

1. CALL TO ORDER: President Robert Butler called the regular meeting to order, at 7:00 p.m.

2. ROLL CALL

Directors present: Stanley Rouhe, James Barrett, Robert Butler, Shirley Palmer and David Urbanoski
A quorum was verified.

3. CLOSED SESSION ISSUES: 9:00 p.m.

- a. Pursuant to Government Code section 54957.6 conference with labor negotiators: Tom Cannell & Rosa Reagles.

4. OPEN SESSION: 7:05 P.M.

5. REPORT ACTIONS TAKEN IN CLOSED SESSION, IF ANY: reconvened into open session at 9:20. p.m.
The President reported that there was no reportable action.

6. PLEDGE OF ALLEGIANCE the pledge of allegiance to the flag was recited.

7. PUBLIC APPEARANCES:

The President presented Mr. Gerald Boling with a service award for reaching a milestone anniversary of Twenty-Five Years of dedicated and faithful service to the Salton Community Services District

President Butler introduced the candidates running for the Board: Shirley Palmer, Herschel Silverstone, Bob Fricke, John Kariotis, Torri Barrett, Darrel Neal, Gerry Medders, and himself and announced that campaigning on district time is prohibited.

8. PUBLIC COMMENTS:

- a. Ms. Rachel Branch Salton City resident, stated that not one member of the board responded to her letter regarding the sewer user fee. Her other concern is; if a disaster occurs is the district prepared? We need to get a disaster plan in place.
- b. Ms. Sherrie Nuyen, Desert Shores resident, asked if each member of the board received a copy of the letter fax to the district? She then announced that if anyone is interested in becoming a community emergency responder's team to contact her. People from all communities are needed.
- c. Mr. James Barrett, Salton City resident, reported that all the public forum information was removed from the table inside the office because management did not like one of the articles on one of the information. All of the public forum information was removed.

9. CONSENT CALENDAR:

- a. Approval of the minutes for the special meeting of June 15, 2007 (continued from July)
- b. Approval of the minutes of the regular meeting of July 17, 2007.
- c. Approval of the minutes of the special meeting of July 30, 2007.
- d. Approval of Best, Best & Krieger's invoice in the amount of \$11,722.82 through July, 2007.
- e. Current Demands for the month of July 2007.
- f. Approval of the minutes of the safety meeting of August, 2007
Approved the consent calendar on a motion made by Director Shirley Palmer, seconded by Director James Barrett with the exception of item b: minutes of the regular meeting of July 17, 2007 pulled by Director Palmer for discussion. All in favor. The Motion carried.
New motion by Director Shirley Palmer seconded by Director James Barrett to approve the consent calendar as it stands. 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.
She also announced that Mr. James Allen, is retiring as Salton Community Services District Fire Chief but will continue on the fire department as a fire fighter.

NOTE: Director Barrett asked if a fire fighter was let go from the fire department and how many fire fighters were left on the department?

11. MEMBERS OF THE BOARD/ORGANIZATIONS REPORTS:

- a. Architectural Committee- Herschel Silverstone, Chairman reported that due to lack of a quorum, no meeting was held.

NOTE: Director Barrett stated that staff doesn't have the authority to refuse the beginning of the plan approval process. Salton Community Services District's approval should go thru with the understanding to the property owner the county will not issue a building permit because of the building moratorium.

1. Discussion/possible action on a potential CC&R violation. The Board directed the general manager to send Mr. Bob Bailey a letter informing him that his letter does not identify a specific property in the district with a potential violation of the CC&R's.
- b. Golf Course – Howard Smotherman, reported that the golf course is looking good, however, because of the weather, plays have slowed down. The nature trail is coming along nicely; the next meeting will be on September 10, 2007; 2:00 p.m. @ the Health and Education Building.

12. OLD BUSINESS:

- a. Approve proposal for audit services for fiscal year ending 2006-2007.
President stated that the district met all legal responsibilities by advertising to receiving proposals for audit services. The district is required to alternate auditors every few years.
A motion was made by Director Shirley Palmer, seconded by Director James Barrett to approve the proposal for audit services for fiscal year ending 2006-2007. And, to accept the bid from Mr. George Woo for audit services. The motion was seconded by Director James Barrett. Motion carried on a 5-0 roll call vote.

13. NEW BUSINESS:

- a. Approve having an attorney present at all board meetings.
The board discussed the concept and the cost of having an attorney attend the monthly meetings. After discussion, a motion was made by Director Shirley Palmer, seconded by Director James Barrett approving having the attorney attend all Board of Directors' meetings. All in favor. The motion carried.
- b. Approve lease transfer agreement submitted by the West Shores Marina & RV Park LLC.
Director Stanley Rouhe left the room because of a possible economical conflict of interest.
The President read a letter submitted by West Shores Marina & RV Park, LLC.
Director Barrett stated that by IID's lease before Johnson's Lease is transferred to West Shores Marina & RV Park LLC, IID must give consent.
A motion was made by Director Shirley Palmer, seconded by Director David Urbanoski to approve the transfer of the lease contingent upon Mr. Jim Kelly, of IID, Land Management Superintendent, approving the transfer. An amendment to the motion was made by Director Shirley Palmer, seconded by Director James Barrett modifying the proposal stating that the approval of the lease transfer is contingent to IID approving it. Motion carried on a 4-0 roll call vote.

Director Barrett stated that the proposal doesn't have a schedule of date and a timeline on when the Park will be brought up to code.

A motion was made By Director Shirley Palmer, seconded by Director David Urbanoski approving the amendment to the motion. Motion carried on a 3-1 roll call vote, with Director James Barrett voting no.

- c. Approve expenditure for website design for Salton Community Services District.
It was suggested by Director James Barrett that the contract should identify that the work is made for hire, with the district owning all copyrights.
A motion was made by Director James Barrett, seconded by Director David Urbanoski to approve the proposal received by Eaton & Kirk. Motion carried on a 5-0 roll call vote.
An amendment to the motion was made by Director James Barrett to add the language contingent on if Eaton & Kirk agrees to it being work made for hire. After discussion, the motion was withdrawn.

- d. Approve expenditure of \$15,000.00 for the purchase of a brush truck.
A motion was made by Director James Barrett, seconded by Director Shirley Palmer approving the additional \$15,000.00 needed for the purchase of the brush truck; \$10,000.00 coming off the current budget item titled "vehicle acquisition" and the remaining \$5,000.00 would come out of the Borrego Springs Stock, reserve account.
The motion was amended by President Robert Butler that the truck will only be used for fire call and training within the district's sphere of influence. The motion was seconded by Director James Barrett."
The motion carried on a 5 -0 roll call vote.

NOTE: This vehicle will be stationed at the Salton City Fire Station. It will be used for traffic collisions, structure fire and off road emergencies only and will not be used for on call status or to respond to medical calls.

- e. Approve Resolution No. 2007-8-1 entitled "a Resolution of the Governing Body of the Salton Community Services District for the Election of Directors to the Special District Risk Management Authority Board of Directors"
A motion was made by Director James Barrett, seconded by Director James Barrett to approve Resolution No. 2007-8-1. All in favor. The motion carried.
- Directed the secretary to tally the ballots and cast the vote for the three candidates with the most votes.
- f. Approve Resolution No. 2007-8-2 entitled "a Resolution of the Salton Community Services District Board of Directors ordering the refund of improperly assessed channel maintenance fees." Director Barrett read the resolution in its entirety for the record.
A motion was made by Director James Barrett to approve Resolution No. 2007-8-2. The motion died for lack of a second.
- g. Approve Resolution No. 2007-8-3 entitled "a Resolution of the Salton Community Services District Board of Directors directing the Fire Chief to conduct a fire code compliance inspection of Johnson' Landing."
Director James Barrett read the resolution in its entirety for the record.
A motion was made by Director James Barrett to approve Resolution No.2007-8-3. The motion died for lack of a second.
- h. Approve Ordinance No. 2007-08-81 entitled "an Ordinance of the Salton Community Services District establishing the method by which channel maintenance funds shall be dispersed or encumbered.
Director Barrett read the ordinance in its entirety for the record."
A motion was made by Director James Barrett, seconded by Director Stanley Rouhe approving Ordinance No. 2007-08-01. Motion did not pass on a 1-4 roll call, with Director Barrett voting yes & Directors: Palmer, Rouhe, Urbanoski & Butler voting no.
- i. Approve expenditures of Funds from Tract 679 channel maintenance fund to purchase supplies for a mailing to the property owners.
After much discussion; a motion was made by Director James Barrett, seconded by Director Stanley Rouhe to table this item until after we have a study session. All in favor. The motion carried.
- j. Discussion/possible action regarding request submitted by the Bahia Del Mar Estate Property Owners Association.
A motion was made by Director Shirley Palmer, seconded by Stanley Rouhe to approve the request made by the Bahia Del Mar Estate Property Owner Association; to be notified of any impending or proposed use of Desert Shores, Tract 662, channel maintenance fund monies. The motion carried on 4 -1 vote, with Director James Barrett abstaining.
- k. Schedule a study session for September 4, 2007, @ 2:00 p.m. to go over increasing medical health insurance costs and additional eye & dental benefit.
A motion was made by Director Shirley Palmer, seconded by Director James Barrett to schedule a study session for Tuesday, September 4, 2007. All in favor. The motion carried.

14. ADJOURNMENT:

At 9:24 p.m., Robert Butler, President, adjourned the meeting.

Attest:

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

Robert Butler,
President of the Board