

**FLORIN COUNTY WATER DISTRICT  
BOARD OF DIRECTORS MEETING MINUTES  
7090 McComber Street  
Sacramento, CA 95828  
Monday, February 13<sup>th</sup>, 2023  
7:00 p.m.**

**CALL TO ORDER AND ROLL CALL:**

President Baliel called the meeting to order at 6:59 p.m.

<b>1.</b>	Timothy Baliel	President	Present
	Gary Schopf	Director	Present
	Maryellen Parsons	Director	Present
	Judi Johnson	Director	Present
	Leonard Heimericks	Director	Present
	Edmond Leggette	General Manager	Present

**2. ESTABLISH QUORUM:**  
Quorum established.

**3. PUBLIC COMMENT:**

- *Why aren't Board Meeting Minutes on FCWD's website?* Manager Leggette stated that the website is being revised and it's anticipated that the minutes will be shown on completion of revision.
- *Can Board Meeting packets be mailed to constituents that are requesting a copy?* Director Johnson stated she didn't think that the mail was very reliable and if the mailing went out on Saturday (earliest possible mailing) it is unlikely it is received in time for the meeting on Monday.
- *When are Board Meeting packets available for pickup at the office?* Manager Leggette said they would be available the Friday before the meetings. President Baliel asked Manager Leggette why they couldn't be available before the Friday. Manager Leggette said if there was a set date that the Board wanted the packets to be available, he would make that happen however any pressing or urgent matters would not be posted or addressed.
- Some of the descriptions on the Agenda are sparse, would like to see more of a description.
- In the Audit Review findings, *What is the pay increases?* Mr. Bain explained that normally a pay increase would go before the Board, Board would approve the salary schedule and contract with the General Manager and there would be documentation for that approval and personnel action forms.

While the Board were signing checks questions were raised.

- *Are there invoices to go along with the checks?* Manager Leggette stated that the invoices are attached to the back of the checks.
- *Is the Board verifying as they sign checks because it doesn't look like it, is verifying a requirement?* President Baliel stated that's not the way the Board used to do it with the former General Manager. Manager Leggette said that's in the past and we are trying to do things the right way moving forward. Attorney Jeff Mitchell stated that the Board should have already reviewed the Accounts Payable report prior to coming to the meeting and if there were any questions about the report the Board should request to see the invoice at the meeting. Manager Leggette is preparing a policy regarding this matter.

**4. CONSENT CALENDAR:**

President Baliel entertained a motion to approve the Consent Calendar.

**Motion: Director Johnson so moved.**

**Second: Director Parsons.**

**Vote: 4 Ayes, 1 Nay**

**A1. Minutes – January 9<sup>th</sup>, 2023.**

**A2. Minutes – January 17<sup>th</sup>, 2023.**

President Baliel said he would not approve the January 17<sup>th</sup>, 2023 minutes because it states under (Minutes - December 6<sup>th</sup>, 2022) that President Baliel entertained a motion to approve the Minutes. He stated that he was not the President of the Board on December 6<sup>th</sup>, 2022 and he would like that changed. Attorney Jeff Mitchell stated that the wording was correct, on January 17<sup>th</sup>, 2023 President Baliel was the President at the time the December 6<sup>th</sup>, 2023 minutes were approved.

**B. Accounts Payable**

**C. Adjustment Report**

**5. 2022-2023 BUDGET:**

Manager Leggette presented the Board with the Proposed Budget that he came up with. After discussion, President Baliel stated he wanted to table this item. Director Heimericks said that he doesn't agree with tabling this item because it has been 7 months and it is imperative to adopt a Budget so the District can start working on a proposed Budget for this coming fiscal year.

President Baliel entertained a motion to table the 2022-2023 Budget.

**Motion: Director Parsons so moved.**

**Second: Director Schopf.**

**Vote: 3 Ayes, 2 Nays**

Director Heimericks then asked if President Baliel would like to have a special meeting. President Baliel said no that they will discuss this at the next regularly scheduled meeting.

**6. BOARD GOVERNANCE:**

Questions for the Attorney

- Director Schopf's resignation and subsequent reappointment – No response
- Director Baliel's appointment by the Board of Supervisors – No response
- Residency requirements for Directors of District – No response
- Overview of your schedule for checking website posting of meetings – No response
- If website does not display the posted meeting, what action do you take for notifying the District? – No response

**7. LIMITING AGENDA ITEMS:**

President Baliel stated that having 20 Agenda items is out of line. Attorney Mitchell stated that the Board could place a limit on items but he does not recommend going this path for a couple of reasons.

1. There may be a meeting where you will need more items on an Agenda.
2. The number of items on an Agenda does not determine how long a meeting lasts.

Attorney Mitchell recommended that maybe the Board set an end time for the meetings and if that time comes up and there are still items left on the agenda that have not been addressed, the Board can take a vote to extend the meeting.

President Baliel entertained a motion to begin meetings at 6:00pm and adjourn meetings at 10:00pm with an option of extending the meeting by vote.

**Motion: Director Johnson so moved.**

**Second: Director Heimericks.**

**Vote: All Ayes**

**8. BOB MURRAY & ASSOCIATES:**

President Baliel stated that Bob Murray & Associates is a company that hires General Managers and employees for a District. Director Heimericks questioned what position the District was looking to hire for and why. President Baliel stated that they find people that have all the qualifications and documentation that is need to run the District. President Baliel alleged that the District is looking for a new General Manager. President Baliel also said that was what was put in when Ed was hired as a temporary General Manager. Director Heimericks offer President Baliel his research and President Baliel stated no, that his numbers are very tainted. Director Heimericks stated he did not have numbers, he had facts and would like to enter that data into the record, which he did. Director Heimericks then said if you are going to get rid of him you are going to have to fire him. There was no response from other Directors. Discussion continued without resolution of the issue; no motion was presented.

**9. AUDIT REVIEW:**

CPA Larry Bain was present and addressed the four-year Audit review (2018, 2019, 2020 and 2021). Mr. Bain said he wanted to emphasize the June 30, 2021, which he did. Mr. Bain then turned to the GASB 75, stating that the District has not obtained an Actuary to complete the report. Director Heimericks informed that after numerous tries to obtain the services of an Actuary, North Bay Pensions submitted an estimate for \$2,000. President Baliel entertained a motion to hire North Bay Pensions, LLC.

**Motion: Director Heimericks so moved.**

**Second: Director Schopf.**

**Vote: All Ayes**

**10. EMPLOYEE COMPENSATION ROLLBACK:**

President Baliel posed a question to Mr. Bain about how does the District roll back employees' wages. Mr. Bain said that would be up to the Board.

**11. OVERTIME POLICY:**

This matter had previously been addressed and now remains unchanged.

**12. STAFF EDUCATION & BOARD TRAINING:**

General Manager Leggette informed the Board of upcoming training sessions.

1. California Employment Law attendees (Edmond Leggette – GM and Dawn Leggette – Office Manager/HR)
  - a) Wage and Hour Law
  - b) Employment Discrimination and EEO Practice
  - c) Employee Handbook and Personnel Policies
2. Annual California Rural Water Association Expo attendees (Edmond Leggette – GM, Brett Foster – Field Supervisor) President Baliel suggested that Brett Foster and Kyle Kassel be the attendees to this conference. General Manager Leggette explained that sessions focus on continuing education credits for those holding certifications.
3. Ethics Training completion (Edmond Leggette – GM)
4. Sexual Harassment & Prevention Training completion (all District Staff)

**13. BOARD POLICY MANUAL:**

Directors have not submitted policies for inclusion. They were urged to forward to the General Manager a priority list for inclusion into the manual.

**14. WELL REHABILITATION:**

Dan Hedman with Hedman Drilling was present and provided an overview of work in progress. He also consulted with the General Manager for viewing the proposed sand separator project for Diana Well.

**15. CAPITAL IMPROVEMENT PLAN/RATE STUDY:**

Due to this being out of date, General Manager Leggette will contact Bartle Wells to provide a current Rate Study Proposal.

**16. COMPLIANCE WITH EPA CFR 141.84:**

Study/work in progress due to date change by EPA. Manager Leggette will be providing a monthly recap. Our new billing system (Muni-Link) will provide the capability of up-to-date information to stay in compliance with EPA requirements.

**17. TRAVEL POLICY:**

This item was delayed awaiting data from President Balieil.

**18. REVIEW OF DISTRICT EQUIPMENT:**

Agenda attachment of this matter was reviewed

**19. TOUR OF DISTRICT:**

Will be rescheduled.

**20. MANAGERS REPORT:**

General Manager Leggette reminded that we had a serious injury to one of the crew working on Scottsdale Drive. He also spoke about the upcoming work on Florin Road.

**DIRECTORS COMMENTS & SUGGESTIONS**

**ADJOURNMENT: 9:42 p.m.**

**Respectfully submitted by:**

**Edmond J. Leggette**

General Manager/Secretary to the Board

## ADDITIONAL TRANSCRIPT INFORMATION

- March 11, 2022 – Job was posted
- April 11, 2022 – Resumes were due May 1<sup>st</sup>
- May 9, 2022 – Resumes were due June 1<sup>st</sup>
- June 13, 2022 – Two applicants, 1 was not qualified and the Board continued the posting.
- July 11, 2022 – Posting was continued
- August 8, 2022 – Schedule meeting for August 16, 2022 to interview candidates
- August 18, 2022 – Two people were interviewed
- September 8, 2022 – Mr. Leggette was hired as the General Manager
- November 2, 2022 – President Clary stated that per District Counsel, (President Baliel interrupted and said I'm signing) the District needs to repost the General Manager's position due to not having enough applicants apply. Bob Murray & Associates was chosen to post the position.
- December 12, 2022 – The District counsel, Mr. Mitchel stated that he did not render the opinion that is stated in the November 2, 2022 minutes, that Edmond Leggette had properly been appointed General Manager. He further stated that Mr. Leggette was properly appointed and nepotism would not prevent him from holding the position of General Manager.

Director Parsons said this is not a family ran system. Director Heimericks said the minutes did not say Interim they say General Manager. Director Baliel said

1. They had a letter from her (did not name who her was) stating interim.
2. He was given a 90-day probationary period.
3. There is a husband and wife in this office that and were told/had voted last month that there would be no nepotism.

Director Heimericks said we did not vote on that and that is not in the minutes. President Baliel said he does care what he did. Mr. Mitchel said he did not say that nepotism was not a problem but that there is no law that prohibits it. Director Johnson brought up that at the last meeting Director Heimericks requested to see this "contract" before the next meeting and 10 minutes after 8:00 is not in advance. President Baliel said that he can show the email track that came down last week. Manager Leggette said that the District never received any emails from Bob Murray & Associates. At this point Manager Leggette stated that if he had received the contract, it would be in the packet. Manager Leggette said that he had called President Baliel today and informed him that he had not received anything and after speaking with President Baliel, Manager Leggette received a fax at 2:20 this afternoon. President Baliel asked if Manager Leggette gave the information out to the other Board members when he received it this afternoon. Manager Leggette said that according to what was addressed at the January 17, 2023 meeting, we said all correspondence would be into this office the Monday prior to the next scheduled Board meeting. Manager Leggette said that this was not presented until today. President Baliel interrupted Manager Leggette as he was explaining. Manager Leggette asked President Baliel if he could please let him finish. At that point Manager Leggette continued what he was saying and then was interrupted by someone in the public. Manager Leggette said excuse me ma'am and President Baliel started laughing. President Baliel said that he was going to adjourn the meeting and Manager Leggette asked him why. President Baliel stated we are moving forward, we are done.