

1. **CALL TO ORDER:** President Shirley Palmer called the regular meeting to order, at 7:00 p.m.
2. **ROLL CALL:** Directors present: James Barrett, Robert Butler, Shirley Palmer, Stanley Rouhe and Jerry Medders. A quorum was verified. Mr. Robert Patterson, District Counsel was also present.
3. **CLOSED SESSION ISSUES:** N/A
4. **OPEN SESSION:** 7:00 p.m.
5. **REPORT ACTIONS TAKEN IN CLOSED SESSION, IF ANY:** N/A
6. **PLEDGE OF ALLEGIANCE:** The pledge of allegiance to the flag was recite and led by David Erskine .
7. **PUBLIC APPEARANCES/PRESENTATIONS:** N/A
8. **PUBLIC COMMENTS:**
  - a. Mr. David Erskine, Salton City resident, announced that a non-profit organization is being formed for the purpose of developing a sports complex here in Salton City.
  - b. Mrs. Sherrie Smotherman, Salton City resident, announced the 25<sup>th</sup> anniversary of the ambulance service. A dinner is being planned for January 25, 2008, at the Senior Building. Tickets for the event may be purchase at the health & education building.  
Mrs. Smotherman presented Ms. Rachel Branch with a check in the amount of \$1,000.00 to be returned to Tierra Del Sol, four wheel club; money previously donated to the Nature Trail Committee.
  - c. Mr. James Barrett, Salton City reported that Imperial County has performed an audit of the fire mitigation fee that has been collected from this area on new houses for the last ten years, which is over \$350,000.00. This money by law must be spent in this area. As a builder, he has paid the fees, so he has a legal standing to take the County of Imperial to court, if necessary. Now that the board knows this, they should try to get that money back.  
Director Barrett also stated that he has been paying sewer standby fee for six years of \$21.00, he believes that this is illegal, and that it was illegally enacted. He presented Shirley Palmer, President, with a claim for damages in the amount of \$126.00.  
The claim was given to Mr. Robert Patterson to investigate.
  - d. Shirley Palmer, President wished everyone an happy new and prosperous year.

**9. CONSENT CALENDAR:**

- a. Approval of the minutes of the special meeting of December 6, 2007.
- b. Approval of the minutes of the special meeting of December 21, 2007.
- c. Approval of the minutes of the regular meeting of December 18, 2007.
- d. Approval of Best, Best & Krieger's invoice in the amount of \$ through December, 2007.
- e. Current Demands for the month of December, 2007.
- f. Approval of the minutes of the safety meeting of January, 2008

NOTE: President announced \$1,962.10 as the amount of the invoice for Best, Best & Krieger.

Approved the consent calendar on a motion made by Director Robert Butler, seconded by Director James Barrett. All in favor. The Motion carried.

**10. REPORTS:**

- a. Finance Officer- Financial reports are posted on the bulletin board for anyone to review and a copy is provided in the directors' packet.
- b. General Manager, Thomas Cannell read the report; a copy is attached to the minutes.
- c. Fire Department, Rosa Reagles, read the report; a copy is attached to the minutes.  
The Board reaffirmed authorization of travel expenses for Mr. Steward Gary in the amount not-to-exceed \$2,500.00 for him to come down and make a presentation to the board on a Fire Mitigation Pan and to identify other funding available to the district for paid fire personnel.

NOTE: Director Barrett asked if the dump station at Johnson Landing belongs to the District or the RV Park? Because this past weekend a fee of \$4.00 was posted to use the facility. The general manager answered that the dump station belongs to the district and we will remove the sign.

**11. MEMBERS OF THE BOARD/ORGANIZATIONS REPORTS:**

- a. Architectural Committee-No report.  
Director Medders reported having appointed Mr. Errin Robinson to the architectural committee. Mr. Robinson is a teacher at the West Shores High School.  
Director Barrett reported having appointing Mr. Hershel Silverstone to the architectural committee.
- b. Howard Smotherman- Golf Club chairman reported the following:  
The water bill for the month of November was \$525.00 and will be less for the December.  
Ms. Rachel Branch, reported that the nature trail committee appointed new officers:  
Mr. Don Stephens, President, Ms. Jeni Bates: Secretary & Ms. Charlene Ness: Treasurer.

**12. OLD BUSINESS:**

- a. Approve expenditures to replace concrete deck at the swimming pool and to use grant monies.  
A motion was made by Director Robert Butler, seconded by Director James Barrett, approving the expenditure of money to replace and extend the concrete deck at one side of the swimming pool, to extend and replace the fence as needed, and, to use Parks & Rec. grant monies for the project.

NOTE: The secretary reported that if grant monies are considered for the project, then the project cannot start until a letter from the State of CA Parks & Recreation Department has been received approving that the project for the grant fund.

A new motion was mad by Director James Barrett, seconded by Director Robert Butler, that the motion be amended approving the project contingent upon approval of the state that we can use grant monies.  
All in favor. The motion carried.

**13. NEW BUSINESS:**

- a. Confirm members of the Board & Officer of Salton Community Services District Financing Corporation.  
A motion was made by Director Robert Butler, seconded by Director Stanley Rouhe, approving the current board members & officers to the Salton Community Services District Financing Corporation.  
All in favor. The motion carried.
- b. Approve agreement with Cal-Test, Inc. for Drug Testing Services & Background checks.  
The secretary asked that the drug test policy would include fire firefighter as well. This would be in regulations with the Department of Transportation for those firefighters possessing a class B & A license.  
A motion was made by Director Robert Butler, seconded by Director James Barrett, approving the agreement with CalTest, Inc for drug testing. The policy would also include fire fighters. All in favor. The motion carried.

Director Barrett asked that the fire department policy be modified accordingly.

Mr. Kevin Odenbaugh, President, reported that under DOT regulations fire fighters are exempt for random drug testing, however, they can be covered under safety sensitive and under board policy.

NOTE: Cal-Test will also provide criminal back ground check for newly hired employees.

- d. Approve Resolution No. 2008-1-1 entitled " a resolution of the Board of Directors of the Salton Community Services District authorizing the purchase of real property pursuant to Division 1, Part 6, chapter 8 of the California revenue and taxation" President Palmer read the resolution in its entirety into record.  
A motion was made by Director Stanley Rouhe, seconded by Director Robert Butler, approving resolution No 2008-1-1. All in favor. The motion carried.

NOTE: Resolution No. 2008-1-1 authorizes the purchase of tax-defaulted property assessor parcel number: 008-631-016-000, lot 16, Block 2, Tract 766 in Vista Del Mar, in the amount of \$1,842.86 plus recording fees.

- d. Approve Resolution No. 2008-1-2 entitled " a resolution of the Board of Directors of the Salton Community Services District authorizing the commissioning of an engineer's report for the purpose of enacting a sewer standby fee.

A motion was made by Director James Barrett, seconded by Director Stanley Rouhe, to approve resolution 2008-1-2. Director James Barrett read the resolution in its entirety into record.

Director James Barrett reported that while researching for the basis of the sewer standby fee, if based on lineal foot or by sewer connection that he was unable to find an engineering report indicating the basis of the sewer standby fee nor the basis for an increase on the standby fee. He stated that it appears to him that we might not have a valid standby charge on the books.

He suggested that we have a study session on this issue then get an engineers' report and set our fees accordingly.

A motion was made by Director James Barrett, seconded by Director Robert Butler, to postpone this item until after we have a study session on it. All in favor. The motion carried.

President requested that the attorney be present for the study session, meanwhile research the issue and bring back a legal opinion.

A new motion was made by Director Robert Butler, seconded by Director Jerry Medders that all three items be placed on the agenda of the study session if possible, and for the secretary to schedule it.

After a long discussion on the date to hold the study session, the new motion was withdrawn.

A new motion was made by Director Robert Butler, seconded by Director Stanley Rouhe, allowing the secretary to schedule the study sessions as necessary, but make every effort to schedule them as few as possible.

All in favor. The motion carried.

- e. Approve expenditure to purchase two solar panels lights for the new ponds in Salton City.

A motion was made by Director Robert Butler, seconded by Director James Barrett, approving the expenditure to purchase two solar lights for the new sewer ponds site. All in favor. The motion carried.

The general manager stated that it is very dark out there and there is electricity, we need something, these solar lights panels would provide a safety as well. The cost for the lights is approximately \$5,000.00 each.

- f. Approve Resolution No. 2008-1-3 entitled " a resolution of the Board of Directors of the Salton Community Services District censuring Board Member James G. Barrett for unacceptable conduct."

President reported that an amended version was provided to the board and that is the one being approved tonight. She then read the resolution in its entirety into record.

President Shirley Palmer stated that the board has an issue with Director Barrett representing himself as "Director Barrett" on the internet "topix.com" by using " Director Barrett" as his title, it appears that he is speaking as a director. The issue the board has is not the content, but the representation.

Director Barrett responded that" as a citizen and a director of s.c.s.d., under the first amendment rights, anyone can say anything to anyone, anytime they want."

A motion was made by Director Robert Butler, seconded by Director Stanley Rouhe, approving resolution 2008-1-3. The motion carried on a 4 -1 roll call vote; with Director James Barrett abstaining.

**14. ADJOURNMENT:**

At 9:30 p.m., Ms. Shirley Palmer, President, adjourned the meeting.

Attest:

  
Rosa Reagles,  
Assistant General Manager &  
Secretary to the Board of Directors

Shirley Palmer,  
President of the Board