

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
KINNELOA IRRIGATION DISTRICT
MARCH 17, 2009**

MEMBERS PRESENT: Directors Barkhurst, Griffith, Kilburn, Pickard, and Sorell

STAFF PRESENT: Shirley Burt, Administrative Assistant
Chris Burt, Facilities Supervisor
Melvin Matthews, General Manager

CALL TO ORDER: The Executive Meeting was called to order by the Chair, Director Barkhurst, at 1910 hours. He noted that there was a quorum of the Board present and the Board adjourned to Executive Session.

CALL TO ORDER: The Regular Meeting was called to order by the Chair, Director Barkhurst at 2010 hours. The Chair requested approval of the Agenda and it was unanimously approved as presented.

REPORT OF EXECUTIVE SESSION:

The Chair reported that the Board had reviewed the General Manager's performance for the year 2008 and that the General Manager had received and signed off on that review. He explained that no decisions had been made in Executive Session and that it was appropriate at this time to consider a salary adjustment based on the performance evaluation.

It was M/S/C- (Kilburn/Pickard-4/1 (Director Griffith voting No) –

“That the General Manager’s base salary be increased by 3% for the year 2009 beginning on April 1, 2009.”

PUBLIC COMMENT: No persons from the Public wished to comment at this time.

REVIEW OF NEW FIRE HYDRANT PLACEMENTS

Director Kilburn explained that part of the Kinneloa Mesa Pipeline Project is the installation of several new Fire Hydrants and that one of the residents upon whose property a new hydrant is to be placed has brought to her the following issues –

- that there should be compensation paid to the owner for having this Hydrant placed in his front yard, if not by direct compensation then to pay no water bill for at least one year.
- that the precedent for compensation had been set when the prior owner had received payment from the Edison Company for the placement of a pole on the property and that a copy of the payment is attached to the deed for the property for the placement of a pole in the easement
- that there would be a liability created by the presence of the “Hydrant Pit”
- that the presence of the hydrant could be a liability to the sale of the property
- that the suggested placement of the hydrant would be on his personal property not in the road easement
- that there are different easements –above ground and below ground—and questioned whether the

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District had the proper documents

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REVIEW OF NEW FIRE HYDRANT PLACEMENTS: (continued)

Director Sorell questioned whether the District does have an easement for the water line and **Director Kilburn** explained that all properties on the Mesa have an easement for ingress and egress

Director Barkhurst stated that this is a discussion item only and that he sees three appropriate courses of action.

1--Do nothing and let it play out

2--Decide that discretion is the better part of valor and think about moving the placement of the hydrant to another location

3--Perform normal due diligence procedures to determine if the District has the legal right to put this Hydrant where it is proposed to be placed.

He further explained that it was his understanding that there is another six or seven weeks before all of the water lines are installed and so there is time before the hydrants need to be installed.

He stated that the appropriate course of action is to get a survey, obtain a preliminary title report of the property involved, have a preliminary discussion with the District's legal counsel and then have the General Manager report these findings at the next Board Meeting. He further stated that he was of the belief that there is more than sufficient code and case law that covers these kinds of issues but that he thought the Board did not have enough information at this time to make an enlightened decision.

Director Kilburn suggested that more research be done as to the possibility of placing the hydrant on the next property to the west as that owner is planning to build a new home and might cooperate with the District in placing the hydrant on that property. She also stated that she had explained to the resident that the hydrant would not be visible from his house and that it would be placed in the hillside with a protective wall around it.

Director Barkhurst replied that the General Manager has the task to investigate all of the viable alternatives and the expense involved with any of them.

GENERAL MANAGER'S REPORT

Kinneloa Mesa Pipeline Project:

The **General Manager** reported that the project was going well and that the residents have been very cooperative. He stated that he is very pleased with the Contractor and he is doing a good job.

Proposed NPDES Permit:

The General Manager called attention to the letters regarding this matter that are included in the Board Packet noting that the stand that the Public Water Agencies Group (PWAG) was taking had received a fair amount of legislative support. He explained that the permit in its proposed form is ridiculous and costly and that the Public Hearing that was scheduled had been postponed due to a lack of a quorum.

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REVIEW OF THE MINUTES:

The minutes of February 17, 2009 were reviewed and unanimously approved as presented.

REVIEW OF FINANCIAL REPORTS

Director Sorell reviewed the reports noting that for the month --
--the revenues are down and this could be due to conservation efforts
--the expenses are down but that is due to a refund from the insurance company
--project engineering is high -- \$6400 against a budget of \$1200 for updating of system drawings
Director Griffith noted that he estimated that about \$20,000 worth of parts and supplies had been purchased and thought that he had noted somewhere that there was only \$6000 of insurance to cover. The **General Manager** replied that most of these items are consumable supplies and not large capital items.

The Financial Reports were unanimously approved for filing.

ITEMS FOR NEXT AGENDA:

Executive Session –Review of General Manager’s Performance
Review of 2008 Draft Audit
New Fire Hydrant Placements

ADJOURNMENT:

The meeting was adjourned at 2052 hours. The next meeting will be held on April 21, 2009.

Respectfully submitted,

Shirley L. Burt
Secretary to the Board