



# LAKE SHASTINA

## COMMUNITY SERVICES DISTRICT

Regular Meeting  
Wednesday, August 21, 2013 – 5:00 p.m.  
Administration Building  
**MINUTES**

CALL TO ORDER AND ROLL CALL: called to order at 4:30 p.m.

LSCSD Board Roll Call: Cupp ☒ Mitchell ☒ Moller ☒ Roths ☒ Wetter ☒

PUBLIC COMMENTS BEFORE CLOSED SESSION: None

CLOSED SESSION: called to order at 4:31 p.m.

Also present was GM McCarthy. District Counsel Robert Winston was present for Items 1.B and 9.

1. A. Conference with Legal Counsel: Update of Litigation (Gov. Code Section 54956.9):  
Klamath Riverkeeper Group / Karuk Tribe (Dwinnell Dam)
- B. Conference with Legal Counsel: Anticipated Litigation (Gov. Code Section 54956.9)  
James and Deborah Lea / Conference with Real Property Negotiators (R. Winston and J. McCarthy)  
(\$54956.8); price and terms, APN 020-270-320
- C. Conference with Legal Counsel: Existing Litigation (Gov. Code Section 54956.9)  
APN: 109-090-170, DECO Industries LLC v. LSCSD et al.

With no objections by the Board, Pres. Moller adjourned Closed Session at 4:55 p.m.

REGULAR MEETING: called to order at 5:06 p.m.

Also present were GM McCarthy, PWS Moser, CPS Wilson and AA Charvez.

There were approximately 7 people in the audience.

PLEDGE OF ALLEGIANCE: Pres. Moller led the Pledge of Allegiance.

REPORT ON CLOSED SESSION:

Pres. Moller reported that Item 10 was removed from the agenda and covered in Closed Session Item 1.B and that Item 9 would be heard before Item 3.

Items 1.A. and C: The Board received updates. No action taken.

Item 1.B:

**Motion by Dir. Cupp second by Dir. Wetter to approve the property appraisal by Terry O'Neill re: James and Deborah Lea APN 020-270-320.**

**Ayes: Directors Cupp, Mitchell, Moller, Roths and Wetter**  
**Noes: None**  
**Absent: None**

**Motion by Dir. Cupp second by Dir. Wetter to authorize negotiator to make a purchase offer at a price of \$1,000; re: James and Deborah Lea APN 020-270-320.**

**Ayes: Directors Cupp, Mitchell, Moller, Roths and Wetter**  
**Noes: None**  
**Absent: None**

PUBLIC COMMENTS: Jack Phillips (commented on CSD fees), Norman MacIntosh (in support of raising Fire and Police Fees).

CONSENT CALENDAR: (All items accepted/approved by the Board unless otherwise noted.)

2. A. Approval of Minutes: Regular Meeting July 17, 2013
- B. Ratification of Disbursements: July 1 to July 31, 2013
- C. Budget Comparison: FY 2013/2014 YTD
- D. LAIF Quarterly Report

**With no objection by the Board, Pres. Moller moved to approve Consent Calendar.**

**Ayes: Directors Cupp, Mitchell, Moller, Roths and Wetter**  
**Noes: None**  
**Absent: None**

PUBLIC HEARING:

3. Public Hearing: COPS Grant (FY 2013/2014) Expenditure Plan: public hearing and consideration of approval (approval by Resolution):

Pres. Moller read proposed resolution and expenditure plan regarding COPS grant funding to continue the Community Service/Animal Control Officer function and a Public Safety Officer position through June 30, 2014. Pres. Moller opened the Public Hearing at 5:16 p.m. No comments were received from the audience. Pres. Moller closed the Public Hearing at 5:16 p.m.

**Motion by Dir. Wetter second by Dir. Cupp to adopt Resolution 6-13, approving COPS Program FY 2013/2014 Expenditure Plan to fund Department of Public Safety personnel (one Community Services / Animal Control Officer and one Public Safety Officer), equipment and training expenditures, as outlined in Summary Report and Proposal from Chief Wilson.**

**Ayes: Directors Cupp, Mitchell, Moller, Roths and Wetter**

**Noes: None**

**Absent: None**

#### DISCUSSION / ACTION ITEMS:

4. Department of Public Safety Monthly Report: Chief Wilson updated the Board on Fire and Police activities.
5. Approval to accept FEMA 2012 Assistance to Firefighters Grant Award (EMW-2012-FO-06048): Chief Wilson reviewed the FEMA grant award proposal for training, contracting and equipment relating to training firefighters. The Board discussed.

**Motion by Dir. Cupp second by Dir. Mitchell to authorize the Department of Public Safety to proceed with accepting the FEMA 2012 Assistance to Firefighters grant award (EMW-2012-FO-06048) and move forward with the project and necessary expenditures.**

**Ayes: Directors Cupp, Mitchell, Moller, Roths and Wetter**

**Noes: None**

**Absent: None**

6. Approval to accept Volunteer Fire Assistance Program Grant Award: Chief Wilson reviewed the grant award proposal for radio and communication equipment. The Board discussed.

**Motion by Dir. Roths second by Dir. Cupp to authorize the Department of Public Safety to proceed with accepting the Volunteer Fire Assistance grant award and move forward with the project when funding is made available.**

**Ayes: Directors Cupp, Mitchell, Moller, Roths and Wetter**

**Noes: None**

**Absent: None**

7. Consideration of approval of bids for replacement of DPS Windows and HVAC System: Chief Wilson reviewed proposal to replace DPS windows and HVAC system. The Board discussed.

**Motion by Dir. Mitchell second by Dir. Wetter to authorize the Department of Public Safety to proceed with replacement of windows and HVAC system and necessary expenditures in line with FY 2013/14 Capital Improvement Budget.**

**Ayes: Directors Cupp, Mitchell, Moller, Roths and Wetter**

**Noes: None**

**Absent: None**

8. Discussion/Consideration of Fire and Police fees for the June 3, 2014 primary election: Pres. Moller reported on the financial status of the Fire and Police funds; without an increase in fees within the next two years, the District would not be able to continue providing these services. The Board discussed and unanimously support moving forward with a ballot measure(s) for the June 3, 2014 primary election; the November 4, 2014 general election is also an option. Pres. Moller asked that staff provide additional information at the September meeting.

9. Set hearing on consideration of the Notice of Intention to adopt Resolution of Necessity Eminent Domain – James and Deborah Lea, APN 020-270-320

**Motion by Dir. Moller second by Dir. Mitchell to set hearing for September 18, 2013, 5:00 p.m. at the CSD Administration Building for consideration to adopt Resolution of Necessity – Eminent Domain and proceed with Notice of Intention: James and Deborah Lea, APN 020-270-320.**

**Ayes: Directors Cupp, Mitchell, Moller, Roths and Wetter**

**Noes: None**

**Absent: None**

10. Approval of appraisal and authorization for negotiator to make offer to purchase at appraisal value – James and Deborah Lea, APN 020-270-320: Item removed from agenda; addressed in Closed Session.
11. Update of improvements at Wastewater Treatment Plant: GM McCarthy gave a PowerPoint presentation showing progress of improvements at the Wastewater Treatment Plant required under the new Waste Discharge permit.

12. Dwinnell Dam: threat to remove, by Klamath Riverkeeper Group / Karuk Tribe – Dir. Wetter gave an update on the lawsuits against the Montague Water Conservation District (MWCD).

BOARD MEMBER COMMENTS:

ADJOURNMENT:

With no objections by the Board, Pres. Moller adjourned the meeting at 6:26 p.m. to the next Regular Meeting on September 18, 2013 (Open Session at 5:00 p.m.).

Approval Date: \_\_\_\_\_

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Corinne Moller, President

ATTEST:

\_\_\_\_\_  
John McCarthy, District Secretary