



Minutes of the Regular Board of Directors Meeting

Thursday March 11, 2021 at 3:00 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 at 2521 Banner Avenue, 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 or through the internet at <https://us02web.zoom.us/j/9832268568>.

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 3:01 P.M.

I. ROLL CALL

DIRECTORS PRESENT

JOLENE COLOMY
DAVID NOVIS
JOHN FRANKLIN
JAMES WITMER
MARTIN TUCKER

ABSENT

-

ALO PRESENT

NOE AGUILAR VEGA Treatment Plant Operations Supervisor
MARJON SOUZA District Administrative Manager
ANTHONY TREMBLEY District Legal Counsel

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 comments were submitted, and no public was present via telephone, or Zoom at this time.

V. ITEMS TO BE DISCUSSED

CLOSED SESSION

Conference with Legal Counsel- Existing Litigation (Subdivision (d)(1) 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.

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Board President, D. Novis, announced that the Board entered in a closed session with legal counsel and district staff at 3:03 p.m. to discuss closed session item: *Conference with Legal Counsel- Existing Litigation (Subdivision (d)(1) of Section §54956.9)*

President D. Novis announced that the Board reconvened into open session at 3:30 p.m. and reported that no action was taken.

CLOSED SESSION- AOP Committee Report

(1) Public Employee Performance Evaluation

Government Code Section 54957(b)(1)

Titles: Treatment Plant Operations Supervisor, District Administrative Manager

(2) Conference with Labor Negotiators

Government Code Section 54957.6

Agency designated representatives: Board President, District Legal Counsel

Unrepresented Employees: Treatment Plant Operations Supervisor, District Administrative Manager

President D. Novis, announced that the Board entered in a second closed session with legal counsel at 3:31 p.m. to discuss the following closed session items as listed above:

(1) Public Employee Performance Evaluation

(2) Conference with labor Negotiators

President D. Novis announced that the Board reconvened into open session at 4:11 p.m. and reported that no action was taken on the closed session items (1) and (2).

VI. APPROVAL OF THE MINUTES FOR THE REGULAR BOARD MEETING OF FEBRUARY 11, 2021
[Action-item]

A motion was made by Director J. Franklin to approve the minutes of the Regular Board Meeting of February 11, 2021. The motion was seconded by Director J. Colomy. The motion was carried by the following roll call vote:

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

VII. APPROVAL OF THE MONTHLY EXPENSES FOR FEBRUARY 2021, INCLUDING PAYROLL AND PETTY CASH [Action-item]

District Management answered and clarified questions the Board had about pay out of bills. A motion was made by Director J. Colomy to approve the monthly expenses, including payroll and petty cash totaling \$86,533.92 for Fund 5215. The motion was seconded by President D. Novis and passed with the following roll call vote:

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

VIII. COMMITTEE REPORTS

- A. Finance Committee Report
The Finance Committee did not meet.

VIII. NEW BUSINESS [Action Items]

A. **Proposal for providing Legal Services the Summerland Sanitary District [Action-Item]**

Description: Consideration and action to approve or disapprove the proposal for legal services from Gregory Patterson of Musick Peeler & Garrett LLP per April 1, 2021.

Recommendation: To approve the proposal

A motion was made by Director J. Colomy to approve the proposal for legal services with Mr. Gregory Patterson of Musick Peeler & Garrett LLP per April 1, 2021. The motion was seconded by Director J. Franklin and passed with the following roll call vote:

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

The proposal was signed by President D. Novis.

X. FINANCIAL STATUS REPORT FEBRUARY 2020

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

XI. TREATMENT PLANT OPERATIONS SUPERVISOR REPORT

Treatment Plant Operations Supervisor N. Aguilar Vega provided a written report and in addition to the report he informed the Board that all the District's buildings received a termite treatment. Staff responded to a private lateral sewage spill on Banner Avenue last week and a request for immediate repair was made. The homeowner was also requested to contract a licensed plumber to perform a video inspection of their private sewer lateral and submit a copy to the District for review.

XII. DISTRICT ADMINISTRATIVE MANAGER REPORT

District Administrative Manager M. Souza provided a written report and answered questions the board had regarding the report.

XIII. BOARD COMMUNICATIONS

- A. Board communications; none.
- B. Items for future Board meetings:
- Discussion and Consideration of Approval of the Agreements for the District Management Positions.
 - Discussion and Consideration of Approval of an Updated District Management Salary for the duration of the Agreement.
- C. Next Board meeting date:
Regular Board Meeting Thursday April 8, 2021.

IX. Certificate of Appreciation for Legal Counsel Services: Mr. A. Trembley

Legal Counsel Mr. A. Trembley announced his retirement per April 1, 2021. Board President Novis expressed his sincere appreciation to Mr. Trembley on behalf of the Board and himself for Mr. Trembley's excellent legal guidance and stewardship, especially during the last year. Staff also thanked Mr. Trembley for his guidance and appreciated the amount of time that Mr. Trembley has dedicated regarding the litigation process in order to advise his legal colleagues and the Board. These efforts happened many times without a billable charge to the District, which has been noticed and appreciated very much.

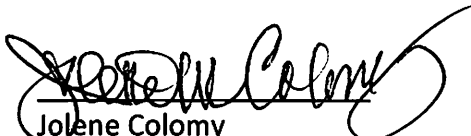
Board President D. Novis presented Mr. A. Trembley with flowers and a framed "Certificate of Appreciation" for providing the Board and Staff with outstanding legal guidance. The Board President called for social time with Mr. Trembley, board and staff after the adjournment of the meeting.

Mr. Trembley expressed his gratitude to the Board and staff.

XIV. ADJOURNMENT

A motion was made by Director J. Colomy to adjourn the Regular Board meeting at 4:30 p.m. The motion was seconded by Director J. Witmer and passed with five ayes.

Respectfully submitted:


Jolene Colomy
Board Secretary

Date: April 8, 2021

Minutes prepared by M. Souza