

Local Agency Formation Commission of
Colusa County

Minutes

October 2, 2008

The Local Agency Formation Commission of Colusa County meets this 2nd day of October 2008 at the hour of 3:00 PM. Commissioners Present: Brandon Ash, Angie Fulcher, Mary Winters, and Don Barker. Commissioners Absent: Kay Hosmer, Tom Indrieri, and Gary Evans.

Present: John Benoit, Executive Officer.
Scott Browne, Legal Counsel.
Dave Whitesell, Colusa Mosquito Abatement Dist.
Dan Kielly, Colusa Mosquito Abatement Dist.
Alicia Draves, Commission Clerk.

Chairman Barker calls the meeting to order at 3:00 PM.

Chairman Barker continues approval of the Minutes of August 7, 2008 to the November meeting for lack of a full commission vote.

Chairman Barker declares time for public comment.

No comment being heard, Chairman Barker closes the period of public comment.

Chairman Barker declares time for approval of the Consent Agenda for payment of claims for August and September 2008.

It is moved by Commissioner Ash, seconded by Commissioner Fulcher to approve the Consent Agenda. Motion carried. All yes. Absent: none.

Chairman Barker declares time for the continued public hearing on the Municipal Service Review for Mosquito Abatement Services and Sphere of Influence for CMAD (Colusa Mosquito Abatement District).

Mr. Benoit states that he added information requested by Commissioner Evans at the last meeting regarding the refuges. He further states that he spoke with the Sutter County Mosquito District, noting that there is not boundary conflict.

Commissioner Ash requests that Mr. Whitesell explain how he has budgeted only \$200,000.00 for chemical usage, noting that this was also the budget for the current area usage. He further notes that with an increase by 2/3 in the size of the District, these numbers don't add up.

Mr. Whitesell states that the district will receive \$200,000.00 in contracts above and beyond the revenue it currently receives. He further states that the new area that is to be covered will be done mostly by airplane, with men following that up with spraying on the ground. He further notes that this is the procedure they used in 2005/2006 when the district received funds from the State of California, and it was cost effective.

Chairman Barker inquires if the District will be treating the refuges and if so, who will be paying for the treatment.

Mr. Whitesell states the District will be treating both of the refuges, and while it is contracted that they pay \$2000.00, they are federal refuges, and the federal government does not always pay. He notes that he will be trying to get payment from there, however he is not counting on receiving payment. He further notes regardless of if the federal government pays or not, CMAD will have to treat them, or the whole county will pay the price.

3:13 PM Commissioner Indrieri is now present.

Commissioner Winters inquires if the District is only working with 3 board members.

Mr. Whitesell states they currently have 4 members.

3:15 PM Commissioner Evans is now present

Commissioner Indrieri inquires if the District is receiving feedback from the ballots they sent out.

Mr. Whitesell states that the responses are being sent to the Colusa County Clerk, noting that there will be two public hearings to be held on October 14, 2008 and October 27, 2008.

Mr. Benoit states that he will need to update the MSR with a statement of 2008-09 revenue anticipated budget, expenditures and current revenues, so the Commission can see how it balances.

Mr. Whitesell states that page 11 section 4.1.1 states that should the annexation pass the District would begin treating Colusa Wildlife Refuge, however the District already treats that area.

Commissioner Indrieri states that he would like the Commission to give direction to staff to amend the MSR to include the requested actual 2007/08 budget numbers and anticipated 2008/09 budget numbers. He further states there needs to be an amendment to section 3.4 CMAD Governance, correcting the name of Jack Critchfield, to **Tom** Crithcfield,

Lengthy discussion is held regarding the cost of services to existing customers vs. new customers.

Mr. Whitesell states that current Colusa customers are charged a Benefit Assessment of \$20.00, in addition to the \$49.00 in property taxes they currently pay. He states that it must be billed as a Benefit Assessment, but the amount received by the District is still \$69.00 per customer.

Mr. Benoit states that he will make the correction.

Mr. Browne inquires what governmental agency began this process, noting that the CMAD has no authority to impose an assessment on property that is not currently within their district.

Commissioner Indrieri states that they County of Colusa has the authority to make the assessment, and when it passes, it will transfer the funds to the District. He further states they are working in unison with CMAD to get this passed. He further states that he will speak with Ms. Robey and have her contact Mr. Benoit with the details.

It is moved by Commissioner Indrieri, seconded by Commissioner Fulcher, to adopt **Resolution 2008-0013**, a Resolution of the Colusa County Local Agency Formation Commission approving an MSR for Mosquito Abatement Services With the above mentioned amendments. Resolution approved and adopted by the following vote:

AYES: Commissioners Indrieri, Evans, Fulcher, Ash, and Barker.

NOES: None.

ABSENT: Commissioner Hosmer.

It is moved by Commissioner Indrieri seconded by Commissioner Ash to adopt Resolution 2008-0014, a Resolution of the Local Agency Formation Commission of Colusa County approving a Sphere of Influence Update for the Colusa Mosquito Abatement District. Motion carried by the following vote:

AYES: Commissioners Indrieri, Evans, Fulcher, Ash, and Barker.

NOES: None.

ABSENT: Commissioner Hosmer.

Chairman Barker continues the workshop to review LAFCO's adopted policies to the November 2008 meeting.

Chairman Barker declares time for discussion on liability insurance for Colusa LAFCO.

Mr. Benoit states that he has received a quote for \$2,500.00 a year for liability insurance, noting that the condition of approval is that Colusa County LAFCO must become a member of the Special Districts Risk Management Authority (SDRMA). He further states that this will add a cost of \$889.00 to the budget. He notes that the cost several years ago was \$4,000.00, further noting the cost will go down in future years.

Commissioner Evans inquires of the cost to A87 for handling the paperwork.

Mr. Benoit states that it is minimal.

It is moved by Commissioner Indrieri, seconded by Commissioner Fulcher to authorize staff to execute an agreement with SDRMA for Liability Insurance in the amount of \$2,500.00 for 2008-2009 Fiscal Year to be pro-rated and to adopt LAFCO **Resolution 2008-0015**, a Resolution of the Local Agency Formation Commission Approving the form and authorizing the execution of a sixth amended joint powers agreement and authorizing participation in the Special District Risk Management Authority's property and liability program . Motion carried by the following vote:

AYES: Commissioners Indrieri, Evans, Fulcher, Ash, and Barker.

NOES: None.

ABSENT: Commissioner Hosmer.

It is moved by Commissioner, seconded by Commissioner to authorize the Chair to sign the Joint Powers Agreement and the Executive Officer to sign the insurance application forms. Motion carried. All yes. Absent: Commissioner Hosmer.

It is moved by Commissioner, seconded by Commissioner to authorize Colusa LAFCO to join the California Special District's association in the amount of \$427.00 for FY 2008-2009 (required to receive insurance). Motion carried. All yes. Absent: Commissioner Hosmer.

Chairman Barker declares time for discussion on the Annual CALAFCO Conference –September 2-5, 2008

Discussion is held regarding the conference with no action taken.

Executive Officer's Report

Mr. Benoit states all of the LAFCO sponsored legislative bills were signed.

Commissioner Reports

None.

Chairman Barker adjourns the meeting at 4:13 PM to reconvene in Regular Session on Thursday, November 6, 2008 at the hour of 3:00 PM.

Approved: _____
Don Barker, Chairman

Attest: _____
Alicia Draves, Commission Clerk