

Minutes of the REGULAR Board Meeting for the
Scotia Community Services District
Thursday, February 17, 2022 at 5:30 P.M.

A. CALL TO ORDER/ ROLL CALL/ PLEDGE OF ALLEGIANCE at 5:31 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, Renee Abrams, John Broadstock

B. SETTING OF THE AGENDA

No Changes

C. CONSENT CALENDAR

1. Approval of Previous Meeting Minutes—Regular Meeting January 20, 2022
2. Approval of RCB Check Registers January 1-31, 2022
3. Approval of Umpqua Check Registers January 1-31, 2022
4. Approval of RCB Mastercard Statement – December Statement
5. Approval of Umpqua Visa Statement – December Statement
6. Approval of Planwest Partners Invoice— January 2022

Motion: To Approve Consent Calendar

Motion: Newmaker **Second:** Sellen

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

Abstain: None

D. PUBLIC COMMENT & WRITTEN COMMUNICATION

E. ADJOURN TO CLOSED SESSION at 5:37 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 6:34 PM**

a. Report out of closed session

Direction was given to staff

****Recess @6:34 for 5 minutes****

G. **PUBLIC HEARING – None**

H. **BUSINESS**

1. **New Business -**

- a. Draft FY 2020-21 Audit Presentation by Barbara Guest of Anderson, Lucas, Somerville, & Borges, LLP

GM introduced and reviewed staff report. Barbara Guest presented the draft audit that is included in the packet. Board discussed. No public comment.

Motion: To Accept draft audit for FY 2020-21 and approve for final audit.

Motion: Newmaker **Second:** Black

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

Abstain: None

- b. Second Reading and Consider Adoption of Ordinance 2022-1 Title VII Easements and Dedications

President Newmaker introduced and GM reviewed staff report. No board questions or comments. No public comment.

Motion: to Adopt Ordinance 2022-1: An Ordinance of the Scotia Community Services District Adopting Title VII – Easements and Dedications BY READING OF TITLE ONLY

Motion: Black **Second:** Ansted

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

Abstain: None

Motion: to Adopt Ordinance 2022-1: An Ordinance of the Scotia Community Services District Adopting Title VII – Easements and Dedications

Motion: Newmaker **Second:** Sellen

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

Abstain: None

- c. First Reading and Consider Adoption of Ordinance 2022-2 An Ordinance of the Scotia Community Services District Board of Directors Amending Ordinance 2021-2 Commercial and Industrial Wastewater Regulations

Newmaker introduced and GM reviewed staff report. When originally adopted, this Ordinance had not yet been reviewed or finalized with state input. The changes in this amended Ordinance include recommendations from the state.

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

GM introduced. Steve Deike asked why this is done at every meeting. GM explained that AB361 requires action every 30 days.

No additional 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 March 2022 regular Board meeting, and any special meetings.

Motion: Black **Second:** Pryor

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

Abstain: None

2. Old Business –

- a. Town of Scotia Phase 3 Infrastructure Agreement with Scotia CSD

GM introduced. Item initially proposed in December. Changes have been made as recently as a few hours ago. Final iterations have been sent to the board and is different than what is included in the packet. LM verbally recited the changes made.

Steve Deike: TOS remains committed to completing the items in Exhibit A. Withholding approval and bonds are damaging to TOS.

Sophia Meyer: Steve, do you have the authority to agree to the Exhibit A timelines that Leslie recited?

SD: I do, but the exhibit that I have doesn't look the same as what Leslie detailed when this item was introduced.

SM: Removes 2.1 and 2.4 from the agreement and adds those to the Exhibit A.

LM: We will email the most up-to-date version to you.

Mike Foget: Please email to me as well.

SD: Good news to report: Data logger installed today and it is functioning. Heard back from RWQCB – appeared to be an approval though they want some additional information.

LM: I have a question about that: Mike's response on the state's request for additional information was that that information will be provided in the O&M manual. And the O&M manual was not to be completed until Feb 28, 2022 [according to the Exhibit A timeline].

MF: Did send them a copy of the specs and in terms of the cut sheet that they asked for. That's being compiled. The last thing we needed was information from the people that installed the flow meter today.

LM: When will the state be provided all the additional information that they requested?

MF: Probably about 10 days. And they did receive the specs that I sent. They confirmed that today.

LM: I just wanted to make sure the dates on the punchlist are still valid.

SD: We have all of the legal descriptions for the easements. Counsel is making up necessary deeds. The NCRA easement has to go through CalTrans in order to get approved so we're at their mercy for that. Hopefully it can be done by 4/30 but that isn't a slam dunk.

LM: There is a section in there about a 30 day extension

MF: Our attorney has been in touch with the NCRA.

SD: You've been privy to all of that correct, Leslie?

LM: No, not since the January meeting.

MF: Item 5 was completed today.

SD: Railing is going to go up next week.

MF: Comment on item 2 As –Built drawings approval. The Division of Drinking Water is part of a subset of the regional board

LM: Its not a "slash" [Div of Drinking Water-RWQCB]

MF: has the Dist. Engineer had a chance to review the record drawings? They were submitted in early February.

LM: I will check – I have not heard.

President Newmaker: Steve, Mike, have you had a chance to read them?

MF: Railings installed next week (Item 4), Item 5 completed today.

President Newmaker: Any additional Comment? Public or Board?

SD: To the best of my ability I will make the commitment to make sure that it is done.

No additional comment or public comment.

Motion: Approve and sign Town of Scotia SCSD Water Intake Agreement as Amended.

Motion: Pryor **Second:** Sellen

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

Abstain: None

b. 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

Newmaker introduced, GM explained staff report. Staff report explains each item in detail.

2. Board Director Reports:

Director Ansted reports that she is happy that we're moving forward with Phase 3.

3. General Manager's Report:

LM has just returned from vacation.

Baseball restrooms are moving forward

Museum ADA is being reviewed by the county.

Tesla project – if easements are not established by the end of Feb the project will be dropped.

4. Board Clerk's Report:

Form 700s will be sent out this week

5. District Counsel's Report:

Brown Act training soon – possibly at a special meeting.

6. Engineer's Report: None

J. BOARD TRAINING: None

K. ADJOURNMENT at 7:39 PM

Approved:



Paul Newmaker, President

Board of Directors

Scotia Community Services District

Date

3/17/22

Attest:



Board Clerk

Scotia Community Services District

for Julie Hawkins

Date

3/17/2022

Renee Abrams clarified that there were no revisions in the presented items. – Confirmed by GM.

Motion: Approve and Sign Town of Scotia Phase 3 Closeout Documents

Motion: Newmaker **Second:** Black

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

Abstain: None

c. Consider Adopting Phase 3 Resolutions Accepting Phase 3 Infrastructure

- i. Resolution No. 2022-1: 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 2022-2: 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

GM introduced and reviewed staff report. Board discussed. No changes since the original.

No public comment.

Motion: Adopt Resolution No. 2022-1: 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

Motion: Sellen **Second:** Ansted

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

Abstain: None

GM introduced and reviewed staff report. No board discussion. No public comment.

Motion: Adopt Resolution 2022-2: 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: Newmaker **Second:** Black

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

Abstain: None

I. REPORTS

(5 minutes each)

1. President's Report:

Thank you to all, through all of the trying times recently he remains optimistic.