

1. **CALL TO ORDER:** The meeting was called to order by Board President Shirley Palmer at 7:08 p.m.
2. **ROLL CALL:** Directors present: Shirley Palmer, Robert Butler, Darryel Neal & James Barrett. Directors Absent: Dr Jerry Medders. A quorum was verified. Mr. Robert Patterson district general council arrived at 7:45 p.m. due to a car problem.
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 recited, and led by Shirley Palmer.
7. **PUBLIC APPEARANCES/PRESENTATIONS: N/A**
8. **PUBLIC COMMENTS:**
 - a. Ms Sherri Smotherman, Health & Ed, flu shots will be given on October 28th, 9:30-10:30 for \$2.00. Food handlers' cards may be pickup at the same time.
 - b. Ms. Shirley Palmer, candidates running for Trustees of the Coachella Valley Unified School District & Mr. David Joy, for congressman, will be at the WS chamber of commerce on Thursday, October 23rd.
9. **CONSENT CALENDAR:**
 - a. Approval of the minutes of the regular meeting of September 16, 2008
 - b. Approval of minutes of the special meeting of September 18, 2008
 - c. Approval of Best, Best & Krieger's invoice in the amount of \$ 6,103.15 through September, 2008
 - d. Current Demands for the month of September, 2008
 - e. Approval of the minutes for the safety meeting of October, 2008

Approved the consent calendar on a motion made by Director Robert Butler, seconded by Director James Barrett, with the exception of item a "minutes of the regular meeting of September 16, 2008, pulled by Director James Barrett for correction. All in favor. The motion carried.

Director Barrett indicated that it would be best if the item requested by Director Butler to be placed on the agenda as time sensitive be identified by name, in the minutes.

Director Butler explained that item was to name the new sewer ponds after Tom Cannell.

A motion was made by Director Robert Butler, seconded by Director Darryel Neal, approving the minutes of the September 15, 2008 meeting as presented. The motion carried on a 3-1 vote; with Director James Barrett voting no.

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, report was read by Director Robert Butler. A copy is attached to the minutes
- c. Fire Department, Rosa Reagles read the report.

Director James Barrett asked how many firefighter we currently have and how many of them have a Class B license.

The Fire Administrator responded that currently there are three firefighters with a class B license and two with permits to operate. Additionally, she directed to the memo attached indicating the current positions of firefighters which included the position of Fire Marshall appointed to Mr. Steve Farenbaugh. Mr. Farenbaugh is a general contract and is very familiar with building codes. He's learning building codes relating to fire.

The current fire personnel are greatly increasing the level of fire protection and medical services. Two attend Imperial Valley College to receive EMT State Certification.

11. MEMBERS OF THE BOARD/ORGANIZATIONS REPORTS:

- a. Architectural Committee-Hershel Silverstone gave the report. There were two items on the agenda for consideration; adopted the minutes of the previous meeting and acknowledged the resignation of commissioner Errin Robinson; Dr. Medders' appointee.
- b. Golf Course- Mr. Smotherman, President of golf club, reported that the golf course will remain open during the reseeding process. New flags have been purchased by the club. The water bill for the month of August was \$933.00. The secretary suggested that the chamber should sponsor a mixer at the golf course to encourage playing.
- c. Nature Trail—Mr. Don Stephen gave the report. He solicited for volunteers to come out and plant seedlings on November 15, 2008 @ 9:00 a.m.
Director Robert Butler suggested that since this is the prime season for off-road vehicles that we place a sign indicating access for the vehicles, is in the back of the nature trail..

12. OLD BUSINESS: N/A

13. NEW BUSINESS:

- a. Accept proposal for special benefit analysis for Salton Community Services District wastewater system. Mr. Robert Patterson noted that Koppel & Gruber are a public finance firm and experienced in setting up assessment district, which is something the district needs to do in order to increase sources of revenue. If they work out, they might solve our revenue problem.
A motion was made by Director James Barrett, seconded by Director Robert Butler, approving Koppel & Gruber's proposal for services. All in favor. The motion carried.
- b. Approve classification & organization chart for the Salton Community Services District Fire Department. Rosa Reagles, Fire Department Administrator, requested that the classification part of the agenda item be dropped and requested approval of the organizational chart for the fire department without the personal names of firefighters indicated on the chart, the personal names are for the board's information only. Approval of the organizational includes the positions of the Fire Administrator and that of the Fire Marshall.

NOTE: Robert Patterson, district general council explained to the board that there is a doctrine in public law stated that legislators are immune from law suits for discretionary actions that they take. But, when directors start getting involved in the day to day business, particularly being involved in personal matters they risk losing that immunity and maybe sued for a member of cause of action.

A motion was made by Director Robert Butler, seconded by Director Darryel Neal, approving the organizational chart with the addition of the positions of Fire Administrator and the Fire Marshall for the Salton Community Services District Fire Department.

A second motion was made by Director James Barrett, seconded by Director Robert Butler, amending the main motion to clarify that the board is approving only, the structure and not the actual names of the personnel filling those positions. All in favor. The motion carried.

- c. Approve Resolution No. 2008-10-1 entitled "a resolution of the Salton Community Services District establishing annual rates for services" Assistant general manager reported that some of the fees have been the same for a long time and need adjusting.
Director Barrett asked if staff is collecting sales tax on copies and faxes. He then stating having a problem with using staff's time to provide the public a service that is not one of our powers. At one time it was a necessary because the service was needed, but now we have a place that provides copies and faxes and more. He thinks that it is not proper that the district spends district resources and does not recuperate the costs.

A motion was made by Director Robert Butler, seconded by Director Darryel Neal, approving the resolution. All in favor. The motion carried.

A second motion was made by Director James Barrett, modifying the fees under 5: a,b,c; copy, fax & color copy, price plus sales taxes. Motion died for lack-of- second.

- d. Approve Resolution No. 2008-10-2 entitled " a resolution of the Salton Community Services District regarding disposition of certain funds." Secretary referred the item Mr. Robert Patterson, District Counsel. This resolution regards monies collected by the District as developers' fees fire department/street lights. After three years, the money can transfer into the district general funds provided that a notification is published in the newspaper for two consecutive weeks and there after 45 days the money can be transferred into the general fund. This can be done periodically as the three years windows is reached and passed. A motion was made by Director Robert Butler, seconded by Director James Barrett, approving resolution 2008-10-2. All in favor. The motion carried.

- e. Approve Resolution No. 2008-10-3 entitled "a resolution of the Salton Community Services District adopting 20% as the new administration fee to be charged against the sewer construction and the sewer maintenance funds." Director Robert Butler read the resolution in its entirety for the record.

A motion was made by Director Robert Butler, seconded by Director Darryel Neal, approving resolution 2008-10-3; and for it to be reviewed annually during the budget process. The motion carried on a 3 -1 vote; with Director James Barrett voting no; stating that the actual costs to run the sewer department should be the amount transferred into the general fund, as the administrative fee.

- f. Approve Resolution No. 2008-10-4 entitled "a resolution of the Salton Community Services District adjusting certain sewer fees."

A motion was made by Director Robert Butler, seconded by Director James Barrett, approving resolution 2008-10-4. No action was taken.

Robert Patterson, District General Counsel reported that at this time he's not going to recommend that the board approve the resolution. The board should wait until a claim is filed; Mr. Ken Perry needs to prove to the District that we owe him money for the past three years.

Director Butler asked to go on record stating that he believes that Director James Barrett has a conflict of interest and it would be worth looking into.

Director James Barrett stated that he does not have a conflict of interest.

14. ADJOURNMENT:

Ms. Shirley Palmer, President of the Board adjourned the meeting at 9:05 p.m.; without taking action on items: g,h, & i because the meeting became disorderly and out-of-control.

Attest:



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

Shirley Palmer,
President of the Board