

4412 N. WASHINGTON ROAD, TURLOCK, CA  
MONDAY – NOVEMBER 21, 2016 – 7:00 P.M.



# MINUTES

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## 1. Call to Order

Meeting called to order at 7:00 pm

## 2. Roll Call

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

Trustees Absent: None

Others Present: David Heft, General Manager; Deborah Battista, Admin. Asst. / Clerk of the Board; David Hobbs, Legal Counsel; Craig Fechter, CPA, Auditor; Brian Mallord; Bill Ottman.

## 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 October 17, 2016.
- B. Review of balance sheet and income statement for September 2016.

Hunewill motion: Approve all items on the Turlock Mosquito Abatement District Consent Calendar. 2<sup>nd</sup>: Hackler. Unanimous.

## 5. Public Hearing

- A. Public hearing to discuss the levying and collection of Special Taxes within the District for Fiscal Year 2016-2017.

A public hearing was held in accordance with the collection of the District's Special Tax. Special Tax rates would be set at: Vacant (\$2.15); Residential (\$4.96); Income (\$10.65). These rates would generate approximately \$375,000 in additional revenue necessary for the district to fund its mosquito control program.

Notice of this public hearing was posted in local newspapers, no public comments were provided.

- B. Consideration and adoption of the "Notice to Abate Nuisance" and Resolution 2016-09 as filed against Nashwan Y Asoofi TR to determine if a public nuisance exists at 1770 Milestone Way, Turlock, CA 95382 (APN 073-046-024).

GM Heft provided evidence to support the filing a Notice to Abate Public Nuisance in regards to the pool located at 1770 Milestone Way; Turlock, CA. The Board concurred with staff's findings and gave until November 30, 2016 for the pool pump and filter system to be repaired and the pool cleaned. After this date, any instance of the pool breeding mosquitoes would result in reimbursement of the District's costs and \$100 per day civil penalty. After 10-days of non-compliance, the civil penalty would increase to \$200 per day.

Souza motion: Adopt the "Notice to Abate Nuisance" and Resolution 2016-09 as filed against Nashwan Y Asoofi TR, owner of residence at 1770 Milestone, Turlock, CA 95382 (APN 073-046-024). 2<sup>nd</sup>: Hackler.

President Apland called for the Roll Call vote: All Unanimous.

## 6. Agenda Items

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

Discussion regarding bills and wages for October 2016 included warrants made to the order of Verizon and San Joaquin Valley Air Pollution Control (SJVAPC).

The Verizon warrant is for the Mi-Fi's that the operators use for an internet connection while out in the field and GM Heft's cell phone. The District will be suspending (9) of the Mi-Fi's during the off season to save money.

The warrant issued to SJVAPC is for the ConVault (aboveground gas tanks) permit.

Hooker motion: Ratify the payments of bills and wages for October 2016 in the amount of \$158,829.11. 2<sup>nd</sup>: Peterson. Unanimous

- B. Consideration and approval of auditor's report for Turlock Mosquito Abatement District for fiscal year 2015-2016, prepared by Craig Fechter, CPA.

Mr. Fechter reported his findings to the Board, and in his opinion, the Turlock Mosquito Abatement District financials are accurate. Mr. Fechter reviewed the audit actions that he and his staff take in order to reach their conclusions, including physically accounting for chemical inventory and confirming fund balances with the Stanislaus County Auditor-Controller's office.

Mr. Fechter discussed the State Controller's Office internal control guidelines which are comprised of:

- Control Environment (setting standards and processes)
- Risk Assessment (identifying risks)
- Control Activities (establishing policies and procedures)
- Information and Communication (identifying relevant information)
- Monitoring Activities (evaluating effectiveness of controls)

Mr. Fechter has put together presentations regarding pension liability and internal control processes. He would be happy to make these presentations to the Board any time after May 1, 2017.

**Hooker Motion:** Approve auditor's report for Turlock Mosquito Abatement District for Fiscal Year 2015-2016. 2<sup>nd</sup>: Hackler. Unanimous

- C. Consideration of request by Brian Mollard/Associates to sign long-term lease to farm 2 acres on the south end of District property located at 4412 N Washington Rd, Turlock, CA 95380 (APN 087-001-004).

The Board heard from Mr. Brian Mollard and Mr. Ed Ottman regarding leasing 2-acres of land located on the south end of the District's property at 4412 N. Washington Rd.; Turlock, CA. Mr. Mollard has farmed this property for years with temporary crops such as corn and alfalfa; however, recently planted almond trees over a weekend with no notice to the District.

In the past, there has been no formal agreement for the District property that is farmed by Mr. Mollard and his associates. The existing verbal agreement was most likely made in the early 1960's when the District property was originally purchased. The District was not using the 2-acres and the Mollard family agreed to farm this portion at a cost of \$75 per year plus water. This arrangement worked for the District since it avoided the District having to maintain the 2-acres and since the crops were temporary in nature, if the District needed to use the property, it could. This arrangement was altered significantly with the planting of almond trees which are a long-term crop and would greatly hinder the District's ability to use the property in the future.

GM Heft recommend that the Board have Mr. Mollard sign a formal long-term lease agreement. David Hobbs, Legal Counsel, advised the Board that they would need to figure out "if" they wanted to lease the property for long-term, and if so, what the terms of lease would be.

After discussion, President Apland decided to form an Ad-Hoc Committee to further consider and review the issue and report back to the Board at the December 19, 2016 meeting. The Committee will be comprised of:

Trustee Hackler  
Trustee Peterson  
Trustee Hooker

- D. Consideration and approval of "Memorandum of Understanding Concerning Shared VDCI Aerial Services and Related Cost Sharing"

GM Heft reported to the Board that the cost per acre for VDCI Aerial Service's has increased \$.04 per acre to .60 per acre and that price will be locked in until December 2019. In addition, VDCI will be stationing (2) planes fulltime in California for TMAD, San Joaquin MVCD, and Sacramento-Yolo MVCD.

Souza motion: Approve of "Memorandum of Understanding Concerning Shared VDCI Aerial Services and Related Cost Sharing". 2<sup>nd</sup>: Trustee Hooker. Unanimous.

## **7. Reports**

- A. Ad-hoc Personnel Committee report on consideration of employee proposal on wage increase.

Trustee Showen motion: Accept Personnel Committee Recommendation. 2nd: Trustee Hackler.

After discussion, this item will be tabled until the December 2016 Board meeting while District finances are re-examined following the District audit.

Trustee Hackler motion: Table the consideration of employee proposal on wage increase until the December 2016 Board meeting. 2<sup>nd</sup>: Trustee Peterson.

- B. Review of the General Manager's Report

GM Heft's Report included discussion on the "Hot List" of properties that are the biggest offenders when it comes to mosquito breeding. Discussion also included ways to implement the "Aggressive Mosquito Control Program" and reducing District costs.

The Board reviewed the current labor cost for mosquito and weed control billing and agreed to a 30-minute minimum on labor charges to better reflect actual District costs.

## **7. Adjournment**

Hackler motion: Adjournment of the Turlock Mosquito Abatement District Board of Trustees Meeting, date November 21, 2016. 2<sup>nd</sup>: Souza. Unanimous.

There being no further business, President Apland adjourned the meeting at 9:24 pm.

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Lynn Apland, President

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Kern Hunewill, Secretary