



Minutes of the Regular Board of Directors Meeting

Thursday August 13, 2020 at 5:00 P.M.

These are the minutes of the regular meeting of the Governing Board of the Summerland Sanitary District. The Governing Board of the Summerland Sanitary District held a regular meeting on August 13, 2020, at 5:00 p.m. outdoors at the district premises located at 2435 Wallace Ave, Summerland, California with social distancing protocols. The meeting was conducted in accordance with the Governor's Executive Order No. N-29-20. To minimize the potential spread of the Covid-19 virus, the District did not permit public access to the meeting location. The public was able to listen to the meeting telephonically by calling +1 669 900 6833 (San Jose) Meeting Code ID: 983 226 8568.

The agenda notice for this meeting, including instructions for the public to provide comments and/or participate in the electronic meeting, was posted at the district's website, bulletin board and at the post office at least 72-hours in advance of the meeting.

PRESIDENT D. NOVIS CALLED THE REGULAR BOARD MEETING TO ORDER AT 5:00 P.M.

I. ROLL CALL

DIRECTORS PRESENT

JOLENE COLOMY
DAVID NOVIS
JOHN FRANKLIN
MARTIN TUCKER
JAMES WITMER

ABSENT

-

STAFF PRESENT

NOE AGUILAR VEGA Treatment Plant Operations Supervisor
MARJON SOUZA District Administrative Manager

LEGAL COUNSEL PRESENT

ANTHONY TREMBLEY Law Office of Anthony H. Trembley

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF THE AGENDA

President D. Novis asked if there were any modifications and/or changes to the agenda. Hearing none, the agenda was approved as submitted.

IV. PUBLIC COMMENT [NON-AGENDA ITEMS]

No public was present.

V. APPROVAL OF THE MINUTES FOR THE REGULAR AND SPECIAL BOARD MEETING JULY 9, 2020
[Action-item]

A motion was made by Director J. Colomy to approve the minutes of the Regular Board and Special Board meeting of July 9, 2020. The motion was seconded by Director J. Franklin. The motion was carried by the following roll call vote:

AYES: 5 J. Colomy, J. Franklin, D. Novis, J. Witmer, M. Tucker

Summerland Sanitary District
Minutes Regular Board Meeting 08/13/2020

NOES:	0	None
ABSENT:	0	None
ABSTAIN:	0	None

VI. APPROVAL OF THE MONTHLY EXPENSES FOR JULY 2020, INCLUDING PAYROLL AND PETTY CASH
[Action-item]

A motion was made by Director J. Franklin to approve the monthly expenses, including payroll and petty cash totaling \$130,339 for Fund 5215 and \$1,571 for Fund 5216. The motion was seconded by Director Colomy. The motion was carried by the following roll call vote:

AYES	: 5	J. Colomy, J. Franklin, D. Novis, M. Tucker, J. Witmer
NOES	: 0	None
ABSENT	: 0	None
ABSTAIN	: 0	None

VII. COMMITTEE REPORTS

A. Finance Committee Report

The Finance Committee did not meet.

B. Administration, Operations & Personnel (AOP) Committee Report

The AOP Committee met July 23, 2020 and discussed the upcoming December evaluation form discussed goals and objectives that were set by for staff N. Aguilar and M. Souza. Staff shared the goals and objectives with the full board and read them out loud. The AOP-Committee also discussed the proposed changes of the Personnel Handbook which will be discussed under item IX. C.

VIII. CLOSED SESSION

(a) Conference with Legal Counsel- Existing Litigation (Subdivision (d) of Section §54956.9)
Title of Case: Santa Barbara Superior Court Case Number: 18CV01923/Court of Appeal Case No. B298730. Lucinda Malott Successor Trustee versus Summerland Sanitary District

President D. Novis announced that the Board went into closed session at 5:14 p.m. to discuss the Closed Session item (a)

The Board reconvened into open session at 5:42 p.m. President D. Novis announced that no action was taken for item (a).

IX. NEW BUSINESS [Action Items]

A. Review of Resolution 2019-02 District Bylaws

The Board received a copy of Resolution 2019-02 District Bylaws for review and discussion. The Board discussed some of the changes that are recommended in the bylaws, e.g. change "General Manager" into "Management". The board also discussed the Board's role and different positions. The Board of Director's requested staff and legal counsel to review the Bylaws and to make some recommended changes that will be presented to the Board during the next regular board meeting.

Modification of Board Meeting Schedule and Meeting time

The Board discussed modifying its current schedule of holding regular Board meetings at a different meeting time. [Government Code Section 54954(a); Health & Safety Code 6488]

President D. Novis proposed to move the regular board meetings time to 3:00 p.m. A short discussion took place.

A motion was made by Director J. Colomy to modify regular meeting time for the Board of Directors from 5:00 p.m. to 3:00 p.m. starting immediately until the next organizational meeting. The motion was seconded by Director J. Witmer. The motion was carried by the following roll call vote:

AYES	: 4	J. Colomy, D. Novis, M. Tucker, J. Witmer
NOES	: 1	J. Franklin
ABSENT	: 0	None
ABSTAIN	: 0	None

B. Personnel Handbook

The Board received a copy of the Personnel Handbook, review date July 23, 2020, for review and discussion. President D. Novis said the AOP-Committee reviewed the proposed changes and many changes were immaterial, for example changing General Manager into Management. Newly adopted labor law was also inserted. One of the changes proposed was sick leave. A hand-out sheet was provided, and the AOP-Committee recommended a pay-out cap of 80 hours only if an employee retires from the District (through SBCERS). If there are any remaining accrued sick hours, above the 80-hours, these hours would be rolled into the retirement account as service credit. This sick leave policy would be applicable for all district employees. Currently there are two separate policies for employees hired before 2013 and after. Staff also recommended to eliminate any payout of sick leave accrued hours during employment. Legal Counsel Mr. Trembley recommended a review of the Personnel Handbook by a Labor and Employment Attorney. Mr. Trembley will send some recommendations to District staff.

Staff will prepare the proposed changes in the sick leave policy for the next board meeting with a resolution that the Board could consider adopting for the new policy and the updated personnel handbook.

C. Emergency Repair of Section of Main Sewer Line as Authorized by Resolution 2020-07

The Board received a report of completion of the emergency repair as authorized by Resolution 2020-07 on July 9, 2020 by Treatment Plant Operations Supervisor Noe Aguilar Vega. The report showed an overview and snapshots of the repaired main line on Golden Gate. The report was created with the new software installed for the District's CCTV-Van. Tierra Construction did an outstanding job repairing the offset, which was completed July 22, 2020.

A motion was made by Director M. Tucker to declare that emergency condition as described in Resolution 2020-07 has been terminated, as required by Public Contract Code Section 22050 (c)(1). The motion was seconded by Director J. Colomy. The motion was carried by the following roll call vote:

Summerland Sanitary District
Minutes Regular Board Meeting 08/13/2020

AYES	: 5	J. Colomy, J. Franklin, D. Novis, M. Tucker, J. Witmer
NOES	: 0	None
ABSENT	: 0	None
ABSTAIN	: 0	None

X. FINANCIAL STATUS REPORT JULY 2020

The Board received a Financial Status and Cash Balances Reports for Funds 5215, 5216 & 5217 and can request staff for explanation. The Board accepted the report as presented.

XI. TREATMENT PLANT OPERATIONS SUPERVISOR REPORT

Treatment Plant Operations Supervisor N. Aguilar Vega said that the plant is running well. In addition to the provided report N. Aguilar Vega informed the Board of the following: Staff informed N. Aguilar Vega that there was a leak detected in one of the pipes in the digester. A welder has been contacted to fabricate a new pipe section, which will be replaced by staff once received.

Outfall Inspection has been completed by Salty Dog Dive Company. Clouding was discovered from a section and dying of the line is scheduled for next week to find out if there is a small opening in the outfall pipeline. Salty Dog Dive Company will clear out both Outfall diffusers at the same time, which was already budgeted to reduce some of the extra service cost. Other Districts have been contacted and N. Aguilar Vega received advice and recommendations, a specialized company in Ventura has been contacted since Salty Dog Dive Company most likely cannot perform a repair. A follow up report will be given at the next Board meeting. Letters with a proposal for emergency assistance have been sent out to MSD & CSD. Next week an Operator from Montecito Sanitary District will be trained at the District in case assistance is required during an emergency. N. Aguilar Vega also spoke to Craig Murray from Carpinteria Sanitary District who was very receptive, but no hard confirmation has been received. N. Aguilar Vega will contact CSD again and President D. Novis asked if Director J. Franklin was willing to contact CSD as well.

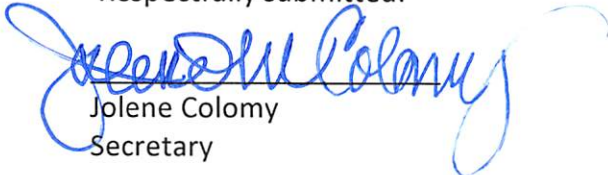
XII. BOARD COMMUNICATIONS

- A. Board communications: President D. Novis called for a Special Board Meeting scheduled for Thursday September 24, 2020 at Noon to Meet & Greet District Staff. Pizza and drinks will be provided.
- B. Items for future Board meetings: Board Bylaws, Personnel Handbook
- C. Next Board meeting date:
Thursday September 10, 2020 at 3:00 p.m.

XIII. ADJOURNMENT

A motion was made by Director J. Colomy to adjourn the Regular meeting at 6:31 p.m. The motion was seconded by Director J. Witmer and passed with five ayes.

Respectfully submitted:


Jolene Colomy
Secretary

Date: September 10, 2020

Minutes prepared by M. Souza