

**FLORIN COUNTY WATER DISTRICT  
 BOARD OF DIRECTORS SPECIAL MEETING MINUTES  
 7090 McComber Street  
 Sacramento, CA 95828  
 Thursday, August 29, 2024  
 7:00 P.M.**

**1. CALL TO ORDER AND ROLL CALL:**

President Russell called the meeting to order at **7:00P.M.**

**2. ESTABLISH QUORUM/APPROVAL OF AGENDA:**

Cindy Russell	Director	<b>PRESENT</b>
Leonard Heimericks	Director	<b>PRESENT</b>
Judi Johnson	Director	<b>PRESENT</b>
Gary Schopf	Director	<b>PRESENT</b>
Timothy Baliel	Director	<b>PRESENT</b>
-----	General Manager	-----

Quorum established.

Director Johnson made a motion to approve the Agenda. Director Heimericks second the motion. Board unanimously votes to approve the Agenda. Votes as follows:

- Director Johnson – YES**
- Director Heimericks – YES**
- Director Baliel – YES**
- Director Schopf – YES**
- President Russell - YES**

**3. OPPORTUNITY FOR PUBLIC COMMENT ON CLOSED SESSION ITEM  
 (Gov. Code § 54954.3(a))**

A Member of the Public raised question on sending President Russell to a training conference when these conferences are typically for District Administrators and not Board Members.

Director Johnson notes it was voted on and approved by the Board, at that same meeting the Member of the Public is referencing, that the Board would allow General Manager Leggette to go to this training but President Russell and Director Baliel improperly terminated him.

**4. CONVENE CLOSED SESSION**

President Russell convened closed session at **7:03P.M.**

**A. Significant Exposure to Litigation (Gov. Code § 54956.9): Sacramento County Grand Jury Report**

**5. RECONVENE OPEN SESSION**

President Russell reconvened open session at **8:12P.M.**

**6. IF APPLICABLE, PUBLIC REPORT OF (1) ACTION TAKEN DURING CLOSED SESSION, IF ANY, AND (2) VOTE OR ABSTENTION ON THE ACTION OF EVERY BOARD MEMBER PRESENT (Gov. Code § 54957.1(a))**

Attorney Mitchell advised no action was taken by the Board. However, the Board did discuss the draft response to exposure to litigation.

**7. PUBLIC COMMENT**

No public comment.

**8. GRAND JURY REPORT RESPONSE**

During the response to finding a permanent General Manager, a Member of the Public asked if there was a timeline on finding a permanent General Manager. Director Baliel responded to the Public that they will start to go over applications. Another Member of the Public asked how many applications the Board received and Director Baliel notes the Board has received three or four applications for the General Manager position.

Director Johnson pointed out that the Board previously agreed to review any postings prior to any job posting going live. Another Member of the Public asked if there was already a job posting. President Russell responded that she posted a job opening on a special district site, but did not specify which. Members of the Public requested their question regarding the job listing be answered by President Russell to which she declined and asked to continue the meeting.

Director Johnson requests that it be noted for the record that President Russell is acting outside of Board approved action by posting to hire a permanent General Manager and not discussing her intent to do this with the rest of the Board.

Director Heimericks ensures the Public that he was not made aware of any posting and that once he and Director Baliel come up with a job listing that it will go before the Board and when approved will be posted officially and that current applicants will have to reapply as their current application is not valid.

Attorney Mitchell continues to read the draft responses. **\*Audio is available upon request to hear draft responses.**

When reviewing the draft response to the FCWD Employee Handbook, a Member of the Public asked the Board why it was necessary to hire another firm to review the draft employee handbook and if that firm is familiar with public agencies. Director Heimericks notes that the current Attorneys drafted an Employee Handbook and presented that to the Board. After the Board and Public made corrections to the draft handbook the Board voted and approved to hire another attorney to review the edited draft handbook.

Attorney Mitchell continues to read the draft responses. **\*Audio is available upon request to hear draft responses.**

When discussing the response regarding the review of General Manager Leggette, a Member of the Public asked that it be noted for the record that the Board voted and approved to provide General Manager Leggette a list of goals and the Board would re-evaluate his performance in six months' time (November/December 2024). They added when the interim position was over, President Russell could clearly be heard on audio responding to a Member of the Public saying that General Manager Leggette would revert to his previous position as Superintendent.

Attorney Mitchell continues to read the draft responses. **\*Audio is available upon request to hear draft responses.**

Director Johnson made a motion to approve the draft responses Attorney Mitchell has read. Director Baliel second the motion. Board unanimously votes to approve the draft responses. Votes as follows:

**Director Johnson – YES**

**Director Baliel – YES**

**Director Heimericks – YES**

**Director Schopf – YES**

**President Russell – YES**

**DIRECTORS COMMENTS & SUGGESTIONS**

Director Johnson made a plea to President Russell and the rest of the Board regarding a letter from District Staff and concern regarding District Operations. Director Johnson asks the Board to review the letter and act immediately out of the best interest for the District.

**ADJOURNMENT: 8:50P.M.**

**Respectfully submitted by:**

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General Manager/Secretary to the Board