**Westport County Water District**

**Board of Directors**

**Minutes of Regular Meeting**

**Thursday, March 13, 2025**

The regular monthly meeting of the Westport County Water District (“District” or “WCWD”)Board of Directors convened at 7:06 pm via zoom on Thursday, March 13, 2025. Notice and the Agenda were previously properly issued, a Board quorum was present, and it was confirmed that each Director was able to hear and be heard by the other Directors and members of the public in attendance.

1. **Roll Call at Inception (7:06 pm):**

Present Board Members: Chairman Lee Tepper, and Directors Ms. Carla Thomas, Mr. Steve Cardullo, Mr. Robert Finnell and Mr. Gary Weiss.

Present Staff: Operations Manager and Chief Plant Operator Mr. John Morrill, and Administrator Ms. Kayla Cooper.

Present Members of the Public: Ms. Dorine Real (attended a portion of the meeting).

1. **Entity Governance (7:06 pm):**

Director Weiss stated that due to a temporary but significant increase in his personal obligations, he is having trouble fulfilling the responsibilities of the Acting Secretary and would appreciate other directors helping to share those responsibilities. After discussion, it was agreed that Director Weiss would continue to prepare the minutes for this meeting but that other directors would share those responsibilities on a rotating basis in the coming months when their own personal obligations and health conditions permit.

1. **FFPC Training on AB 1234 – Ethics Training for Local Public Officials – and Form 700 Statement of Economic Interests (7:21 pm)**

Director Finnell stated as he had at prior meetings that each Director must complete the ethics training course per AB 1234 every two years. He said the course may be taken online at no charge. He stated that the course offered by the Rural Community Assistance Corporations (“RCAC”) is directed at *mutual (private) water districts* only and would not be useful. He stated that he would distribute another link to an ethics course applying to municipal water districts such as the WCWD.

Attendees then discussed whether each director is required to prepare and file another Form 700 Statement of Economic Interests even though each director has done so in late 2024 as part of the process of preparing and filing his/her oath of office. Each director had received correspondence from County Clerk Ms. Gina Bartolomie instructing them to do so. The directors concluded that, even if such a filing may not be required under applicable law, they would comply with the County Clerk’s instructions and prepare and file a new Form 700.

1. **Consent Agenda**
2. **Approval of Minutes (7:28 pm):**

Director Weiss moved that the Board approve the minutes of the regular Board meeting held on February 20, 2025. Director Thomas seconded the motion, which was then approved unanimously by the Board.

1. **Correspondence (7:29 pm):**

Ms. Cooper reported that she had been approached by an existing customer inquiring if the District would provide water and sewer service for a second “granny” unit the customer was considering creating in a building adjacent to the customer’s main house. The directors and staff considered whether the addition of this new unit should result in creation of an additional account, an additional meter and additional water and sewer service charges. They discussed the manner in which the District had treated other customers making similar requests in the past. Chairman Tepper and Director Cardullo provided historical detail on the subject. The Board agreed that if an existing customer is contemplating converting an existing building on the customer’s property into a new or additional habitable unit, the District would not create a second billable account nor additional water/sewer service charges for that customer as long as the customer is not adding a kitchen or kitchen sink to that unit.

Director Finnell admonished that such customer requests should henceforth be made in writing and considered at a public meeting of the Board.

1. **Public Comment (7:46 pm):**

There was no public comment.

1. **Staff Reports (7:47 pm):**
2. **Bookkeeper/Administrator Report (7:47 pm):**

Ms. Cooper led the discussion of the WCWD’s monthly financial report. In advance of the meeting, Ms. Cooper had distributed to all attendees a copy of the February 2025 expense report as well as the February 2024 expense report and the accounts receivable aging summary as of February 28, 2025.

Ms. Cooper reported that as of the end of February 2025, there was $48,727.28 in the District’s main checking account, along with $16,770.55 in water capital and $16,853.55 in sewer capital. Ms. Cooper reported that the funds currently in the District’s main checking account are roughly $8,711 more than were in the account at the end of February 2024.

In response to questions from the Directors, Ms. Cooper stated that there were no extraordinary payments made in February other than the $510 payment to the District’s independent auditor, Mr. Zach Pehling, which was made for his preparation of his year-end audit report. She noted that although two WCWD customers had been falling behind on their payments, both had recently paid off their delinquent accounts in full.

1. **Operator’s Report (7:49 pm):**

Mr. Morrill led the discussion of the March 13, 2025, Operator’s Report he had circulated during the meeting. Mr. Morrill answered questions from the Directors about the report.

Mr. Morrill reported that the District had produced 210,274 gallons of water in 119 hours of operation in February, and that this was 53,462 fewer gallons and 31 fewer hours of operation than during the month of January.

Mr. Morrill reported that he had filed the District’s electronic annual drinking water report (“EAR”) due in April and the Consumer Confidence Report (“CCR”) due in July. Mr. Morrill said that the CCR was distributed to customers with their March bills, posted at the Westport Community Store and also published on the District’s website and thus available for review by the public. Mr. Morrill explained that the CCR reflected the good news that the substances required to be tested by the State Water Resources Control Board (“SWRCB”) all measured well below permissible levels, per standards set by the state. Director Weiss asked questions about the sampling and testing for some of the substances, including Coliform Bacteria, and Mr. Morrill explained these results in detail. Director Finnell asked about the potential impact of cattle raising on the quality of the District’s surface water source and Mr. Morrill explained that the District’s water treatment program addresses this risk. Chairman Tepper asked about the cost of lead and copper testing and Mr. Morrill explained the process required for sampling of these substances. Ms. Cooper stated that the cost of testing for these substances alone was $1,295 paid to Alpha Labs.

1. **Technical Education Topics for the Board: Cross-Contamination Prevention: (8:05 pm):**

Mr. Morrill led the discussion of this topic, which is part of a rotating series of discussion topics in which Mr. Morrill explains the various technical issues that the District attends to as part of its normal operations. He explained that there is a risk of backflow from individual customers’ water into any district’s drinking water system whenever the pressure generated by any of the district’s customers is greater than that of the District’s main water line. Any such backflow presents a risk of cross-contamination. He said this is a relatively small risk for the WCWD because the WCWD’s main water line generates remarkably high pressure – about 95-100 pounds per square inch as compared to the 30-35 pounds per square inch of pressure enjoyed by some other water districts. Nevertheless, the District is bound by the rules that the SWRCB applies to all water districts and the WCWD is therefore required to generate a cross-contamination prevention plan per the SWRCB’s policy and rules promulgated on July 1, 2024, which require that every water district implement its own plan to address potential cross-contamination on or before July 1, 2025. The plan must also address any air gaps between the water pipes of its customers and those of the District. The plan must specify a coordinator for addressing cross-contamination (which will be Mr. Morrill) and also a specialist who is specially trained in these matters.

In preparing the District’s Cross Connection Control Plan, Mr. Morrill is working with Mr. Rio Russell, a certified cross connection, assembly and test specialist consultant from Elk. Mr. Russell has been certified by the State, has attended the applicable education classes available, has purchased all of the equipment needed for cross-contamination testing and remediation and is very competent in these matters. Mr. Morrill expects that he and Mr. Russell will examine all of the District’s customers’ equipment (such as wells and water tanks) and perform an initial assessment of the issue for the District at the cost of approximately $2,000-$3,000, and then charge approximately $80 per any customer that needs to remediate its potential cross-contamination risk and then conduct annual inspections of the affected customers. (He is looking for ways to reduce the cost of certifying the cross connection for each affected customer each year, including doing as much of the work in-house as possible rather than delegating all of it to Mr. Russell.) He expects that each individual customer requiring remediation will be responsible for the cost of that remediation, but the initial inspection costs will be paid by the District. Mr. Morrill says it is critical that remediation be performed to a consistent standard established by the District and that only approved parts and equipment be used in order to establish consistency within the District’s system.

Director Finnell suggested, and Mr. Morrill concurred, that Mr. Rio attend a WCWD Board meeting to discuss his fees and expected activities.

Mr. Morrill emphasized that the first step in the process is for the Board to pass an ordinance covering these activities. Mr. Morrill said he would circulate a template or draft ordinance for the Board to review and discuss at its next regular meeting.

1. **Old Business (8:46 pm):**
2. **Status of and Next Steps for WCWD Capital Improvement Projects: (8:46 pm):**

In response to questions from the directors, Mr. Morrill stated that he had forwarded to GHD the District’s redlined draft of the Master Services Agreement. The directors and staff discussed whether and how the new Federal administration might change the prospects for the District receiving grant funding for its capital improvement projects.

The directors also discussed the Request for Proposal sent to the District by the County of Mendocino on March 4, 2025, under the Community Development Block Grant Program. The directors agreed that the program does not apply to the District and that the District should not prepare and submit a proposal.

1. **Status of Municipal Service Review & Sphere of Influence Update Requested by Mendocino Local Agency Formation Commission (8:53 pm):**

Ms. Cooper reported that she had spoken to Ms. Uma Hinman, Executive Director of the Mendocino Local Agency Formation Commission (“Mendocino LAFCO”) on March 9, 2025, and had nothing new to report in advance of the upcoming public hearing concerning the draft report regarding the District on April 7, 2025. Director Cardullo stated that he does not favor officially incorporating the Westport RV Park and Campground into the District.

1. **Policy for WCWD Document Retention: (8:57 pm):**

Director Cardullo recounted his efforts on March 11, 2025, to inventory and review the many WCWD documents located in boxes stored at the Westport Fire Station. He said he would return for an additional day on March 14 to continue with this effort. He located many documents, including minutes from meetings dated as far back as the 1980’s, that were worth saving. He also booted up the old laptop computer that contained various WCWD documents. Directors Weiss and Thomas thanked Director Cardullo for these ongoing efforts.

1. **Status of Timber Harvest Plan on Property Owned by Roger and Michelle Burch Trust (9:03 pm):**

Director Thomas reported that she had read the initial application that had been filed on the THP but had not yet read all of the other filings. She noted that portions of the initial application that had concerned her initially had since been rejected by CalFire and other reviewing agencies. She said the District would have ample opportunities to weigh in before the application process has been completed.

1. **New Business (9:08 pm):**
2. **Discussion and Q&A on 2024 Consumer Confidence Report dated February 21, 2025.**

This item was discussed earlier in the meeting. See Item 5.B., above.

1. **Continued Canvassing of Directors and Staff on Three Goals for the District in 2025 (9:08 pm):**

This topic had been discussed at the WCWD Regular Board Meeting held on February 20, 2025, but not all the Directors had had the opportunity to weigh in on the subject.
Several directors and staff members offered their respective goals for the District in 2025.

Director Cardullo expressed his goal that the District manage its budget.

Mr. Morrill stated his goal that the District prepare its required Cross-Contamination Plan and corresponding Ordinance. He requested that the Ordinance be prepared before his scheduled April meeting with the SWRCB’s Sanitary Engineer, Matt Foster, to inspect the District’s water distribution system. He suggested that this be added as an agenda item for the District’s April 10, 2025, Regular Board Meeting.

Director Weiss said that it was his goal that the District address succession planning this year. Mr. Morrill responded that the District was well prepared in this regard as he had no immediate plan to retire and the District has two capable and certified operators for both drinking water distribution and the wastewater system.

Ms. Cooper said that her primary goal for 2025 is making sure the District pays all its bills in a timely fashion.

Director Cardullo stated his goal that the District’s files and historical documents be catalogued properly for future reference.

Director Thomas stated her primary goal for the District was to obtain grant funding for the planning of its capital improvement projects.

1. **Communication with Other Small Districts in Mendocino County re SWRCB Wastewater Permit Fees (9:17 pm):**

Mr. Morrill said that he had written to the SWRCB to protest the wastewater fees that unfairly apply equally to large and small districts alike, and that there is nothing more he can do on this front. Directors Cardullo and Thomas suggested that the District approach the Mendocino County Board of Supervisors and/or the State authorities to address this issue.

1. **Brown Act: Continued Digital/Virtual Zoom Meeting Authorization (9:23 pm):**

Director Thomas moved to continue providing the option for zoom attendance at WCWD Board meetings. Director Weiss seconded the motion, which was then unanimously approved.

1. **Conversion/Adjustment Process from “Commercial” to “Residential” Accounts for Monthly Billing by WCWD: (9:23 pm):**

Director Thomas stated that in crafting a process for addressing a “Commercial” account holder’s request to convert to a “Residential” account, the District needs to prevent a

customer’s toggling back and forth throughout a year, perhaps by requiring a certain notice period for the change to take effect. Director Finnell reminded the directors and staff that the District had debated this issue in the past as to the “commercial” vs “residential distinction and that he has been a WCWD customer paying the Commercial rate for over 8 years. Mr. Finnell offered to depart the Meeting and allow the Board to discuss the matter in executive session due to his Westport property making this conversion request. He then recused himself from any vote on this subject since he is now making the request to convert as of March 1, 2025 because he has ceased actively leasing his Westport property as of February 26, 2025. Mr. Finnell also noted is water usage for December January, February was well below 1000 each month. Director Cardullo stated that this issue did not present a recurring important problem as it had come up only twice in the past several years, and that it should be left for staff to handle without micromanagement from the Board. It was agreed that this subject be noticed for and addressed at the April 10, 2025 Regular Board Meeting to draft and approve a WCWD policy for process guidance to WCWD customers and WCWD staff. After further brief discussion, with questions asked and answered, Director Cardullo moved that the Finnell Westport residence is converted from Commercial status to Residential status billing. Director Thomas seconded and the Board unanimously approved the motion with Mr. Finnell recusing and abstaining from the Board vote.

1. **Adjournment (9:35 pm):**

Upon motion made (Director Weiss) and seconded (Director Thomas), the Regular Meeting of the WCWD Board was unanimously adjourned at 9:35 pm.

Respectfully submitted,

Gary Weiss

Temporary Secretary for the March 13, 2025, WCWD Board Meeting