

**SPALDING COMMUNITY SERVICES DISTRICT
REGULAR BOARD MEETING
December 14, 2011**

Final

APPROVED BY DIRECTORS:

MEETING PLACE: EAGLE LAKE COMMUNITY CENTER, SPALDING.

BOARD MEMBERS/STAFF PRESENT: JOHN MONTICELLI CHAIRPERSON, BILL KELLER, LARRY DOSS, RANDALL AUBREY, BETH BRAZIL **ABSENT:** ALSO PRESENT CHRIS GALLAGHER, SEC/GENERAL MANAGER.

MEETING CALLED TO ORDER AT 2:00 PM by John Monticelli
PLEDGE OF ALLEGIANCE

FIRE CHIEF'S REPORT TO THE SCSD BOARD

Chris Gallagher read the report.

For month of November 2011

1. Incidents:

2 incidents: medical (traffic collisions)

2. Firefighter Roster:

We currently have a roster of 14 Firefighters.

12 of these are year round residents.

3 are EMTs, 8 have training in CPR/Basic First Aid.

3. Status of Vehicles:

All vehicles are in service.

4. Upcoming Meetings:

Firefighter meetings are every Wednesday at 5:30.

5. ISO:

I filled out the forms for an ISO evaluation and we have mailed them back to ISO.

Conclusion: Thank you for this opportunity to serve our community.
John Rasnic – Fire Chief

CONSENT CALENDAR

- a. **Approval of December 14, 2011 Bills (Payment of operating bills for the District which are approved expenditures in current budgets.)**
- b. **Approval of Minutes, Reg. Mtg. 11/09/11.**

Board discussion on item a:

Director Questions: Water Resources and two LMUD and ENPLAN payments and boot purchase.

Beth Brazil: **Motion to pay the bills of 12/14/11.**

Bill Keller: **Seconds Motion.**

Board Polled: **Unanimous Vote-Aye.**

c. Salaries: GROSS		Admin-222	Fire-225	Sewer-227	Rec-231	
Chris: payperiod 11/15-30/11	\$900.00	\$900.00				\$900.00
Diane: payperiod 11/15-30/11	\$210.00	\$210.00				\$210.00
Virginia: payperiod 11/15-30/11	\$523.50	\$523.50				\$523.50

Ray: payperiod 11/15-30/11	\$1,662.50			\$1,662.50		\$1,662.50
Bubba: payperiod 11/1-15/11	\$360.00				\$360.00	\$360.00
Line Items:	Bill Total	Admin-222	Fire-225	Sewer-227	Rec-231	
Blue Shield of CA						
employee paid for dependents	\$400.96	\$319.68		\$81.28		\$400.96
Blue Shield of CA - Vision	\$50.56	\$50.56				\$50.56
Computer Logistics (Office Pro 2010)	\$1,934.97	\$1,934.97				\$1,934.97
Cummins West (Pump Station Maintenance)	\$860.07			\$860.07		\$860.07
Ed Staub & Sons (Fuel-Cardlock)	\$110.21		\$110.21			\$110.21
Ed Staub & Sons (Fuel)	\$257.60		\$257.60			\$257.60
ENPLAN	\$5,600.00				\$5,600.00	\$5,600.00
Forest Office Equipment	\$57.87	\$57.87				\$57.87
Frontier-Ponds	\$435.24			\$435.24		\$435.24
Frontier-Office	\$405.46			\$405.46		\$405.46
Grainger	\$215.80	\$158.04		\$57.76		\$215.80
Guardian (New Dental, Life, Vision Plan)	\$404.06	\$404.06				\$404.06
Haws, Theobald & Auman (Audit)	\$1,350.00	\$1,350.00				\$1,350.00
LMUD	\$721.00	\$323.87		\$328.68	\$68.45	\$721.00
Marlin Leasing	\$160.88		\$24.46	\$111.96	\$24.46	\$160.88
Pitney Bowes Global Finan. (Monthly Lease)	\$127.63			\$127.63		\$127.63
State Water Resources Control Board	\$1,014.00			\$1,014.00		\$1,014.00
State Water Resources Control Board	\$407.00			\$407.00		\$407.00
U.S. Cellular	\$83.51			\$83.51		\$83.51
US Bank	\$1,214.35	\$273.58	\$74.01	\$866.76		\$1,214.35
US Bank-Refund Incentive Check	(\$171.42)	(\$46.56)	(\$20.93)	(\$49.54)	(\$54.39)	(\$171.42)
TRANSFERS:						
Reverse Admin. Allocation 2010-2011 (turned in past close of fiscal yr deadline)		\$13,564.22	(\$2,040.26)	(\$9,568.12)	(\$1,955.84)	\$0.00
Capital Outlay						
Scheduled Payroll Taxes - thru Sept. 2011 payroll		Admin-222	Fire-225	Sewer-227	Rec-231	
Salaries	\$3,656.00	\$1,633.50	\$0.00	\$1,662.50	\$360.00	\$3,656.00
Line Items	\$15,238.79	\$4,506.39	\$445.35	\$4,648.53	\$5,638.52	\$15,238.79
Total District Bills This Period	\$18,894.79	\$6,139.89	\$445.35	\$6,311.03	\$5,998.52	\$18,894.79

Dec 1-6, 2011 Bills

Salaries: GROSS		Admin-222	Fire-225	Sewer-227	Rec-231	
Chris: payperiod 12/1-15/11	\$1,050.00	\$1,050.00				\$1,050.00
Diane: payperiod 12/1-15/11	\$159.83	\$159.83				\$159.83
Virginia: payperiod 12/1-15/11	\$439.74	\$439.74				\$439.74
Ray: payperiod 12/1-15/11	\$1,662.50			\$1,662.50		\$1,662.50
Bubba: payperiod 12/1-15/11	\$129.80				\$129.80	\$129.80
Line Items:	Bill Total	Admin-222	Fire-225	Sewer-227	Rec-231	
Ed Staub & Sons (Fuel-Cardlock)	\$106.87		\$106.87			\$106.87
Ed Staub & Sons Propane)	\$794.29	\$425.51	\$132.32	\$236.46		\$794.29
Chris Gallagher (mileage Dec)	\$100.00	\$100.00				\$100.00
LMUD	\$1,120.40	\$464.57		\$473.60	\$182.23	\$1,120.40
Marlin Leasing	\$160.88		\$24.46	\$111.96	\$24.46	\$160.88
Martin Security Systems Inc	\$90.00	\$90.00				\$90.00
John Rasnic (Rmb Classes & Supplies)	\$256.00		\$256.00			\$256.00
State Water Resources Control Board	\$4,077.00			\$4,077.00		\$4,077.00
TRANSFERS:						
						\$0.00
Capital Outlay						
Scheduled Payroll Taxes - thru Sept. 2011 payroll		Admin-222	Fire-225	Sewer-227	Rec-231	
IRS Payroll Taxes						\$0.00
IRS - FUTA WE ARE EXEMPT FROM THIS						\$0.00
EDD Payroll Taxes						\$0.00
EDD-UI/ETT 3rd Qrt						\$0.00

District Benefits Totals						\$0.00
Salaries	\$3,441.87	\$1,649.57	\$0.00	\$1,662.50	\$129.80	\$3,441.87
Line Items	\$6,705.44	\$1,080.08	\$519.65	\$4,899.02	\$206.69	\$6,705.44
Total District Bills This Period	\$10,147.31	\$2,729.65	\$519.65	\$6,561.52	\$336.49	\$10,147.31

Board Discussion on item b:

John Monticelli: Requests update on the mailboxes, the issue of an on call director and speed limit signs as these were all discussed at the last meeting.

Chris Gallagher: Eric Sandini, postmaster is working on getting approval, obtaining boxes and researching construction requirements. The allocation of funds at this point is still on hold until we hear back from him.

At the LAFCO meeting on our sphere of influence, **John Benoit** added that our agency can provide post office service.

Bill Keller: I've set myself as a duty director after talking to some people and have not received any calls. During the summer when the office is closed we could answer questions and on fire calls only as a witness.

Randy Aubrey: The fire department needs to be the people directing traffic control.

If we do have an on call director, then we should be members of the Fire Department so we would be covered by workmen's comp.

Chris Gallagher: Text alerts are available instead of receiving a page.

John Monticelli: Would we write burn permits?

Randy Aubrey: If we become qualified to write them. As for looky'loos we need to tell them to get out of the area. I have no problem telling them to get out of the area.

Jack Glendon: I feel it's the Sheriff's duty, because firemen and busy fighting the fire, as they should have done at the fire near the church.

Randy Aubrey: Looky'loos can create a hazardous condition. I would like to see the Sheriff's office respond to more of these emergencies.

Chris Gallagher: As for getting more speed limit signs, Larry **Millar** stated he would put it on his list for next year.

Randy Aubrey: When I worked at the High Desert Prison, they had the ability to easily make any requested signs. It might just be the cost of materials?

Chris Gallagher to research signs made by the prison.

Beth Brazil: **Motion to Approve Minutes for 11/09/11.**

Larry Doss: **Seconds Motion.**

Board Polled: **Unanimous Vote-Aye.**

NEW BUSINESS

None

CONTINUING BUSINESS

a. Fire Assessment Tax Discussion

Board Discussion on item a:

Chris Gallagher: This is the sixth discussion regarding this issue.

This was also discussed at the LAFCO meeting. They feel pretty much the same way, John Benoit feels a law suit is pending regarding the \$150 SRA fee and believes once it gets to court it will probably be overturned.

Copy of the Chris Gallagher's letter to: Cal Fire, The Office of Administrative Law
To Whom It May Concern,

I am the General Manager of the Spalding Community Services District, 45 miles North of Susanville. I am also a resident of the Susan River fire District. The Spalding CSD Board and members of our community are very concerned about the new SRA fee. Our Fire District, along with the Susan River Fire District, have been trying to increase our property tax fees so that we can properly run our volunteer fire agencies. The Prop 218 process has been very difficult to maneuver through, and with the economy as it is, our residents have been resistant in approving increases in our fire fees. Amazingly, you have been able to bypass this process and impose a fee that will make it impossible for us to EVER obtain an increase for our volunteers. Cal Fire does not do anything within our community in terms of responding to fire or EMS calls. Why aren't special districts exempt from this imposed property tax fee? The Spalding Fire Department has responded to over 40 calls for service this year and we are working with a property tax assessment from 1985. Currently, we plan to place an increase on the regular election ballot in 2012 to increase this outdated fee. However, your new fee will likely kill our ability to obtain a 2/3 vote of the 185 registered voters in our community.

And how does your agency avoid the following court case?

CONCERNED CITIZENS FOR RESPONSIBLE GOVERNMENT et al., Plaintiffs and Appellants, v. WEST POINT FIRE PROTECTION DISTRICT et al., Defendants and Appellants, 196 Cal. App. 4th 1427:

Fire suppression, like bus transportation or police protection, is a classic example of a service that confers general benefits on the community as a whole. A fire endangers everyone in the region. No one knows where or when a fire will break out or the extent of damage it may cause. Fire protection is a service supported by taxpayer dollars for the benefit of all those who reside in the entity's jurisdiction and those unlucky members of the public who may need it while temporarily within its borders. Such protection cannot be quantifiably pegged to a particular property, nor can one reasonably calculate the proportionate "special benefits" accruing to any given parcel. As the Legislative Analyst pointed out in the ballot materials that accompanied Proposition 218, "[t]ypical assessments that provide *general* benefits' [are] 'fire, park, ambulance, and mosquito control assessments.' " (Ballot Pam., Gen. Elec., *supra*, analysis of Prop. 18 by Legis. Analyst, Assessments, Current Practice, p. 73, as quoted in *Tiburon, supra*, 180 Cal.App.4th at p. 1077, fn. 11, italics added.) **Thus, the assessment generates only general benefits.**

Please rethink the way this fee is structured and consider exempting all fire districts from the imposition of this fee! We appreciate your consideration!

Chris Gallagher
General Manager
Spalding Community Services District
(530)825-3258

Board and public discussion.

We are working towards putting the Fire tax assessment on the November General Election Ballot.

James Watts: You stated that Cal Fire doesn't respond?

Chris Gallagher: They have not responded to a fire call since I've been here. The Forest Service typically responds to calls.

Randy Aubrey: The only time I've seen CalFire is when they come and inspect our property. My guess is it would be up to dispatch.

Jack Glendon: I've been on two medical calls when CalFire showed up.

BOARD MEMBER'S REPORT (FOR DISCUSSION OF CONFERENCES, WORKSHOPS AND MEETINGS ATTENDED, PLUS OTHER ACTIVITIES SCSD'S GENERAL INTEREST)

a. Board Member Update-Boat Dock Lease and Insurance.

Larry Doss: James Watts and I have gone through the dock permit and have four or five changes we'd like to see about the insurance. I will make a copy with my notes and go over this with Chris next week and see if we can get this on the next agenda. The insurance people aren't getting back to me, because they are concerned that we are trying to start our own insurance and not be owners but a marina association. We need to get the value of all the docks to get presentations from insurance companies.

Chris Gallagher: Note; that everything we do, still has to go through the Boating and Waterways Board because it requires their approval for our dock permit.

Larry Doss: Boating and Waterways requires the one million aggregate. If we went to a two million aggregate, it would blow 90% of the private dock owners out of the water.

John Monticelli: Tabled until the next meeting.

b. Free Ethics Webinar sent via email CSDA.

Chris Gallagher: All Board members received an email about a free ethics webinar. So for those who have not completed your ethics training for the past two years, please read this email.

GENERAL MANAGER REPORT

a. Monthly Report

SPALDING COMMUNITY SERVICES DISTRICT MONTHLY REPORT			
November 2011		Monday, December 12, 2011	
	2011		2010
No. of Wastewater Hookups	575	22.3	562
No. of Permits Purchased	602		597
No. of \$75 Assess. Billed per 1/4	657		665
No. of Parcels Taxed on Bond	912		909
Gallons of Wastewater Flow	384,655	gallons	446,462
Lift Station #1 Strand	66,212	gallons	75,675
Lift Station #2 Marina	154,042	gallons	186,946
Lift Station #3 Acacia	99,737	gallons	104,127

Flows are for 30 days

Lift Station #4 Laurel	64,664	gallons	79,714
Water Balance Ponds	365,772	gallons	NA
Average Daily Flow	12,822	gallons	14,882
Total Wastewater Call-outs	0		0
Total Income for Month	\$13,183		\$10,258
Admin	\$265		\$0
Sewer	\$8,544		\$5,582
Marina	\$4,374		\$4,547
Fire	\$0		\$129
Receivable turnover Ratio			
Total Expenditures Month	\$20,538		\$111,600
Total Number of Employees	5		5
Total Hours Worked	435		566
Salaries & Benefits	\$10,921	\$25.11	\$11,043
Paid Vehicle Parking	\$3,950		\$4,119
Parking Citations	\$424		\$345
Annual Parking Permits Sold	0		1
Annual Add Veh Parking Permit	0		1
Doc Permits Sold	0		0
Total Hours of Fire Training			0
Total Fire Calls	2		0

Notes:
 *Our Cal Fire Grant was approved for \$10,900 so John is putting together a list of needed items.
 *One portion of the fence at the ponds has been completed.
 *The RV park completed one of the tank hookups to the sewer system.
 *Wrote a letter of protest to the State regarding the SRA fire Fees.
 *District Offices will be closed from Dec 22 - Jan 2 for Christmas Holiday. Reopen Jan 3, 2012.
 *Bathrooms have been winterized at the Marina. No longer charging for parking for the remainder of Year.
 *Sent our late notices for those who had remaining O&M balances.
 Billing statements are working well.

Chris Gallagher: Profit and Loss Statements and County Auditor statements discussed.

PUBLIC COMMENT

Rose Hallas: Question regarding Susanville's Fire Department and medical calls.

Rudy Whitmer: The problem is that Eagle Lake Interagency Board doesn't want to take responsibility, even though we have a lot of documents stating they are supposed to guard and protect Eagle Lake and fishery. They don't have a next meeting the five board members decide among themselves, which one is going to call the next meeting. There may be no meetings in a year or one or two meetings a year and do not document anything. Bob Pyle is supposed to call me to discuss what [Eagle Lake Interagency Board] are their responsibilities. They have not protected this lake for 25 years now. We took pictures of the outlet and the adit BLM has installed a huge 7 foot pipe at the adit, with rebar and welded it closed. There are no locks, no keys, no way to get down into the adit . At the outlet, about a mile away, and water is flowing like hell out of the lake. So if you want to adjust the valves, you have to walk 17 hundred upstream to get to the adit, and I don't know if they have blocked the tunnel from the other way to get in. Before, you went down 157 feet down the adit, turned right, then go 87 feet to see the concrete plug and valves. Now, in order to see those valves, you have to go 17 hundred feet up stream. Consequently, Jack Hanson admitted in public that he has no water rights to Eagle Lake water. That means neither do all the other ranchers. All the documents we turned in say that the State Water Resource Board is king and that the Supreme Court can not over rule their rulings. The Supervisors of Susanville still say they have no authority over the Eagle Lake Interagency Board, yet they are the ones who appointed them along with a BLM man named Rex Clarey, who in Nov

of 1986 persuaded everyone to put in that concrete plug. Mr. Collins at BLM will not respond to our emails nor Bob Pyle's. Last year we had 150% precipitation and our watershed is only 10 inches higher than last year. That water is still going down that tunnel. It amounts to 3 to 5 vertical inches a year going out that pipe. Multiply that X 25 years, we would probably have 7 feet more water in the lake. Consequently, the Eagle Lake trout are going to starve to death. There is no place for them to propagate, the tulles are out of the water. We need to continue to put pressure on the Susanville Board of Supervisors and the Eagle Lake Interagency Board.

Rudy Whitmer and Chris Gallagher to draft a letter.

Ann Carlson to give presentation at the next meeting regarding Spalding trail grant.

John Monticelli: Adjourn for closed session.

CLOSED SESSION

a. Evaluation of General Manager.

John Monticelli: Returned from closed session to evaluate General Manager at 3:40pm. And request a motion to adjourn.

ADJOURN

Beth Brazil: **Motion to Adjourn.**

Larry Doss: **Seconds Motion.**

Board Polled: **Unanimous Vote-Aye.**

Board Sign Approved Bills

Next regular meeting scheduled for January 11, 2012 at 2:00pm.

Respectfully submitted by: Virginia Bruce

These minutes were transcribed from audiotape. Every effort is made to record all person's comments. Some comments may have been edited to try to get thoughts across.