

Minutes of the Regular Board Meeting for the
Scotia Community Services District
Thursday, August 18, 2022 at 5:30 P.M.

A. CALL TO ORDER/ ROLL CALL/ PLEDGE OF ALLEGIANCE at 5:32 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; Scott MacLeran, District Legal Counsel

Member(s) of the Public: Kent Sawtazky

B. SETTING OF THE AGENDA

Table Items H1f & H1g to a special meeting; date TBD

C. CONSENT CALENDAR Consent Calendar items are routine, to be acted upon by the Board of Directors at one time without discussion. If any Board member, staff member, or interested person requests that an item be removed from the Consent Calendar, it shall be moved so that it may be acted upon separately in business.

1. Approval of Previous Meeting Minutes – Regular Meeting July 21, 2022
2. Approval of Previous Meeting Minutes – Special Meeting August 9, 2022
3. Approval of RCB Check Registers July 1-31, 2022
4. Approval of Umpqua Check Registers July 1-31, 2022
5. Approval of RCB Mastercard Statement – June Statement
6. Approval of Umpqua Visa Statement – June Statement
7. Approval of Planwest Partners Invoice— July 2022
8. FY 21/22 Year End Financial Statements

No board discussion. No public comment.

Motion: To Approve Consent Calendar

Motion: Sellen **Second:** Pryor

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

D. PUBLIC COMMENT & WRITTEN COMMUNICATION –

No written communication received prior to the meeting.

Public Comment from Mr. Sawtazky: Reports that District Counsel contacted him and they had a good conversation, he appreciates the phone call. Mr. Sawtazky states that he hopes counsel will walk the board through his potential litigation during closed session if that is what the board will be discussing during closed session, he doesn't know, because he states the closed session was agendized incorrectly. Mr. Sawtazky continues that there are assertions by the GM that he believes are incorrect and he hopes counsel will advise

them on that. He continues that he has a PRA for items that prove that the district has the right to bill him for things when he has not gone through the process. Mr. Sawatzky hopes district counsel will be a peacemaker and will advise the board of the potential litigation loss and states that he did bring that to the attention of district counsel. Mr. Sawatzky continues that he has major things going on with the \$200 million Nordic Aqua farms and another \$30 billion project. Mr. Sawatzky states that he does not want to play with the district on litigation but will if necessary. Mr. Sawatzky hopes for a productive closed session and will comment as necessary on other agenda items.

No additional public comment

E. ADJOURN TO CLOSED SESSION at 5:40 PM

1. Call to Order
2. Roll Call
3. Government Code §54956.9; Discuss anticipated litigation with District Legal Counsel
4. Closed session discussion

F. ADJOURN TO OPEN SESSION at 6:46 PM

- a. Report out of closed session

Board gave direction to staff

G. PUBLIC HEARING – None

H. BUSINESS

New Business –

1. New Business -

- a. Second Reading and Consider Adoption of Ordinance 2022-5 An Ordinance of the Scotia Community Services District Board of Directors Adopting Title XI - Commercial and Industrial Wastewater Regulations

President Newmaker introduced and GM explained staff report. No changes have been made since the first reading. No board discussion. No public comment.

Motion: Adopt Second Reading and Consider Adoption of Ordinance 2022-5 An Ordinance of the Scotia Community Services District Board of Directors Adopting Commercial and Industrial Wastewater Regulations by reading of title only.

Motion: Black **Second:** Newmaker

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

Motion: Adopt Second Reading and Consider Adoption of Ordinance 2022-5 An Ordinance of the Scotia Community Services District Board of Directors Adopting Title XI - Commercial and Industrial Wastewater Regulations.

Motion: Newmaker **Second:** Sellen

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

- b. Adopt Resolution 2022-14 A Resolution of the Scotia Community Services District Approving a Water Shut Off Policy for Non-Payment of Residential Water Service (per SB998)

President Newmaker introduced and GM explained the staff report. Clarifies that SB998 is reflected in our current policy. Director Ansted asked clarifying questions. GM explained that this policy only covers water shut-offs for non-payment, our water Ordinance covers other terminations.

No public comment during the discussion of this item, however during public comment of item H1c, Mr. Sawatzky states that he was unable to unmute himself and wasn't able to provide comment on this item. He stated that he didn't believe this water shut-off policy does not have anything to do with his situation as far as giving the right to do what the district is doing in regards to his account.

Motion: Adopt Resolution 2022-14 A Resolution of the Scotia Community Services District Approving a Water Shut Off Policy for Non-Payment of Residential Water Service (per SB998)

Motion: Pryor **Second:** Black

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

- c. Review & Accept final stipulated order R1-2022-0029 Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order from the California Regional Water Quality Control Board North Coast Region

President Newmaker introduced, GM explained the staff report. Board Discussed. The stipulated order was adopted without public comment at the Regional Water Quality Control Board this week.

Public Comment from Mr. Sawatzky: Mr. Sawatzky expresses his hope for the project to go well, people will be watching.

No additional public comment.

Motion: Accept final stipulated order R1-2022-0029 Settlement Agreement and Stipulation for Entry of Administrative Civil Liability Order from the California Regional Water Quality Control Board North Coast Region

Motion: Newmaker **Second:** Sellen

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

- d. Release Chlorine Residual Monitoring and Dechlorination Project (Compliance Project) for stipulated order R1-2022-0029 Settlement Agreement for Bid

President Newmaker introduced, GM explained the staff report in full. Board discussed.

Public Comment from Mr. Sawatzky: This is a new District, if you have a contract that says "shall" as far as having three bids, he could make a phone call to have someone in the District the following day to make sure bid process is done as it shall be done. Mr. Sawatzky claims that he believes the District may be doing bids at risk and states that there is a learning curve and it may take time to learn. Mr. Sawatzky continues that he cautions the board to move forward if they have not crossed their "t's" and dotted their "i's".

Motion: Release Chlorine Residual Monitoring and Dechlorination Project (Compliance Project) for stipulated

order R1-2022-0029 Settlement Agreement for Bid

Motion: Sellen **Second:** Pryor

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

a. Release Scotia Museum ADA Upgrades and HVAC Project for Bid

President Newmaker introduced, GM explained the staff report in full. Board discussed.

Public Comment from Mr. Sawatzky: ADA compliance issues with facilities in the district. Mr. Sawatzky suggested a person to speak with re: ADA compliance in McKinleyville. Mr. Sawatzky states that he would not rent out any of the facilities if they are not ADA compliant. He states this is a first step in a long road toward ADA compliance.

Motion: Release Scotia Museum ADA Upgrades and HVAC Project for Bid

Motion: Newmaker **Second:** Black

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

b. Review and Approve Town of Scotia Corridor Closeout Documents

- a. Irrevocable Offer of Dedication, Grant of Easement Deed, and Highway 101 Easement
- b. HRC Corridor Easement
- c. GRTA Easement
- d. SCSD Certificate of Acceptance

Tabled to a special meeting

c. Adopt Resolution 2022-15: A Resolution of the Scotia Community Services District Accepting Corridor and River Pumps Infrastructure Ownership and Maintenance Responsibility

- a. Final Corridor Project Record Drawings
- b. Well Cleaning Maintenance Agreement
- c. Wahlund Warranties

Tabled to a special meeting

d. Presentation by Director Ansted Regarding the Museum Landscaping Project

Director Ansted presented options for Museum Landscaping to the Board. Board Discussed.

****Recess from 7:51-7:59 PM****

e. Discuss Parks & Recreation Property & CSD Office Maintenance

Director Sellen presented concerns regarding the appearance of SCSD properties. Board Discussed.

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

President Newmaker introduced. Board Discussed.

No public comment.

Motion: As a Result of a Local Emergency, Authorize Hybrid Meetings of the Scotia Community Services District Pursuant to Brown Act Provisions (AB361)

Motion: Newmaker **Second:** Ansted

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

2. Old Business –

- a. Review Conflict of Interest Code and Consider Adopting Resolution 2022 – 11 Amending Resolution 2020-10 Conflict of Interest Code Policy

President Newmaker introduced, Board Clerk presented the staff report. Board discussed. GM commented that the Utility Operator I/II should remain, and not be changed to Crew Leader/Equipment Operator. Final Conflict of Interest Policy will include the following changes: The Executive Assistant will be changed to Administrative Assistant, and the Lead Operator will be changed to Crew Leader/Equipment Operator

No public comment

Motion: Adopt Resolution 2022 – 11 A Resolution of the Scotia Community Services District Board of Directors Revising the Conflict of Interest Code

Motion: Black **Second:** Pryor

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

I. REPORTS –

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

Update on the river pumps – could be an electrical issue. Standby pump is still on site.

HRC has still not signed off on the easement, Great Redwoods Trail Authority signed off on the easement.

Working on a response to the EPA for post inspection for areas of concern – nothing significant.

Plant is old, needs to be replaced and we need additional staff – all things we already knew.

Jeff is working on finalizing plans for the theater ADA upgrades, hoping to get that to the board by the end of the year for bid release.

4. **Board Clerk's Report:** Plan on having Board Training at the next regular meeting (or the following month) on Rosenberg's rules of order
5. **District Legal Counsel's Report:** None
6. **Engineer's Report:** None

J. **BOARD TRAINING:** None

K. **ADJOURNMENT at 8:36 PM**

Approved:



Paul Newmaker, President

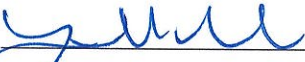
Board of Directors

Scotia Community Services District

Date

9/15/22

Attest:



Board Clerk

Scotia Community Services District

for Julie Hawkins

Date

9/15/2022