



MINUTES

1. Call to Order

Meeting called to order at 7:00 pm

2. Roll Call

Trustees Present: Apland, Hooker, Hunewill, Peterson, Showen, Souza

Trustees Absent: Hackler

Others Present: David Heft, General Manager; Deborah Battista, Admin. Asst. / Clerk of the Board; David Hobbs, Legal Counsel and Manuel and Patty Munoz.

3. Public Comment

Non-agenda item(s) for discussion only, no action to be taken. The public may address any agenda item at the time it is open for Board discussion.

None

4. Consent Calendar

These matters include routine financial and administrative actions. All items on the Consent Calendar will be voted on as a single action without necessary discussion. If the public wishes to discuss an item on the Consent Calendar, please notify the Clerk of the Board prior to the beginning of the meeting or you may speak about the item during Public Comment Period.

- A. Consideration and approval of the Turlock MAD Board of Trustees meeting minutes for May 16, 2016.
- B. Review of balance sheet and income statement for April 2016.

Hooker motion: Approve all items on the Turlock Mosquito Abatement District Consent Calendar. 2nd: Peterson. Unanimous.

5. Public Hearing

- A. Consideration and adoption of the "Notice to Abate Nuisance" and Resolution 2016-02 as filed against Manuel R and Maria A Munoz to determine if a public nuisance exists at 5201 N. Berkeley Ave.; Denair, CA (APN 045-061-017).

GM Heft reviewed the history regarding mosquito control work conducted on the Munoz property and communications that have taken place over several years. GM Heft provided commentary on the over-irrigation practices of the property owner and the repeated standing water conditions on the property providing habitat for mosquito breeding. GM

Heft concluded by recommending to the Board that the property be deemed a public nuisance and that future violations of the California Health & Safety Code would result in reimbursing the District for its costs and civil penalties.

Mr. Manuel Munoz and his daughter Patty provided testimony regarding their property. Mr. Munoz claimed that he has had problems with his neighbors not taking water when they should and that it leaks onto his property. His daughter Patty informed the Board that she was not aware of the issue and would get involved directly to ensure that no future problems occur.

The Board explained to the property owner that they would have until June 30, 2016 to get the property into compliance before the Abatement Order goes into effect on July 1, 2016. Civil penalties will be set at \$100.00 per day for the first (10) days that the property is in violation after July 1, 2016; increasing to \$200.00 per day thereafter.

Hunewill motion: Approve Resolution 2016-02, Notice to Abate Nuisance filed against Manuel R and Maria A Munoz, property owners of that certain real property located at 5201 N. Berkeley Ave.; Denair, CA (APN 045-061-017). 2nd: Hooker. President Apland called for the Roll Call vote: All Ayes, Unanimous.

Peterson motion: Close the Public Hearing for property owners Manuel and Maria Munoz. 2nd: Hooker. Unanimous.

- B. Consideration and adoption of the "Notice to Abate Nuisance" and Resolution 2016-03 as filed against Ascencion Borroel to determine if a public nuisance exists at 3130 W. Grayson, Modesto, CA (APN 017-058-018).

GM Heft reviewed the history of the Borroel property with the Board. GM Heft provided testimony and evidence regarding over-irrigation practices on the property resulting in large areas of standing water creating mosquito breeding habitat. In addition, the property owner has been non-cooperative in allowing District personnel onto the property to conduct necessary mosquito control work. GM Heft recommended to the Board that the property be deemed a public nuisance and that future violations of the California Health & Safety Code would result in reimbursing the District for its costs and civil penalties.

The property owner did not appear and did not submit any written testimony to be considered.

The Board found that the property was a public nuisance and gave the property owner until June 30, 2016 to get the property into compliance before the Abatement Order goes into effect on July 1, 2016. Civil penalties will be set at \$100.00 per day for the first (10) days that the property is in violation after July 1, 2016; increasing to \$200.00 per day thereafter.

Hunewill motion: Approve Resolution 2016-03, Notice to Abate Nuisance filed against Ascencion Borroel, property owner of that certain real property located at 3130 W. Grayson, Modesto, CA (APN 017-058-018). 2nd: Hooker. President Apland called for the Roll Call vote: All ayes, Unanimous.

Hunewill motion: Close the Public Hearing for Ascension Borroel. 2nd: Hooker. Unanimous.

6. Agenda Items

- A. Consideration and approval of the payment of bills and wages for May 2016.

Discussion regarding bills and wages for May 2016 included warrants made to the order of Verizon which is the District's mobile wireless network. This the first bill and includes 2 months of regular service and equipment charges. In addition a warrant to Eastside MAD was discussed for aerial spraying done on the Garcia property in Denair.

Shown motion: Ratify the payment of bills and wages for May 2016 as presented in the amount of \$207,271.11. 2nd: Hooker. Unanimous.

- B. Consideration and approval of Resolution 2016-01 "Turlock Mosquito Abatement District Budget for FY 2016-2017" as presented by the Budget Committee.

GM Heft reviewed the budget with the Board highlighting an employee Longevity Raise program, the continued need for aerial applications, and the creation of a new position, Mosquito Control Lead Operator.

Trustee Souza motion: Approve Resolution 2016-01 "Turlock Mosquito Abatement District Budget for FY 2016-2017" as presented, with the following changes: Increase estimated property tax related revenue to \$1,900,000.00, eliminate employee Longevity Raise program, and adjust the Special Tax accordingly. 2nd: Hunewill. President Apland called for the Roll Call vote:

Ayes: Apland, Hooker, Hunewill, Peterson, Souza

Noes: Showen

6. Reports

- A. Review of the General Manager's Report

GM Heft informed the Board that District staff have completed neglected pool inspections related to the first aerial photo shoot. Another aerial photo run planned for late July. The Board reviewed the media insert that will go out in July in all local newspapers.

7. Adjournment

Peterson motion: Adjournment of the Turlock Mosquito Abatement District Board of Trustees Meeting, date June 20, 2016. 2nd: Souza. Unanimous.

There being no further business, President Apland adjourned the meeting at 9:28 pm.

Lynn Apland, President

Kern Hunewill, Secretary