

JOSHUA BASIN WATER DISTRICT
Minutes of the
REGULAR MEETING OF THE BOARD OF DIRECTORS
December 15, 2010

1. **CALL TO ORDER** 7:00 PM
2. **PLEDGE OF ALLEGIANCE** Led by: Jay St. Gaudens
3. **DETERMINATION OF QUORUM:** Bill Long
Mickey Luckman
Mike Luhrs
Mike Reynolds
Gary Wilson

STAFF PRESENT: Joe Guzzetta, General Manager
Susan Greer, Assistant General Manager/Controller
Terry Spurrier, HR/Administrative Services Supervisor
Keith Faul, GIS Coordinator

CONSULTANTS PRESENT: Gil Granito, District Counsel
Paul Messner, Messner & Hadley
Deborah Bollinger, Conservation Consultant
Kathleen Radnich, Public Outreach Consultant

GUESTS 17

4. **APPROVAL OF AGENDA**
MSC Long/Reynolds 5/0 to approve the agenda for the December 15, 2010 meeting of the Board of Directors.
5. **COMMENTS BY DEPARTING DIRECTOR**
Former Director Steven Whitman reviewed his tenure on the JBWD Citizens Advisory Committee and the Board of Directors as a very enjoyable and worthwhile experience.
6. **APPROVAL OF RESOLUTION 10-865 IN APPRECIATION OF STEVEN WHITMAN**
President Luckman read the resolution in appreciation of outgoing Director Steven Whitman.
MSC Reynolds/Long 5/0 to approve staff recommendation to adopt Resolution #10-865 in Appreciation of Steven Whitman.
7. **PUBLIC COMMENT**
Al Marquez of Joshua Tree congratulated the two recently elected Board members. Barbara Delph of Joshua Tree thanked Steven Whitman for his service on the Board and other service to the community. Jay St. Gaudens reported on his attendance at the meeting of the Twentynine Palms City Council.
8. **CONSENT CALENDAR**
MSC Long/Reynolds 5/0 to approve the Minutes of the November 3, 2010 Regular Board Meeting; and to approve the Financial Report for October 2010
9. **REPORT ON DISTRICT AUDITED FINANCIAL STATEMENTS FYE 06 30 2010**
Assistant General Manager/Controller Susan Greer introduced Paul Messner, District auditor, who reported the

findings of the 2009/2010 fiscal year audit. The District has prepared an unqualified “clean” annual report accurately reflecting the District’s financial position. Revenues increased slightly and expenses decreased slightly. The District added about \$1.8 million in assets and reduced debt by \$638,000. No major adjustments were required.

Mr. Messner answered several questions from Board members and community members. The Board commended AGM Greer and the staff for the excellent report.

MSC Reynolds/Long 5/0 to approve staff recommendation to approve the audited financial statement report for fiscal year ending 06/30/2010.

10. SELECTION OF BOARD PRESIDENT AND VICE PRESIDENT

Director Long nominated Mickey Luckman to serve another term as President:

MSC Long/Reynolds 5/0 to elect Mickey Luckman to serve as President of the Board for 2011.

President Luckman nominated Mike Reynolds to serve another term as Vice President:

MSC Luckman/Long 5/0 to elect Mike Reynolds to serve as Vice President of the Board for 2011.

11. APPOINTMENT OF BOARD REPRESENTATIVES TO MOJAVE WATER AGENCY, MORONGO BASIN PIPELINE COMMISSION, AND ASSOCIATION OF THE SAN BERNARDINO COUNTY SPECIAL DISTRICTS

President Luckman appointed Director Long to serve on the Morongo Basin Pipeline commission; she selected Vice President Reynolds to represent the District at the Association of San Bernardino County Special Districts, where he will be considered for membership on the ASBCSD Board. President Luckman will arrange for attendance at the Mojave Water Agency Board meetings.

12. PUBLIC COMMENT

Gary Lovelace of Joshua Tree commented on misinformation being circulated about the District.

13. GENERAL MANAGER REPORT

14. DIRECTOR COMMENTS/REPORTS

Director Luhrs asked why H2O Plus was not allowed to submit a proposal for a District project. GM Guzzetta responded that they were not prohibited from submitting a bid. Director Luhrs submitted a list of questions and requests for information to the General Manager.

Vice President Reynolds reported on his attendance at the Association of California Water Agencies Fall Conference; completion of ethics training and attendance at the Association of San Bernardino County Special Districts Meeting.

President Luckman reported on attending the Association of California Water Agencies Fall Conference, and completing ethics training at Mojave Water Agency.

15. CLOSED SESSION

Conference with legal counsel – potential litigation; pursuant to subdivision (c) of Government Code Section 54956.9 for the purpose of deciding whether to initiate litigation (one matter – unidentified).

The Board adjourned to Closed Session at 7:42 pm and returned to open session at 8:08 pm. District Counsel Gil Granito reported that, with associate counsel, one matter of potential litigation had been discussed. Director Luhrs had recused himself. The remaining Directors voted 4/0 to initiate litigation against the unidentified party.

16. ADJOURNMENT 8:10 PM

MSC Long/Reynolds 5/0 to adjourn the December 15, 2010 Regular Meeting of the Board of Directors.

Respectfully submitted;



Joe Guzzetta, General Manager

The next Regular Meeting of the Board of Directors is scheduled for Wednesday January 5, 2011 at 7:00 pm.