

**SPALDING COMMUNITY SERVICES DISTRICT
SPECIAL MEETING OF THE BOARD**

April 22, 2022

APPROVED BY DIRECTORS:

Ted Thomas
Mike Arnold
Larry Doss
Ed Lawson

BOARD MEMBERS PRESENT: MIKE ARNOLD - CHAIR, TED THOMAS – VICE-CHAIR, LARRY DOSS, ED LAWSON, RONALD LOBUE

MEETING CALLED TO ORDER: Mike Arnold, 3:00 pm

Roll Call	Present	Not Present
Mike Arnold	<u> X </u>	_____
Ted Thomas	<u> X </u>	_____
Larry Doss	<u> X </u>	_____
Ed Lawson	<u> X </u>	_____
Ronald LoBue	<u> X </u>	_____

1. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was spoken. Mike welcomed the audience to the Board meeting and made an adjustment to the agenda by reversing the order of #3 and #2 so that in the future, Public Comment would come after the Approval of the Agenda. Mike asked if anybody had any issue with the change in the agenda.

Ron had comments about the agenda: per government code #54956 – SCSD did have a right to set a special meeting – but only if there was only one specific issue to be discussed – and there are specific policies and requirements to follow regarding notification. Ron continued with his comments about why the meeting had been cancelled and ended with his determination that the meeting was illegal.

Arguments ensued, a guest interrupted with some comments, Ron continued insisting that the meeting was illegal and could not continue. The argument continued, bringing items not on the agenda into the conversation, with public guests interspersing argumentative comments. Mike informed Ron that the meeting was going forward as scheduled, and he was welcome to leave if he did not want to participate. Ron abstained under protest and yielded the floor. There were further statements from Board Members and the public.

The item before the Board: Approve the agenda with the change in sequence – bringing item #3 (Approval of the Agenda) forward to #2, and moving item #2 (Public Comment) to the #3 position.

2. APPROVAL OF THE AGENDA

Motion: Approve the agenda with changes

First: Ed Lawson **Second:** Larry Doss

Roll Call: Yes: Larry Doss, Mike Arnold, Ted Thomas, Ed Lawson

Abstain: Ronald LoBue

3. PUBLIC COMMENT

Amy Hagen – Questioned Enterprise accounts – what they were and if the CSD was legally supposed to be funding the accounts. She explained “reserve” accounts to the public. She felt that they were

underfunded and mentioned that fees would possibly need to be increased. Mike provided a broad explanation of the reserve accounts.

Keri Gratin – No questions – made a comment regarding past Board actions of failing to follow their own policies or the Brown Act. She felt that the current meeting was not an actual “regular” meeting and was not properly scheduled as a “special” meeting if the reason was to suppress public comment. She quoted some of the Brown Act regarding “special” meetings.

Diane Gratin – Regarding the Brown Act and Government code #54950 et. seq. – She reserved the right to make public comment at all SCSD public meetings as protected by this Act. She does not surrender her right to the Board or its employees.

Tammy LoBue – She stated that mail had been tampered with from their mailbox, and the issue had not been resolved. Mike provided history of the installation of the current mailboxes. USPS is the only one who has access to the boxes. He also explained that the Postmaster is responsible for the entirety of the post office boxes in Spalding and SCSD has nothing to do with the boxes.

Ron requested to respond to the above statement – he provided some background regarding alleged tampering of his mail and a conversation he had with the Postmaster in Susanville. Disorder ensued regarding this section of comment with Ron yelling at Board members, the public (the public interrupted and yelled back) and refusing to “relinquish the floor” when requested. He refused to remove himself from the meeting, twice, at the request of the Board Chair.

The meeting was adjourned at 3:29 pm for 15 minutes and all participants were requested to leave the meeting room.

The meeting was called back to order at 3:44 pm

Ron continued with his statements regarding the postal service and refused to “relinquish the floor”. After further arguing, and further disruption, Mike continued with the meeting without Ron’s consent.

4. APPROVAL OF MINUTES

The minutes from the March 18, 2022 meeting were approved with a change.

Motion: Approve the minutes with change

First: Larry Doss Second: Ted Thomas

Roll Call: Yes: Larry Doss, Mike Arnold, Ted Thomas, Ed Lawson

Abstain: Ronald LoBue

5. GENERAL MANAGER REPORT TO THE BOARD

- A. SCSD Policy 2210 – Marly provided some background regarding an email from S. Alvernaz questioning the hiring of an SCSD employee and not following correct hiring procedures. She stated that, while she did not know the circumstances behind the hiring, there were parts of the policy that were not followed. Marly stated that SCSD would follow proper hiring practices in the future.
- B. SCSD Policy 4050 – Members of the Board of Directors – Marly read this policy in open meeting.
- C. Update on the StarLink purchase – Marly provided some history regarding the purchase of the StarLink internet system. Per SCSD’s legal counsel, the CSD is not considered either a residential or Business in terms of purchasing this system and has full ability to purchase either system offered by StarLink.

6. FIRE CHIEF REPORT TO BOARD

No report.

7. BOARD MEMBERS REPORTS

Ed Lawson – talked with Chris Gallagher regarding Green Waste – hoping to schedule their coming for 2 days in May (13/14), 2 days in July (29/30), and 2 days in September (23/24). No charge to residents (hopefully) but is dependent on Chris being successful in scheduling.

8. NEW BUSINESS

- A. Memorandum to District Counsel – who has access to District Counsel – Policy 4048. Some discussion regarding what SCSD’s policy states, and the recommendation from legal counsel of better language.

It will need to be changed through Resolution. Marly also suggested removing the Auditor language from 4048 and put the Auditor policy under a separate policy number. The Board suggested bringing a couple different options for the Board to review for 4048 – and to create a new policy for the Auditor.

- B. SCSD Auditor – 2021 and 2022 Audits – Marly provided an update regarding the proposals which were submitted. Three auditors were contacted, and proposals requested – for both 2021 and 2022. Two auditors responded - the cost would be under \$10,000 per year. There was some discussion regarding the need to get the 2021 year completed asap due to possible fines from the State.

9. CONTINUING BUSINESS

- A. Fire District regarding kitchen oven donations – no new business.
- B. CA Lease Term for maintenance and operation of an existing marina facility – shows that the lease term ends in 2028. There was some discussion and explanation of the lease to the public.
- C. 2022 SCSD Sewer Rate Study – NorthStar Engineering. Mike explained that the numbers that North Star provided to the Board were very preliminary. He explained that further information was needed for the Board in order to be able to make good decisions regarding fee increases; this information includes amounts needed in the reserve accounts. It was suggested to look at the original 2011 SSMP document to start looking at the amounts needed for the reserve accounts. Some further discussion regarding the sewer system ensued.

ADJOURN

The meeting was adjourned at 5:00 pm

Motion: Motion to adjourn

First: Ted Thomas Second: Larry Doss

Roll Call: Yes: Larry Doss, Mike Arnold, Ted Thomas, Ed Lawson, Ronald LoBue

The next regular meeting scheduled for May 20, 2022

Respectfully submitted by: Marlane Morse & Sharon Moats