

**EXHIBIT D.1**

**MINUTES OF THE REGULAR MEETING OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT  
HELD ON WEDNESDAY, SEPTEMBER 5, 2012 AT 7:00PM AT AZALEA HALL,  
1620 PICKETT ROAD, MCKINLEYVILLE**

The regular meeting of the Board of Directors of McKinleyville Community Services District convened at 7:00pm with the following Directors and staff in attendance:

Dennis Mayo, Board President  
David Couch, Vice-President  
Helen Edwards, Director  
Bill Wennerholm, Director  
John Corbett, Director

Norman Shopay, General Manager  
Sharon Denison, Board Secretary  
Colleen MR Trask, Finance Director  
Jason Sehon, Park & Recreation Director  
Greg Orsini, Operations Director

**AGENDA ITEM A-CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE AND ADDITIONS TO THE**

**AGENDA:** At 7:00PM President Mayo called the meeting to order, roll call was taken with Directors Corbett, Couch, Edwards and Wennerholm present. Director Corbett led the pledge of allegiance. There were no additions to the agenda, however General Manager Shopay requested items E.1, E.2, E.3, E.4, E.6 and the consent calendar be addressed if time allowed in light of the closed session set for 8:15PM.

**AGENDA ITEM B-APPROVAL OF THE AGENDA:**

**MOTION:** It was moved to approve the agenda. Motion by Corbett; second by Wennerholm

**MOTION VOTE:** Ayes: Corbett, Couch, Edwards, Wennerholm, Mayo

**MOTION SUMMARY:** Motion Passed-5 AYES; 0 NAYS

**AGENDA ITEM C- PUBLIC HEARING-NONE SCHEDULED**

**AGENDA ITEM D-CONSENT CALENDAR:**

1. Consider approval of draft minutes of the Regular Meeting of August 1, 2012
2. Consider approval of draft July 2012 Treasurer's Report
3. DCV Violations this month
4. Approve MOU with McKinleyville Union School District for KidsClub Afterschool Program
5. Fixed Asset Policy
6. CSR job re-classification
7. Approve contract with Mad River Youth Soccer League for the use of Hiller Sports Complex
8. Appoint community member Beth Crone to the RAC

**MOTION:** It was moved to approve the consent calendar. Motion by Edwards; second by Corbett.

**MOTION VOTE:** Ayes: Corbett, Couch, Edwards, Wennerholm, Mayo

**MOTION SUMMARY:** Motion passed-5 AYES; 0 NAYS

**AGENDA ITEM E.1-RESOLUTION HONORING SHARON DENISON, BOARD SECRETARY, RETIREMENT AFTER 29 YEARS OF SERVICE TO MCSD:** The Board and members of the public spoke on behalf of Sharon's time with the District and thanked her for her years of service.

**MOTION:** It was moved to approve Resolution 2012-27 to honor Sharon Denison on her retirement after 29 years of service. Motion by Edwards; second by Corbett

**MOTION VOTE: ROLL CALL VOTE:** Ayes: Corbett, Couch, Edwards, Wennerholm, Mayo

**MOTION SUMMARY:** Motion passed-5 AYES; 0 NAYS

**AGENDA ITEM E.2-INFORMATION ON RESULTS OF HAZARDOUS WASTE COLLECTION DAY:** Brent Whitener, Humboldt Waste Management Authority, addressed the Board to report on the very successful hazardous waste collection day recently held at Pierson Park. He reported that 82% of the participants were McKinleyville residents. Manager Shopay added that with each event there was less potential for contaminants to end up in our system. The Board thanked Mr. Whitener and HWMA for the opportunity.

**AGENDA ITEM E.3-SKATE PARK RIGHT OF ENTRY AGREEMENT WITH MCKINLEYVILLE SKATE PARK**

**ORGANIZATION:** Charlie Caldwell, President of McKinleyville Skate Park Organization, requested that Michael Kennedy's name be removed as a signer on the right of entry agreement.

**MOTION:** It was moved to approve staff recommendations 1, 2 & 4:

- (1) Approve changes as recommended by legal counsel;
- (2) The term of the agreement is 18 months from September 5, 2012;
- (4) If the agreement is not executed by the MSPO by Friday, October 5, 2012, it becomes null and void.

**MOTION VOTE:** Ayes: Corbett, Couch, Edwards, Mayo, Wennerholm

**MOTION SUMMARY:** Motion Passed-5 AYES; 0 NAYS

**AGENDA ITEM E.4-ARCATA FIRE DEPARTMENT PRESENTATION-FIVE YEAR REVIEW OF THEIR BENEFIT ASSESSMENT ACCOMPLISHMENTS:** Both Desmond Cowan and John McFarland from the Arcata Fire department were present tonight to give a five year review of accomplishments since their last benefit assessment. They reviewed the list of accomplishments and reported that they were done on time and under budget and thanked the District for being a responsive local government and working together with them. The Board thanked them for their presentation.

**AGENDA ITEM E.5-INFORMATION REGARDING FEASIBILITY OF SENIOR & LOW INCOME DISCOUNTS FOR WATER AND SEWER ACCOUNTS:**

**MOTION:** It was moved to approve staff recommendation to not offer a low income and/or senior discount due to the required cost and significant resources involved with such a program. Motion by Edwards; second by Corbett.

**MOTION VOTE:** Ayes: Corbett, Couch, Edwards, Wennerholm, Mayo

**MOTION SUMMARY:** Motion Passed-5 AYES; 0 NAYS

**AGENDA ITEM E.6-DRAFT RESPONSE LETTER TO HUMBOLDT BAY MUNICIPAL WATER DISTRICT:**

**MOTION:** It was moved to approve the draft response letter to HBMWD signed by President Mayo. Motion by Edwards; second by Corbett.

**MOTION VOTE:** Ayes: Corbett, Couch, Edwards, Wennerholm, Mayo

**MOTION SUMMARY:** Motion Passed-5 AYES; 0 NAYS

**AGENDA ITEM E.7-RESOLUTION REVISING REGULAR BOARD MEETING PLACES AND TIMES:**

**MOTION:** It was moved to approve Resolution 2012-26 to confirm the time and place of regular board meetings. Motion by Edwards; second by Corbett.

**MOTION VOTE: ROLL CALL VOTE:** Ayes: Corbett, Couch, Edwards, Wennerholm, Mayo

**MOTION SUMMARY:** Motion Passed-5 AYES; 0 NAYS

**AGENDA ITEM E.8-APPROVE RESOLUTION 2012-23 APPROVING THE APPLICATION FOR A LAND AND WATER CONSERVATION FUND GRANT:**

**MOTION:** It was moved to adopt Resolution 2012-23 approving the preparation and submission of an application for grant funding through the Land and Water Conservation Fund. Motion by Corbett; second by Couch.

**MOTION VOTE: ROLL CALL VOTE:** Ayes: Corbett, Couch, Edwards, Wennerholm, Mayo

**MOTION SUMMARY:** Motion Passed- 5 AYES; 0 NAYS

**AGENDA ITEM E.9-REVISED RULES AND REGULATIONS-CUSTOMER DEPOSIT POLICY:**

**MOTION:** It was moved to adopt Resolution 2012-28 to change the credit deposit requirements for customers starting service and reconnecting service and authorize revision to the MCSD Rules and Regulations.

**MOTION VOTE: ROLL CALL VOTE:** Ayes: Corbett, Couch, Edwards, Wennerholm, Mayo

**MOTION SUMMARY:** Motion Passed- 5 AYES; 0 NAYS

**AGENDA ITEM E.10-REVISED RULES AND REGULATIONS-NO RADIO METER READ POLICY:**

**MOTION:** It was moved to approve Resolution 2012-29 allowing customers to opt out of having a radio read meter and paying to have their meters read manually. Motion by Corbett; second by Wennerholm.

**MOTION VOTE: ROLL CALL VOTE:** Corbett, Couch, Edwards, Wennerholm, Mayo

**MOTION SUMMARY:** Motion Passed-5 AYES; 0 NAYS

**AGENDA ITEM E.11-BOARD STRATEGIC PLAN PROCESS AND SCHEDULE:** This item was continued to next month's regular Board meeting due to lack of time.

**AGENDA ITEM F-REPORTS:**

**F1a-RAC:** Director Couch reported that a lot of the discussion at the last meeting was about the Skate Park entry agreement.

**F1b-MCK AREA FUND:** Director Edwards reported that the next meeting will happen in October.

**F1c-RREDC:** Director Wennerholm reported that at their last meeting there was much discussion on the East/West Railroad and it was very contentious.

**F1d-MCK SENIOR ADVISORY COMMITTEE:** There was nothing to report.

**F1e-AUDIT:** There was nothing to report.

**F1f-EMPLOYEE NEGOTIATIONS:** There was nothing to report.

**F1g-WATER TASK FORCE:** There was nothing to report.

**F1h-ADHOC NO DRUGS & TOXICS DOWN THE DRAIN:** There was nothing to report other than the information given to the Board tonight from the successful hazardous waste collection day recently held at Pierson Park.

**F1i-LOCAL AND STATE ADVISORY COMMITTEE:** Director Edwards reported that appointments to the committee have been completed, but no meeting date has been set at this time.

**F2a-SUPPORT SERVICES DEPARTMENT:** Finance Director Trask reviewed a few of the items in her staff report.

**F2b-OPERATIONS DEPARTMENT:** Operations director Orsini had nothing to add to his written report.

**F2c-PARKS AND RECREATION DEPARTMENT:** Park & Recreation Director Sehon reported that a group of individuals had approached staff to discuss the possibility of building a BMX bike track in McKinleyville; that he would be meeting with them and would keep the Board informed.

**F2d-GENERAL MANAGER:** General Manager Shopay had nothing to add to his written report.

**F3-CHAIRMAN'S REPORT:** The chairman had nothing to report.

**F4-BOARD MEMBERS' COMMENTS, ANNOUNCEMENTS, REPORTS AND AGENDA ITEM REQUESTS:**

1. Director Edwards reported that "Imagine Humboldt" would be meeting at Azalea Hall on Wednesday September 12<sup>th</sup> and explained that this was an opportunity for residents to talk and plan for communities of the future.
2. David Couch reported that he had attended David Elsebusch memorial service and David's daughter had given a moving eulogy.

**AGENDA ITEM G-PUBLIC COMMENT AND WRITTEN COMMUNICATIONS:** Jeff Dunk addressed the Board to support re-naming both the Fire department and the Airport in McKinleyville.

**AGENDA ITEM H-CLOSED SESSION DISCUSSION**

**At 8:10pm President Mayo adjourned the regular meeting and announced the Board would be going into closed session at 1656 Sutter Road, McKinleyville for discussion of:**

H.1 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION-  
MCKINLEYVILLE COMMUNITY SERVICES DISTRICT v COUNTY OF HUMBOLDT,  
BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT, CASE NO. CV110632  
LITIGATION, pursuant to subdivision (a) of Section 54956.9.

**At 8:20PM the Board went into closed session at the District office 1656 Sutter Road, McKinleyville.**

**At 9:05PM the Board adjourned out of closed session.**

**ANNOUNCEMENT FROM CLOSED SESSION:** President Mayo announced that no reportable action was taken in closed session.

**AGENDA ITEM I-ADJOURNMENT:**

**MOTION:** It was moved to adjourn the meeting at 9:05PM. Motion by Edwards; second by Wennerholm.

**MOTION VOTE:** Ayes: Corbett, Couch, Edwards, Wennerholm, Mayo

**MOTION SUMMARY:** Motion Passed-5 AYES; 0 NAYS

Respectfully Submitted

Sharon L. Denison,

DRAFT