



SMRPD's Mission Statement - "To promote community well being through programs and activities that protect, preserve and enrich the canyons' heritage, open space and unique way of life."

P.O. Box 8, Silverado California 92676 • www.smrpd.org

**REGULAR MEETING OF THE BOARD OF DIRECTORS
TUESDAY, MARCH 26, 2013 AT 7:00PM
AT THE SILVERADO COMMUNITY CENTER
27641 SILVERADO CANYON ROAD, SILVERADO 92676**

DIRECTORS

Greg Bates – President
Tom Smisek – Vice-President
Chay Peterson – Secretary
Ron Shepston – Treasurer
Lisa Collins – Director

STAFF

Aimee Bryer – SCC Director
Elizabeth Martyn – General Counsel
Bev Mileham – Admin. Assistant
Steve Reighart – Caretaker
Meghan Warner – Bookkeeper

AGENDA

(A: Action Item) This document is available in PDF format here <http://www.smrpd.org/about/agenda-minutes/>

I. CALL TO ORDER

II. ROLL CALL

III. PUBLIC AND BOARD INPUT

Receive Public written or oral information/reports; this is to enable Public input to the Board on any Park District relevant subject and is a forum for reasonable courteous discussion of SMRPD-related issues and events. The Chair has the responsibility to determine the length of discussion. Time limit is 3 minutes per person limited to one session per person per issue though the President has responsibility to move the meeting along. Most in-depth discussion on issues is meant to be carried in Standing and ad hoc Committee meetings.

V. Closed session: Real Estate transaction

Conference with real property negotiators pursuant to Govt. Code Section 54956.8
Property: APN: 105-040-09, Baker Canyon Property
Negotiating for SMRPD: President Bates and Director Shepston
Other party: Trust for Public Lands, Scott Ferguson
Under negotiation: terms of acquisition

VI. CONSENT CALENDAR

A1: Approve and file the Minutes of the February, 2013 Regular Meeting and Correspondence.

A2: Transmittal 03-13A, Directors' compensation for Regular Board Meeting on February 26, 2012 \$200.00 total

A3: Transmittal 03-13B, District Bills, \$857.00 total

A4: Transmittal 03-13C, Utility Bills and Reimbursements, \$1853.11 total

Note: Directors may remove any item from Consent Calendar to be considered separately.

VI. CHILDREN'S CENTER DIRECTOR'S REPORT

VIII. OTHER DISTRICT BUSINESS

- (A) Mailing Act and Ethics issues
- (B) Modjeska Park. How to accommodate people and dogs?
- (C) Canyon Septic bill
- (D) Signs community center
- (E) AED for Community Centers
- (F) Facility and Instructor Agreements
- (G) Booth at Community Disaster Preparedness Day
- (H) SCE progress
- (I) Recycling event at our community center
- (J) CAPS Access
 - (1) Need to approve and file the CAPS+ ACCESS Request Form
 - (2) Make sure we approved the new directors in a prior meeting, maybe dec or January?
- (K) Adopt a Roadway Program, Presentation by Mark Levy and Rich Gomez. Possible endorsement and/or partial funding by the SMRPD.
- (L) Approval of St. Michaels Abbey licensing agreement for parking on Riviera, Fee \$10/year. Following up on last month, our attorney has reviewed the agreement.
- (M) Approve newly elected directors if we have not done so already.

IX. COMMITTEES

NOTE: There will be no discussion of Committee issues unless agendized below or added to the Agenda by majority vote of the Board in Section III to address issues that require immediate attention for reasons to be explained in the motion to add. Other comments can be made under Director Comments.

STANDING COMMITTEES AND REPRESENTATIVES:

- (A) **RECREATION** (Collins, Peterson)
- (B) **FINANCE** (Peterson, Bates)
- (C) **PERSONNEL** (Shepston, Collins)
- (D) **OPEN SPACE AND TRAILS** (Shepston, Bates)
- (E) **FACILITIES MAINTENANCE AND SAFETY** (Bates, Peterson)

AD HOC COMMITTEES & REPRESENTATIVES:

- (F) **ISDOC REPRESENTATIVE** (Shepston)
- (G) **PRESERVATION & RESTORATION** (Smisek)
- (H) **COMMUNICATIONS & DISTRICT OUTREACH** (Smisek)
- (I) **SILVERADO CHILDREN'S CENTER** (Collins, Shepston)
Children's Center Advisory Committee (Collins, Peterson, Bryer) (Public Members: Dawn Lynch, Julia Jones-Tester, Deborah Johnson, Linda Kearns, Joel Robinson)

X. DIRECTOR'S COMMENTS

Pursuant to Government Code §54954.2 members of the Board of Directors or Staff may ask questions for clarification, make brief announcements, make brief reports on their activities. The Board or a Board member may provide a reference to Staff or other resources for factual information, request Staff to report back at a subsequent meeting concerning any matter, or direct that a matter of business be placed on a future Agenda.

- (1) Director Smisek
- (2) Director Collins
- (3) Director Bates
- (4) Director Peterson
- (5) Director Shepston

XI. ADJOURNMENT

The next regular meeting of the Board of Directors will be at the Silverado Community Center, 27641 Silverado Canyon Road at 7:00 PM on March 26, 2013.

Materials related to an item on this agenda submitted after distribution of the agenda packet are either available for public inspection at the Silverado Library, and posted on the SMRPD website at <http://www.smrpd.org/about/agenda-minutes/>. Materials prepared by SMRPD will be available at the meeting, those provided by others after the meeting.

**LOCALLY GOVERNED DISTRICT
CLAIMS TRANSMITTED FOR PAYMENT**

**DATE: 03/23/13
REPORT 03-13A**

| | |
|---|---|
| Sil-Mod Rec. and Parks Dist. PO Box 8 Silverado, CA 92676 | THE COUNTY AUDITOR IS AUTHORIZED TO DRAW THIS CHECK FROM FUND: 728 BUDGET CONTROL: 728 |
|---|---|

| PAYEE NAME AND ADDRESS SOCIAL SECURITY /TAX ID | DATE INVOICE # | DEPT V700 | OBJT REV/ BS ACCT | UNIT 900 | AMOUNT | AC'S USE ONLY DOC NUMBER | SC |
|---|-------------------|--------------|-------------------------|-------------|----------|-----------------------------|----|
| *SEE W9 ATTACHED* Chay Peterson P.O. Box 613 Silverado, CA 92676 | 2/26/2013 | V700 | 0100 | 900 | \$ 50.00 | 1099 | |
| | | | | | \$ 50.00 | | |
| *SEE W9 ATTACHED* Lisa Collins 17168 Harding Canyon Road Modjeska, CA 92676 | 2/26/2013 | V700 | 0100 | 900 | \$ 50.00 | | |
| | | | | | \$ 50.00 | | |
| VC- 9989 Ron Shepston P.O. Box 31311 Silverado Canyon Road Silverado, CA 92676 | | V700 | 0100 | 900 | \$ - | | |
| | | | | | \$ - | | |
| VC-9990 Greg Bates 28100 Modjeska Canyon Road Modjeska, CA 92676 | 2/26/2013 | V700 | 0100 | 900 | \$ 50.00 | | |
| | | | | | \$ 50.00 | | |
| VC-1539 Tom Smisek P.O. Box 374 Silverado, CA 92676 | 2/26/2013 | V700 | 0100 | 900 | \$ 50.00 | | |
| | | | | | \$ 50.00 | | |

The claims listed above totaling **\$200.00** are approved for payment pursuant to an order entered in the Minutes of the Board of Directors of this District and I certify that the payees named who are described in Government Code Section 3101 have taken an oath or affirmation required by Government Code Section 3102.

APPROVED BY _____

COUNTERSIGNED BY _____

ATTESTED AND/OR COUNTERSIGNED _____

LOCALLY GOVERNED DISTRICT
CLAIMS TRANSMITTED FOR PAYMENT

DATE: 3/23/2013
REPORT 03-13B

Sil-Mod Rec. and Parks Dist.
P.O.Box 8

THE COUNTY AUDITOR IS AUTHORIZED TO
DRAW THIS CHECK FROM FUND: 728 BUDGET CONTROL: 728

| PAYEE NAME AND ADDRESS SOCIAL SECURITY /TAX ID | DATE INVOICE # | DEPT V700 | OBJT REV/ BS ACCT | UNIT 900 | AMOUNT | AC'S USE ONLY | SC |
|--|-------------------|--------------|-------------------------|-------------|----------|---------------|----|
| | | | | | | DOC NUMBER | |
| VC-2027 COOKSMITH LANDSCAPING P.O. BOX 5606 ORANGE, CA 92863 | INVOICE #91877 | V700 | 1400 | 900 | \$340.00 | | |
| | INVOICE #91961 | V700 | 1400 | 900 | \$16.00 | | |
| | INVOICE #91861 | V700 | 1400 | 900 | \$235.00 | | |
| | INVOICE #91947 | V700 | 1400 | 900 | \$16.00 | | |
| | | | | | \$607.00 | | |
| VC-2760 MEGHAN WARNER P.O. BOX 177 SILVERADO, CA 92676 | INVOICE #13-29 | V700 | 1900 | 900 | \$250.00 | 1099 | |
| | | | | | \$250.00 | | |
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The claims listed above totaling **\$857.00** are approved for payment pursuant to an order entered in the Minutes of the Board of Directors of this District and I certify that the payees named who are described in Government Code Section 3101 have taken an oath or affirmation required by Government Code Section 3102.

APPROVED BY _____

COUNTERSIGNED BY _____

ATTESTED AND/OR COUNTERSIGNED _____

**LOCALLY GOVERNED DISTRICT
CLAIMS TRANSMITTED FOR PAYMENT**

**DATE: 03/23/13
REPORT 03-13C**

Sil-Mod Rec. and Parks Dist.
P.O.Box 8

THE COUNTY AUDITOR IS AUTHORIZED TO
DRAW THIS CHECK FROM FUND: 728 BUDGET CONTROL: 728

| PAYEE NAME AND ADDRESS SOCIAL SECURITY /TAX ID | DATE INVOICE # | DEP V700 | OBJT REV/ BS ACCT | UNIT 900 | AMOUNT | AC'S USE ONLY | SC |
|--|---|-------------|-------------------------|-------------|-----------|---------------|----|
| | | | | | | DOC NUMBER | |
| VC-1672 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676 | REIMBURSEMENT OF CHECK #2034 PAID TO: JANI-KING INVOICE #LAX03130414 INVOICE #LAX03130407 | V700 | 1400 | 900 | \$224.13 | | |
| | | V700 | 1400 | 900 | \$226.58 | | |
| | | | | | \$450.71 | | |
| VC-1672 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676 | REIMBURSEMENT OF CHECK #2035 PAID TO: WASTE MANAGEMENT INVOICE #0061955-2884-6 | V700 | 2800 | 900 | \$212.84 | | |
| | | | | | | | |
| | | | | | \$212.84 | | |
| VC-1672 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676 | REIMBURSEMENT OF CHECK #2036 PAID TO: IRWD METER #55418830 02/23/13 METER #51441202 02/23/13 METER #56569388 02/23/13 | V700 | 2800 | 900 | \$9.30 | | |
| | | V700 | 2800 | 900 | \$30.83 | | |
| | | V700 | 2800 | 900 | \$57.35 | | |
| | | | | | \$97.48 | | |
| VC-1672 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676 | REIMBURSEMENT OF DEBITS PAID TO: AT&T 714-649-2850 03/10/13 714-649-2428 03/10/13 | V700 | 702 | 900 | \$57.41 | | |
| | | V700 | 702 | 900 | \$48.42 | | |
| | | | | | \$105.83 | | |
| VC-1672 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676 | REIMBURSEMENT OF DEBITS PAID TO: SCE ACCOUNT #2-25-699-8121 02/27/13 ACCOUNT #2-32-988-1767 02/27/13 | V700 | 2800 | 900 | \$ 75.21 | | |
| | | V700 | 2800 | 900 | \$ 416.69 | | |
| | | | | | \$491.90 | | |
| VC-1672 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676 | REIMBURSEMENT OF DEBITS PAID TO: SCE ACCOUNT #2-25-699-8121 03/23/13 ACCOUNT #2-32-988-1767 03/23/13 | V700 | 2800 | 900 | \$ 75.40 | | |
| | | V700 | 2800 | 900 | \$ 372.03 | | |
| | | | | | \$447.43 | | |
| VC-1672 SMRPD (BofA Account) P.O. Box 8 Silverado, CA 92676 | REIMBURSEMENT OF CHECK #2037 PAID TO: WASTE MANAGEMENT INVOICE #2995445-2884-5 | V700 | 2800 | 900 | \$46.92 | | |
| | | | | | | | |
| | | | | | \$46.92 | | |
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The claims listed above totaling **\$1,853.11** are approved for payment pursuant to an order entered in the Minutes of the Board of Directors of this District and I certify that the payees named who are described in Government Code Section 3101 have taken an oath or affirmation required by Government Code Section 3102.

APPROVED BY _____

COUNTERSIGNED BY _____

ATTESTED AND/OR COUNTERSIGNED _____



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MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS

THURSDAY FEBRUARY 26,, 2012 AT 7:00 PM

AT THE SILVERADO COMMUNITY CENTER

27641 SILVERADO CANYON ROAD, SILVERADO 92676

DIRECTORS

Greg Bates - President
Tom Smisek - Vice President
Ron Shepston – Treasurer
Chay Peterson - Secretary
Lisa Collins - Director

STAFF

Aimee Bryer - Scc Director
Elizabeth Martyn - General Counsel
Bev Mileham - Admin. Assistant
Steve Reighart - Caretaker
Meghan Warner - Bookkeeper

MINUTES

Action Item) This document is available in PDF format at <http://www.smrpd.org>

CALL TO ORDER

The meeting was called to order at 7:07PM by Director Bates, who acted as chair person.

ROLL CALL

Directors Greg Bates, Tom Smisek, Chay Peterson, and Lisa Collins were present. Caretaker Steve Reighart, Children Center Director Aimee Bryer, and Admin. Assist. Bev Mileham

PUBLIC ATTENDANCE

Tom Hetzel, Hank Rodgers, Steve Kerrigan, Bob Hunt, Debbie Seltzer, Rick Schultz, Tim Janca, Scott Breeden, Michelle Mainville, Lori Martin, Connie Nelson, Linda Kearns, Chad Kearns, Mike Boeck, Judie Bruno, Linda May, Kevin Topp signed in.

PUBLIC AND BOARD INPUT ON NON-AGENDIZED ITEMS

ADA coordinator Judie Bruno introduced a new committee in the canyons that was formed to provide an accessibility network. They are working on improving accessibility in Modjeska Park, Maple Springs, and gaining wheelchair accessibility to Black Star to name a few. A subgroup committee was formed to help folks who are ill, with the loss of power during emergencies, with meals, helping with rides to Dr. Appts., and other canyon emergency needs that will benefit folks in wheelchairs or that may have an illness and have trouble getting around themselves. Three canyon ladies are leading the group, Linda May is management consultant, Connie Nelson is Chief and Judie Bruno is Chairing. They are looking for more volunteers.

And asked that the handicap parking at Silverado Park be fixed.

Mike Boeck was proud to announce a \$1,000 donation from the Warriors Society Mountain Bike Club, to Mary Schreiber for the Fire safe Council in East Orange County Canyons.

CONSENT CALENDAR

1st ACTION: Director Collins made a motion to approve the Consent Calendar with Special Meeting Minutes January 22, 2013 and correspondence. Director Smisek seconded. Unanimously approved

2nd ACTION; Director Peterson made a motion to approve the Minutes January 24, 2013 and Regular meeting Minutes January 24, and correspondence. Unanimously approved.

3rd ACTION; Director Smisek made a motion to approve Transmittal 02-13A Directors compensation \$200 for Dec. 27th 2012. Director Bates seconded. Unanimously approved.

4th ACTION; Director Peterson made a motion to approve Transmittal 02-13B, district bills, \$3467.64 total. Director Collins seconded. Unanimously approved.

5th ACTION; Director Smisek made a motion to approve Transmittal 02-13C, utility bills and reimbursements \$877.11 total. Director Collins seconded. Unanimously approved.

CHILDRENS CENTER DIRECTORS REPORT

Things going well, lots of fundraising events being planned. A free parenting class is being offered. Parent workshops and an Advisory meeting are coming up. The Children's center received proceeds of \$1,700 from the Silverado Country Fair.

OTHER DISTRICT BUSINESS

(A)

Tom Hetzel actively researching the laws in regards to accessing riverbed trails, and other trails that have been closed to the public. Mr Hetzel believes that all waterways should be open to the public and has been meeting and filing complaints with OC parks supervisors.

Anyone interested in these issues was asked to contact Mr. Hetzel at Thetzel@socal.rr.com .

(B) 6th ACTION Director Smisek made a motion to enter an agreement with an outside organization to take a look at our SCE bills. Director Peterson seconded. Unanimously approved.

(C)

7th ACTION; Director Smisek made a motion to engage with Specialized Tree Works, pending based on prevailing mandatory wage is required. Director Collins seconded. Unanimously approved. Director Peterson did not vote because she is related to the owners.

(D)

Will discuss bill from Canyon Septic at next Board meeting.

(E)

The Grand Jury is complete, SMRPD received a good response and was thanked.

(F)

The Board was reminded to complete their AB1234 Form 700.

Director Peterson discussed mandate guidelines stating that no information highlighting Directors is allowed. Director Bates seeking information from FPPC and will report when it arrives.

Director Smisek challenged director Petersen's comments made at the January meeting that Director Smisek had violated ethics by publicizing this name in the Christmas in the Canyons program. Director Smisek explained that his name appeared as a copyright, in a welcome article from "Sheriff Tom" and in an ad that he purchased. Director Smisek read from sections on AB1234 which showed no ethics violation. Director Smisek demanded an apology from Director Petersen for her unfounded accusations. To which she replied "If I'm wrong, I apologize, but I don't think I am."

(G) Director Bates has meet with the Abbey. SMRPD has an agreement to send them \$10 a year to use the Riviera. Capri sys this is OK. Director Bates asked if the Board would like to renew the agreement. Bob Hunt and Linda May said they thought it wise to discuss this with general counsel. The decision was tabled until next months meeting.

(H)

A committee will look into a recording policy for the Board meetings.

(I)

Directors Smisek and Collins have been working on the next Recreation brochure that may be inserted into the next Sentry newspaper to save money.

8th ACTION; Director Collins made a motion to run 6 mailings every 2 months for \$482, not to exceed \$500. Director Smisek seconded. Unanimously approved.

(J)

Director Collins said the SMRPD website is not working properly.

9th ACTION; Director Collins made a motion to pay a website designer \$475 to set up SMRPD's website. Director Peterson seconded. Unanimously approved.

(K)

The Children's Center needs a gardener to keep the grasses and scrubs down for the children's safety. Steve Reighart is looking at a bid and will report at next months meeting.

(L)

Director Collins is working on a new Facility Use Agreement and will send it to general counsel for approval. The new agreement raises fees to outsiders.

10th ACTION; Director Smisek made a motion to approve the Facility Use Agreement sent to attorney for approval pending no problems. Director Collins seconded. Unanimously approved.

Director Collins is checking with Capri on liability issues.

(M)

Connie Nelson is checking into pricing for a needed projector for movie nights. In the meantime Linda May has offered to let them borrow hers.

(N)

Danny Brown is working on the bulletin board for the community. The Directors asked Steve Reighart to get a proposal for making a sign at Modjeska Park.

(O)

Director Bates said he was happy with the content and style of the Board Minutes.

11th ACTION; Director Peterson made a motion to approve the Safety Minutes in January for the first quarter. Director Collins seconded. Unanimously approved.

DIRECTORS COMMENTS

Director Bates reminded everyone that their will be a special Memorial fundraiser for the family of John Black on March 10th at Silverado Community Center.

The Board extended their sympathies to the Peterson family on the death of Brett Petersons mother.

ADJOURN 9:25PM. Next regular meeting of the Board of Directors will be at the Silverado Community Center, 27641 Silverado Canyon Road at 7:00PM on Tues. March 26, 2013.

Date: Monday, March 11, 2013 4:51 PM
From: Ted Prim <Ted.Prim@doj.ca.gov>
To: gregbates@cox.net <gregbates@cox.net>
Subject: Attorney General's opinion

Dear Mr. Bates,

As you can imagine, our office would be swamped if public officials from throughout California could request a legal opinion from us on any subject at any time. Accordingly, our charge to issue opinions is limited by Government Code section 12519 which authorizes us to issue opinions to state officers, state agencies, and county counsel. We do not issue opinions to public employees or special districts.

I am sorry that I can't assist you in this matter. Unfortunately, I do not know of any other government office to whom I can refer you. Ultimately, this may be an issue for your attorney or special counsel that you might employ.

Ted

From: WebMaster
Sent: Thursday, March 07, 2013 1:09 PM
To: PIU
Subject: Form submission from: Ethics Training Course - Contact Us



March 7, 2013

Social Networks



Form submission from: Ethics Training Course - Contact Us

Submitted on Thu, 03/07/2013 - 13:09

Submitted by anonymous user: [68.4.54.45]

Submitted values are:

--Your Information--

First Name: Gregory

Last Name: Bates

Name of your government agency/employer: Silverado Modjeska
Recreation and Park District

Email Address: gregbates@cox.net

Phone Number: 714-342-2914

Address: 28100 Modjeska Canyon Road

City: Silverado

State: California

Zip: 92676

--Your Message--

Message:

I am the president of the Silverado Modjeska Recreation and Park District. A newly elected board member is alleging that another board member is violating the AB1234 Ethics provisions. Our legal counsel and 4 of the 5 board members disagree. Our legal counsel

most of America, is polarized on the issue and this is a very disruptive for us. FPPC referred us to you because the newspaper we printed for an event was not mailed and therefore does not come under the Mass mailing act according to them. Please advise how i may forward the material to get an opinion from you. My next Board meeting is the March 26th. Or could you direct me to the correct department/person?

Thank you very much. Gregory Bates, President SMRPD



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