

**FLORIN COUNTY WATER DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
7090 McComber Street
Sacramento, CA 95828
Tuesday, October 10, 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.

Director Johnson noted that in previous meetings she has requested to have background information on Agenda items included in the Board Packets. She specifically called out Agenda Item 5, Employee Compensation Study, noting she did not have any information regarding that item. General Manager Leggette said that study is still a work in progress. Director Johnson noted that Agenda Item 6, GASB 75 – CalPERS, has been on the agenda for 5 months and yet the Board continues to not act. Agenda Item 8, Strategic Planning (CIP)/ Rate Study, she does not have background information on. General Manager Leggette confirmed that the Billing Specialist does have the information requested and that will be discussed later in the meeting. Agenda Item 9, Request for Proposal – Public Relations Agencies, there was no information included in the packet. General Manager Leggette stated at the last meeting it, which Director Johnson was absent for, the Board decided to have the office gather information for Public Relations Agencies. The information/bids were gathered and will be presented to the Board and Attorneys later in the meeting. Director Johnson expressed her financial concerns this can bring the District.

Attorney Bernadett reiterated with Director Johnson that at this point in the meeting the Board is do either approve or disapprove the Agenda and items can go into further detailed discussion at that point in the meeting.

Director Baliel called for a vote on approval of the Agenda.

Director Heimericks – YES
Director Johnson – NO
Director Schopf – NO
Director Russell – NO
Director Baliel - NO

3. PUBLIC COMMENT:

A member of the Public asked why they were not brought back into the meeting room once closed session was over and open session reconvened. Director Baliel said the Board did not know anyone was outside the door and asked if those members lived in the District. If they did not, then maybe that is why the Board did not bring them back

in. To which the Member forwarded that question to Director Baliel to which he responded that he does live in the District.

Director Russell brought up concern that meeting minutes were taken during that special meeting. She was under the impression minutes were not going to be taken. Attorney Bernadett did confirm there was no privacy violation and nothing unethical was done by taking Minutes for a closed session since no information was recorded for what was discussed during the closed session. Recording the Board Met at date and time and quorum was established and listing any information during open session is perfectly acceptable and legal.

4. CONSENT CALENDAR

A. Minutes – Revised August 14, 2023, September 11, 2023, September 19, 2023, and October 4, 2023

Director Johnson noted that during the August 14th Board Meeting, she made a motion to approve the Check Signing Policy and everything went awry and the motion was left open on the floor. Director Baliel opted to have the correction to the minutes and the vote on the Check Signing Policy be added to the Agenda for November's Board Meeting.

Director Heimericks made a motion to approve the August 14th Minutes apart from Item B, Check Signing Policy, will be added to the November Board Meeting Agenda for further review and proper vote. ****There was no second to the motion.***

Director Baliel asked Attorney Bernadett a side question related to the Budget and how it pertains to checks being signed. Attorney Bernadett answered the question and said the Board should stay on course because this section is to approve the minutes. If there is any objection to the minutes, the Board can approve and/or not approve and any further discussion on making changes to the minutes must be added to next month's agenda.

Director Baliel said, "Let's finish number 4." Director Baliel asked Director Johnson what her vote was. Director Johnson voted: No. Director Baliel asked Director Heimericks what his vote was. Director Heimericks voted: Yes.

Attorney Bernadett asked what the motion on the floor was. Director Baliel stated, "To accept the Consent Calendar."

Director Baliel asked Director Russell her vote. Director Russell voted: Yes. Next Director Baliel asked Director Schopf for his vote. Director Schopf voted: Yes. Lastly, Director Baliel opted to not vote at all.

B. Accounts Payable

When looking over the Accounts Payable report, Director Russell brought up the investigation charge saying this pertains to General Manager Leggette's complaint against the Board. Director Baliel interjected asking Attorney Bernadett if this can be discussed in open session. Attorney Bernadett said they can discuss the charges on the report but **can not** go into detail what they were for and directed Director Russell to not discuss details further. Director Russell continued to discuss the nature of this charge and said that she did not believe the District should pay for any investigation and that charge should be billed to General Manager Leggette. Director Heimericks chimed in and reiterated that she is not to discuss this in an open session.

Director Johnson noted that General Manager Leggette hired new employees. Director Baliel questioned if the Board gave him permission to hire people. Director

Heimericks said that when the Board approved the budget, General Manager Leggette had the authority to hire employees. General Manager Leggette added that it was the request of Director Baliel for him to hire more people to help with Tommy Circle project to which he did.

Director Russell brought up a concern over the high charge from Florin Automotive. General Manager Leggette noted that a couple trucks needed extensive work and although their rates are high this is who they must work with until they find another mechanic to use.

Director Baliel asked if Accounts Payable would be approved and Board collectively approved.

C. Adjustment Report

Director Johnson motioned to approve adjustment report. Director Heimericks second. Director Russell said she had not reviewed the report but said the Board can go forward with it. Director Schopf did not vote. Director Baliel abstained from voting but said Board approved Adjustment Report when questioned by Attorney Bernadett.

5. EMPLOYEE COMPENSATION STUDY

Director Russell asked that the Board table this for another time as she just received information and needed extra time to prepare. Director Baliel motioned to table to the next Board Meeting. Director Russell second. Employee Compensation will be discussed at another Board Meeting.

6. GASB 75 – CalPERS

Director Russell stated that she is not approving.

Director Heimericks advocated to approve this so the employees can be better taken care of for the future.

Director Baliel asked to have this tabled for another time and/or have a representative of CalPERS to come and explain this to the Board.

7. WELL REHABILITATION

General Manager Leggette said flushing is currently being done on the Diana Well due to an odor coming from the Well. In the next couple weeks Diana should be up and running as intended.

Fletcher Well has received parts so electrical work and other necessary work should be able to be completed soon. Once done, then work will be handed over to General Manager Leggette for further flushing and testing.

French Well's pump has arrived and the pump will be installed soon. French Well is relatively close to being up and running.

Director Baliel asked how many gallons of water will be added back into our system once the Wells are up and running. Dan with Hedman Well Services said it should be roughly around 1500 gallons of water per minute.

No action needed as this section is informational.

8. STRATEGIC PLANNING (CIP)/ RATE STUDY

Director Heimericks said they have asked the office staff to gather three quotes for this topic. Billing Specialist provided the Board with three quotes for the Board to review. Director Baliel asks that the Board table this to next meeting to allow Board Members time to review material.

No further action at this time.

9. REQUEST FOR PROPOSALS – PUBLIC RELATIONS AGENCIES

Board opted to have a special meeting on October 30th, 2023, to discuss this topic in more detail.

No further action.

10. SELECTION OF AUDITOR

Board noted we are a year behind on District audit.

General Manager Leggette noted auditor selection will be added to the Agenda for the October 30th Special Meeting.

No action taken.

11. REPORT ON EPA 40cfr 141.84 STATUS

Director Heimericks noted this report is due on 16th of October 2024.

A member of the public said she did research on her own online and found options for meters that are significantly lower than what is being reviewed by the Board and Public and asked why the District cannot use these inexpensive meters. General Manager Leggette clarified that the specific meters she was referring to are prohibited from being used. He further reiterated that the State of California will no longer allow for meters to be read manually. The member disagreed and challenged the information and asked for proof which General Manager Leggette provided.

No action needed as this section is informational.

12. REPORT FROM LEGAL STAFF ON PROPOSED DISTRICT POLICIES

A. Board President & Officers Duties

Attorney Bernadett stated Legal is still working on this subject and recommended this topic be pushed to the next Board Meeting.

A Member of the Public asked Director Johnson if Director verification such as, District Residency/Receipt of Water Bill, will be added to the policies. Director Baliel and Director Russell said the policies are open. Attorney Bernadett added that there's certain policies the Board can adopt but they must coincide with State Law and there are state laws regarding his inquiry and a person serving on the Board within a District.

No further action.

B. Budget Preparation

Topic will be moved to next Board Meeting.

No further action.

C. Travel Procedures & Expenditures

Topic will be moved to next Board Meeting.

No further action.

13. EMPLOYEE PERFORMANCE EVALUATION

Director Baliel asked General Manager Leggette to provide detailed information on employee performance. Attorney Bernadett declared that since the Board has not formally requested employee performance reviews from GM then it would be improper to ask him for an impromptu evaluations at this time. Normal protocol would be that General Manager Leggette be instructed to conduct performance reviews and report back to the Board later.

Director Heimericks asked General Manager Leggette if the employees sign documentation explaining what their job is. General Manager Leggette said yes.

Director Baliel said Director Russell is working on a handbook and that will be approved by the Board and handed over to the Attorneys for review. Director Johnson asked when the Board approved to elect Director Russell to create a handbook. Director Heimericks said any Board Member is authorized to draft a policy for review. It does not have to be one specific person. Director Baliel stated that he works with his company 24/7 and is not available to draft policies which is why other Directors are working on them.

14. DUPLICATE RECEIPTS FOR CASH PAYING CUSTOMERS

Director Johnson asked how the office staff processes cash receipts. Office Billing Specialist explained the process and the Board had no further questions.

Director Baliel raised concern over the office not having the ability for customer to pay their bill online and/or by card in the office. Attorney Bernadett stated that since this topic is not on the Agenda for discussion and will need to be added to next month's meeting agenda for proper discussion and/or motion.

No further information.

15. DISCREPANCIES AND BILLS FOR CUSTOMER ACCOUNT WATER METERS

Director Russell starts by going over the meter bids. When completed she asks for clarification on why the number of meters requested to purchase is different than the customers that need meters. Director Russell requests that the bids be revised to show the actual meters needed plus extra in case any break and need replacement.

No further action.

16. DISTRICT CALL LOG

Director Baliel said he requested to have and/or see a call log that pertains to customer complaints. Director Baliel said he received a call from a concerned member that tried calling the office a couple times and could not get through to the front desk. Director Baliel said this Member called to report an incident between that Member and a District Employee. General Manager Leggette said the issue between both parties has been resolved and addressed.

General Manager Leggette added that the Office Assistant was receiving threatening and harassing phone calls non-stop due to a YouTube First Amendment Auditor that came into the office to harass staff and get likes/views for his YouTube Channel. Legal Council

advised GM to not answer the phone, let calls go to voicemail, and call customers back that left a voicemail.

A Member of the Public asked if calls to the office are being answered now and General Manager Leggette said yes.

At 8:53PM Director Schopf left the meeting.

17. ADA COMPLIANCE SIGNAGE

ADA sign is posted on the District Office front door.

18. MANAGERS REPORT

Tommy Circle Project is still a work in progress. Due to materials received for the project, the District needs to redo the permits with Sacramento County. Not all parts have been received for completion of this project.

Diana Well is being worked on. Once sand was vacuumed from the well and flushing began, there was an odor coming from the Well. Additional testing is required to find out what the odor is. The Well will be offline until testing is completed and is safe for use.

The District had to repair a couple major leaks this month so they were not able to upgrade as many meters as last month. This month the District did about 40 meter upgrades.

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

No public comment.

20. CONVENE CLOSED SESSION

Public prohibited from being present during closed session.

21. RECONVENE OPEN SESSION

22. 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))

No reportable acts.

DIRECTORS COMMENTS AND SUGGESTIONS

Director Johnson requested that the office staff compile a list of who in the District does not have an account for water service and put together a bill for those people with no account but have been using the District's water.

ADJOURNMENT: 9:25PM

Respectfully submitted by:

Edmond J. Leggette

General Manager/Secretary to the Board

**Next regularly scheduled meeting will be held on Monday, November 13, 2023. Proposed agenda items must be received by 4:00PM on November 1, 2023.*