

**MINUTES OF THE REGULAR MEETING
of the
BOARD OF DIRECTORS
for the
MONTECITO SANITARY DISTRICT**

August 09, 2005

The Governing Board of the MONTECITO SANITARY DISTRICT met in regular session on the 9th day of August, 2005 at 1042 Monte Cristo Lane, Montecito, California, at 2:00 p.m.

ATTENDANCE

Present: Directors Charles C. Arnold, *Robert B. Begley, Deirdre M. Cannata, James McKenzie, and Robert J. Tmur

Absent: *Director Begley arrived at 2:20 pm. Was not present for New Business items A & B.
Linda L. Leary, Office Manager

Also Present: Diane M. Gabriel, General Manager; Caroline M. Martin, Administrative Tech II

APPROVAL OF MINUTES OF THE LAST MEETING

The minutes from the prior Board meeting were included in the agenda packets for Board review. Director McKenzie made a recommendation on behalf of Director Begley requesting that additional language be added to the Private Sewer Lateral Investigation and Rehabilitation Program item for additional clarification of the Board's direction to staff. UPON MOTION by Director Arnold, and second by Director Tmur, the minutes of July 26, 2005 were approved as corrected.

APPROVAL OF PAYROLL AND PAYABLES

UPON MOTION by Director Arnold, and second by Director Cannata, the Board approved the PAYROLL AND ACCOUNTS PAYABLE EXPENSES for the District through August 09, 2005 as follows:

Accounts Payable Expenses	\$ 78,107.16
Payroll and Related Expenses	<u>48,142.93</u>
Total Expenses	<u>\$ 126,250.09</u>

PUBLIC FORUM

No member of the public was present to address the Board on non-agenda items at this time.

OLD BUSINESS

DRAFT MUNICIPAL SERVICE REVIEW – COMMENT LETTER TO LAFCO

At the July 26th meeting the Board gave the General Manager direction to draft a letter to LAFCO with the comments that were discussed during the Board meeting. A copy of the draft letter was enclosed in the agenda packets for review. LAFCO has requested that all comments be provided to them no later than Friday August 19th. Manager Gabriel recommended that the Board review the draft letter, make any additional revisions and provide direction that the General Manager have the letter sent to LAFCO no later than August 15th.

Following a brief discussion a MOTION was made by Director Tmur to approve the letter as drafted to LAFCO. The MOTION was seconded by Director Cannata and passed with a unanimous vote.

ACTION: Manager Gabriel

PROPOSED PRIVATE SEWER LATERAL INVESTIGATION AND REHABILITATION PROGRAM

Manager Gabriel explained that the Board approved a policy regarding the implementation of a Private Sewer Lateral Investigation and Rehabilitation Program at the meeting on July 26, 2005. Following the Board's approval of the policy, the question was raised as to whether or not a member of the Board of Directors could apply for participation in the program. Manager Gabriel stated that she had received a memo from legal counsel, Mr. Mark Manion, which states that **Board members should not participate in the program. The Board reviewed and accepted the memo from Mr. Manion.** A copy of the policy in final form was presented to the Board for signatures.

ACTION: Board Officers

NEW BUSINESS

POLICY REGARDING RAIN WATER CONNECTIONS TO THE SANITARY SEWER

During prior Board discussions regarding the newly approved policy implementing a Private Sewer Lateral Investigation and Rehabilitation Program, the General Manager raised the issue of rain water connections to the sanitary sewer system. The new Private Sewer Lateral Investigation and Rehabilitation Program requires the following of property owners participating in the Program:

- Property owners must agree to inspection of their property to locate any storm water connections to the sanitary sewer system.
- Property owners must agree to appropriately abandon any connection which allows storm water to enter the sanitary sewer system.

- The Program also states that any costs incurred for the correction of illegal connections (rain water draining to the sanitary sewer system) will not be reimbursed under the Program.

In discussing the implementation of the Program, it became apparent that the District should have an Ordinance in place which would enable the District to enforce compliance with the requirement that “no rain water connections” be allowed to the sanitary sewer. The General Manager said she discussed the legal aspects of the District having such an Ordinance with Mr. Mark Manion. She said Mr. Manion would research the specifics of the District’s legal justification for having such an Ordinance, but he assured Manager Gabriel that it is possible. The legal basis may be existing powers in the District’s current ordinances or it may be something that the Board will need to adopt in a new ordinance in order to implement. Either way, Mr. Manion advised the Board to begin discussions regarding fees and fines and time lines for violations to be corrected in an effort to outline the structure of an Ordinance prohibiting the connection of rain water to the sanitary sewer and enforcing the correction of such.

The Board discussed their ideas for fines that would be associated with a violation of the “no rain water connections to the sanitary sewer” requirement. The Board also discussed the time frame for correction that would be given to property owners found to be in violation of this requirement.

Following a lengthy discussion the Board DIRECTED Manager Gabriel to work with legal counsel to draft an Ordinance that would include the following penalties if homeowners do not comply with within 30 days of a written notice of the District’s request for correction:

- A penalty fine in the amount of the District’s current annual service charges, and
- \$500 per month in additional penalties would be assessed, up to a maximum amount of \$10,000

Manager Gabriel said she would work with legal counsel to draft the new ordinance as soon as possible and bring it to the Board for consideration.

ACTION: Manager Gabriel, Legal Counsel

SEWER SERVICE AGREEMENTS READY FOR BOARD SIGNATURES

1. 595 Parra Grande Lane (Mr. & Mrs. Speirs) – Existing workshop

OPERATIONS AND MAINTENANCE

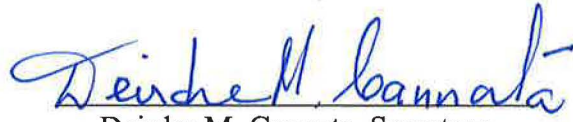
The Board reviewed the Operations and Maintenance information included in their agenda packets.

ITEMS FOR THE NEXT AGENDA

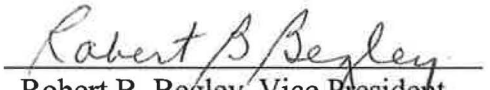
There were no items requested or suggested by the Directors for the next meeting agenda at this time.


ADJOURNMENT


There being no further business to come before the Board, it was MOVED by Director Tmur, and seconded by Director McKenzie, that the meeting be adjourned. The MOTION carried, and the meeting was adjourned at 4:00 pm.


Deirdre M. Cannata, Secretary


James McKenzie, President


Robert B. Begley, Vice President


Robert J. Tmur, Treasurer


Charles C. Arnold, Director

CHECK HISTORY REPORT

SORTED BY CHECK NUMBER

ACTIVITY FROM: 08/09/05 TO: 08/09/05

BANK CODE: A MAIN BANK ACCOUNT - SBB&T

CHECK NUMBER	CHECK DATE	VENDOR NUMBER	NAME	CHECK AMOUNT
021735	08/09/05	00 - AGS	AGS REBUILDERS INC	82.10
021736	08/09/05	00 - AQUAFLO	AQUA-FLO SUPPLY	111.38
021737	08/09/05	00 - BASIC	BASIC CHEMICAL SOLUTIONS, LLC	589.12
021738	08/09/05	00 - CANON	CANON FINANCIAL SERVICES	290.90
021739	08/09/05	00 - CASA	CA ASSOC OF SANITATION AGNCIES	375.00
021740	08/09/05	00 - CCIS	CENTRAL COAST IMAGING SOLUTION	446.06
021741	08/09/05	00 - CENCOAS	CENTRAL COAST PROPANE	19.49
021742	08/09/05	00 - CENTMAC	CENTRAL MACHINE & WELDING INC	68.92
021743	08/09/05	00 - COASTLI	COASTLINE EQUIPMENT	12.52
021744	08/09/05	00 - ENGEL	ENGEL & GRAY, INC	2,734.68
021745	08/09/05	00 - FGL	FGL ENVIRONMENTAL	1,020.00
021746	08/09/05	00 - GRAINGE	GRAINGER	154.88
021747	08/09/05	00 - KBZ	KRUGER BENSEN ZIEMER	48,075.13
021748	08/09/05	00 - MCCORMX	McCORMIX CORP	314.51
021749	08/09/05	00 - MCMASTE	McMASTER-CARR SUPPLY COMPANY	629.80
021750	08/09/05	00 - MISUNIF	MISSION UNIFORM SERVICE	790.61
021751	08/09/05	00 - MWD	MONTECITO WATER DISTRICT	257.43
C 52	08/09/05	00 - POLYDYN	POLYDYNE, INC	3,429.90
021753	08/09/05	00 - PRAXAIR	PRAXAIR DISTRIBUTION INC-229	24.98
021754	08/09/05	00 - PURETEC	PURETEC INDUSTRIAL WATER	40.00
021755	08/09/05	00 - SAGE	SAGE CONSULTANTS, INC	1,010.00
021756	08/09/05	00 - SBCOROA	SANTA BARBARA COUNTY	275.00
021757	08/09/05	00 - SBHOME	S B HOME IMPROVEMENT CENTER	92.38
021758	08/09/05	00 - SCE	SOUTHERN CALIFORNIA EDISON CO	11,348.98
021759	08/09/05	00 - SMART&F	SMART & FINAL	82.79
021760	08/09/05	00 - SMOFSB	ServiceMASTER OF SANTA BARBARA	425.00
021761	08/09/05	00 - SOUTHCO	SOUTH COAST LANDSCAPE	590.00
021762	08/09/05	00 - SPARKLE	SPARKLETTS WATER CO	151.66
021763	08/09/05	00 - STRATEG	STRATEGIC HR SERVICES, INC	4,125.00
021764	08/09/05	00 - TRICO	TRI-CO BLUEPRINT & SUPPLY	73.16
021765	08/09/05	00 - USA	UNDERGROUND SERVICE ALERT	74.40
021766	08/09/05	00 - VANBURE	VAN BUREN CONSULTING, LLC	60.00
021767	08/09/05	00 - VERIZON	VERIZON CALIFORNIA	331.38

BANK A TOTAL: 78,107.16

REPORT TOTAL: 78,107.16

**MONTECITO SANITARY DISTRICT
BOARD LIST OF PAYABLES**

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<u>DATE</u>	<u>SUMMARY</u>	<u>AMOUNT</u>
08/09/05	Accounts Payable	\$ 78,107.16
08/09/05	Payroll & Related Exp	<u>\$ 48,142.93</u>
08/09/05	Total	<u>\$ 126,250.09</u>

Approved for Payment:

Date: August 09, 2005 Amount: \$126,250.09

, General Manager
, Director
, Director