

MINUTES

Regular Meeting of the Board of Directors
Cameron Park Community Services District
2502 Country Club Drive, Cameron Park, California

Wednesday, July 15, 2009 at 7:00 PM



Board of Directors

VALERIE SALTZEN COZE, President
RICHARD GREEN, Vice President
Directors, DAVID JOHNSON, ALAN CLARKE, and DALE GERGER

CALL TO ORDER: The meeting was called to order by President Saltzen Coze at 7:11 p.m.

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL Present:** Directors: Saltzen Coze, Clarke, Johnson and Gerger. **Absent:** Green
3. **APPROVAL OF AGENDA** *Approved Ayes- DJ, DG, AC Abstain: Coze Absent: Green*
Prior to approval of the agenda, President Saltzen Coze requested to remove the July 2, 2009 Meeting Minutes. Director Johnson stated that the agenda needs to be approved before items can be removed.

OPEN FORUM: Cameron Park resident Bill Carey stated that he noticed there were not any items on the agenda regarding the General Manager yet there was a meeting on July 2nd. The District has not had a General Manager since the end of 2008 and, from what he has heard, the CSD is not any closer to getting one since that time. Director Johnson evidently meant, a few months back, that the board is not doing anything about it. In the newspaper, Director Clarke said the same thing. Mr. Carey asked why the CSD does not have a General Manager. He read from a newspaper article a statement by Director Clarke: "I encourage all members to bring names to the closed session to put on the table to fill the position." Mr. Carey stated that without a job description, how can a member of the board request names to fill the position. President Saltzen Coze thanked Mr. Carey for always coming to the meetings and speaking. At the last board meeting the directors spent time drafting a job description. It was left that Directors Clarke and Green would bring the draft to the board. The time it is to be presented was not determined. President Saltzen Coze asked the rest of the board to answer why there is no General Manager because she has been wondering the same for months. Director Gerger answered that the former General Manager's contract did not end until June 30 so the board could not advertise for the position. Secondly, there are two co-acting general managers so the District has had someone at the helm. President Saltzen Coze agreed that the co-acting general managers have done a great job but acknowledged that Mr. Carey's issue is different. Mr. Carey stated that his issue is with timing; if the District knew the contract would be up on June 30, then why did they wait? President Saltzen Coze stated that the vote to hire an interim general manager failed due to funding. Mr. Carey stated that this is fantasyland because the one who made a complaint against the district got to go home and eat bon-bons and watch Oprah Winfrey; that doesn't happen out in the real world. Mr. Carey asked when they would see the job description and President Saltzen Coze answered that hopefully by the next board meeting in August.

Kelly Keenan, CalFire AEU Unit, thanked the District for letting them host the July 1st Stand Down at the Community Center. Approximately 175 staff members and individuals were there that day. He appreciated the professionalism and customer service of the Center's staff.

Laura Newell, Mountain Democrat reporter, asked if there will be an update from the July 2, 2009 special meeting. President Saltzen Coze answered that the board met in closed session to review and discuss a job description for the General Manager and no action was taken. Director Johnson stated that he believed direction was given. President Saltzen Coze responded that there was no action taken in the closed session workshop. Director Johnson asked President Saltzen Coze if directing Clarke and Green to finish off the description was action. President Saltzen Coze stated that the board couldn't be in closed session to discuss the job description—that's why it was done in a workshop format. Action cannot be taken in a workshop. The board did ask Green and Clarke to work together. Director Clarke stated that this item can be discussed under Item 1C on the consent calendar when it is pulled. He asked that the meeting move forward if the audience didn't have anything else under Open Forum.

Cameron Park resident Barbara Rogers asked if the budget is done. Director Gerger stated that under Committee Reports, the Budget & Finance Committee will report on the status.

MOMENT OF RECOGNITION: President Saltzen Coze read several documents: Supervisor Knight congratulated the District for the Summer Spectacular and thanked the board for everything. The second item was in regards to the use of the facility by CalFire Battalion Chief Bob Strauss. Chief Strauss thanked staff for being so accommodating. The final letter was from Cameron Park residents Mr. and Mrs. Agee. They thanked the District for the Summer Spectacular preparations and stated that Cameron Park is a special place to live. Director Clarke mentioned that the District was able to put on such a great fireworks show when other places had to cut back. He thanked all of the District staff for the hard work. Cameron Park resident Rosemary O'Camb echoed the appreciation for the Summer Spectacular.

CONSENT CALENDAR:

Approve staff recommendation on items 1A, 1B, 2, 3, 4, 5, 12B, 12D, 12E. Ayes— DJ, AC, VC, DG Absent: Green

1. BOARD MINUTES:

- A. May 13, 2009, Regular Board Meeting
- B. June 17, 2009, Special Board Meeting
- C. July 02, 2009, Special Board Meeting

Action: Items A & B Approved. Item C was removed from Consent Calendar.

2. STAFF REPORTS:

- A. Fire Department Report
- B. Recreation Department Report
- C. Parks Department Report
- D. El Dorado County Regional Pre hospital Emergency Services Operations Authority – A Joint Powers Authority

Action: Approved

3. FINANCIAL REPORTS:

Financial Statements through June 30, 2009

Action: Approved

4. CC&R REQUEST FOR REFERRAL TO LEGAL COUNSEL

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| <p>Violation #5746: 4321 Crazy Horse Road. APN: 119-310-071 Unit: Cambridge Oaks #3 Lot 7 Vacant Lot—Weeds</p> | <p>Violation #5740: 615 Taraya Court. APN: 119-110-191 Unit: Cambridge Oaks #3 Lot 19 Neglected Landscaping—Weeds</p> |
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Action: Forward to Legal Status

5. CSDA MEMBERSHIP DUES FREEZE: The CSDA Board of Directors announced at the end of May that there will be no increase in CSDA membership dues for 2010.

Action: None

DEPARTMENT MATTERS:

6. ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION: Item 1C.

President Saltzen Coze requested to remove Item 1C from the Consent Calendar for discussion. Once staff listened to the recording from the meeting, she was notified that the report out of closed session was inaccurate. She stated that she will provide the reporting out of closed session now and have staff correct the minutes. Report out: Direction was given to district counsel. Director Johnson asked what direction was given. President Saltzen Coze answered that she wasn't sure how much latitude they have in reporting out because it is covered under attorney client privilege. She amended her reporting out to: direction was given to counsel in relationship to closed session item number one.

Director Clarke added that he and Director Green offered to compile all the sample job descriptions and the current one, to provide a draft. He stated that once they have met, they will present a draft to the rest of the board.

Director Johnson began to clarify stating that there seems to be a difference of opinion regarding several items. The first item is the appointing of Directors Clarke and Green to compile a draft—that should be left up to them to complete. Secondly, the July 2 meeting item number one regarding closed session, seems to have left some discrepancies between directors as to what is attorney-client privilege and what is not. He suggested to continue the item once legal counsel can be consulted. President Saltzen Coze expressed frustration that Director Johnson felt there was a difference of opinion and asked if the directors had any issues with the updated report out of closed session that she had just provided. Director Johnson asked for her to repeat it. She began, "Direction was given to counsel relating to closed session agenda item number one pursuant to government code section 54956.9 regarding potential litigation in one case." Director Johnson stated that he has a difference of opinion with that. Director Clarke stated that he had one too. Director Clarke made a motion to put over the July 2, 2009 special board meeting minutes to August to have counsel provide advice prior to approval.

Action: Put over the July 2, 2009 special board meeting minutes to August to have counsel provide advice prior to approval. Ayes—AC, VC, AC, DJ, DG Absent: Green

7. CAMERON PARK COMMUNITY CENTER: Kirk McKillop with ProWest provided that the slot drain is being put in right now—it collects the overflow of the pool and carries it out to the storm drain. The deck will be partially completed after that. The locker room's base will be put down next week. The floors have been mortared and installation tiles will be completed soon. The lockers will be installed next week as well as the HVAC for the gym. The southwest wall of the gym will be updated with the scoreboard next week. The pool equipment is ongoing. The opening of the pool is on track with the construction schedule; the opening will be coordinated by staff and the fall programs.
Action: None.

8. BOND OVERSIGHT COMMITTEE: The Committee Co-Chairperson Sue Farris provided an update from the meeting held on Wednesday, July 3, 2009. The Committee reviewed the expenditures that fell within the bond of Measure C with no issues. There will not be a meeting in August.
Action: None.

9. REVENUE ENHANCEMENT ADVISORY GROUP: The Group Chairperson Shiva Frentzen provided an update for meeting held on Wednesday, July 8, 2009. Group member Yvette Ashlock resigned from the Group as she is now employed with the District. Secondly, the Group has heard many positives regarding the Summer Spectacular and wanted to pass that on to staff. The third item was regarding the alcohol licensing and the Group recommends partnering with a 501 (3) (c) nonprofit group should alcohol use be desired by the District for any event. And the fourth item was sponsorship opportunities; the Group is recommending three levels: for events, renewed each year, and something more permanent. The next meeting is August 19 at 1:00 pm in the Social Room.
Action: None.

10. **RESOLUTION 2009-07 ELECTION OF DIRECTORS TO THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY BOARD OF DIRECTORS:** Board of Directors reviewed the attached ballot and requested to more time to choose a candidate.
Action: Trail this item until the August board meeting. Ayes—VC, AC, DJ, DG Absent: Green
11. **RESOLUTION 2009-08 APPROVING ENGINEER’S REPORT, CONFIRMING DIAGRAM AND ASSESSMENT AND DIRECTING AUDITOR OF EL DORADO COUNTY TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2009-10:** This is an annual Resolution approving engineer’s report, confirming diagram and assessment and directing auditor of El Dorado County to levy and collect assessments for fiscal year 2009-10 in AIRPARK LLAD #30, UNIT 6 LLAD #31, UNIT 7 LLAD #32, UNIT 8 LLAD #33, VIEWPOINTE LLAD #34, GOLDORADO LLAD #35, UNIT 11 LLAD #36, UNIT 12 LLAD #37, CAMERON WOODS 1-5 LLAD #38, BAR J 15A COUNTRY CLUB LLAD #39, BAR J 15B MERRYCHASE LLAD #40, CREEKSIDE LLAD #41, EASTWOOD LLAD #42, DAVID WEST LLAD #43, CAMBRIDGE OAKS LLAD #44, NORTHVIEW LLAD #45, CAMERON VALLEY LLAD #46, CAMERON WOODS LLAD #47 and SILVER SPRINGS #48.

Arcelia Herrera, SCI Consulting Group, was present to explain the resolution. This is the last resolution in the series that has to be approved. It includes the assessment and engineers report. This meeting is considered the public forum for the residents to provide input regarding their assessments. Director Johnson asked about the issue with the three units in question. It was answered that the issues with the three districts has to do with assigning the correct light poles to the proper units—not their assessments. David West will increase. President Saltzen Coze opened up comment to the board. No members had comment. The public forum was opened. No comments were offered. Public forum was closed.

Action: Approve. Board polled votes—VC, AC, DJ, DG Absent: Green

12. **COMMITTEE REPORTS:** Items A – E

A. **CC&R** – Standing Committee:

Alan Clarke and Rich Green, representatives; Dale Gerger, alternate

Director Clarke provided that the meeting from July 8th forwarded items to the board for legal action; those items appeared under item 4 on the Consent Calendar. There were a number of residents concerned about parking RVs within their Unit. There is an ongoing issue with the Airpark and a potential litigation matter. There are a great number of landscaping violations due to foreclosures. President Saltzen Coze stated that the requests for forwarding violations to legal action should not be on the Consent Calendar. Director Clarke responded that Ken Cater, former Director and Chairperson of the CC&R Committee, requested years ago that the Items for Referral be listed on Consent to move the items forward most quickly. President Saltzen Coze asked that the monies that are spent on legal counsel fees be reviewed.

B. **PARKS AND RECREATION** – Standing Committee:

David Johnson and Valerie Saltzen Coze, representatives; Rich Green, alternate

No meeting held.

C. **BUDGET AND FINANCE** – Standing Committee:

Dale Gerger and Valerie Saltzen Coze, representatives; Alan Clarke, alternate

Director Gerger stated that the Committee met on July 10, 2009 and received presentations from each department. There are some departments still showing that they are overbudget and those will continue to be reviewed. Once the audit from 07/08 is completed, the Committee will review it and move forward. RJM’s draft of the business plan was reviewed too. It is looking very good and there were some noticed items that were missing—they will be potentially profitable so the committee asked that they be added in. President Saltzen Coze added that the committee requested further information from staff regarding new hires. Those reports will be reviewed soon. There is a meeting set for Friday, July 17, 2009 at 7:00 am. The goal is to have the budget presented to the board in August.

01:01:11

Cameron Park resident Barbara Rogers stated that she was told by Account Clerk Livia Amidon that the budget was done in January. She reminded the board that at the last meeting she expressed to the board that

they should pass a contingency budget with a percentage taken out of it just in case. Now she hears that there are areas that are over budget. She stated that she could not understand why the board has not passed a budget yet because many other agencies have passed theirs. She reiterated that Ms. Amidon told her the budgets were done. Ms. Amidon answered that she did not say the budgets were done—she said that they had draft proposals to present. Ms. Rogers interrupted that that was not how it was worded and she knows that because she recorded the conversation; she offered to play it back to Ms. Amidon in her office. President Saltzen Coze stopped Ms. Rogers and stated that if she is going to ask Ms. Amidon a question, she needs to let it be answered. Ms. Amidon continued that she did not say the budget would be reviewed in June until the Budget and Finance Committee can give it their blessing. Battalion Chief Joe Tyler just presented his budget to the Committee because he did not have actual numbers for the upcoming contract; and Parks Superintendent Paul Ryan was not at the Committee meeting because he had to wait for figures from RJM Consulting as well as ProWest that he added in. Ms. Rogers interrupted that she has an e-mail from Mr. Ryan that the budgets were going to be done. Ms. Amidon answered that she wasn't here in June and Ms. Rogers knew that—why would the budget be presented when the Account Clerk is on vacation, regardless if Mr. Ryan is the co-acting general manager or not? The Budget & Finance Committee is requesting further documentation and they have that right. Every department is allowed to make revisions as well. Right now, there are five budgets that *are* ready to go and three budgets that are still on the table—Fire, Parks, and Recreation—they are waiting for the auditor's numbers. Those departments have to wait for the audit because they may have money applied from previous balances. Once those items are addressed and the Committee's requests are met, the Committee will make the decision to present the budgets to the board.

Ms. Rogers stated that she really hopes the board will take into consideration to have two budgets prepared. Also, she hopes the board take into consideration that the County just sent out 12,000 notices to homeowners reassessing their homes—it is not done. The board should plan on the worst because things are not at all ending with foreclosures—they are just beginning in Cameron Park moving up the hill. Two billion dollars are being lost because the County had to reassess the values of people's homes. President Saltzen Coze thanked Ms. Rogers for that fact and added that that is why they did not approve a budget because they were not comfortable with what was presented and neither was staff. Ms. Rogers interrupted and said that an agency of this size should have the budget done. President Saltzen Coze thanked Ms. Rogers and stated that she should come and voice that opinion. Ms. Rogers continued that she was told the budget was done and they are interested in what kind of numbers the board is looking at. The problems with the state are not over by a long shot. President Saltzen Coze thanked Ms. Rogers for taking the time to come to the meeting and told her that staff is aware of the problems with the state and are acting diligently.

Laura Newell, Mountain Democrat reporter, asked if the budget was discussed at the Special Meeting on July 2nd by Paul Ryan. It was answered that he was not at that meeting and the budget was not even an agenda item. Ms. Newell responded that she was told by Mr. Ryan that the budget would be discussed a little bit at the July 2nd meeting and then presented to the board at tonight's meeting. Account Clerk Livia Amidon answered that the problem was that she was out of town in June and his hope was that staff would have a Budget & Finance Committee meeting. She went on to explain the budget process: a department head may complete their department's budget and feel that it is ready, but when they present it to the Budget & Finance Committee the members may ask for further clarification, elaboration, or justification of any agenda items. Five budgets have been given the go-ahead. The last three are the largest budgets and they take a little longer. Ms. Newell stated that it sounds like nothing has changed since she last spoke with Mr. Ryan. Director Gerger answered that he may have hoped to have a Budget & Finance Meeting before the July 2nd Special Meeting but there wasn't enough time between that date and the time that Ms. Amidon returned—so, no, nothing has changed. President Saltzen Coze spoke up that she believes the July 2nd meeting was misrepresented because there was lengthy discussion regarding the budgets going on the agenda. It was represented to the public that the budget was a huge item to be on the July 2nd agenda but that she felt it was premature. Ms. Newell clarified again that nothing has changed. President Saltzen Coze also added that the department heads have consistently presented budgets but have not yet been approved; more documentation has been requested. Ms. Amidon added that the audit is also holding the budget up as well as the business plan that the board requested.

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D. FIRE AND EMERGENCY SERVICES – Standing Committee:
David Johnson and Alan Clarke, representatives; Valerie Saltzen Coze, alternate
No meeting held.

E. SOLID WASTE NEGOTIATION COMMITTEE – Non-CSD Committee:
Dale Gerger and Rich Green, representatives; David Johnson, alternate
No meeting held.

MATTERS TO AND FROM DIRECTORS: Director Clarke began by stating that there is an important matter to be presented this evening because the board believes in transparency and in sharing information. One year ago (July 2008), there was an evaluation done on the general manger. Out of that meeting, the board did not approve a salary increase nor an effort to extend the contract beyond the June 30, 2009 cutoff date. Subsequent to that, a legal matter came up and the board asked to have the evaluation put on a meeting in August. That item is under litigation now. That item was potentially not put on the agenda which arose as almost insubordination. A few weeks before the election of last year, a sexual harassment claim was brought against him, Director Johnson, and, later, another director who is no longer on the board. Upon advice of the District's counsel, the board put the General Manager on paid administrative leave to cool things down. There was an outside investigation firm that was selected mutually by the District and Ms. Mefford's attorney. The results from that are in. Cameron Park resident Ms. Rogers began to interrupt Director Clarke with defiant statements. Director Clarke requested order from President Saltzen Coze. Ms. Rogers stated that she did not care and continued to disrupt the meeting. President Saltzen Coze addressed Ms. Rogers in an attempt to regain order. Director Clarke warned Ms. Rogers that she would be removed from the meeting. At that, she threatened the board and exited the room cursing. Director Clarke continued. The topics of the investigation have been presented in a report. Pages one and two have been made available for the public and were placed on the back table. The summary of the report are as follows: there has been no harassment, no discrimination and no one made subject to gender discrimination by Directors Clarke and Johnson. There was no retaliation. The report shows that the District responded professionally and appropriately. Directors Johnson and Clarke made public a response to the report and the fact that they were exonerated from those charges. Secondly, the Final Grand Jury report released on June 16th did not mention anything relative against the Cameron Park CSD. He stated that now that the reports are out, he hopes and prays that we will be able to move forward. Director Clarke went on to say that there are times when residents and directors can have legitimate disagreements, talk them through, and sometimes end up agreeing to disagree. Questions can be answered without Letters to the Editor and/or Grand Jury requests—it only takes a phone call. Director Johnson stated that he believes Director Clarke covered the issue and the best thing to do now is move on.

Cameron Park resident Bill Carey asked Director Clarke if he meant that he can only write a Letter to the Editor if he agrees with Director Clarke? Director Clarke answered that anyone can write a letter but it is always an option to pick up the phone and simply ask the questions of directors and/or staff so everyone can move on instead of responding, "No thanks, bub." Director Johnson added that anyone is free to write a Letter to the Editor or to go to the Grand Jury. No one has ever said otherwise—it is a right of every person. Mr. Carey challenged him and said that those were Director Clarke's words: "Don't write Letters to the Editor." Director Johnson continued that at times like this, with frustrating discussion, sometimes the actual words coming out of someone's mouth may not meet their intent and come out differently. No one is challenging anyone's right to express their opinion in any way they see fit.

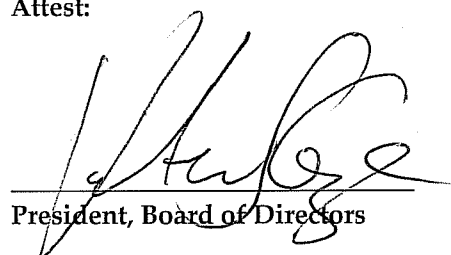
Director Gerger wanted to correct an earlier statement made by Director Clarke. He said that in July of 2008 the board did conduct a job evaluation of the General Manager but they did not make a decision regarding the contract. Director Johnson added that the board voted not to give the General Manager a raise, but there was a request to have the evaluation reviewed again in January of 2009. Director Gerger stated that he was simply correcting Director Clarke's statement and wanted to make it clear that the board did not address the renewal of the contract at that meeting in July. President Saltzen Coze interjected that her comments to everyone would be that those items were discussed in closed session and should not be discussed anyways. There are not appropriate. Furthermore, there are issues with the investigation report that may be discussed at another time.

Mountain Democrat reporter Laura Newell asked if the paperwork Director Clarke referenced was a recommendation or a report decision that there was no harassment. Director Clarke clarified that there are two documents: there's the investigators' report regarding the harassment and then there is a Grand Jury report. President Saltzen Coze reminded the audience that they are under Matters To and From Directors and that the item in question is not an agenda item. She stated that there are issues with the report and that it has not been adopted by the board. There is a situation that is bigger right now and it is not appropriate to be discussing the item under Matters to and From Directors. Ms. Newell answered that she was told she could ask the questions now and if the board would prefer, she will wait to ask them in private. President Saltzen Coze stated that it is just not the right time. Directors Johnson and Clarke agreed that they do not have any problems with answering the questions under Matters to and From Directors. Director Clarke provided Ms. Newell with the Press Release and pages one and two of the investigator's report. President Saltzen Coze reiterated that there are misstatements in the report and handing it out is premature. It should be discussed in closed session. Director Johnson said that legal counsel had already notified that the synopsis of the report (pages one and two) is already a public document. President Saltzen Coze stated that the investigator has made some misstatements in that synopsis. Director Clarke added that it is only President Saltzen Coze's opinion that there are misstatements. She stated that it is not her opinion—it is a fact that there are errors in the report. She went on to say that she would have appreciated notice that the item was going to be presented. While she does believe in transparency, she is having trouble deciding what is closed session and what is for open session right now. She asked Ms. Newell to repeat her question again. Ms. Newell stated that her question was to Directors Clarke and Johnson. President Saltzen Coze responded that the question affects the District and therefore is for everyone. Ms. Newell asked how Directors Johnson and Clarke have decided that it is no longer an issue. President Saltzen Coze agreed they can answer but they cannot answer it for the District as a whole. Director Johnson agreed that one board member cannot speak on behalf of the whole board. He and Director Clarke are simply presenting the findings of the investigation by VanDermyden and Block as well as pointing out that, while they know interviews took place with the Grand Jury, they have not seen anything in the Grand Jury's final Report mentioning Cameron Park CSD.

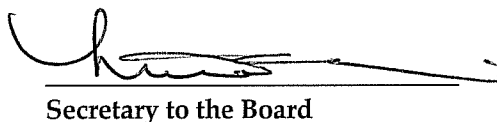
ADJOURNMENT: Meeting adjourned at 8:41 pm – **Approved.** Ayes – DG, AC, VC, DJ Absent: Green

Attest:

August 26, 2009



President, Board of Directors



Secretary to the Board

i. An AGENDA in FINAL FORM is located in the Reception area in the District Office as well as each of the Cameron Park Fire Stations. Additionally, a copy of the FINAL AGENDA is available on the District's website at www.cameronpark.org. Support material is available for public inspection at the receptionist counter in the District Office. Sessions of the Board of Directors may be recorded and members of the audience are asked to give their name and address before addressing the Board.

ii Closed Sessions may be called as necessary for personnel, litigation, and labor relations or to meet the negotiator prior to the purchase, sale, exchange or lease of real property. Members of the public may address the board prior to closing the meeting.