



Elsinore - Murrieta - Anza
Resource Conservation District

**MINUTES
REGULAR MEETING
OF THE BOARD OF DIRECTORS
AUGUST 14, 2009
1:30 PM**

A. CALL TO ORDER AND ROLL CALL

A meeting of the Elsinore-Murrieta-Anza Resource Conservation District was called to order at 1:36 PM by President Long. Present were the following:
Directors Long, Wheeler, Rahn and Nelson
Associate Director Matriasciano
General Manager Rogers
District Counsel Johnson entered the meeting at 1:45 PM
Public: Kathi Head, Linda Ridenour, Troy Childs
Absent: Director Whittington

Motion was made by Wheeler, second by Rahn, passed 4-0, to approve the Agenda with the addition of Board Action 2.4(a) "Approve Rules of Order for Board and Committee Meetings".

B. MINUTES OF JULY 2, 2009

Motion was made by Wheeler, second by Rahn, passed 4-0, to approve Minutes of the July 2, 2009 Regular Meeting.

C. PUBLIC COMMENT

Linda Ridenour of Lake Elsinore addressed the Board asking for information on Southern California Edison's "Alberhill Project". SCE's mailer on the project was viewed; the only work within the District boundary appears to involve adding additional circuits on existing transmission lines. Rogers will attend the informational open house on August 26 at Lake Elsinore Cultural Center.

D. FINANCIAL REPORT

Laurie Marscher, C.P.A., Teaman, Ramirez & Smith, Inc. presented statements for April-June 2009 and July 2009, the first statements done by TRS for the District. The detail shows all checks written, deposits and journal entries. Minor changes in terminology were noted; as a public agency, the District has no capital assets but can have capital outlay. There is no "profit and loss", but there are "revenue" and "expense" items. This is the form that the financial statements will take from now on. Account names will be changed to reflect actual purpose, and the account numbers will be stricken. Long stated the report form will be helpful to the Board, and it shows the need to find income to accomplish the budget goals.

E. BOARD CORRESPONDENCE

President Long displayed a "thank you" note from Elizabeth Nigro for her firm's years of work as the District's accountant.

Rogers distributed copies of plan and Notice of Preparation from Wildomar for veterinary hospital off Clinton Keith Road. There are no significant habitat issues. The board directed Rogers to respond with a general letter to City asking assurance that water quality and ground water issues are addressed.

F. BOARD ACTION ITEMS

a. District Expenses

1.1 Motion was made Wheeler, second by Nelson, passed 4-0, to approve payment of final invoice to Nigro & Nigro, \$525.00.

1.2 Motion was made by Nelson, second by Rahn, to approve payment of California Association of Resource Conservation Districts annual dues of \$300. Wheeler questioned the benefits of CARCD versus California Special Districts Association. Nelson cited networking, Yahoo user groups, problem solving through contact with similar Districts. Passed 4-0.

b. Board Actions

2.1 Approve District Manager John Rogers as signer on District accounts. Motion was made by Wheeler, seconded by Nelson, approved 4-0.

2.2 Approve Check Signing Policy. Rogers distributed a letter from TRS and a draft Policy for approval. Motion was made by Wheeler, second by Nelson, to approve Policy No. 2009-03, Check Signing Policy, reducing the limit for a single signature to \$1,000. Approved 4-0.

2.3 Approve Response to **EIR for Liberty Quarry, Granite Construction**. Motion was made by Nelson, Second by Wheeler, to direct Rogers and District Counsel Johnson to prepare District's response to the draft EIR. Director Rahn stated that he would not be able to participate in the matter because of a conflict of interest with San Diego State University. Johnson said he would also be preparing a response for his client SOS-Hills, and described a number of new issues, including the reclamation plan and the elimination of the future reservoir use. Wheeler questioned the long life of the project, which exceeded water availability for the region, and the projected net export of aggregate from Riverside County. Motion was approved 3-0, Rahn abstaining.

2.4 Approve policy for **Board Meeting Conduct**. Motion made by Nelson, Second by Rahn, to approve policy as presented. Wheeler objected to proposed policy as being redundant, duplicating matters already set forth in Roberts' Rules, and giving the Chair unilateral power to eject either Board Members or members of the public from meetings. Long responded that the Board meetings are informal, not held strictly per Roberts' Rules, and that the intent was to clarify rules of conduct for orderly meetings. Rahn suggested a change to allow any Board member to call for Point of Order to allow the Board to vote on ejecting a Board member, but to allow the Chair to eject a member of the public. The motion and the second were rescinded and the Manager was directed to rewrite the policy for reconsideration at the next meeting.

2.4A. Approve policy for **Rules of Order for Board and Committee Meetings**. Long stated that the policy was drafted based upon an identical policy of San Jacinto RCD. Director Wheeler objected on the grounds that the policy was redundant and covered material already in Roberts' Rules. Motion to approve by Nelson, second by Wheeler to approve the policy, subject to the elimination of Section 5: Decorum. Approved 4-0.

2.5 Approve a response to Notice of Preparation for the **French Valley Energy Center** (Leon and Borel Road). Resident Troy Childs presented information on the project, a 49-MW Natural Gas-fired peaking project on a 20-acre parcel east of the airport. This is different than a previous 360-MW project at the same site. After lengthy discussion, Motion by Weaver, second by Nelson to ask Attorney Johnson to prepare a response listing potential stream impact, damage to wildlife from ammonia storage, inconsistency with wildlife corridors identified in the HANS process, septic system effluent, and air quality impacts. Response is due to County Planner Adam Rush by August 20. Passed 3-0 with Rahn abstaining.

3.1 **Discussion Item.** Attorney Johnson discussed the Clinton Keith property, and the practical legal issues arising from the need to grant easements over the property to ourselves. One solution may be to grant a 1% interest to another agency, possibly Riverside-Corona RCD, so that new easements granted to EMARCD will not be self-extinguishing. Johnson will be working on a solution to this matter.

Monthly Reports:

District Manager.

- Rogers reported on ongoing efforts to find grant funding, and asked for specific direction from the Board. Nelson asked that the Manager work on a shopping list of projects for District consideration.
- A NOP from the new City of Wildomar was presented; Rogers was directed to prepare a written response, making sure that the project does not impact any waterways. Weaver noted that the project was proposed to be served by a well, and asked that water use 15 or more years hence be considered. Rahn cautioned that project responses in general should be narrowly construed and focused to assure that EMARCD's credibility is not diminished. Not every NOP deserves a response.
- The Manager was asked to add Associate Director Reports to future agendas.

Fire Safe Council: Associate Director Matriasciano announced that the next meeting would be held at 6:00 PM August 17 at Bear Creek Fire Station. They received a grant for a new chipper.

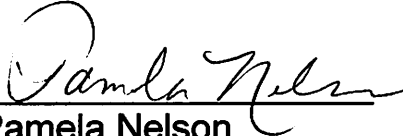
Old Business:

- Long and Nelson reported that the storage locker has been vacated, with all documents destined for storage at the District office.
- An old but serviceable scanner/fax machine was donated by Ray Johnson. Long will prepare a donation letter, to be signed by the Board Secretary.

New Business:

- Kathi Head was introduced by President Long as a potential Associate Director of EMARCD. Ms. Head is retired from a career in public administration and redevelopment. She has a Masters in Environmental Studies, and is interested in working on large-scale habitat-preservation issues.
- The Board requested that a strategic planning workshop be scheduled at a future date.
- Long reported that SAWA had received a \$200,000 grant for bussing of school children to their site on the Santa Ana River, and questioned if EMARCD could do something similar with SMRER.
- Long reported that the Memorandum of Understanding with San Diego State was continuing in process.

Adjournment: Moved by Wheeler, second by Nelson, to adjourn to 1:30 PM September 11, 2009, approved 4-0 at 4:27 PM


Pamela Nelson
Secretary of the Board

Approved by Board of Directors September 11, 2009

Ayes 4 Noes 0 Abstained 0