



Phelan Piñon Hills Community Services District

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**PHELAN PIÑON HILLS COMMUNITY SERVICES DISTRICT
REGULAR BOARD MEETING
February 16, 2011 – 7:00 p.m.
Phelan Community Center
4128 Warbler Road, Phelan, CA 92371**

MINUTES

Board Members Present: Joe Fahrlander, President
Mark Roberts, Vice President
Ken Anderson, Director
Charlie Johnson, Director
Al Morrissette, Director

Board Member Absent: None

Staff Present: Don Bartz, General Manager
Debbie Bishop, Board Secretary
Chris Bishop, Operations Manager
Lori Lowrance, Administrative Services Manager

Call to Order

President Fahrlander called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was conducted.

Roll Call

All Board Members were present.

Announcement of Reportable Action from Closed Session

President Fahrlander noted there were no reportable actions from the Closed Sessions.

1. Approval of Agenda

Mr. Bartz stated the Closed Sessions were canceled. Vice President Roberts moved to approve the Agenda. Director Anderson seconded the motion. All were in favor.

2. Public Comment

None

3. Consent Items

Mrs. Bishop distributed Revised Draft Minutes to the Board for their approval. Director Anderson motioned to approve the Consent Items. Vice President Roberts seconded the motion. All were in favor.

4. Matters Removed from Consent Items

None

5. Presentations/Appointments

a. None

6. Continued/New Agenda Items – Action Items**a. Discussion and Possible Approval of Resolution #2011-1; Designation of Applicant’s Agent Resolution for Non-state Agencies**

Mr. Bartz stated staff attended a briefing class regarding the damage from the storms. This Resolution is part of the process to recoup damages from the storms. This Resolution will be good for three years.

Director Johnson moved approval of the Resolution. Director Morrissette seconded the motion. President Fahlender noted the Resolution is not filled out. Mr. Kennedy stated the Board can direct staff as to how they want the form filled out.

A discussion took place regarding the damages that were and were not covered.

All were in favor of the motion and the motion was passed.

b. Update on Legislative Trip to Washington, D.C.

President Fahlender stated a handout was distributed to the Board regarding the meetings that took place on the trip.

Mr. Bartz explained that the information that was brought to the meeting was old information. He stated updated information was also brought and distributed at the meetings.

Mr. Bartz briefed the Board on the contacts made and information received at the meetings.

Director Morrissette stated he was deeply disappointed in the process there mostly because of the lobbying and the lack of preparation and representation.

Director Anderson also felt the lobbyist was not prepared for the situation that the State and Federal Government is in there right now. He felt the lobbyist worked in the District’s negative when he talked about what he couldn’t do for the District. He was also unhappy with the scheduled appointments and how many were canceled and moved.

Director Anderson stated Brad Mitzelfelt put together a meeting with the lobbyist for San Bernardino County and Potomac Partner. He stated it was very clear that the County lobbyists were aware of the current government situation and that lobbyists couldn’t conduct business in the way our lobbyist was. They said, on Mr. Mitzelfelt’s recommendation, if the District works with its local agencies and finds out how they are working with water programs, they would help the District.

Director Johnson stated, from what he was told (and just heard), the lobbyist didn’t impress him in regards to what he’s doing for the District. Director Johnson didn’t feel like he was representing the District like he hoped they would.

Director Roberts stated run-off control was part of the Army Corps of Engineers and asked if that was discussed at the meeting. Mr. Bartz stated it was mentioned briefly, but the group wasn’t prepared to put together a project regarding run-off control.

President Fahlender stated he felt personal relationships built with the representatives would go further.

Director Anderson stated he feels like some of his attitudes were changed regarding lobbyists and earmarks while he was there. He stated there is some value to traveling to their home office. He felt the District could have been more prepared and he was uncomfortable with it. He feels there is value in general and he learned a lot while he was there.

President Fahlender stated he felt at some point each Board Member should take a turn and go to see how the process works.

c. **Discussion and Possible Action regarding Contract for Lobbyist**

President Fahlender stated this item was already addressed at a past Board Meeting; however, due to the light of the Washington Trip, this item was brought back to the Board.

Mr. Bartz stated the old contract ends at the end of February.

Mr. Bartz stated he recommends the General Manager does not sign the contract for next year. He recommends the District proceed cautiously in this process. Mr. Bartz stated other lobbyists instructed them to do their homework before the District goes to the lobbyists.

Director Morrissette commented that Director Anderson was very helpful on this journey. He stated he was able to sit in through a couple of lobbying situations. As recommended by the other lobbyist firm, Director Morrissette met with Mr. McCormick of CSDA. They do not have a Federal Lobbyist.

Director Morrissette stated he was extremely disappointed with the current lobbyist and suggested not renewing the contract. He noted the District has gained knowledge as to what the District needs and wants.

A discussion took place regarding MWA and their lobbyists.

Mr. Bartz stated the California Rural Water Association has a website with the legislation that is coming up.

Director Johnson noted the scope of services is probably what is in the current contract. Mr. Bartz agreed. Director Johnson noted the District's lobbyist failed at several of the items listed. Director Johnson stated he was extremely disappointed in the lobbyist because he supported this kind of effort. Director Johnson thought this was an opportunity to possibly open some doors. Director Johnson felt what the District needs to do is pursue the other agencies for a reason.

Vice President Roberts stated he was also in favor of trying this out a year ago. He echoed the sentiments of the Directors tonight. He feels there are going to be limited funds available at the Federal level. He stated there are bonds that have been passed on the State level and the funds have not been spent. He recommends going after those funds.

Director Anderson stated the District is probably too big for the California Rural Water District. Mr. Bartz stated the District is a member of theirs and discussed the National Rural Water Agency.

Director Anderson stated the message received was that Mr. Mitzelfelt wanted to help the CSD; therefore, the County will help the CSD.

President Fahlender stated there were meetings with Mr. Packard and Mr. Bartz by phone. He felt staff did everything on their end to make sure they had the right information and that they were apprised of the District's concerns.

Mr. Kennedy suggested the Board make formal action by rescinding the Board's previous decision to approve extending the contract and formally state that the Board no longer wished to extend the agreement.

Director Johnson moved to rescinding the Board's previous decision to approve extending the contract and formally state that the Board no longer wished to extend the agreement. Director Morrissette seconded the motion. All were in favor.

7. Review of January Disbursements

Vice President Roberts noted the SmithTrager bill is through August. He asked if they will be moved along quicker. Mr. Bartz stated the District has received the bills through November.

Vice President Roberts inquired on the additional amounts from SmithTrager. Mr. Bartz stated those were from the hydrologist.

8. Review of Action Items

None

9. Committee Reports

- a. **Engineering Committee (Standing)** – Vice President Roberts stated the Engineering Committee has not met due to the trip to Washington. He stated it needs to be rescheduled to discuss the Master Plan. They hope to meet before the end of the month and hope to have something before the next meeting. Director Johnson asked if the agenda includes looking at the projects suggested by the Master Plan. Vice President Roberts stated the CIP Projects will be on the agenda.
- b. **Parks, Recreation & Street Lighting Committee (Standing)** – Director Morrisette stated they did not meet, but added there has been interest in summer programs that they have received information on. Director Johnson stated he stressed with Mr. Cochran that they needed to give the Committee some numbers.
- c. **Finance Committee (Standing)** – Director Johnson stated they met yesterday and covered the usual financial topics. Director Johnson spoke about the CIP Programs affecting the Capital Improvement Budget. He stated there needs to be a recommendation from the Engineering Committee for the first year for the Capital Plan. Director Anderson felt the Engineering Committee should have the items that need to be placed in the Budget.

Vice President Roberts asked the status of the Tyler Software. Director Johnson stated it is moving along. Mr. Bartz stated it is on schedule.

Vice President Roberts stated the line item “Water Sales” is below projected. Director Johnson stated it is due to rain/no rain. He noted the utility expenses are also down. He noted those two items are related.

- d. **Building Committee (Standing)** – Director Anderson stated they have not met.
- e. **Adjudication Committee (Ad Hoc)** – Vice President Roberts stated the trial is proceeding. The expert witness was supposed to be in front of the court today. Mr. Bartz stated he heard that he did well today. President Fahrlander stated there will be another witness to testify and then the court will go dark.
- f. **Solid Waste Powers (Ad Hoc)** – There is a Special Board Meeting scheduled for a hearing regarding the Solid Waste Powers.
- g. **Legislative & Grant Committee (Standing)** – President Fahrlander stated there was nothing further to report.

10. General Manager’s Report

Vice President Roberts asked how the Planning Meeting went. Mr. Bartz stated they are finding the move of the Planning and the amount of time they are spending on the Marijuana project is taking the majority of their time. Mr. Bartz stated there is a meeting with the Building Department tomorrow.

11. Reports**a. Director’s Report**

Morrisette – Director Morrisette stated he joined some people from Wrightwood at Congressman Dreier’s Office regarding the issues of DSL Service. He stated he also talked to the Congressman regarding the issues the District is interested in and plans to come to the District.

Director Morrisette asked for guidance from the Board regarding having a third person talk to the Board regarding Solar Energy. He stated he spoke to a few consultants and suggested pulling in a contractor and letting them do their free evaluation with no committal. Mr. Bartz stated he has been in contact with Mr. Christensen who was involved with the Victor Valley College and he will give the District a presentation. The Board agreed to go in that direction.

Johnson – Director Johnson had nothing further to report.

Roberts – Vice President Roberts stated he attended a workshop on storm waters. He said the hot item for water districts is storage and recovery. He stated he will have more information at the next Board Meeting. Director Johnson asked if there was anything the District could do. Vice President Roberts stated he spoke to Mr. Bartz about having discussions with MWA regarding capturing some of the run-off water.

Anderson – Director Anderson stated the last week or two he has been thinking about the Legislative process they went through. He stated he appreciated the opportunity and feels there is value there.

- b. **President's Report** – President Fahrlender stated the Legislative and Grant Committee met with Senator Runner to make sure she understands the Districts needs.

12. Correspondence/Information

Mr. Bartz noted there is information from SDRMA who is looking for anyone interested in running for their Board.

Set Agenda for Next Meeting – March 2, 2011

- Solar Presentation by Mr. Christensen
- Annual Review of the Resolution regarding the Board Compensation

Future Board Meeting

- Discussion regarding the three tiered rate structure
- Presentation from Val Christensen from Victor Valley College regarding Solar Project

Adjourn

With no further business, the meeting was adjourned at 8:24 p.m.

Board approved the above Minutes on March 2, 2011:

Joe Fahrlender, President	Date
Debbie Bishop, Board Secretary	Date