

SUMMERLAND SANITARY DISTRICT

2435 Wallace Avenue
Special Board Meeting
Thursday, January 9, 2014, at 5:00 p.m.

MEETING MINUTES

THE MEETING WAS CALLED TO ORDER AT 5:01 P.M.

- I. ORGANIZATIONAL MEETING
See attachment.
- II. APPROVAL OF THE AGENDA
Director Tucker made a motion to approve the agenda. The motion was seconded by Director B. Franklin and passed unanimously.
- III. PLEDGE OF ALLEGIANCE
- IV. APPROVAL OF THE MINUTES OF THE REGULAR BOARD MEETING DECEMBER 11, 2013
Director Colomy moved to approve the minutes of the Board meeting of December 11, 2013. The motion was seconded by Director B. Franklin and passed unanimously.
- V. APPROVAL OF THE MONTHLY BILLS DECEMBER, 2013, INCLUDING PAYROLL AND PETTY CASH
General Manager McManus answered and clarified questions the Board asked about pay out of the bills. Director B. Franklin moved to approve the bills for December 2013, including payroll and petty cash, totaling \$75,902. The motion was seconded by Director Colomy and passed unanimously.
- VI. PUBLIC COMMENT
None
- VII. COMMITTEE REPORTS
 - A. Finance Committee Report
The committee did not meet.
 - B. Administration, Operations & Personnel (AOP) Committee Report
The committee did not meet.
 - C. Ad Hoc Committee - Review Annual Sewer Service Rates
The committee did not meet.
 - D. Ad Hoc Committee - Effluent Water Reclamation
The committee did not meet.
- VIII. NEW BUSINESS
 - A. Request for amendment of Minutes November 14, 2013
The Board received a request by Ms. Cepkauskas to amend the minutes under management report page 3 for the regular board meeting of November 14, 2013.

The board requested Manager McManus to look into language of the variance before approving changes.

Secretary Novis made a motion to table the request for amendment of the minutes of November 14, 2013 until the next board meeting. The motion was seconded by Director Colomy and passed with a 4 ayes and one nay.

B. 2289 Shelby Street/ APN 005-133-73

The Board of Directors received a request from property owner 2289 Shelby informing the Board that the property has only one SFD and property is being charged for two SFD's. The property owner is requesting for a refund for one annual sewer fee charge dating back to purchase date September 30, 2011.

Director B. Franklin asked if there was a statute of limitations for a request of refund in general. Mr. Hair said that there is a statute of limitations and that he performed research: Government Code 53082; For fees paid on or after January 1, 1992, claims shall be filed within 180 days of the date of payment.

The claim was received December 10, 2013 and the refund will go back 180 days for refund of the sewer service fee of 2013-14. To approve refunding before this date will be up to the discretion of the board and required a board action.

Mr. Tucker asked if approving Ms. Cepkauskas claim is not setting a precedent for other claims. legal Counsel Mr. Hair said that this claim does not set precedent.

Secretary Novis made a motion to approve refund of one annual sewer service dated back per September 30, 2011 with a total of \$2,549.29. The motion was seconded by Director Colomy and passed unanimously.

President J. Franklin requested staff to draft a policy for refund guidelines for the next board meeting .

IX MANAGER'S REPORT

The General Manager provided a written report on operations, facility and collection maintenance and gave explanation where needed.

X CLOSED SESSION:

There was no closed session held.

XII ITEMS FOR FUTURE CONSIDERATION BY THE BOARD

- Next Board meeting is February 13, 2014
- Board will consider request for amending minutes of November 14, 2013.
- Policy for Refunding Annual Sewer Fees Requests.
- Closed session: anticipated litigation

VIII. ADJOURNMENT

A motion to adjourn was made by Director Tucker and seconded by Secretary B. Franklin. The meeting was adjourned at 5:40 pm.

Respectfully submitted:

David Novis
Board Secretary

Date: _____

Minutes prepared by M. Souza