

1. **CALL TO ORDER:** President Shirley Palmer called the regular meeting to order, at 5:05 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, Ms. Kelly Salt & Mr. Bill Floyd, all of Best, Best & Krieger also attended.

President stated that an additional item is needed to be discussed in closed session because of possible litigation relating to the construction of Salton City Wastewater Treatment Plant replacement, sewage lift stations 22 & 24, and force mains project.

A motion was made by Director Robert Butler to add to the agenda as time sensitive item, possible litigation regarding the Salton City Wastewater Treatment project. The motion was seconded by Director Rouhe. The motion passed on a 4 -1 roll call vote; with Director James Barrett voting no. Questioning the possibility of placing items on the agenda, under closed session.

The Board was advised by counsel of no known law prohibiting placing items under closed session.

3. CLOSED SESSION ISSUES:

- a. Conference with Legal Counsels, anticipated litigation, pursuant to Government Code Section 54956.9 (b) three cases.

Director Barrett recused from closed session on an item, for conflict of interest.

Regarding the other two items, the letter he received from Best, Best & Krieger, did not make it clear if he had a conflict of interest, and, whether the allegations submitted were against Director Barrett and the District or James Barrett as a citizen.

Counsel advised him that the allegations could involve personal liability.

4. OPEN SESSION: 7:06 p.m.

5. REPORT ACTIONS TAKEN IN CLOSED SESSION, IF ANY: Four items discussed. No reportable action.

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

7. PUBLIC APPEARANCES/PRESENTATIONS: N/A

8. PUBLIC COMMENTS:

- a. Mr. Everett English, Editor Seafarer Newspaper, reported that a new Dr. Charles Clary is available in the area at a very reasonable cost. He will be working out of the Episcopal Church in Desert Shores.
- b. Mr. James Barrett, Salton City resident, stated that over forty-five (45) days have passed since he submitted a claim with the district relating to the collection of the sewer assessment. He received no response; therefore, he considers the claim rejected, and able to file a lawsuit.
- c. Ms. Sherrie Nuyen, Desert Shores resident, announced a blood drive on April 2, 2008, from 8:00 a.m. to 1:00 p.m. at the West Shores High School gymnasium.
- d. Ms. Shirley Palmer, Desert Shores resident reported that a committee has been formed to put together a disaster plan for the West Shores Communities.
- e. Ms. Linda Lockhart, Salton City resident asked for financial assistance with a hospital bill. After helping the victim of a house fire, she suffered smoke inhalation and ended up at the emergency room. President Palmer suggested that she contact the local chapter of the Red Cross.

9. CONSENT CALENDAR:

- a. Approval of the minutes of the regular meeting of February 19, 2008.
- b. Approval of Best, Best & Krieger's invoice in the amount of \$ 24,985 through March, 2008
- c. Current Demands for the month of February, 2008.
- d. Approval of the minutes of the safety meeting of March, 2008

Approved the consent calendar on a motion made by Director Robert Butler, seconded by Director Stanley Rouhe, with the exception of item (b) pulled by Director James Barrett. All in favor. The motion carried.

Director Barrett questioned an item in March; when did the attorneys have a telephone conference with board? President Palmer responded that she spoke with Attorney Bill Floyd regarding the personnel matters.

A motion was made by Director James Barrett, seconded by Director Robert Butler, to approve item b. 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 stated that he was out on sick leave for three weeks. However, while out, he was in constant contact with the engineers on the salton city sewer ponds project. He also reported the vandalism which is occurring to the sewer system.

Director Barrett asked if there were water samples taken by the crew?

- c. Fire Department, Rosa Reagles, read the report; a copy is attached to the minutes.

11. MEMBERS OF THE BOARD/ORGANIZATIONS REPORTS:

- a. Architectural Committee-Ms. Linda Lockhart reported that the committee met, approved two site plans, discussed and reviewed a possible CC&R violation submitted by the West Shores Youth Center which, the committee referred to the Salton Community Services District Board, for action.
- b. Golf Course- No report was given. Mr. Smotherman did not attend the meeting.
Nature Trail—Mr. Don Stephen, newly appointed President, reported that the committee met and reorganized; selected Ms. Carlene Ness, vice President and Ms. Jani Bates Secretary. Their next meeting is scheduled for April 10, 2008 at 5:00 p.m. at the golf course clubhouse. The committee discussed the watering situation and formed a committee to control water usage.

12. OLD BUSINESS:

- a. Fire Department, scope of work and proposal.
A motion was made by Director James Barrett, seconded by Director Stanley Rouhe, to bring this item back to the floor.
Robert Patterson, Counsel reported that the proposal prepared by Mr. David DeRoos, of Citygate Associates Inc. in the amount of \$ 28,895.00 is self explanatory and covers the level of study discussed and requested by the board.
A motion was made by Director Stanley Rouhe, seconded by Director James Barrett, to postpone this item and to bring it back in conjunction with the budget. All in favor. The motion carried.
- b. Approve amendment to Johnson's Landing Lease.
A motion was made by Director Robert Butler, seconded by Director Stanley Rouhe, authorizing the District Counsel to fill in the blanks on the lease, and authorized the assistant general manager to sign it.
The motion carried on a 4 -1 vote with Director James Barrett voting no.
- c. Revise job description for maintenance worker I.
A motion was made by Director James Barrett, seconded by Director Robert Butler, to bring this item back to the floor.
Director Rouhe reported having discussed this issue with the labor union representative and the situation is, that if we require only a GED then the employee cannot become a wastewater grade two operator. If all new hires have only a GED, then there will never be advancement for wastewater grade two.
A motion was made by Director James Barrett, seconded by Director Stanley Rouhe, to postpone this item until next month. All in favor. The motion carried.
Director Rouhe will continue to work with the union.

13. NEW BUSINESS:

- a. Approve Ordinance No. 2008-1 entitled "an ordinance of the Salton Community Services District regarding claims against the Salton Community Services District." Ordinance 2008-1 was read into record. Attorney Kelly Salt of Best, Best & Krieger, San Diego office, explained the need for the adoption of the ordinance.
A motion was made by Director Robert Butler, seconded by Director Stanley Rouhe, approving Ordinance 2008-1 and the first reading. All in favor. The motion carried.
- b. Award or reject bids for the construction of Salton City wastewater treatment plant replacement, sewage lift stations 22 and 24, and force mains
Mr. Steve Himle, co owner of Weka Incorporation read letter of protest into record. A copy of the letter is on file.
Mr. Rod Crampton, of Krieger and Stewart, project engineer, reported having received and reviewed eight bid proposals, he recommends Spiess Construction Company, Inc. the low bidder.
A motion was made by Director James Barrett, seconded by Director Stanley Rouhe, to accept the low bid of \$3,353,720.00 submitted by the low bidder, Spiess Construction Company.
All in favor. The motion carried on a 5-0 roll call vote.
- c. Award sending Canyon National Bank a letter requesting opening a branch on the West Shores.
A motion was made by Director Robert Butler, seconded by Director Jerry Medders, approving sending the letter. All in favor. The motion carried.
A new motion was made by Director James Barrett, seconded by Director Robert Butler, to amend the 3rd paragraph by including "consider transferring." All in favor. The motion carried.
- d. Approve removing the December 31, 2007, "deadline for submission" date from the fire department/street lighting developer fee refund application.
A motion was made by Director James Barrett, to approve removing December 31, 2007, as the deadline for submission date, for the fire department/street lighting developer fee application. The motion died for lack of a second.
- e. Authorize the nature trail committee to open a bank account as a Salton Community Services District sub-account. Item was dropped from the agenda.
- g. Discussion/possible action regarding request submitted by the West Shores Youth Center Corporation.
Item was referred back to the architectural committee for action.

14. ADJOURNMENT:

At 8:45 p.m., Ms. Shirley Palmer, President, adjourned the regular meeting.

Attest:

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

Shirley Palmer,
President of the Board