



LAKE SHASTINA

COMMUNITY SERVICES DISTRICT

Regular Meeting
Wednesday, October 16, 2013 – 5:00 p.m.
Administration Building

MINUTES

CALL TO ORDER AND ROLL CALL: called to order at 4:00 p.m.

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

Directors Cupp and Roths were present at 4:10 p.m.

PUBLIC COMMENTS BEFORE CLOSED SESSION: None

CLOSED SESSION: called to order at 4:01 p.m.

Also present was GM McCarthy. District Counsel Robert Winston was present for Items 1.A, B, C and E.

Per Gov. Code Section 54954.2(b)(2) the Board determined that a need to take action came to the attention of the District after the agenda had already been posted and cannot reasonable wait until the next regularly scheduled meeting.

Motion by Dir. Wetter second by Dir. Cupp to add the item “Klamath Riverkeeper Group/Karuk Tribe threat to remove Dwinnell Dam” to the Closed Session Agenda (Item 1.E).

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

Noes: None

Absent: None

1. A. Conference with Legal Counsel: Anticipated Litigation (Gov. Code Section 54956.9)
James and Deborah Lea
- B. Conference with Legal Counsel: Anticipated Litigation (Gov. Code Section 54956.9)
James and Deborah Lea, APN 020-270-320, discussion regarding eminent domain action
- C. Conference with Negotiators (Gov. Code Section 54956.8) James and Deborah Lea,
APN 020-270-320, property purchase price and terms (Negotiators: GM McCarthy, GC Winston)
- D. Conference with Legal Counsel: Existing Litigation (Gov. Code Section 54956.9)
DECO Industries LLC v. LSCSD et al.
- E. Conference with Legal Counsel: Update of Litigation (Gov. Code Section 54956.9):
Klamath Riverkeeper Group / Karuk Tribe (Dwinnell Dam)

With no objections by the Board, Pres. Moller adjourned Closed Session at 4:45 p.m.

REGULAR MEETING: called to order at 5:00 p.m.

Also present were GM McCarthy, PWS Moser, SAC Nelle, CPS Wilson and AA Charvez.
There were approximately 5 people in the audience.

PLEDGE OF ALLEGIANCE: Dir. Wetter led the Pledge of Allegiance.

REPORT ON CLOSED SESSION:

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

Item 1.B:

Motion by Dir. Wetter second by Dir. Cupp to authorize the filing of the eminent domain action regarding the James and Deborah Lea property, APN 030-270-320.

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

Noes: None

Absent: None

PUBLIC COMMENTS: None

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

2. A. Approval of Minutes: Regular Meeting September 18, 2013 and Special Meeting September 28, 2013
- B. Ratification of Disbursements: September 1 to September 30, 2013
- C. Budget Comparison / Variance Report: FY 2013/2014 YTD
- D. Accounts Receivables Aging Analysis: FY 2013/2014 YTD

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

DISCUSSION / ACTION ITEMS:

3. Department of Public Safety (DPS) monthly report: Chief Wilson updated the Board on Fire and Police activities.
4. Discussion / consideration of Fire and Police fees for the June 3, 2014 election: Pres. Moller reported that the committee is working on a draft proposal for the Public Safety fee increase proposal. The September 28, 2013 Special Meeting was well attended and many constituents have volunteered to participate in community member efforts to support the fee increase measure.
5. Discussion regarding terms of acquisition of property: James and Deborah Lea, APN 020-270-320, possible approval of purchase agreement: Pres. Moller stated that this item is not required due to action taken on Closed Session Item 1.B.
6. Discussion regarding eminent domain action: James and Deborah Lea, APN 020-270-320: Pres. Moller reported that this item is not required due to action taken on Closed Session Item 1.B.
7. Proposal by LEC Corporation to inspect and clean four (4) water tanks: GM McCarthy reported on the proposal; the Board discussed.

Motion by Dir. Cupp second by Dir. Roths to approve the proposal by LEC Corp. for cleaning and review of the District's four water tanks in the amount of \$5,900.00.

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

Noes: None

Absent: None

8. Update on cost of appraisal study for Lake Shastina Medical Clinic: GM McCarthy reported that District attorney has requested to speak with the appraisers prior to the District proceeding with an appraisal study. Item will be on the November agenda.
9. Boundary Line Adjustment review: Unit 7-3 Lots 229/198 and 228: GM McCarthy reviewed the proposed BLA.

Motion by Dir. Wetter second by Dir. Cupp to approve the Boundary Line Adjustment and approve the relinquishment and retention of the various easements between a portion of lots 228 and 198; and lots 228 and 229, Unit 7-3 per plot map, subject to the utility companies' consent. The owners of lots 198, 228, and 229 will be responsible for the sewer line running from the north-southwest corner of 228 to their current connection. This line will serve only their property. No additional 5-foot easement to be added. Approval to expire in 6 months from the date of this meeting if map has not been recorded.

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

Noes: None

Absent: None

10. 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: Dirs. Cupp and Mitchell (attended the Active Shooting Training at the College of the Siskiyous and felt it was a very beneficial event), Dir. Cupp (the CSD sponsored the October 9, 2013 LOLA quarterly dinner meeting at the Lake Shastina Golf Resort), Pres. Moller (Sheriff Lopey's attendance at the September 28, 2013 Special Meeting was appreciated), Dir. Wetter (Klamath Settlement Agreement update, new businesses to bring jobs to county – Mt. Shasta water plant and Yreka logging company).

ADJOURNMENT:

With no objections by the Board, Pres. Moller adjourned the meeting at 5:34 p.m. to the next Regular Meeting on November 20, 2013 (Open Session at 5:00 p.m.).

Approval Date: _____

Corinne Moller, President

ATTEST:

John McCarthy, District Secretary