote: Ayes Ansted, Black, Newmaker, Pryor Sellen **Opposed:** None **Absent:** None

Abstain: None

e. First Reading and Consider Adoption of Ordinance 2021-9 Title VII Easements and Dedications

ITEM TABLED

f. Town of Scotia Phase 3 Infrastructure Agreement with Scotia CSD

LM introduced. Town of Scotia sent a proposal to the board via email. LM read the email. Public comment received.

Director Sellen would like to wait until TOS receives a response from the state that Phase 3 is approved.

Director Ansted agrees.

Steve Deike responded that this agreement was created in an effort to get this approval process going and that barring anything extraordinary TOS will take care of anything that the state requires for project approval. Deike asks if there is any way to construct an agreement that would allow the board to approve Phase 3.

Mike Foget adds that the state has the plans for the project and there is not timeline as to when their review will be complete. He adds that both Phase 1 and 2 were approved and those same guidelines were used for Phase 3.

Frank Bacik added that submitting plans to the State Water Resources Control Board is a ministerial procedure and that this project was designed to be in compliance with all state regulations.

Ansted asked if plans are typically submitted at the beginning or end of a project.

Bacik responded that many unknowns can be discovered during project implementation so they would have to submit those to the state as plans change so they are submitted at project completion. There is no requirement for early submission to the Division of Drinking Water.

Ansted asked how long it took from submission to approval for prior phases. Bacik did not have that information on hand. LM reviewed correspondence and added that Phase 1 & 2 submissions to the state were done well in advance of completion. Plans were submitted in 2016 and Phase 1 & 2 were not adopted until 2018.

Bacik reiterates that there is no requirement to submit prior to project completion.

Ansted responds that although there is no requirement, SCSD is being asked to move ahead and approve without the state's approval or review. If there are changes that need to be made, SCSD would then be responsible.

Bacik responded that the TOS letter agrees to implement any reasonable changes that the state might require. But that the project was planned and implemented in a way to meet all state requirements.

Foget stated that he spoke with the state today and they understand that this is an urgent matter. He requested that if the state responds prior to the next board meeting, could a special meeting be held to approve the agreement? Or can the board approve the agreement pending the approval by the state?

Ansted stated that the fact that the pumps are still not completed is a concern.

Deike responded that those are running and very close to completion. The only potential for delay is the easements.

Board briefly discussed the status of the pumps.

Board concluded that they would be willing to hold a special meeting.

Motion: To Table Town of Scotia Phase 3 Infrastructure Agreement with Scotia CSD until a response is received from the Division of Drinking Water.

Motion: Newmaker **Second:** Ansted

Motion Vote: Ayes Ansted, Black, Newmaker, Pryor Sellen **Opposed:** None **Absent:** None

Abstain: None

g. Scotia Community Services District Ongoing Building Maintenance Discussion

LM introduced and suggested Director Pryor lead discussion as it was her request to agendaize this item.

Director Pryor suggested getting bids for painting the side of the SCSD Office Building. Board is supportive of keeping up the building and getting bids for the project. No public comment.

h. As a Result of a Local Emergency, Authorize Remote Teleconference Meetings of the Scotia Community Services District Pursuant to Brown Act Provisions (AB361)

LM introduced and Board discussed. No public comment

Motion: As a result of a local emergency, The Scotia CSD Board authorizes remote teleconference meetings of the legislative bodies of Scotia Community Services District pursuant to Brown Act provisions for the January 2022 regular Board meeting, and any special meetings.

Motion: Newmaker **Second:** Ansted

Motion Vote: Ayes Ansted, Black, Newmaker, Pryor Sellen **Opposed:** None **Absent:** None

Abstain: None

2. Old Business –

a. Review and Approve Town of Scotia Phase 3 Closeout Documents

i. Humboldt County Notice of Subdivision Completion/Final Project Approval

- ii. CA Department of Real Estate “Will Serve” Letter
- iii. Irrevocable Offer of Dedication and Grant of Easement Deed.
- iv. SCSD Certificate of Acceptance

Introduced, board discussed tabling this item until next meeting.

Motion: Table the Review and Approval of Town of Scotia Phase 3 Closeout Documents

Motion: Ansted **Second:** Black

Motion Vote: Ayes Ansted, Black, Newmaker, Pryor Sellen **Opposed:** None **Absent:** None

Abstain: None

b. Consider Adopting Phase 3 Resolutions Accepting Phase 3 Infrastructure

- i. Resolution No. 2021-17: A Resolution of the Scotia Community Services District Board of Directors to accept dedicated ownership, financial responsibility and maintenance for all non-County or private streets and alleyways in Town of Scotia Phase 3 Development
- ii. Resolution 2021-18: A Resolution of the Scotia Community Services District Board of Directors to accept dedicated ownership, financial responsibility and maintenance for all non-County or private drainage in Town of Scotia Phase 3 Development

Motion: Table Consideration of Phase 3 Resolutions Accepting Phase 3 Infrastructure until next meeting.

Motion: Newmaker **Second:** Pryor

Motion Vote: Ayes Ansted, Black, Newmaker, Pryor Sellen **Opposed:** None **Absent:** None

Abstain: None

I. REPORTS

(5 minutes each)

- 1. **President’s Report:** President commends Directors and wishes everyone a Merry Christmas
- 2. **Board Director Reports:** None
- 3. **General Manager’s Report:**

Corridor project: Covered during regular business

Tesla Project: No update

PG&E: No update

Log Pond Dam: LM updated on current plans

Baseball Restrooms: Restrooms have been demolished; Contractors are working on finalizing the drawings to submit to the county for the building permit.

Museum Plaza: Dead trees removed

Museum: Two applications in progress. 1). Building permit with the county for ADA 2). PG&E for gas tie-in.

Theater: Sanders finalizing roofing – awaiting bill. Rat & bat exclusion complete.

Unauthorized garage tenets: LM mentioned to LT. Taylor, Humboldt County Sheriff’s Department

- 4. **Board Clerk’s Report:** None
- 5. **District Counsel’s Report:** None

6. Engineer's Report: None

J. BOARD TRAINING None

K. ADJOURNMENT at 8:01 PM

Approved:

Paul Newmaker

Paul Newmaker, President

Board of Directors

Scotia Community Services District

1/20/22

Date

Attest:

J. Hill

Board Clerk

Scotia Community Services District

1/20/2022

Date