

Placer Mosquito & Vector Control District
Board of Trustees Regular Board Meeting
MINUTES

Monday July 16, 2007 4:00pm
Placer MVCD Office, 150 Waverly Drive, Lincoln, CA

Board of Trustees

Rocklin
Auburn
Colfax
Lincoln

Harlin Smith (President) Loomis
Bob Snyder (V. President) Placer-at-Large
Sherrie Blackmun Roseville
Linda Stackpoole

Miguel Ucovich
Galen Clothier
John Cunningham

-
- 1) Call to Order: The meeting was called to order by President Smith at 4:00 p.m.
 - 2) Roll Call and Determination of Quorum: Trustees Clothier, Cunningham, Smith, Snyder Stackpoole and Ucovich present. Trustee Blackmun absent.
District Employees present: Manager Bernstein, Dr. Jamesina Scott, Vicki Siefer, Kelly Burcham John McCulloch and Rita Haury.
 - 3) Pledge of Allegiance: Trustee Ucovich led the pledge of allegiance.
 - 4) Public Comment: Ben Mavy from Meadow Vista wished to address the Board.
"I want to thank the Board for their service. I wouldn't come to these meeting for 100 bucks a pop. I hate mosquitoes but what brings me here tonight isn't that. I'm really disturbed at the process at how you have chosen to have the election according to prop 218 or somehow fitting it within the purview of 218. It's offensive to the democratic process. I'm really disturbed by it and the Republican Central Committee and I have sent out letters outlining the process. You've probably seen those and what I would request today is in my research of this, this prop has been abused all over the state of California and these measures never fail, for some reason they never fail. This should tell you something about that process. They are not elections. If you'll take everything that we have said since this supposed election, we all know the results even though you haven't publicized them because these measures never fail, I hope you'll disregard that and go forward in a process that is respectful of the democratic process and respectful of the people that live in the mosquito district. Thanks."
 - 5) Continuation of Public Hearing from June 25, 2007: The Public Hearing was called to order at 4:04 p.m.
President Smith read the recommendations for the Continued Public Hearing and Consideration of the Levy of assessments for Proposed Expanded Services and Permanent Facility Assessment for the Placer Mosquito and Vector Control District.
Manager Bernstein read the tally of the certified votes by C.G. Uhlenberg. LLP.
Totals: (see official ballot tabulation from C.G. Uhlenberg LLP)
The General Manager recommended that the District Board of Trustees move forward, accept the official ballot tabulation and approve the passage of the assessment.
 - 6) Close Public Hearing: The Public Hearing was closed at 4:13 p.m.

By Board direction, the June and July Consent Agendas and Staff Reports have been postponed until the August 20, 2007 regular Board meeting.

7) Old Business:

a. Resolution 2007-10. *A motion was made by Trustee Ucovich, seconded by Trustee Clothier to approve Resolution 2007-10, a Resolution Approving the Engineer's Report, Confirming Diagram and Assessment, and Ordering Levy of the Placer Mosquito and Vector Control District Expanded Services and Permanent Facility Assessment with all blank spaces of certified tally votes in section 2, 3 and 4 of the resolution filled in, adopted by a roll call vote.*

Ayes: Trustees Clothier, Cunningham, Smith, Snyder, Stackpoole, Ucovich

Noes: ∅

Absent: Trustee Blackmun

Abstain: ∅

b. Resolution 2007-08: *A motion was made by Trustee Ucovich, seconded by Trustee Clothier to approve Resolution 2007-08, a Resolution Approving the Engineer's Reports, Confirming the Assessment Diagram and Assessment and Ordering the Levy of Assessments for Fiscal Year 2007-08 for the Mosquito Control District and the East County Mosquito and Disease Control District, adopted by a roll call vote.*

Ayes: Trustees Clothier, Cunningham, Smith, Snyder, Stackpoole, Ucovich

Noes: ∅

Absent: Trustee Blackmun

Abstain: ∅

c. Resolution 2007-09: *A motion was made by Trustee Clothier, seconded by Trustee Cunningham to approve Resolution 2007-09, a Resolution Ordering the Approval of 2007-08, Lincoln Special Tax Report and Directing the Levying of Taxes, adopted by a roll call vote.*

Ayes: Trustees Clothier, Cunningham, Smith, Snyder, Stackpoole, Ucovich

Noes: ∅

Absent: Trustee Blackmun

Abstain: ∅

9) Review Correspondence: By Board action, agenda items 8 and 9 are out of order.

The Board discussed a letter from the Placer County Republicans.

Trustee Snyder asked specific questions from the letter sent which were answered by SCI representative John Bliss, District's Counsel Dick Shanahan, and Staff.

A motion was made by Trustee Ucovich, seconded by Trustee Snyder to send a letter as soon as possible that is compiled by our staff, District's legal counsel and SCI, Inc., to elected officials of Placer County which includes the Placer County Board of Supervisors, each individual city and town councilmembers in Placer County, Placer County Clerk-Recorder-Registrar of Voters Jim McCauley, and Tom Hudson – Chairman of the Placer County Republicans, Trustee Snyder requested the letter be sent from and under signature of General Manager Bernstein, Trustee Stackpoole requested the letter include educational information on the Prop 218 voting process, to be sent within 10 days, unanimously adopted.

8) New Business:

a. Two letters were presented to the Board regarding the Consideration of Petitions for Certification of the Placer Mosquito and Vector Control Employee Associations. The District has rules to establishing an association in the District Policy Manual in Section 11. Manager Bernstein presented a letter to the Board with his determination of the classifications of employees.

District's Legal Counsel Dick Shanahan gave the Board a view of the process. The District is under Meyers-Milias-Brown Act which allows the District's employees to organize and to negotiate for wages, benefits, and terms of employment as a collective instead of separately; and instead of whatever the Board dictates. First, the Board has received the petitions for certification; second, the District follows the procedures in the District Policy Manual, Section 11.

The following procedures will need to be followed:

- 1). The Manager is to provide the Board with a list of employees who belong to the bargaining unit or bargaining units. The Board and District Manager decide who will be in the management, confidential unit and the rank-and-file is whoever is left.
- 2). The Board directs the Manager to solicit statements of support from the employees within the various units. If you get more than 30% statement of support in one or both units, then they go through an election process to confirm the employees' wishes as to whether or not they want be represented by these associations. If the majority supports the process, then the Board and District will recognize this association as the exclusive bargaining representative of employees in the bargaining unit.
- 3). The Board will then need to negotiate on terms and conditions of employment with the representatives of that bargaining unit. The results of those negotiations are put into a contract that will be known as a Memorandum of Understanding (MOU.)

John McCulloch was introduced to the Board as the future president and representative of the proposed Placer Mosquito and Vector Control District Employee Association. Dr. Jamie Scott was introduced as the future president and representative of the proposed Placer Mosquito and Vector Control Association of Confidential and Management Employees. Both Mr. McCulloch and Dr. Scott expressed that the reason for expediting of the process of setting up of the association was because the Board has been discussing future changes to be made to the employees' benefits and retirement benefits. After discussion the Board established the following classifications: The Placer Mosquito and Vector Control Association of Confidential Management Employees (PMVCD-ACME) will include the District's Vector Ecologist, Administrative Office Manager, Field Supervisor and District Office Secretary. The Placer Mosquito and Vector Control District Employee Association (PMVCD-EA) will include all of the regular District Vector Control Technicians.

A motion was made by Trustee Ucovich seconded by Trustee Clothier to establish two bargaining units one being the District Vector Control Technicians, the second one being the Secretary/ Receptionist, Field Supervisor, Vector Ecologist and the Administrative Office Manager, PMVCD-District Vector Control Technicians (PMVCD-EA) and PMVCD-Association of Confidential Management Employees (PMVCD-ACME) as named in the two letters, adopted by a roll call vote.

Ayes: Trustee Clothier, Cunningham, Smith, Snyder, Stackpoole, Ucovich

Noes: ø

Absent: Trustee Blackmun

Abstain: ø

The next step per District guidelines was to direct the Manager to solicit statements of employee support and to report back to the Board whether this 30% and then to call an election. The Associations requested that the Board expedite the process; the Board reviewed the statements of support and called for an election prior to the next Board meeting. President Smith said that he had in his possession the letters

presented from the Employees Associations with signatures in hand with the needed 30% signatures.

b. *A motion was made by Trustee Stackpoole, seconded by Trustee Ucovich to expedite the process to call for an election vote to be held in 30 days with the following specific guidelines, each employee is to vote by secret ballot, they need to sign secret ballot they are voting, put it in a ballot box, with a specific time for them to vote, date, and where they have to come in to vote. At the close of the voting, two employees with Manager Bernstein will tabulate the ballots, adopted by a roll call vote. (Manager Bernstein recommended that each Association choose their representative vote tabulator.)*

Ayes: Trustee Clothier, Cunningham, Smith, Snyder, Stackpoole, Ucovich

Noes: ∅

Absent: Trustee Blackmun

Abstain: ∅

Trustee Snyder asked "how does this timeline affect what MOU is going to exist for these bargaining units"? District's Legal Counsel Mr. Shanahan answered. The next step through this election process will be for the Board to decide if there is a majority employees' support for each bargaining unit to have the respective associations represent them as their exclusive bargaining representatives in negotiations. Assuming that for the proposed units, there is a majority support through an election, the Board will formally establish the Associations with bargaining units and thereafter negotiations will be through this collective bargaining process representative to representative. The Board will then decide who will negotiate and represent the management and the Board in negotiations. *(The Board will decide who will represent them; the regular employees have no say in this)*. Once each side has picked representatives, they meet and confer on any changes to wages, benefits, etc. and at the conclusion of that they are memorialized in a MOU; two MOUs; one for each Association. The District has no MOUs at this time. Mr. Shanahan also recommended that the Board make no changes to the wages, benefits, to maintain status quo and let this organizational process finish and then move into negotiations. The election will be held according the procedure in the PMVCD District Policy Manual section 11 with the requests added by Trustee Stackpoole in the motion. Mr. Shanahan also suggested that the General Manager write down the added voting enhancement information and give it to the Association representatives.

Trustee Snyder left at 6:02 p.m.

c. *A motion was made by Trustee Stackpoole, seconded by Trustee Ucovich to approve the budgeted Technician 2.8% salary range adjustment with effective date of July 1, 2007, in the future this will be part the MOUs of the bargaining units, unanimously adopted.*

Trustee Ucovich requested that all Trustees be in on the formation of the District Budget.

d. Board authorization to open promotional examination for the recruitment of Budgeted regular Vector Control Technician position. *After discussion by the Board,*

a motion was made by Trustee Ucovich, seconded by Trustee Cunningham to table until next meeting, pending recommendation by the Benefits Committee, adopted by majority vote. Trustee Stackpoole voted no.

There was a discussion by the Board and staff concerning hiring technicians on a promotional basis versus opening the recruitment to the general public. Administrative Office Manager Siefer reported that this has been a practice of our District and other Districts in California to hire employees who have worked as seasonals in previous years because of the specialized job the technicians do. The discussion included comment by District technicians, George Goss, Jason Smith, John McCulloch and Matt Button on this subject.

10) Committee Reports: The ad hoc Employee Benefits Committee will meet soon. President Smith appointed Trustee Ucovich to his place on the committee. Trustee Stackpoole requested a list of all benefits and wages before the ad hoc Employees Benefits Committee meet.

11) Open Time for Board or Staff Comments:

Trustee Ucovich requested that the following items be added to a future agenda:

1. Discussion of level of service for all residents of Placer County
2. Discussion of painting the District trucks a different color or something to make the trucks more visible.
3. Discussion of the District's Travel budget

Trustee Ucovich requested the District issue a press release with the results of the benefit assessment ballot as soon as possible.

Dr. Jamie Scott gave a report on the West Nile Virus activity in Placer County. Two (2) pools of mosquitoes collected in Placer County have tested positive for WNV. The first pool consisted of 36 female *Aedes melanimon* collected from a CO₂-baited trap near Sheridan on June 28. The second pool consisted of 50 *Culex tarsalis* collected from a CO₂-baited trap west of Lincoln on July 3. A written report on WNV activity in California and the United States was also presented to the Board. PMVCD will issue a joint press release with the County through the WNV Task Force to inform the public of WNV activity in Placer County; Dr. Scott and Placer County Public Information Officer Anita Yoder are working on its content now, and plan to release it later this week.

12) Announcement of next regular Board meeting: The next Regular Board meeting be held Monday, August 20, 2007, at 4:30 p.m. at the Placer Mosquito and Vector Control District office, 150 Waverly Dr, Lincoln, CA.

The District Office will be closed July 4, 2007 in observance of Independence Day:
The District has no holidays scheduled for the month of August:

13) Adjournment: President Smith adjourned the meeting at 6:47 p.m.

Recording Secretary