**CALIFORNIA PINES COMMUNITY SERVICES DISTRICT**

**SPECIAL MEETING MINUTES**

 **JANUARY 26, 2017**

**COUNTY ROAD #71 BUILDING #376 – DISTRICT OFFICE**

**CALIFORNIA PINES SUBDIVISION**

**MODOC COUNTY, CALIFORNIA 96101**

**CALLED MEETING TO ORDER AT BY CHAIRMAN TO THE BOARD OF DIRECTORS – BUCK RODGERS AT 3:00 P.M.**

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| DIRECTORS PRESENT | STAFF PRESENT | PUBLIC PREESENT |
| Chairman – Buck Rodgers |  Board Secretary - Susan Lake |  Terri Bishop |
| Vice Chairman – Todd Ehlinger |  Captain – Justin Ulrich |  Dan  |
| Treasurer – John Oates -1hr late |  Engineer – Josh Lusk |  Dave Lake |
| Director – Mark Bishop  |  |  |
| Director – Bruce Rodgers |  |  |
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**ADOPTION OF THE AGENDA:**

Motion to adopt the agenda for the **Special Meeting** held on **January 26, 2016** made by **Todd Ehlinger,** seconded by **Bruce Rodgers,** motion approved unanimously.

**ACTION CALANDER: POLICY ADOPTION/REVISIONS**

1. **Policy # 2130 Wages and Salaries:**

An addition was made to policy #2130.3, Contracted Fire Pay Allocation. Motion to approve addition #2130.3 to Wages and Salaries, made by Todd Ehlinger, seconded by Mark Bishop, motion approved.

Note: Approval includes change of wording from “deducted from fire pay” to “fire pay adjusted”.

1. **Organizational Chart:**

Motion to approve the removal of the animal control position from the organizational chart made by **Mark Bishop,** seconded by **Todd Ehlinger,** motion approved.

1. **Policy # 2220 Disciplinary Action:**

A proposal was made to revise Policy #2220, removing the sentence requiring an employee signature whenever a warning notice is issued, and to include specific CA compliant policy for the use of marijuana. **Vote is** **tabled until revision can be completed.**

1. **Policy # 2330 Compensation:**

A proposal was made to remove #2330.5, from Policy #2330. Policy #2330 would now apply only to District employees, and Policy #2058 will include reunification for board directors. Motion to approve changes to Policy #2330 made by **Mark Bishop**, seconded by **Todd Ehlinger**, motion approved.

1. **Policy #3015 Illness and Injury Prevention Program:**

A proposal to leave Policy #3015 intact, and for the policy to remain a part of the CSD Policies Book was made.

Motion to approve no change to Policy #3015 made by **Todd Ehlinger,** seconded by **Bruce Rodgers,** motion approved.

1. **Policy #3129 Maintenance of CSD Utility Accounts:**

The revised policy would merge existing policies #3021 – Deposits/Billing for Services and #3022 – Overdue Accounts, with Policy #3129. Other revisions include customer deposit and application requirements, shut off notices and fees, and the implementation of procedure.

**Approval of revisions was tabled** to add - state notification requirements - concerning discontinued service when property is still occupied.

1. **Policy #3140 Check Processing:**

No revisions are currently needed to policy #3140.

1. **Policy #5010 Board Meeting:**

#5010.1 Regular Meeting - The Board proposes to change the regular board meeting to 4:00 PM year-round**. Approval of this revision is tabled** until required changes to the By-Laws and the web site are complete.

#5010.5 Organizational Meeting – The revisions made to 5010.5 include removing the reference to a “second regular meeting” in January, and adding the appointments for the positions of Treasurer and Secretary to the Board of Directors.

Motion to approve revisions to #5110.5 made by **Todd Ehlinger**, seconded by **Bruce Rodgers, motion approved.**

1. **Policy #5070 Rules of Order for Board and Committee meetings:**

Existing policy #5070 was missing from CSD Policy Book. Motion to add Policy #5070 back to Policy Book, without revisions, was made by **Todd Ehlinger**, seconded by **Bruce Rodgers**, motion approved.

1. **Policy #2058 Compensation for meetings and travel:**

#2058.2.6 – Regular Meeting Compensation, after reviewing the **Browns Act and the CALIFORNIA PUBLIC FUNDS DOCTRINE - Cal. Const., art. XVI, § 6**, which prohibits gifts of public funds**,** the decision was made toremove the option for District services in lieu of payment. Motion to approve revision to policy #2058.2.6 was made by **Mark Bishop**, seconded by **Todd Ehlinger**, motion approved.

Director Bruce Rodgers expressed concerns that receipt of payment would interfere with his financial situation. Bruce would prefer not to receive payment until he could research. The secretary explained the option of donating payment back to the District, however all directors will need to abide by the same contract.

Directors were provided contracts for the 2017 calendar year and W-2 forms to be completed and signed.

1. **Policy # 2100 Nepotism:**

The currently adopted Policy #2100 was reviewed and compared with the older version (2004). Motion to table any revision of the current policy was made by **John Oates**, seconded by **Mark Bishop**, motion approved.

1. **Policy #2505 Holidays:**

There was discussion about the current holiday schedule and policy was reviewed. A request was made to obtain information about another fire district’s holiday schedule. No change to current policy.

**DISCUSSION:**

**Director Oates** arrived at meeting at 3:55pm and requested further discussion on policies as follows:

* **Policy #2058 Compensation for meetings and travel:** the option to receive compensation for each meeting attended up to the allowed amount of $600.00 per month. Director Ehlinger suggested that compensation remain the same ($100.00 per month) as special meetings rarely occur. Director Bishop and Chairman Rodgers agreed that this would be in the best interest of the District. After more discussion, a motion to table any additional change was made by **Bruce Rodgers,** motion to approve no additional change was **unanimous**.

* **Policy #3129 Maintenance of CSD Utility Accounts:** request forclarification ofcustomer deposits policy. It was explained to Director Oates that deposits were not consistently required of customers in the past; revisions to the policy would require deposits for all new customers. Director Oates also asked if the utility rates listed in the policy were current, the secretary confirmed the rates are current.
* **Policy #2130.2 Wages and Salaries:** request clarification of2130.2 #3 Medical Insurance Bonus. This is a stipend of $300.00 per month, per employee, in lieu of health insurance (due to the current cost of health insurance). The stipend is to remain in effect unless/until the District can obtain affordable health insurance for its employees, or the District can no longer afford to pay the stipend. Questioned if employees are required to present proof of insurance when receiving the stipend. District does not currently require proof of insurance. District will seek answer to the necessity of proof of insurance from employees that receive stipend.
* **Policy #2130.3 Wages and Salaries:** wording of the policy for contracted fire pay is in question. The method of payment to employees for contracted fires was explained.

**The decision to change the wording from** - Contracted Fire Assignments shall be paid to employees’ separately, and in addition to, regular wage or salary earned.

 **Will now read** - Contracted Fire Assignments shall be paid to employees’ separate from their regular wage or salary earned.

**Additionally -** The regular wages or salary that is paid to firefighters, during the time the firefighter is working a contracted fire assignment, will be **deducted** from Contracted Fire Pay.

**Will now read -** The regular wages or salary that is paid to firefighters, during the time the firefighter is working a contracted fire assignment, will be **adjusted** from Contracted Fire Pay.

* **Policy #2130.3 #2 Wages and Salaries – Administrative –** wording of the section of the policy pertaining to the administrative fees that are paid to CSD administrative staff from contracted fire pay is questioned. Several directors, secretary attempt to explain the allocation method. Bruce Rodgers states that he believes employees use sick leave to avoid adjustments to their contracted fire pay. The secretary assured Director Rodgers that this does not take place. Employees are only allowed to use vacation time in this manner.
* **Policy #2058.2.1 Meals - Compensation for meetings and travel –** Bruce Rodgers shares information from a California HR resource, which states that the highest reimbursement that they allow for meal reimbursement is $12.00 less per day than our current policy. Bruce is concerned that this could result in overspending of several hundred dollars per month. This policy does not apply to contracted fire lunches.
* Terri Bishop (public in attendance) suggested the District purchase **HR California Law Book** to be used asa guide for the District. A motion to approve the purchase was made by **John Oates**, motion approved **unanimously.**

**Chairman Rodgers calls for order to the meeting and to proceed with the items on the agenda.**

* **Director Oates** begins to discuss Policy # 2505 – Holidays – after some discussion on this policy, Director Oates begins to use a specific employee as an example.

**Again, Chairman Rodgers attempts to bring order to the meeting and proceed with items on the agenda. Several conversations continue to occur.**

* **Policy # 2100 Nepotism –** Director Oates shares his past experiences concerning nepotism in the workplace. Director Oates is warned not to bring up specific district employees in an open session meeting. Bruce Rodgers request change of policy, that any future employees that are hired and related to a supervisor, would report to the board. Chairman Rodgers asks for a decision to be made concerning Policy #2100. Director Oates asks if he is the only one that has a problem with this policy. More past experiences were shared among directors.

**A unanimous decision to table discussion was made.**

* **Agenda Format – new items –** Agenda requirements explained to Director Oates.
* **Shop Hours –** On this topic Director Oates is questioning the hours of operation in the office verses the hours that office employees work. Difference in requirements for Salary Verses Hourly employee explained**. Director Oates again begins discussing a specific employee.**

**These are Questions for the General Manager, should be discussed in closed session gov. code 54960.1, and to continue this discussion is in direct violation of the Browns Act.**

**Due to the nature of the above violations the remainder of this meeting is nullified. Discussion will be continued under closed session at the next regular board meeting.**

**PUBLIC COMMENT:**

**MEETING ADJOURNED AT 6:00 P.M.**

The next regular meeting of the Board of Directors is scheduled for **February 8, 2017** at **4:00 p.m.**

**CERTIFICATE OF POSTING**

I **Susan Lake**, Secretary to the Board of Directors of the California Pines Community Services District, hereby certify, to the best of my knowledge, that this is a true excerpt of the minutes to the **January 26, 2017 Special** Meeting of the Board of said District.

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Secretary to the Board