

**MINUTES OF THE REGULAR MEETING OF THE
GOVERNING BOARD OF THE MIDWAY CITY
SANITARY DISTRICT OF ORANGE COUNTY
14451 CEDARWOOD AVENUE
WESTMINSTER, CA 92683**

September 7, 2010

3:00 P.M.

CALL TO ORDER

President Neugebauer called the regular meeting of the Governing Board of the Midway City Sanitary District to order at 14451 Cedarwood Avenue, Westminster, on Tuesday, September 7, 2010 at 3:00 p.m.

BOARD MEMBERS PRESENT:

Tyler Diep (arrived @ 3:05 p.m.)
Grace P. Epperson
Joy L. Neugebauer
Margie L. Rice

OTHERS AT MEETING:

Ken Robbins, Assistant General Manager
Robert Housley, Finance Director
Tom Nixon, District Counsel
Danielle Gerardo, Administrative Secretary

PLEDGE AND INVOCATION

Director Epperson led the Salute to the Flag. Director Rice gave the Invocation.

APPROVAL OF THE MINUTES OF THE MEETING OF AUGUST 17, 2010

A motion was made by Director Rice, seconded by Director Epperson to approve the minutes of the meeting of August 17, 2010. The motion was approved by the following vote:

AYES: Directors, Epperson, Neugebauer, and Rice.
NOES: None

PUBLIC COMMENTS

None

APPROVAL OF EXPENDITURES

A. Demands in the amount of \$ 181,429.35

#	CK #	CK AMOUNT	VENDOR
1	3906	68.90	Advanced Gas - Q/D Set-Hose to Torch
2	3907	526.07	Bodyworks - Coil Assembly for T-51 and Restock
3	3908	75.00	Cal's Sweeper Services - Sweeping Services for August 2010
4	3909	5,358.68	CalPERS - Retirement for Service Period 08-2010-3
5	3910	5,370.20	CalPERS - Retirement for Service Period 08-2010-4 Cobocare/Floor Master - General Maintenance Cleaning for Front and Back Offices Aug.
6	3911	525.00	2010
7	3912	150.00	Computer Research Center - Register the Domain MidwayCitySanitaryDistrict.com
8	3913	3,868.10	Daniels Tire Service - New Tires for T-62 and Restock Six Tires
9	3914	399.96	Dartco - Restock Filter Kits/High Capac
10	3915	3,210.91	Fleet Service - T-53 DPF Clean, Restock Fittings & Hose's, T-56 P/S Fluids,
11			T-55 & T-59 A/C Inspection and Repair, Restock Fuel/Water Separator Frog Env, Inc. - Monitoring Plan Binder, Training and Sampling Kits, BMP Inspection
12	3916	375.00	Report
13	3917	288.80	HB Auto & AC - Clean and Test, Then Charge Air Cooler for T-53
14	3918	90.61	HillCo - Restock Misc Parts for Maintenance Shop
15	3919	241.60	Hose-Man - Needle Valve and Fittings for T-61. Restock O' Rings
16	3920	140.70	Joy Neugebauer - Insurance Reimbursement September 2010
17	3921	20.00	Jon Greg Nordbak - Reimbursement for CASA Conference August 18-20, 2010
18	3922	400.00	Pitney Bowes - Postage Refill
19	3923	1,160.05	Prudential Overall Supply - August 2010 Services
20	3924	12,273.45	Rehrig Pacific Company - 243 95-Gallon Blue cans with Lids
21	3925	86.32	Resource Communications - Phone Repair Front Office
22	3926	2,684.53	Tec of California - T-53 Turbocharger replacement, Clamps, Gaskets and Sealing Rings
23			T-51, Turn Signal and New Leo Lamp. T-56 Steering and T-52 Replace relay Switch
24	3927	395.81	Top Mobile Vision - T-61 Repair Color LCD Monitor
25	3928	6.46	Tyler Diep - Mileage Reimbursement for July 2010
26	3929	255.00	Wespac Security Services for 7/2010-9/2010
27	3930	1,460.00	Woodruff, Spradlin & Smart - Legal Services for July 2010
28	3931	100.00	Trackdown Management Services - Annual Subscription
29		39,531.15	SUBTOTAL
30			
31			ADD HANDCUT CHECKS:
32	3891	1,290.00	Terrastar Media - 50% Deposit for Web Design of Midway City Sanitary Web Site
33	3892	413.39	City of Westminster - District Office Water June 16 2010 - August 10 2010

34	3893	16,976.00	DJ Printing - 50% Deposit for 2011 Calendar
35	3894	75.79	Gas Company - Utility Service for District Offices, Yard and Fleet Maintenance
36	3895	492.14	Verizon Business - Internet Connection for Scada System September 2010
37	3896	2,032.22	Albert Cibrian - Replacement Check for Returned Direct Deposit 08/10/2010
	CK	CK	
#	#	AMOUNT	VENDOR
38	3897	1,625.53	Albert Cibrian - Replacement Check for Returned Direct Deposit 08/24/2010
39	3898	90.63	AT&T - Internet Brookhurst Lift Station (714) 531-0272 September 2010
40	3899	45,930.28	CalPERS - Health Premiums for September 2010
41	3900	759.90	The Standard Life Insurance - Premiums for September 2010
42	3901	142.23	Union Bank (First Bank) - Office Supplies
43	3902	40.00	City of Westminster - Hydrant Meter Water Usage for July 2010
44	3903	523.62	Office Max - Office Supplies
45	3904	3,771.41	Southern California Edison - District, Fleet, and Pump Stations
46	3905	830.80	Verizon CA - Monthly Service - (714) 891-9410 (GE) Fax / 891-8624
47			District Fax 893-3553/ 893-3554/ 893-3555/ 897-5368 District Phones/
48			(714) 893-2299/ 903-1863/ 903-6154/ 903-6274 Lift Stations September 2010
49			
50		114,525.09	SUBTOTAL PLUS HANDCUTS
51			
52		58,646.74	Payroll Date 08/24/10 Staff Chk #14799 - 14809 Taxes & Direct Deposits
53		2,663.89	Payroll Date 08/24/10 Nationwide Deferred Compensation
54		5,313.46	Board of Directors Payroll for The Month of August 2010 Chk #14811 - 14813
55		280.17	Board of Directors Nationwide Deferred Compensation for The Month of August 2010
56			
57		181,429.35	TOTAL EXPENDITURES W/PAYROLL

A motion was made by Director Rice, seconded by Director Epperson to approve the expenditures in the amount of \$181,429.35. The motion was approved by the following vote:

AYES: Directors, Epperson, Neugebauer, and Rice.
 NOES: None

REPORTS

REPORT OF PRESIDENT

President Neugebauer reported that Director Krippner called her and reported he was still at home recovering from his surgery and would not be at the Board meeting today. GM Nordbak is also absent due to vacation, so AGM Robbins is representing the District in his absence.

REPORT OF GENERAL MANAGER

AGM Robbins brought up the eventual removal of the Generac Generator in back of the District offices. It is turned off, but still operable, and can be turned back on manually if needed in case of a power outage.

AGM Robbins also reported that the M-63 Vactor truck is in need of a new hose reel after 10 years of service, which should cost the District approximately \$8,500. It has already been approved by GM Nordbak, but he wanted it to be brought to the attention of the Board of Directors as well.

There was also an update on the construction on Hazard. The contractor is working to tie in the two storm drains into the Westminster storm channel by Hoover Street, which should finish his portion of the project. This should be accomplished in approximately two weeks, and open the north side of the street to traffic.

AGM Robbins also added a Public Record Request Form to be reviewed for placement on the website upon approval from Legal Counsel Nixon. President Neugebauer requested this item become an Agenda item at the next Board meeting.

The Board members requested that the District information cards which were handed out have all Directors phone numbers added, and be printed on colored paper so that they will stand out.

AGM Robbins also reported that the Directors were provided with an Orange County Residential Trash and Franchise Fee Survey and reported that Rainbow Disposal's rate had not gone up, but that they are in negotiations with the prospective cities that they provide solid waste service to.

The Directors have also been provided with copies of everything that was provided to the Public Records Requesters over the past few weeks.

REPORT FROM ORANGE COUNTY SANITATION DISTRICT MEETING (OCSD)

President Neugebauer reported from the Board of Directors meeting held on August 25, 2010. The 2009-2010 Information Report titled "Change Reaches Us All" was received and a copy given to each Board member. There were two possible claims against OCSD discussed during the Closed Session and construction projects on the Consent Calendar were approved.

On September 1, 2010, the Operations Committee met briefly to discuss staff reports. They shared an Orange County Register article which reported on the dramatic decrease in sewage spills. It stated that for the first time on record for 2009, and for the period between Memorial Day and Labor Day, there were no ocean water closures, which speaks well for our Sewer Districts and OCSD. There were reports on ocean monitoring as well as a tour to see how they test and take samples of ocean water. The General Managers 2010-2011 work plan was also reviewed.

REPORT FROM CALIFORNIA ASSOCIATION OF SANITATION AGENCIES (CASA) CONFERENCE

President Neugebauer reported that the District had received the 1st place award for the “Earning While Learning” program and requested that it be hung in the Board Room along with the picture taken of the Board members receiving the award at the CASA conference in Monterey.

Director Rice reported that she did make it to the Director’s Executive Board meeting and that they will not be raising our fees. She told the Board that overall, she was disappointed in the way they run things and in their lack of business sense. She felt that the ethics training was the best that she had ever attended though, as well as the seminar on private sewer laterals. She brought up the issue of city housing grants for low to moderate income families adding private sewer laterals, which she will be bringing to Council at the City of Westminster meeting on Wednesday.

President Neugebauer wants to give GM Nordbak an opportunity to report on the conference at the next Board meeting being held on September 20, 2010.

CONSENT CALENDAR

- A. Consider nominating a member of the Board to the Independent Special Districts of Orange County (ISDOC) Executive Committee.

This item was pulled off the consent calendar and discussed by the Board of Directors. It was decided that there would be no vote of support for the candidates recommended by the Nominating Committee at the election to be held on September 30, 2010.

A motion was made by Director Diep, seconded by Director Rice, to take no action, make no nominations and abstain from voting for a member of the Board to the ISDOC Executive Committee. The motion was approved by the following vote:

AYES: Directors Diep, Epperson, Neugebauer, and Rice
NOES: None

- B. Approval of the request of General Manager Greg Nordbak to receive 40 hours of vacation pay in lieu of time off.

A motion was made by Director Rice, seconded by Director Diep, to approve the item on the Consent Calendar. The motion was approved by the following vote:

AYES: Directors Diep, Epperson, Neugebauer, and Rice
NOES: None

OLD BUSINESS

None

NEW BUSINESS

- A. Consider purchasing a Global Positioning System (GPS) fleet tracking system.

AGM Robbins reported that as of now, we only have physical and visual tracking and inspection of our fleet and drivers, whereas with a GPS tracking system, Supervisors would be able to more accurately track where drivers are and what is taking place on a daily basis, as well as lowering fuel costs, eliminating unnecessary overtime and unauthorized vehicle use, and make routing more efficient.

President Neugebauer suggested that we determine the cost per year, and find out what other agencies in the county are using before making any further decisions.

A motion was made by Director Rice, seconded by Director Epperson to continue to gather information for a decision to be made in the future on this item. The motion was approved by the following vote:

AYES: Directors Diep, Epperson, Neugebauer, and Rice
NOES: None

- B. Consider providing input into the development of the County of Orange 2011 Legislative Platform.

This item will be put onto the next Board meeting Agenda, with a list of last years' priorities, as the District's priorities have not changed. There is a deadline of September 30, 2010 to provide input.

A motion was made by Director Rice, seconded by Director Diep to put this item on the next meeting's Agenda with last years' priorities. The motion was approved by the following vote:

AYES: Directors Diep, Epperson, Neugebauer, and Rice
NOES: None

- C. Consider purchasing a place on the Westminster Chamber of Commerce permanent Building Dedication plaque.

Director Rice let the Board know that she did not feel that it would be right to use taxpayer money for this item.

A motion was made by Director Epperson, seconded by Director Rice to not participate in the purchase of a place on the Westminster Chamber of Commerce permanent Building Dedication Plaque. The motion was approved by the following vote:

AYES: Directors Diep, Epperson, Neugebauer, and Rice
NOES: None

- D. Consider a date and topics to discuss for a joint meeting with Costa Mesa Sanitary District (CMSD).

It was suggested that we host a Special meeting with CMSD here at the District office sometime in November. Some of the suggested topics to be discussed are websites, scavengers, policy, dress code, employee compensation, and sewer laterals. Possible dates, time of the event, topics to discuss, the number of people attending, and possible menus will be brought back to the first Board meeting in October for further discussion.

A motion was made by Director Diep, seconded by Director Rice to bring this item back to the first meeting in October to pick an exact date, and discuss details. The motion was approved by the following vote:

AYES: Directors Diep, Epperson, Neugebauer, and Rice
NOES: None

- E. Approval of attendance to Quarterly Independent Special Districts of Orange County (ISDOC) Meeting on Thursday, September 30, 2010.

Reservations need to be made for this event for all Board members wishing to attend by Friday, September 24, 2010.

A motion was made by Director Diep, seconded by Director Rice to approve attendance to the ISDOC Meeting. The motion was approved by the following vote:

AYES: Directors Diep, Epperson, Neugebauer, and Rice
NOES: None

BOARD CONCERNS/COMMENTS

Director Diep commented on the survey of residential trash pick-up rates and requested the same for sewage. President Neugebauer asked that each of the Board members also be provided a copy.

Director Rice asked that there be corrections made to the Request for Public Records information given to the Voice of OC and the OC Register regarding Employee Compensation of some Directors.

GENERAL COUNSEL CONCERNS/COMMENTS

None

GM/STAFF CONCERNS/COMMENTS

AGM Robbins requested that if the Grant Program for the private laterals is approved by the City of Westminster, that he would like to be involved.

Finance Director Robert Housley had nothing to add and no comments.

INFORMATIONAL ITEMS

- A. Director Krippner's Birthday is on September 8th.

ADJOURNMENT

President Neugebauer adjourned the meeting at 4:04 P.M. to September 20, 2010 at 4:00 P.M.

Al P. Krippner, Secretary