

**FLORIN COUNTY WATER DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
7090 McComber Street
Sacramento, CA 95828
Monday, September 11, 2023
7:00 p.m.**

CALL TO ORDER AND ROLL CALL:

President Baliel called the meeting to order at 7:00PM

1.	Timothy Baliel	President	PRESENT
	Gary Schopf	Director	PRESENT
	Judi Johnson	Director	PRESENT
	Leonard Heimericks	Director	PRESENT
	Cindy Russell	Director	PRESENT
	Edmond Leggette	General Manager	PRESENT

2. ESTABLISH QUORUM/APPROVAL OF AGENDA:

Quorum established.

Board approved the agenda.

3. PUBLIC COMMENT:

Member of the Public had a question regarding account balance because the Post Office box was broken into and the District did not receive her payment. General Manager Leggette reassured the Member that yes, they are still responsible for their water bill but the bank should be able to credit their bank account due to fraud/theft and confirmed there would be no fees added to her account.

Another Member of the Public said they never got Colombus Day off so why was it on the District Calendar as the office being closed. Several people corrected that the holiday is also now considered Indigenous Peoples Day and that California observes both so therefore the District Office will be closed Monday, October 9th.

4. CONSENT CALENDAR

A. Minutes – August 14, 2023

Director Russell questioned the minutes regarding Board approval for the Check Signing Policy. Director Heimericks did confirm that after lengthy discussion the Board in fact approved a check signing policy. Director Baliel asked General Manager Leggette to have someone go back through the audio and confirm Board action regarding the Check Signing Policy.

**Office Assistant Note: Listened to the audio and transcribed that section of the meeting (see transcript at end of minutes). Upon checking, the Board did in fact approve the check signing policy. Audio of meeting is available upon request.*

Under Accounts Payable, Director Russell asked if the last sentence be changed from 'District's Attorney' to 'District's personal Attorney' because the apostrophe was too confusing to her claiming it symbolizes a District Attorney for the judicial system and not an attorney for Florin County Water District.

Director Johnson, regarding line item 6 for Sexual Harassment Training, asked Director Russell what her research was concerning Sexual Harassment Training for Board Members. Director Russell confirmed Director Johnson was correct in that Board Members must complete Sexual Harassment Training every two years.

Director Russell stated that she and Director Heimericks were working together on the Employee Compensation Study and that is still a work in progress. Nothing further to report presently.

Attorney Bernadett specified to the Board that the Board needs to not go into deep discussion on the minutes and if there is a section in the minutes that needs further discussion then it needs to be added to the agenda for the next regularly scheduled Board Meeting.

Director Baliel asks if the Board approves the minutes with the changes Directors Baliel and Directors Russell called out. Director Heimericks made a motion to approve the minutes with those exceptions. Director Schopf second the motion. All in favor:

Director Johnson – NO

Director Heimericks – YES

Director Schopf – YES

Director Russell – YES

Director Baliel – YES

B. Accounts Payable – Director Johnson made a motion to approve Accounts Payable. Director Schopf second the motion. All in Favor. The Board approved Accounts Payable.

C. Adjustment Report – Director Johnson made a motion to approve the Adjustment Report as presented. Director Heimericks second the motion. All in Favor. The Board approved Adjustment Report.

5. WATER METER PROPOSALS

After much discussion the Board could not decide on a meter bid. Director Baliel proposed to have a special meeting to review the bids further and research more information. Director Heimericks made a motion to hold a special meeting to discuss meters only on Tuesday, September 19, 2023. Director Russell second the motion. Board all in favor. The Board will postpone choosing a meter bid until after the September 19th Special Meeting.

6. EMPLOYEE COMPENSATION STUDY

Director Baliel reiterated that Directors Heimericks and Russell are currently working on this agenda item and need more time to gather information. Director Heimericks made a motion that the Employee Compensation Study be added as an Agenda item for the next regularly scheduled Board Meeting. Director Johnson second the motion. Board all in favor. Employee Compensation Study to be added to October's Board Meeting.

7. GASB 75 – CalPERS

Director Russell said she did not understand the numbers on the report and asked General Manager Leggette to help explain the report. Discussion began on how funds are dispersed to CalPERS including former employees' retirement accounts. Since this topic teeters on what can be shared in open session and what cannot be, Director Heimericks made a motion to move GASB 75 – CalPERS to the October Board Meeting to allow for further investigation and clarification. Director Russell second the motion. Board all in favor. GASB 75 – CalPERS will be added to the Agenda for October's Board Meeting.

8. WELL REHABILITATION

Parts have been ordered for the Fletcher Well. Once in, Fletcher well should be up and running by the October Board Meeting pending successful completion of testing. Diana well should also be up and running by October Board pending water sample testing. French well will be close to being done by the next Board Meeting. Director Russell made a motion to have Director Baliel handle the inquiry of ownership of the well located at the Post Office. Gary second the motion. Board all in favor. Director Baliel will research information and report back at a later Board meeting on who owns the well at the local Post Office.

9. STRATEGIC PLANNING (CIP)/RATE STUDY

Director Heimericks suggested the Board research a few firms to assist the District in developing a strategic plan for a rate study. This section is informational and the Board will discuss further at Special Meeting on September 19th.

10. DISTRICT POLICIES

- A. Board President & Officers Duties** – Director Russell brought up discussion on who sets the agenda items. Director Russell stated since she is the Board President on another Board, her position is solely responsible for setting agenda items. Therefore, the policy should be updated to reflect Director Baliel as being the only person to set agenda items. Attorney Bernadett noted that it is perfectly acceptable, and customary practice in Water Districts, to have the General Manager AND the Board President work together to set agenda items. Reason being, the General Manager will know more about the day-to-day operations within the District. General Manager Leggette added since the Board voted and approved having the delivery of Board Packets changed from the Friday before the meeting to the Wednesday before the meeting, then Agenda items must be submitted to the office earlier to accommodate this change. Director Heimericks made a motion to amend the draft. Director Russell second the motion. Director Heimericks made a motion to update the policy to have Agenda items submitted to the office no later than 7 days prior to distribution of Board Packets and other pertinent Board Meeting information. Director Russell second the motion. Board all in favor for updating this policy with those changes.
- B. Budget Preparation** – Director Johnson asked to remove “Designated Board Members” from the second paragraph and add “Finance/Budget Committee.” Director Heimericks second. Board in favor for making update.
- C. Travel Procedures & Expenditures** – Director Russell asked to have this policy restructured due to her not being in line with the information listed. A member of the Public asked to have the verbiage updated in the policy to clearly specify that the District will not pay travel expenses for anyone other than the employee. Board did not act on this item.

11. MANAGERS REPORT

General Manager Leggette stated the Diana well should be up and running by early October if testing goes smoothly. Tommy Circle well will cost close to \$120K for parts alone which is within the estimated budget he submitted. General Manager Leggette notes that since he will have most of the manual labor done in house this will save the District a lot of money in labor charges. Director Heimericks made a motion to authorize the start of rehabilitation on Tommy Circle and Kara Tract. Director Johnson second the motion. Board all in Favor. Rehabilitation work will begin on Tommy Circle and Kara Tract. Lastly, General Manager Leggette reiterated that the engine in the Backhoe needs to be replaced.

DIRECTORS COMMENTS & SUGGESTIONS

Director Heimericks asked for clarification on EPA requirements on lead piping. Billing Specialist, Mia, will work on gathering more information for Director Heimericks and will provide him that information by next Board meeting.

ADJOURNMENT: 9:00PM

Respectfully submitted by:

Edmond J. Leggette

General Manager/Secretary to the Board

Florin County Water District will be closed Monday, October 9, 2023, in observance of Indigenous Peoples Day. October Board Meeting is rescheduled to Tuesday, October 10, 2023 at 7:00PM.

**At request of the Board, please see Check Signing Policy Transcript below from August 14th Board Meeting.*

**Board Meeting audio available upon request.*

**CHECK SIGNING POLICY
TRANSCRIPTION
AUGUST 14, 2023**

Director Baliel: Ok, Check Signing Policy.

Director Johnson: It looks to me as though this is a well-done document and I would therefore offer a motion approving it.

Director Baliel: Where is that?

Director Heimericks: Right after minutes

General Manager Leggette: Turn that one upside down. Turn that upside down. [INAUDIBLE]. There you go.

Director Russell: There you go.

Public Member: While everybody is looking, I just wanted to reiterate Judy you put a motion on the floor. I just want to make sure that was audible.

General Manager Leggette: Just waiting on them. They heard it.

[INAUDIBLE NOISES]

General Manager Leggette: Gary it's a couple pages, a couple more down. No the next one Gary. [INAUDIBLE] No that one right there.

Director Russell: I have a question. All checks should bear two signatures. One of which must be a director of the Florin County Water District, who?

General Manager Leggette: At least...

Director Russell: Pardon?

General Manager Leggette: At least needs to be, both of them can be signed by two Directors or myself. There's two spots on the check, I can only sign in one spot. The Board of Directors can sign all the checks.

Director Baliel: Well are we gonna?

General Manager Leggette: The reason for it, is because we didn't...

Director Baliel: Ed, stop for a minute!

General Manager Leggette: Wait a minute.

Director Baliel: The question I have, I know what you're asking. Are we gonna continue signing checks at Board Meetings.

General Manager Leggette: That is not the reason for this check signing policy. The reason for this check signing policy is because we did not have a meeting and we were unable to pay our bills which we accrued penalties and fees because we did not have a meeting. So this would give us, at least give me the opportunity to present what I need to get paid at this point in time to the Board so I can sign the check, I can have a Board Member sign the check, and we can pay the bills. We did not pay the bills last month, that is why we are doing this.

Director Baliel: Well haven't you, Judy, and Lenny been signing the checks for the last three months?

General Manager Leggette and Director Johnson: No

Director Baliel: I haven't signed them.

Director Johnson: There was no authority for signing.

Director Heimericks: Gary and I signed some months ago.

General Manager Leggette: Gary stayed and signed one night after a meeting.

Director Baliel: That was two months ago wasn't it?

General Manager Leggette: Yes. We didn't have a meeting last month.

Director Heimericks: Gary and I came in and signed checks one morning.

Public Member: Yes.

Director Schopf: Right.

Attorney Mitchell: Just so it's clear, two different pieces. One is the action of the Board. We need Board action to approve making payments. The second is a policy on who can sign the check. You can't sign the check without the Board approving it.

Director Baliel: That's what I'm asking about.

General Manager Leggette: Right.

Director Heimericks: But that's what we do. [INAUDIBLE]

Director Russell: Right, so that's what I was gonna say. Well you have all of these bills on here but you're gonna have somebody come in and sign them for...

Director Heimericks: You got to look at each bill that you sign.

General Manager Leggette: Everything is going to be presented to them at the time of signing. Just so just in case if we have [INAUDIBLE] arise this last Board Meeting we weren't able to pay bills. I need to at least have my gas bill paid. I need to at least have my parts house bill paid so I can operate the District. I cannot operate the District if I can't pay my vendors.

Director Russell: So...

General Manager Leggette: I, I'm not asking. Oh I'm sorry.

Director Russell: My question is, is there a way that you can have the Directors take a look at the bills that need to be paid and then have a few signers come in?

General Manager Leggette: Yes.

Director Russell: So basically, we're approving a blank check...

Director Heimericks: No.

General Manager Leggette: No, no, no.

Director Russell: Because we don't see what...

General Manager Leggette: Everything that you would get at a Board Meeting, when you would come to sign that check. You will have that information. You would have the accounts payable. Everything that's on there and the checks that I need to pay they will be highlighted or I will point them out to you and let you know I need this paid. We can not pay this we have to move forward. We can't wait a month. But if you guys want to change the language that's what we're here for. We're supposed to be working together. If there's something we need to change to make this go on let's do it.

Director Baliel: Ed, let me ask you a question.

General Manager Leggette: Yes.

Director Baliel: Since we all have emails. Can you have Dawn or Mia say hey we need checks signed. Here they are. And email us basically our deal and then the Directors can come in and signed.

General Manager Leggette: This past month I attempted to do that. I personally emailed yourself and asked if we can get these checks signed and I didn't not get a response. There was nothing, I did everything in my power to get these checks signed.

Director Baliel: I have been working 16 hours plus a day. I am not at, and I'm sorry to say this, Florin County Water's beck and call. That phone rings 24 hours a day Ed. So one attempt does not make...

General Manager Leggette: No. There was 5 attempts.

Director Heimericks: So how would you change this.

General Manager Leggette: That's what were...

Director Baliel: That's why I'm asking. Is why can't we have these bills sent to us via email and if we don't respond then the two people whoever they are, you and Lenny, you and Judy. Gary he lives, Cindy lives, I live, we all live close.

General Manager Leggette: But we can't, we can not do that without the approval of the Board and the Board President to do it. Am I right Jeff?

Attorney Mitchell: Well that's what I'm trying to understand. There's a check signing policy but that is the ministerial act of signing them after the Board has approved them. It's not a substitute for Board approval. So until there's a meeting, the check signing policy isn't going to help if you don't have a meeting at which the Board approves payments.

[INAUDIBLE RESPONSES]

Director Baliel: Well he's still saying we have to as the Board have to approve them. Am I correct?

Attorney Mitchell: Yes.

Director Baliel: Ok but if he emails to all of us and we email back or three of us email back saying yes we approve this, this, and this...

Attorney Mitchell: That's a Brown Act Violation.

Director Baliel: Is it? Ok. That's why I'm asking.

Public Member: How did they do it in the past?

Director Baliel: We came in we got a block of checks signed. Not having any uh...

General Manager Leggette and Public Member: [INAUDIBLE CONVERSATION]

Director Baliel: It never had when Rick was here.

General Manager Leggette: What's that?

Director Baliel: All the bills busted out like you're, we're trying to do now.

General Manager Leggette: You always got that report. You always have that report.

Director Heimericks: I don't see the problem.

Director Johnson: I'd like to address Cindy if I may. I hear what you're saying and Board Members can come in here and look at the files. Just sit down in that chair down there and say I want to see what checks we have to do. They're listed and so if you [INAUDIBLE] usually do to be honest with you and I have several tonight. You have ones that you're interested in and don't quite understand, they have the documentation here and you can in turn say to the fellow Board Members I've looked at these and I'm happy with them and I think we should follow our policy and sign them.

Director Russell: I have a suggestion maybe. Since you already know pretty much what bills are due when and where would it be possible to get this to the Directors before the meeting? And we have time to check it over?

General Manager Leggette: Everybody gets their packet the Friday before.

Director Russell: Well, I'm saying before then so that you have time to compare the checks and get them ready.

General Manager Leggette: Yes. When we, the checks are ran already. That's how we make that report.

Director Russell: So the checks are ready now?

General Manager Leggette: Yes.

Director Heimericks: The checks are ready. They're not signed but they're ready.

Director Russell: I just don't see how the Friday before gives ample time or a chance to question it until the meeting.

General Manager Leggette: You got 72 hours.

Attorney Mitchell: But you're not open on Saturdays.

Director Russell: Right.

General Manager Leggette: I'm avail-, ok, you want them earlier than that?

Director Russell: Well I'm saying if we got them earlier you know than the Board Meeting to at least approve checks or have questions then we can direct them to you for the Board Meeting.

General Manager Leggette: Do you want to change it to Wednesday?

Director Heimericks: Yes.

Director Baliel: Haha, that was a quick yes down there. Ed, I will put a box out for you to put my in. Because I've been leaving like I told Jeff, I got to leave tonight and I got to be up in Paradise tomorrow morning besides working tonight. So I'm not going to be around very much. So if we can get them three days before the weekend. That would be three days before the weekend right?

General Manager Leggette: The only reason we were doing it on Friday is that was the last day you guys picked. So if we want to move it to Wednesday that's not a problem. The only issue that we have moving it up a few days is some checks may not be uh some invoices may not be in there.

Director Baliel: Hang on a sec, it's a question you can probably answer it. Are those immediate checks that need to be paid.

General Manager Leggette: That's where I was going next. Some come in and some don't. If it is an immediate check that needs to get paid then that's when we will have to go back to our policy just how we do postage for mailing for billing.

Director Russell: So then at that point if it's an immediate one then we can have it ready to review on Monday. Immediate one.

General Manager Leggette: Then we can move forward.

Director Heimericks: I'd like to make a motion.

Director Johnson: There is a motion on the floor. It hasn't been seconded. It has to be declared.

General Manager Leggette: But can we change, can we accept that motion with that change in it? For Monday? Or would we have to write it in?

Attorney Mitchell: What you would typically do if there's a change to the motion, then you can propose the amendment to the motion and vote on the amendment first, if it passes you vote on the amended motion.

General Manager Leggette: I just wanted to get it out in the air so it was done correctly.

Director Baliel: So who's gonna amend the motion.

Director Heimericks: I would like to amend the motion.

Director Baliel: You know Lenny and I'll second it.

Director Heimericks: Not yet.

Director Baliel: I already know where we're going.

Director Heimericks: I'd like to amend the motion that the proposed agenda for our meetings be posted on the Wednesday before the meeting. The Wednesday before the meeting which will include everything.

General Manager Leggette: Are we still doing 2 or we doing 4?

Director Baliel: What's that?

General Manager Leggette: The time. First it was at 4 then we switched it to 2.

Director Baliel: Ed for me I'll put a box out and then you don't have to worry about it.

General Manager Leggette: I just want to know the time you guys want it by. That's it.

Director Heimericks: My amendment to the motion is that the agenda or the minute and all supporting documentation be provided to the Board Members and the Public not later than 2 o'clock on the Wednesday prior to the meeting.

Director Johnson: As the maker of the motion I do not accept the amendment.

Director Russell: So then at that point you'd say can we have a second and then all in favor of the motion.

Director Baliel: Anybody want to second Lenny's motion?

Director Russell: I'll second it.

Director Baliel: Gary? You good?

Director Schopf: All in favor.

Director Russell: Then at that point, all in favor.

Director Baliel: All in favor.

Directors Baliel, Russell, Heimericks, and Schopf: Aye.

Director Johnson: No.

Director Baliel: Ok, one no.

General Manager Leggette: One no. Four yes.

Director Baliel: I got one dumb question even though we're past that.

Attorney Mitchell: Tim wait. That was a vote on the amendment.

General Manager Leggette: Now we have to-

Director Baliel: The check.

General Manager Leggette: Yes.

Director Baliel: That's what I was looking at. Was that included.

Attorney Mitchell: Now we're voting on the check policy.

General Manager Leggette: Now you have to vote.

Director Baliel: Ok. Hold on a second.

Public Member: I have a question. On your check signing policy it says the General Manager when available I think the General Manager should be present because you have to explain why some checks are high or if they have a question you should be here to answer it.

General Manager Leggette: Oh yes. I'm always.

Public Member: So I think where it says when available that should be taken out and say should be present.

General Manager Leggette: Maybe you guys need to change that wording.

Director Baliel: Hold on, hold on. Lenny.

Director Heimericks: I would disagree. What if he's sick. What if he's in the hospital.

Director Baliel: Well there's somebody put in his place at that point. Am I wrong?

Director Heimericks: Well we have a business manager right?

Director Baliel: I don't know do we?

Director Heimericks: We do have a business manager.

Director Baliel: Who's our?

Public Member: It's the General Manager or designee.

Director Heimericks: Or the designated representative.

Director Baliel: Right.

Director Heimericks: Good.

General Manager Leggette: We need to retake that vote correct?

[INAUDIBLE CONVERSATIONS AMONGST MULTIPLE PEOPLE IN THE MEETING ROOM]

General Manager Leggette: So let's make that amendment, look it over. Make sure it's absolutely correct and it's the wording that everybody wants. And then let's take another vote and let's move forward.

Director Johnson: I don't see the timing in here. That has been proposed. What am I missing? What line is that? The Wednesday instead of Friday.

Director Heimericks: That's not in there.

General Manager Leggette: That not there. We're writing that in now. That's-

Director Baliel: That's gonna be the next meeting. It'll be in our notes at that point.

General Manager Leggette: Correct.

Director Heimericks: It won't be part of this policy.

Director Baliel: Right.

General Manager Leggette: It'll be in the minutes.

Director Baliel: Ok, Lenny you wanna adjust the amendment again or what do you wanna do? You're at that end.

Director Heimericks: I would make another one but I'm trying to decide where it goes.

Director Baliel: Now be careful.

Attorney Mitchell: If I can offer a suggestion.

Director Baliel: Yes.

Attorney Mitchell: What I heard you all decide is the General Manager or designee is to be present to respond to payment questions by the Board.

Director Heimericks: Yes. It said C. C, I couldn't find it.

Attorney Mitchell: So you'd take out 'comma when available comma'.

Director Heimericks: Ok here's my motion. I would motion that the check signing authority policy be amended paragraph C to read the General Manager or designee is to be present to respond to payment questions by the Directors.

General Manager Leggette: Anybody second?

Director Johnson: It has to be second before I can ask.

Director Baliel: Cindy you want to second it?

Director Russell: I'll second it.

Director Johnson: Ok my question is on D-1, Friday's still there.

Director Baliel: Judy.

General Manager Leggette: No it was taken out when we made the amendment. We changed the Friday to Wednesday.

Director Johnson: Ok I didn't understand that.

General Manager Leggette: As well as I understood it.

Director Baliel: That's what I was gonna ask. This is what we're just changing to correct? That's what I'm understanding.

General Manager Leggette: Yes. That Friday is going to be gone. It's now Wednesday 2PM.

Director Baliel: 2PM that we're gonna get our packets.

Public Member: He's going to have a box to stick it in. So you don't have to worry.

General Manager Leggette: Can you please make sure it's a lock box.

Director Baliel: Well I'll have it behind the fence so you have to reach around and drop it in.

General Manager Leggette: They're just looting the street lately.

Director Baliel: Oh I know.

General Manager Leggette: It's just going to have pertinent information in it so make sure it's a lock box.

Director Baliel: Well he's talking about our creepy crawlers coming and taking stuff.

Public Member: Oh.

Director Baliel: Am I right Ed?

General Manager Leggette: Yes.

Director Baliel: I get it, UPS, all the rest. We have a system.

General Manager Leggette: That is all my request that I ask.

Director Russell: Can I interject one thing. When the tiny home project officially opens anybody that has a problem you call 911 and you're supposed to have an immediate response. Just to give you an update.

General Manager Leggette: Yea I know. But 3 in the morning and we're not here. That's the only issue. But during the day, yes.

Attorney Mitchell: Can I suggest that we stay focused on this.

Director Russell: I'm just trying to give him a little reassurance.

Director Baliel: You made the motion.

Director Heimericks: She second it.

Director Baliel: All in favor.

Director Russell: Aye.

Director Schopf: Aye.

Director Baliel: Judy.

Director Johnson: Opposed.

Director Heimericks: Ok so now we have a policy. Good.