



# *Tres Pinos Water District*

## MINUTES OF THE SPECIAL MEETING

**September 28, 2016**

**CALL TO ORDER:** Director Schmidt called the meeting to order at 6:33 PM.

**ROLL CALL:** Directors Schmidt, Zaucha, Frusetta, and Spencer were present.

**GUESTS:** Mike Sargeant and Mary Anne Hughes were in attendance.

**PLEDGE OF ALLEGIANCE:** Director Schmidt led the pledge of allegiance.

**ACKNOWLEDGEMENT OF POSTING OF THE AGENDA:** The office manager posted the agenda on Monday September 26, 2016 at 11:15 a.m.

**APPROVE AGENDA:** Director Frusetta moved to allow the discussion of Item 1. Old Business that relates to pending litigation to take place at the next agendized closed session; and subsequent to that Item 1. Old Business be reconsidered as an action item in open session. The chair stepped down in order to participate in the discussion. Lengthy discussion ensued. The motion failed 2-2. The meeting continued as agendized.

**PUBLIC COMMENT:** There was no public comment

**DIRECTORS REPORTS:** Director Zaucha reported that an automobile accident occurred on Airline Hwy. 25. He noted that this was a reminder that we need to continue improving the protection for our fire hydrants. Director Spencer reported on her task to meet contractors for remodeling the district house. She also reported that Mr. Tanaka would like to come to an open meeting around the twelfth of October to meet the board and update the board on the LTWMP

## **OLD BUSINESS**

1. Insurance for Directors and Officers—Director Frusetta chose to leave the meeting under protest. Director Schmidt presented two quotes from a pair of carriers. After discussion, Director Spencer moved to approve the quote from Prevot and Associates in the amount of \$2456.00. Director Zaucha seconded the motion. No discussion ensued. The motion failed 2-1.

## **NEW BUSINESS**

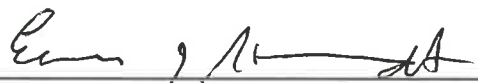
1. Appointment of a director to fill the vacancy on the board—Director Schmidt invited the board to make a nomination. By unanimous consent, the board agreed on the procedure to fill the vacancy. Director Frusetta moved to nominate Tim Stankovich to fill the vacancy. Director Zaucha seconded the motion. Discussion ensued. The motion carried 3-1 with Director Schmidt voting no. Director Spencer moved to nominate Mike Sargeant. Director Zaucha seconded the motion. Discussion ensued. The motion carried 3-1 with Director Frusessta voting no. When voting on the nominations, Directors Frusetta and Zaucha voted in favor of Mr. Stankovich while Directors Spencer and Schmidt voted in favor of Mr. Sargeant. As per county procedure and law, the Board of Supervisors for the county will be able to vote on filling this vacancy.

## **ADJOURNMENT**

Director Zaucha moved to adjourn the meeting. Director Frusetta seconded the motion. Discussion ensued. The motion failed 0-3.

Director Spencer moved to adjourn to a Special Meeting on October 5, 2016 to have closed session to discuss pending litigation to be followed by open session to reconsider insurance for Directors and Officers. Director Schmidt seconded the motion. Discussion ensued. The motion carried 3-0 with Director Frusetta abstaining.

Respectfully Submitted,



Edward Schmidt, Board President



Doris Mudgett, Office Manager

**RESOLUTION NO. 03-2016**

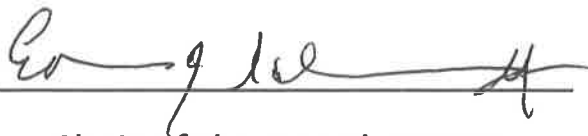
**A RESOLUTION OF THE TRES PINOS WATER DISTRICT REQUESTING  
ELECTION SERVICES FROM THE BOARD OF SUPERVISORS OF SAN  
BENITO COUNTY.**

**WHEREAS**, the governing body of the Tres Pinos Water District has failed to appoint a new director within the required 60 days, at either the

**NOW, THEREFORE, BE IT RESOLVED** that the Tres Pinos Water District Board hereby requests the Board of Supervisors of the County of San Benito to elect the individual to fill the said term of office which will expire on December 12, 2018.

I hereby certify that the foregoing is a true, full and complete copy of a resolution fully and regularly adopted and passed by the Board of directors of the Tres Pinos Water District, San Benito County, California, at a meeting thereof held on the 20<sup>th</sup> day of October by the following vote:

**AYES** 3      **NOS** 0      **ABSTENSIONS**       

Signed,   
Chair of the Board, TPWD