

RECLAMATION DISTRICT NO. 1601

306 Second Street
Isleton, CA 95641

Minutes of the Board of Trustees Regular Meeting

September 20, 2022

DRAFT

Meeting held by teleconference consistent with AB361.

1. CALL MEETING TO ORDER.

President Barry Sgarrella called the regular meeting of the Board of Trustees (Board) to order on September 20, 2022, at 9:03 a.m. ROLL CALL: In attendance: President Barry Sgarrella, Trustee Dave Huston and Trustee Preston Good. District's superintendent Mr. Ricky Carter Sr., District's engineer Mr. Chris Neudeck and District's attorney Mr. Jesse Barton and District's accountant/treasurer Mrs. Perla Tzintzun-Garibay with Butterfield and Company. Also attending Mr. Ricky Carter, Jr., Mr. Cole Bakke, Mr. Milen Karavan and Mr. David Julian.

Attending by conference call, District's secretary Mrs. Linda Carter and Mr. Bill Reynolds.

2. PUBLIC COMMENT: ANY PERSON MAY SPEAK ON ANY TOPIC INCLUDING ANY AGENDA ITEM LISTED BELOW, PROVIDED IT IS WITHIN THE JURISDICTION OF RD 1601.

Nothing to report.

3. MINUTES REGULAR MEETING.

Trustee Huston entertained a motion to approve the August 16, 2022, regular meeting minutes as written, motion was seconded by President Sgarrella VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

4. ACCOUNTS PAYABLE.

Mrs. Perla Tzintzun-Garibay went over the accounts payable, accounting notes and financial statements with the Board. President Barry Sgarrella reviewed the accounts payable before today's meeting. Mrs. Perla Tzintzun-Garibay also noted the following payments made between meetings: On August 17, 2020, check number 12133 to AT&T Mobility for \$228.82 (cell phones and hotspots). On August 19, 2022, Deposit \$3,454.79 Fagundes Dairy Assessment for Call 30 and 31 payment. On September 8, 2022, EFT payment to PERS for \$2,579.66 due to the timing of the due date. On September 13, 2022, Deposit \$492.09 US bank reimbursement (\$78.22), RD 536 rent (\$131.67), and Brannan Andrus LMD wages reimbursement (\$262.20).

On August 23, 2022, Deposit \$82,890.11 California Resources Production Assessment Call 30 and 31 payment. On August 26, 2022 Deposit \$494,507.23 DWR Assessment

Call 30 and 31 payment. September 6, 2022, Deposit \$113,357.68 Retention release payment for TW-14-1.2-Project Funding Agreement.

Mrs. Perla Tzintzun-Garibay went over the unpaid invoices with the Board. She told the Board the District received a late invoice from Moorman's Water Systems for the balance due for the new Pump No. 2 for the amount of \$35,260. Mrs. Perla Tzintzun-Garibay told the Board that the 2021-2022 Subvention claim has been completed, for the amount of \$186,888 expecting to receive \$131,241. After the meeting President Sgarrella will sign the claim. President Sgarrella told the Board that he would like to keep the Agriculture Fund (AG) account open, due to the District may sell some of the Rice Projects equipment that is no longer being used. The Board would like to have the Rice Project's equipment placed in the Chevron Point Barn before winter. In the meantime Mr. David Julian will talk to Mr. Bryan Brock about which pieces of equipment are still being used.

After some discussion President Sgarrella entertained a motion to approve accounts payable of \$58,122.15, (invoices that were presented today) and the transfer of \$75,000 from Bank of Stockton 1878 (General Account) into the Bank of Stockton 4201 (Checking Account), and to pay the invoices presented today, motion was seconded by Trustee Preston Good, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

After some discussion President Sgarrella entertained a motion to approve the transfer of \$219.65, from Bank of Stockton 1597 TW 14-1, into the Bank of Stockton 1878 (General Account), motion was seconded by Trustee Preston Good, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

After some discussion President Sgarrella entertained a motion to approve the transfer of \$7,259.04, from Bank of Stockton 1597 TW 14-1, into the Bank of Stockton 1878 (General Account), motion was seconded by Trustee Preston Good, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

After some discussion President Sgarrella entertained a motion to approve the transfer of \$3,887.85, from Bank of Stockton 3167 TW21-1 TIMES, into the Bank of Stockton 1878 (General Account), motion was seconded by Trustee Preston Good, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

After some discussion President Sgarrella entertained a motion to approve the transfer of \$4,212.00, from Bank of Stockton 2223 (SMFA) Wetland Development, into the Bank of Stockton 1878 (General Account), motion was seconded by Trustee Preston Good, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

After some discussion President Sgarrella entertained a motion to approve the transfer of \$35,000.00, from Bank of Stockton 1878 (General Account) into the Bank of Stockton 4201 (Checking), motion was seconded by Trustee Preston Good, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried

5. BOARD TO SIGN AND NOTARIZE THE PREVIOUSLY APPROVED ENCROACHMENT PERMIT FOR MR. RICKY CARTER SR. AND MRS.

LINDA CARTER FLOATING DOCK AT 2360 W. TWITCHELL ISLAND ROAD (SEVENMILE SLOUGH).

Mr. Jesse Barton told the Board that at the meeting last month Ricky and Linda Carter were seeking an encroachment permit from the District, so they can install a boat dock in Seven-Mile slough, and the Board approved the encroachment permit for the Carter's. Today President Sgarrella will sign the permit and Mrs. Perla Tzintzun-Garibay will notarize the signing of the document.

6. DEPARTMENT OF WATER RESOUSCES WILL ADDRESS THE BOARD REGARDING THE USE OF THE FLOOD FIGHT WAREHOUSE LOCATED ON TWITCHELL ISLAND.

Mr. Milen Karavan with DWR told the Board that DWR plans to use the State Flood Supply Warehouse on Twitchell Island. Someone from the department will go through the supplies checking for unusable items and get rid of them. However, the Department intends on addressing these item and other items perhaps next year. After hearing what Mr. Milen Karavan had to say, Mr. Chris Neudeck objected. Chris stated that local districts need the flood fighting supplies now. He suggested that DWR spend time and effort to get the warehouse on Twitchell Island up and running in a few weeks, not next year because flood season is coming up. Trustee Preston agreed. Trustee Huston told the Board that they need to fix the front door now. President Sgarrella suggested that Mr. Karavan go back to DWR and tell them that we need the warehouse to be functional and we need them to bring a forklift. The supplies have been kept out of the weather. President Sgarrella told the Board that he thinks the warehouse needs to be 100 percent operational. Mr. Karavan told the Board that he will go back and tell them, the warehouse needs to be cleaned up. Mr. Ricky Carter Sr. told the Board that some of the sand bags were used during the Flood Fight class. The sand bags are in good condition.

Mr. Carter Sr. told the Board that the DWR tenant Mr. Jaime Rodriquez is encroaching with his seeds and equipment, from his side of the warehouse to the flood supply side. President Sgarrella said that the warehouse needs a fork left and operator. The District was told by DWR that the District could not use the DWR fork lift. Mr. Carter Sr. told the Board that years ago someone ran in to something and then it became an issue that the District could not use the DWR's fork lift. Then there was an issue with DWR not passing Mr. Carter Sr. and Mr. Salvador Nolasco during the forklift training.

Mr. Karavan will go back ask the DWR land department to work with the tenant Mr. Jamie Rodriquez about the encroaching problem, work on the door, fork lift and operator issues and put the warehouse in working order.

Mr. Carter Sr. told the Board that when Sacramento County put in the radio tower in behind the warehouse, there was a condition that the County would put in a backup power line for the warehouse to hook up to.

7. BOARD TO DISCUSS AND POSSIBLY APPROVE LETTING THE PUBLIC ACCESS THE DISTRICT'S SURVEILLANCE CAMERAS.

Mr. Jesse Barton told the Board, at last month's meeting he had expressed his concerns on the matter of letting the public access the District's surveillance cameras. President Sgarrella told the Board that he had spoken with Mr. Barton and he agreed, it is not a

good idea to letting the public access the District's surveillance cameras. After some discussion President Sgarrella entertained a motion to not give the public access to the District's surveillance cameras, except when requested from law enforcement , motion was seconded by Trustee Huston, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried

8. BOARD TO RECEIVE AN UPDATE ON LEADING EDGE AERIAL TECHNOLOGIES USING A DRONE TO SPRAY THE DISTRICT'S CANALS. THE BOARD WILL ALSO RECEIVE AN UPDATE ON THE DISTRICT'S NPDES SPRAY PERMIT.

Mr. Jesse Barton informed the Board that Mr. Bill Reynolds from Leading Edge Aerial Technologies was on the phone if the Board needs to ask him any questions. President Sgarrella, went over with the Board the history of the District's NPDES spray permit. President Sgarrella will continue working on the District's NPDES spray permit application. Mr. Bill Reynolds told the Board he is still willing to wait for the District to get their NPDES spray permit in order.

9. BOARD TO RECEIVE AN UPDATE ON THE USGS ENCROACHMENT PERMIT TO INSTALL A WATER QUALITY MONITORING DEVICE ON THE DISTRICT'S PUMPING STATION. BOARD MAY APPROVE AMENDING THE EXISTING USGS ENCROACHMENT PERMIT FOR A REDESIGNED MONITORING SYSTEM.

President Sgarrella reported to the Board that the USGS cannot come up with a concept to fix their problem of attaching the monitoring system to the District's pump station. President Sgarrella sent USGS a small sketch and told them what they needed to do. He told them to submit their new design for review. At this time they have not sent anything back for review. It was suggested to them to hire a local welder, they said they wanted to do it in house. Take away is the District is waiting for USGS to resubmit their plan and for the District to review the new plans.

10. BOARD WILL DISCUSS RENEWING ITS GRAZING LEASE WITH MR. JOE MATTOS.

Mr. Jesse Barton told the Board that Mr. Joe Mattos's lease is coming up for renewal at the end of the year in December. Mr. Mottos is paying \$190.00 per acre per year on 45.33 leasable acres. Mr. Mottos has had the lease since 2018, it was a 5 year lease. Mr. Cole Bakke (Mr. Mattos grandson), told the Board that they would like to put in for a renewal for the lease and would like to up the fee to \$210.00 per acre and with a 3% CPI every year. Mr. Bakke told the Board that some of the fencing needs to be repaired. Mr. Jesse asked the Board if they want to go out to bid or take Mr. Mottos offer, increase the fee amount. It was decided that Mr. Barton will work with Mr. Bakke on the lease and Trustee Preston will take a look at the lease. No action taken.

11. BOARD TO DISCUSS THE SHARED USE OF ITS PG&E ELECTRICAL METER.

President Sgarrella reported to the Board that the PGE invoice for electric charges from July 29, 2022-August 29, 2022, in the amount of \$6,795.73, 705.06 KWh used per day.

President Sgarrella reported to the Board that on August 15, 2022 it shows on the PG&E invoice there was peak usage. Peak hours for this billing cycles is 131.85 The use during the peak hours is due mostly from the NOAA trailer and Gornto's trailer. President Sgarrella told the Board that Mr. Ricky Carter Sr, Mr. Ricky Carter Jr. and Mr. Jack Wilbur checked to see who was using the electric coming off of the District's pump station. They checked NOAA's trailer, sheep trailer and Mr. Bruce Gornto's trailer. NOAA's trailer is on Department of Water Resources (DWR) property and has an agreement with DWR letting them having the trailer on states land. The NOAA trailer is using 120 amps, Mr. Gornto's trailer is used for the DWR Rice Project uses 200 amps. The NOAA trailer has added a little private meter put on so the District can read the meter, calculate the usage then send the bill to DWR for payment under the District's account receivables SWP Right of Way Management. For a while now the meter has been broken, Mr. Carter Sr. notified Mr. Juan Mercado about the meter being broken and DWR needed to send someone to fix it. Mr. Mercado told Mr. Carter Sr. that he would take care of it. President Sgarrella suggest that the District get in touch with NOAA and DWR and let them know what is going on. They need to have a PG&E drop for their own meter. President Sgarrella told the Board we need to also let NOAA know that they may have the electricity turned off to their trailer for a few hours during the peak hours. President Sgarrella told the Board that Mr. Gornto thinks the problem is with the way the District is setting the timers on the District's pump station. Another solution could be is to put everyone on timers. The NOAA agreement with DWR still has a bit of time left on the agreement. So NOAA could get their own PG&E drop. President Sgarrella told the Board we need to let Mr. Bryan Brock know what is going on with the electrical issues. Mr. Jesse Barton said that President Sgarrella will be sending Mr. Jas Gill (with DWR Right of Way), an email letting him know what is going on with the NOAA trailer's electric usage and the broken meter. The District will be going back and back charge NOAA, electric usage that was not charged to them. Also he suggested having NOAA have PG&E drop an electrical line for their trailer. Trustee Huston will talk with Mr. Bryan Brock about the electrical issues with the DWR Rice Project trailer.

12. BOARD TO DISCUSS AND POSSIBLY ACT ON A FENCE ENCROACHMENT BETWEEN LEVEE STATIONS 370+00 AND 450+00 NEAR DISTRICT'S FACILITIES.

Mr. Jesse Barton told the Board that he needs a map with the Levee Station numbers on it where the encroached permanent fence needs to be removed and relocated. He needs the map so he can attach the map to an encroachment permit. Mr. Ricky Carter Sr. will provide him with a map.

13. BOARD TO DISCUSS AND POSSIBLY APPROVE A NEW INSURANCE CARRIER.

Mr. Jesse Barton told the Board that the quote from SDRMA is complete. If the Board chooses SDRMA, then the District must join California Special Districts Association. The District will need to pay a cancellation penalty from WaterPlus (Allied). It will be a higher deductible with this insurance carrier. After some discussion President Sgarrella entertained a motion to approve changing the District's Insurance carrier now

from WaterPlus (Allied) to SDRMA and if there is a cancellation penalty from WaterPlus (Allied) comes to less than \$5,000 for cancellation fee, motion was seconded by Trustee Preston Good, VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried. Will need to address this matter in May of next year, due to the paper work needs to be completed 60 days in advance. Mr. Barton will find out for the Board what the penalty amount is for cancelation with WaterPlus (Allied).

14. BOARD TO DISCUSS AND DECIDE WHETHER TO RESUME IN-PERSON MEETINGS OR ALLOW BOARD MEMBERS TO ATTEND FROM REMOTE LOCATIONS.

Mr. Jesse Barton told the Board that if the Board wishes to hold remote meetings, then the District will need to approve a resolution every 30 days (before each District Meeting) that extends the Board's decision to hold remote meetings. After some discussion Trustee Huston entertained a motion to approve Resolution No. 2022-15 Ratifying the COVID-19 State of Emergency and Authorizing Remote Teleconference Meetings Pursuant to the Ralph M. Brown Act, motion was seconded by President Sgarrella VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried.

15. PROJECT FUNDING AGREEMENT TW-14-1.2-PROJECT FUNDING AGREEMENT FOR A HABITAT ENHANCEMENT PROJECT ON TWITCHELL ISLAND (EXPIRES 10/31/2023). THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS.

Mr. David Julian (with DWR) reported to the Board for Ms. Otome Linsey. They are doing general maintenance work. Mrs. Perla Tzintzun-Garibay reminded everyone that here is only \$39,000 left in the PFA TW-14-1.2 account.

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16. PROJECT FUNDING AGREEMENT TW-21-1.2, BOARD TO HEAR AN UPDATE ON THE PROJECT FUNDING AGREEMENT FOR THE PLANNING, ENGINEERING, AND CONSTRUCTION OF THE TWITCHELL ISLAND MITIGATION AND ENHANCEMENT SITE (TIMES) PROJECT (EXPIRES 12/31/2027). THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS HABITAT AND RIGHT OF WAY ISSUES. THE BOARD WILL HEAR AN UPDATE ON RIGHT-OF WAY ISSUES.

Mr. David Julian (with DWR) reported to the Board for Ms. Otome Linsey. Ducks Unlimited are working on 60% of the wetlands design. They will be submitting their first invoice. Stillwater Science will be submitting a service agreement to Mr. Jesse Barton. RCD Solano will be spraying one half of the sites, in end September and early October and then they will do a boundary survey.

17. DWR AGREEMENT “SUBSIDENCE MITIGATION FUNDING AGREEMENT” (SFMA) (WETLAND DEVELOPMENT/SUBSIDENCE REVERSAL AND CARBON SEQUESTRATION PROJECT) (EAST END AND RICE PROJECT) (SFMA EXPIRES 12/31/2024). THE BOARD WILL HEAR A STATUS UPDATE AND DISCUSS.

Mr. David Julian (with DWR) report to the Board for Ms. Otome Linsey. Doing general maintenance work. Some flash board risers were repaired. Met with Vector Control and talked about doing some vegetation maintenance in the wetlands. Chopping the tulles and facilitate mosquito fish. They discussed putting the mosquito fish in the ponds. On Saturday October 1st, there will be a tour, for some teachers.

18. PROJECT FUNDING AGREEMENT TW-18-1.0-SP-(EXPIRES 12-31-2022). BOARD TO HEAR AN UPDATE ON THE DELTA LEVEES SPECIAL FLOOD CONTROL PROJECT PROGRAM FIVE YEAR PLAN AGREEMENT.

Mr. Chris Neudeck reported to the Board that the District’s plan is being reviewed by DWR, the agreement expires at the end of this year.

19. BOARD TO HEAR AN UPDATE AND DISCUSS EXPLORING A SOLAR POWER ALTERNATIVE TO POWER THE RD 1601 PUMP STATION. THE BOARD WILL RECEIVE AN UPDATE ON THE CEQA WORK.

Mr. Chris Neudeck went over with the Board the draft environmental (CEQA), analysis from Base Camp Environmental. Mr. Neudeck asked the Board to approve the Notice of Exemption (NOE) and project narrative for CEQA analysis from Base Camp Environmental. Mr. Jesse Barton asked if Base Camp Environmental has done work for solar arrays. Mr. Neudeck told the Board yes they have.

After some discussion President Sgarrella entertained a motion to approve the CEQA Notice of Exemption, motion was seconded by Trustee Huston VOTE: AYES: President Sgarrella, Trustee Huston and Trustee Good NOES: None ABSTAIN: None ABSENT: None, motion carried. Mr. Neudeck will make the needed correction to the description. President Sgarrella told the Board about changes in the tax benefits. Mr. Barton reminded the Board if the if any work is over \$25,000, it has to go out to bid. President Sgarrella told the Board maybe if the District needs financing the District should speak with the Bank of Stockon and see if they would loan the Distinct. Or could check with FMA Bank or ROBO Bank. Mr. Barton and President Sgarrella will do some research on loans and watch what the legislation changes to solar arrays, and and non-profit status for Districts.

20. ENGINEER’S REPORT: Mr. Chris Neudeck’s engineering report is attached to the minutes.

I. AB 360 Delta Levee Subventions Program

- A. Mr. Neudeck reviewed with the Board the levee seepage at Levee Station 610+00 to Levee Station 611+56. Mr. Ricky Carter Jr. was chopping the levee east of Chevron Point and found some leaking at Levee Station 610+42 to Levee Station 611+56. District personnel along with ASTA Construction implemented a small repair and investigation of the leak on Friday, September 16th. Mr. Neudeck told the Board the area was dry after the

coring, but due to the rain it is wet. Mr. Neudeck asked for permission to continue to fix the area, this repair will fall under the Subvention Routine Maintenance, keeping Asta Construction's contract under \$25,000.

Mr. Ricky Carter Sr. told the Board that the found burnt peat and they would stop at the clay.

Exhibit A: KSN Inc. Daily Field Report Photos Levee Station 610+42 to 611+56 (124ft) 8-10 feet to competent clay soil.

II. AB 360 Delta Levee Subventions Program

- A. Mr. Neudeck reported to the Board the status of Department of Water Resources Special Project PSP. No word from DWR on the status of the DWR Special Project PSP. He does not know if DWR will be putting any more money in to the program, should know by the end of the year

III. Districts Solar Project

- A. Look under item number 19.

IV. Districts Drainage Pump Stations

- A. Mr. Chris Neudeck reviewed with the Board the operations with the recently replaced District pump No. 2. Mr. Neudeck told the Board that everything has been checked out. The pump still has a problem, it runs for at 4,500 gpm and should be running at 12,000 gpm. It could be the valve, they can't be turned. Mr. Bruce Gornto has been asked to help in turning the valves. This needs to be done before winter and the rains come. He may need to clean the valve and lube the shaft. President Sgarrella suggested change the valves from butterfly to gate valves.

21. SUPERINTENDENT REPORT: Mr. Ricky Carter Sr.

- Routine levee patrols daily.
- Checked pumps and oil in the pumps at pump station daily.
- Spotted the excavator at the District's pump station, to clean prim rose.
- Delivered papers to Mrs. Perla Tzintzun-Garibay.
- Prep for Flood Fight Class
- Mr. Cole Bakke called and said someone cut the pin on Middle Road's gate.
- Took measurements for Mr. Joe Frackel on the District's pump station.
- Attended a meeting with Jas, Trustee Preston Good and Mr. Vincent Wong on fence encroachment issues.
- Worked with welder to fix gate carousel on Middle Road.
- Ordered toilets for Flood Fight Class.
- Had Asta Construction grade the levee and Middle Road.
- Met with Mr. Charlie Simpson for CEQA for the solar array.
- Mr. Ricky Carter Sr. and Mr. Ricky Carter Jr. attended and participate in the Flood Fight Class on Twitchell Island. Then they went to Walnut Grove and Stockton for more of the Delta Flood Full/Full-Scale Exercise.
- Mr. Ricky Carter Jr. is chopping the levees.
- Called Mr. Bruce Gornto about repairing number 2 valve at the District's pump station.
- Drove to Stockton to deliver a check to Mrs. Perla Tzintzun-Garibay.
- On September 6, 2022, high water notification levee patrol at 12:00 am to 3:00 am.

- Had to reset the District's pump number 3 at 1:00 am.
- Placed call to President Barry Sgarrella about the District's NPDES permit.
- On September 9, 2022, high water notification levee patrol at 3:00am to 6:00 am.
- On September 10, 2022, high water notification levee patrol at 4:00 am to 7:00 am.
- Met with Mr. Chris Koenig with Asta Construction about coring Levee Station 610+00.
- Took the District's 2016 Ford Truck in for servicing.
- Prepare for levee coring.
- Called Mr. Raul Barba with DWR, he or someone from his shop will be attending the District's meeting to discuss the DWR Warehouse on Twitchell Island.
- Called Trustee Preston Good and discuss the NOAA meter.
- Cored Levee Station 610+00, total of 124 LF.
- Met with Mr. Jack Wilbur with KSN, to locate breakers for Mr. Bruce Gornto's trailer (Rice Project) and at the Met barn (NOAA Trailer).

Mr. Chris Neudeck told the Board that the Delta Flood Full/Full-Scale Exercise went well on Twitchell Island, everything was taught and they got to work with a boil exhibit. After 2 hours Mr. Ricky Carter Sr. and Mr. Ricky Carter Jr and Mr. Neudeck went to Emergency Operation Centers at Walnut Grove and to Stockton at KSN office. where they went through scenarios.

22. ADJOURN:

The regular meeting of the Board of Trustees will be called to order October 18, 2022, at 9:00 am, the special meeting was adjourned at 11:31 am.

Presiding Trustee of the Regular Meeting September 20, 2022, certified the above minutes.

Secretary