



Phelan Piñon Hills Community Services District

4037 Phelan Road, Suite C-1 • P. O. Box 294049 • Phelan, CA 92329-4049 • (760) 868-1212 Fax (760) 868-2323

**PHELAN PIÑON HILLS COMMUNITY SERVICES DISTRICT
REGULAR BOARD MEETING
February 17, 2010 – 7:00 p.m.
Phelan Community Center
4128 Warbler Road, Phelan, CA 92371**

MINUTES

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

Board Member Absent: None

Staff Present: Don Bartz, General Manager
Debbie Bishop, Board Secretary
Steve Lowrance, Parks Lead

Call to Order

President Johnson called the meeting to order at 7:03 p.m. and the Pledge of Allegiance was conducted.

Roll Call

All Board Members were present.

1. Approval of Agenda

Mr. Bartz asked to remove the Closed Sessions for the Anticipated Litigation and the Antelope Valley Adjudication. Director Roberts moved approval of the Agenda as modified. Director Anderson seconded the motion. All were in favor.

2. Public Comment

President Johnson stated he neglected his responsibilities and apologized to Directors Morrissette and Anderson for neglecting to thank them for their year of service with the District's Leadership. President Johnson also apologized to Mr. Palecki for being harsh with him at the last Board meeting.

Bart Inglese apologized to Mr. Bartz for not returning his call. He stated he stopped by to see Mr. Bartz today; however, Mr. Bartz was in a meeting. Mr. Bartz stated he was welcome to come by and go over his complaint at any time. Mr. Inglese inquired on the three tiers on the water bill and stated he didn't believe the tiers were fair. He asked for the District to reconsider the tiers since they were formed by the County. Mr. Bartz stated the tiers do not support the parks; they support the water. President Johnson explained that the funds for the parks, street lighting and water are all separate.

Ray Coonce, President of Sunset Little League spoke to the Board regarding their needs and asked the Board for Donations. A letter was submitted to the Board for its consideration.

3. Consent Items

Director Anderson moved to approve the Consent Items, Director Morrisette seconded the motion.

Mrs. Bishop noted that there are corrections to the February 3, 2010 Regular Board Meeting Minutes as follows:

- Page 2, Item 4, Second Sentence should read President Johnson, not Vice President Johnson.
- Page 5, Item b, after sentence that reads “Mr. Kennedy stated there is a need to have a tight nexus due to the issue of gifting public funds.” The following should be added: “President Johnson stated he believes the nexus is two things; a recreational element of the District and an opportunity to promote the PPHCSD and talk about water conservation and the Districts efforts.”

Mrs. Bishop noted there are also corrections to the February 8, 2010 Special Committee minutes as follows:

- Page 1, Under Board Members Present, Mark Roberts was absent from this meeting
- Page 1, Item 1, after “Ms. Bishop read an e-mail comment sent to Charlie Johnson by Rowena McDermott.” Add “The e-mail is attached.”

All were in favor.

4. Matters Removed from Consent Items

None

5. Presentations/Appointments

None

6. Continued/New Agenda Items – Action Items**a. Review of Preliminary Park Layout**

Justin Powers from Bucknam & Associates introduced Jim Pickel from MIG to brief the Board on the layout for the park. Mr. Pickel briefed the Board on the plans. Robert Echavarria from MIG briefed the Board on the Equestrian Area.

Director Roberts asked if the County would allow the lanes in the Equestrian Area to be gravel. Mr. Pickel stated they have not contacted the County yet to see if they would allow it; however, they didn't believe they would. Mr. Pickel stated the Equestrian Area would need to be moved to the other side of the park if the District wishes to avoid the roadway back to the Equestrian Area.

Director Morrisette stated he was concerned regarding the landscaping conforming to the grant application. Mr. Pickel stated the indigenous trees that the District has are not considered park trees for shade. He stated he didn't know if California friendly plant materials would hinder the District's application. Mr. Powers stated the purpose of the park plan is to make the park sustainable.

Director Anderson stated he would like to see a walking or running trail around the park. Mr. Pickel stated there is a walkway around the park that he hadn't pointed out. Director Anderson stated he would also like to see an equestrian trail from the front of the park back to the Equestrian Area. Mr. Pickel stated he felt that was a good idea and suggested contacting the County regarding programs they may have available.

President Johnson noted there were too many trees and it would be costly to water them; however, he stated he liked the concept plan. He asked Mr. Pickel to explain a bio-swale. Mr. Pickel stated it is designed for water to drain into a specific area and be allowed to charge back into the ground.

President Johnson stated he felt they did a great job of incorporating the Advisory Committees plans and the wishes of the Board. He noted that he still feels the Equestrian Area is not the most appropriate for the first phase, but he is going with what the Board has agreed on.

Vice President Fahlender asked if the District is still within their budget for the Grant Writer and the plan layout. Mr. Pickel stated the District is within the budget and that they would let the District know if it was approaching the budgeted amount. Mr. Powers stated the park layout will help with the CEQA process. A discussion took place regarding the CEQA filing.

Director Morrissette stated he would like to see the grant application to see if the District is heading in the right direction. He asked Mr. Powers about the poverty level of the citizens in the area from the Equestrian Area of the park. Mr. Powers stated the grant has an “or” statement of poverty or lack of park. He stated they will be concentrating on the significant lack of park spaces.

Director Anderson asked if Mr. Powers felt they are on time with the grant application. Mr. Powers stated he needs to meet with the County and get his data as accurate as possible, so he may need to get an extension from the State for a few items for the grant applications. Director Anderson suggested Mr. Powers have a member of Supervisor Mitzelfelt’s office attend any meetings scheduled with the County.

Mr. Bartz stated he felt they did an accurate job laying out the park layout.

b. Discussion and Possible Approval of Resolution #2010-09; Approving Application for Statewide Park Program Grant Funds

A discussion took place regarding naming the park project for the Resolution. The Board agreed to call the project the Phelan Piñon Hills Community Park.

Mr. Bartz briefed the Board on the Resolution presented to the Board for their approval.

Director Anderson commented that his opinion is that the District is not in the position to support the park at this time. Director Roberts echoed Director Anderson’s comment. Director Morrissette stated the District has eight years to be able to support phase one of the park.

Director Roberts motioned to approve the Resolution. Director Morrissette seconded the motion and all were in favor except Director Anderson.

c. Discussion and Possible Approval of 4th of July Fireworks Proposal by Kiwanis Club

Gene Knight from the Kiwanis Club spoke to the Board regarding the 4th of July Fireworks Proposal. He clarified that the hope of the Kiwanis Club is to have this event as part of the recreation efforts of the PPHCSD and not as public support for a private entity.

Director Morrissette stated the District gave the last two years to support the Kiwanis Club with the premise that the District would receive recognition in the program. He stated he has yet to see that.

Vice President Fahlender stated he has a problem with the way this has evolved. He noted it is a tough time with the economy; however, he hasn't seen where there has been a sufficient effort to raise the funds for this proposal.

Director Anderson stated he would like everyone to know that he and President Johnson started the fireworks years ago. He stated he has given more money to this program than any other business in the area; however, he agrees there are lots of good programs in the area that can use help from these funds. He felt, if the District does this, they will be putting all their eggs in one basket. He also noted that he didn't feel there is any way that the District would be able to handle this program on its own.

Director Roberts stated he has been struggling with this issue the last two weeks. He stated last year the District did support the cause; however, he sees this continuing year after year.

President Johnson stated he was involved in this since the beginning and he agrees with Director Anderson that the District will not be able to handle this program on its own. President Johnson noted that this program will be touching the lives of thousands of people.

President Johnson clarified that the funds the customers pay for water would not pay for this project. He noted that there are separate funds for this project.

Vice President Fahlender stated the funds for these types of projects could help offset the need for rate increases. President Johnson noted that the water operations has never supported itself. He stated the Districts goal is to have the water operations support itself.

President Johnson motioned to approve this item. There was no second. The item failed due to lack of a second.

- d. **Discussion and Possible Approval of Phelan Phun Day Proposal by Chamber of Commerce**
Alex Brandon from the Chamber of Commerce briefed the Board regarding the Proposal for Phelan Phun Day. He stated the number of people that are served, the years that it has taken place, and so on, all echo the previous proposal. He stated the Phelan Chamber of Commerce has sponsored all of the Community events that have taken place.

Director Morrissette asked if the proposal covers the classic car show. Mr. Brandon stated it covers all the events of Phelan Phun Day.

Vice President Fahlender stated he had a similar argument as in the previous item with the twist that the Chamber goal is to encourage prosperity in the Community. Mr. Brandon commented that the Phelan Phun Day doesn't necessarily impact businesses positively.

Directors Anderson and Roberts agreed that they would like to see the funds distributed to multiple organizations.

Director Roberts spoke about the amount of work the District has had to do on its system and stated the District hasn't had time to see how these expenses will affect the District.

President Johnson spoke about Halloween, Easter and other events the Chamber has done and stated its primary goal is to promote local business. President Johnson stated he doesn't see how that fits with the District. President Johnson stated he could not support this proposal.

With no motion to approve the proposal, the item was not approved.

e. **Discussion and Possible Approval of General Manager Goals**

Director Anderson motioned to accept the General Manager Goals. Vice President Fahrlender seconded the item and all were in favor.

7. **Review of Action Items (10 min.)**

Mr. Bartz stated the District is in the process of evaluating the kilowatt hours the District uses at this time. He stated this will take some time. Mr. Bartz stated the Resolutions for Paul Davis, Reg Adams and Sue Gates have not been completed at this time.

Mr. Bartz stated the District has secured the water rights for this year.

Mr. Bartz stated the Hydrant and Valve Maintenance Map has been frozen at this time.

8. **Review of January Disbursements**

None

9. **Committee Reports**

- a. **Engineering Committee (Standing)** – Director Roberts stated the Minutes of the last meeting were included in the meeting packet. He stated the next meeting is in March.
- b. **Parks, Recreation & Street Lighting Committee (Standing)** – Director Morrissette stated there was nothing further to report.
- c. **Finance Committee (Standing)** – President Johnson stated they met last week and noted the District has paid out approximately three million dollars on improvements this year. He also stated they looked at the budget for possible places to cut back; however, he said it was not hopeful. Director Anderson stated they are doing this as part of the budget process for next year. President Johnson state a preliminary budget will come to the Committee in April. Director Morrissette stated he felt the District did a great job last year making the budget lean and stated he would like to see what savings the District will receive in its improvements before a sharp pencil is taken to the budget.
- d. **Building Committee (Standing)** – Director Anderson stated they Committee was presented with a preliminary design for the new building; however, they were not pleased with what was presented. Director Morrissette agreed with Director Anderson. He stated what was brought to the Committee was good, but it wasn't what the District was asking for.
- e. **Adjudication Committee (Ad Hoc)** – Director Roberts stated this ongoing. They continue to attend the principal meetings.
- f. **General Manager Review Committee (Ad Hoc)** – This item can be removed.
- g. **Solid Waste Powers (Ad Hoc)** – Vice President Fahrlender stated there was nothing further to report.
- h. **Legislative & Grant Committee (Standing)** – Vice President Fahrlender stated Mr. Bartz has done extensive work with the grants. He stated Mr. Bartz and Director Morrissette will be attending the ACWA Conference next week and will be meeting with Representatives.
- i. **Mission & Vision Statement Committee (Ad Hoc)** – Director Roberts stated there is nothing further to report at this time.

10. General Manager's Report

Mr. Bartz reported there are over 5,000 new meters in the ground for the Meter Replacement Program. Mr. Bartz spoke about a customer who had a complaint of a large bill. He showed the Board a data log the District can run with the new meter that shows a constant leak on the property and explained to the Board how the reports work to help the District diagnose the bills. Director Anderson asked if this will help notify staff so customers can be notified of a leak. Mr. Bartz stated the only the way the District would know, is when a read is taken.

11. Reports**a. Director's Report**

Anderson – Director Anderson stated he would like to revisit the property tax reallocation.

Fahlender – Vice President Fahlender stated he appreciated the Kiwanis Club and the Chamber of Commerce for coming to the Board.

Morrisette – Director Morrisette had nothing further to report

Roberts – Director Roberts asked for “Revisit Hiring Process and Retirement Program” and “Addressing the Support to the Community for Different Activities” to be placed on the Agenda.

- b. President's Report** – President Johnson spoke about the need of the Board Members to be more careful about how they address items as a Board Member even when they intend to speak as an individual.

13. Correspondence/Information

None

Set Agenda for Next Meeting – March 3, 2010

- Approval and Presentation of Resolutions for Reg Adams, Paul Davis and Sue Gates
- Property Tax Re-Allocation
- Revisit Hiring Process and Retirement Program
- Addressing the Support to the Community for Different Activities
- Discussion and Possible Approval of Salvage Policy
- Discussion and Possible Approval of Surplus Policy
- Discussion and Possible Approval of Resolution #2010-07; Setting Procedures and Charges for Public Review and Copy of District Records

ACTION ITEM: President Johnson asked for a report on the Property Transfers from the County

Future Board Meeting

- Discussion regarding the three tiered rate structure
- Discussion and Possible Approval of Resolution #2010-08; Requesting that the San Bernardino County Board of Supervisors Authorize and Change the Districts Odd Year Election Date to an August all Mail Ballot Election
- Discussion of reformation of the Citizen's Advisory Committee
- Approval and Presentation of Resolution thanking Supervisor Metzfelt for his support to the District
- District Policies and Procedures
- Request for Proposal for Enterprise Management System

Adjourn

The meeting was adjourned at 9:40 p.m. for the Closed Session.

Closed Session – Conference with Real Property Negotiators

(Government Code §54956.8)

Properties: APN#3066-331-26/APN #3066-441-05, 06 & 07/APN #3066-221-29 & 33/
APN#3066-221-25

District Negotiators: Mr. Bartz/Mr. Kennedy

Negotiating Parties: Lee & Associates/Kevin Anderson/Harry Marinelli/Zimbro Realty

Under Negotiation: Price and terms of payment

Announcements of Any Reportable Closed Session Actions

There was no reportable action in the Closed Session.

Adjourn

With no further business, the meeting was adjourned at 10:10 p.m.

Board approved the above Minutes on March 3, 2010:

Charlie Johnson, President

Date

Debbie Bishop, Board Secretary

Date