

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

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

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

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

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

Quorum established.

Director Baliel states he will not approve the agenda.

Director Johnson made a motion to approve the agenda. There was no second to the motion. Director Baliel called for an all-in favor vote. Votes as follows:

**Director Johnson – YES**

**Director Schopf – NO**

**Director Russell – NO**

**Director Baliel – NO**

**Director Heimericks - ABSTAIN**

Agenda not approved.

Director Baliel raised concern over an active lawsuit between Aero Construction and Florin County Water District claiming the Board Members were not made aware of this. Attorney Bernadett reminded Director Baliel that Legal emailed priority items to the Board which included this concern as an attachment and offered to bring more of a summary to the next Board Meeting. Attorney Bernadett also cautioned the Board from further discussing this matter since it is not an Agenda item.

**3. PUBLIC COMMENT:**

A Member of the Public raised concern for the policy detailing the requirements for being on the Board, further detailing how can this policy can be in effect if a Board Member is not in compliance. The Member also raised concern over Draft Meeting Minutes not being on the District website.

Another Member of the Public reiterated that a requirement to be on the Board is also a Municipal Code and that the policy would not be in effect because it goes against Municipal Code especially since the Board is not in compliance currently for Board Directors.

Attorney Bernadett clarified that this is State Statue not necessarily Municipal Code.

**4. CONSENT CALENDAR:**

**A. Minutes – Revised August 14, 2023; September 11, 2023; September 19, 2023; October 4, 2023; October 10, 2023; October 30, 2023; November 13, 2023; November 27, 2023; November 30, 2023**

Director Johnson made a motion to approve the minutes as listed. Director Heimericks second the motion. Board not all in favor. Vote as follows:

Director Johnson – YES  
Director Heimericks – YES  
Director Russell – NO  
Director Schopf – NO  
Director Baniel – CAN NOT BE HEARD GIVING VOTE

Attorney Bernadett asks Director Baniel what the vote was and he said “Two Noes. Three Yeses.”

General Manager Leggette asked the Board for their suggestions for corrections as there has been no communication for what needs to be corrected and Director Russell said she would email General Manager Leggette her corrections for the minutes.

**B. Accounts Payable**

Director Johnson made a motion to approve Accounts Payable as presented. Director Heimericks second the motion. Board all in favor to approve Accounts Payable.

**Director Johnson – YES**  
**Director Heimericks – YES**  
**Director Russell – YES**  
**Director Schopf – YES**  
**Director Baniel - YES**

**C. Adjustment Report**

Director Johnson made a motion to receive, from now and henceforth, a condensed version of the adjustment report. There was no second to the motion. Director Heimericks, Director Russell, and Director Schopf collectively denied the motion and stated they would like to receive a longer and more detailed version of the adjustment report as opposed to the condensed version. Director Baniel abstained from voting.

Director Heimericks made a motion to accept the Adjustment Report as it is. Director Johnson second the motion. Adjustment Report passed but not unanimously. Votes as follows:

**Director Heimericks – YES**  
**Director Johnson – YES**  
**Director Russell – YES**  
**Director Schopf – YES**  
**Director Baniel - ABSTAIN**

**5. PROPOSED DISTRICT POLICIES:**

Director Russell made a motion to not approve the following policies as there is a few that are duplicates and some should be condensed into one policy.

Director Heimericks made a motion that the Board review the policies that are listed here based on the original submissions from June and at the next meeting or a special meeting they make changes to the original version. Director Baniel second the motion. Motion passed but not unanimously. Votes as follows:

**Director Heimericks – YES**  
**Director Baniel – YES**  
**Director Russell – YES**  
**Director Schopf – YES**  
**Director Johnson – ABSTAIN**

Director Baniel said all the policies listed below are on being put on hold.

- A. Requirements to be Board of Director for FCWD**  
No Action Taken.
  - B. Notification to Property Owners Authorizing Work on Premises**  
No Action Taken.
  - C. Check Signing Policy – 2**  
No Action Taken.
  - D. Board President & Officers Duties – 2**  
No Action Taken.
  - E. Budget Preparation**  
No Action Taken.
  - F. Travel Procedures & Expenditures**  
No Action Taken.
- 6. MEMO FROM DISTRICT COUNCIL REGARDING BOARD RESIDENCY:**  
This document was between Legal and the Board and confidential. The Board needs to vote to allow the Legal team to release this memo to the Public.
- Director Heimericks made a motion to make the memo available to the Public. Director Johnson second the motion. Motion not passed. Split vote from Board. Votes as follows:
- Director Heimericks – YES**  
**Director Johnson – YES**  
**Director Russell – NO**  
**Director Baniel – NO**  
**Director Schopf - NO**
- 7. EMPLOYEE COMPENSTAIION STUDY CONTRACT WITH BRYCE CONSULTING:**  
Director Heimericks made a motion to approve the contract as presented. Director Russell second the motion. Board all in favor to approve the contract. Votes as follows:
- Director Heimericks – YES**  
**Director Russell – YES**  
**Director Johnson – YES**  
**Director Baniel – YES**  
**Director Schopf – YES**
- Director Baniel signed the contract to use Bryce Consulting for a Board approved Employee Compensation Study.
- 8. APPROVAL OF REQUEST FOR PROPOSAL (RFP) FOR 5 YEAR STRATEGIC PLAN:**  
Director Heimericks made a motion to accept the RFP as written for 5-year strategic plan. Director Johnson second the motion. Board all in favor to accept the RFP proposal.

Votes as follows:

**Director Heimericks – YES**  
**Director Johnson – YES**  
**Director Russell – YES**  
**Director Schopf – YES**  
**Director Baniel – YES**

**9. CONTRACT FOR GASB 75 WITH NORTH BAY PENSIONS:**

No action taken as this section was for informational purposes. No new information presented. This section was reiterating that Director Baniel signed the 2-year contract in 2022.

**10. AGREEMENT WITH CALPERS PREFUNDING TRUST PROGRAM:**

No Action Taken. The Board decided to table this Agenda item for a later (unspecified) time.

**11. APPROVAL OF LETTER REGARDING SHARING NEWS AND INFORMATION WITH RATEPAYERS TO BE MAILED WITH JANUARY BILLINGS**

Director Heimericks made a motion to have a Special Meeting solely to discuss and approve the newsletter to the ratepayers. Director Baniel second the motion. Board all in favor to hold a Special Meeting to review and approve Newsletter. Votes as follows:

**Director Heimericks – YES**  
**Director Baniel – YES**  
**Director Russell – YES**  
**Director Schopf – YES**  
**Director Johnson – YES**

A Member of the Public suggested to form a committee to make changes to the Newsletter prior to the Special Meeting. That committee will then draft a Newsletter and present to the Board their rough draft at the Special Meeting on Wednesday, December 20, 2023, at 7:00 P.M.

**12. CONTRACT WITH RICHARDSON & COMPANY FOR DISTRICT AUDIT**

Board tabled this topic until they receive confirmation from Attorney Mitchell that the Board did not receive any recommendations from previous auditor, Larry Bain, regarding companies to use.

No Action Taken.

**13. REPORT ON EPA 40cfr 141.84 STATUS**

No Action Taken.

**14. DIRECTOR JOHNSON'S DISCUSSION OF WATER METERS**

No Action Taken.

**15. WELL REHABILITATION**

French well was reset and plumbing should be done within a week to two weeks. Flushing should be able to begin shortly after. Making progress with Post Office well.

**16. MANAGERS REPORT**

Fletcher and Diana well are getting tested on the 19<sup>th</sup> of December. Once that passes, they will be able to get back online. The second leak on the main on Florin will be

completed after the first of the year. Parts needed to be ordered and the District was prohibited from working in front of the business complex due to traffic being affected for the Holidays. The first section of the leak has already been repaired. The District completed 28 more upgrades.

### **DIRECTORS COMMENTS AND SUGGESTIONS**

Director Russell raised concern over the District Office being closed on December 26, 2023. Director Russell made a motion to remove the Day after Christmas as a paid Holiday. Attorney Bernadett stated since this was not on the Agenda the Board cannot act.

Director Johnson discussed the Old SPA planning and zoning for the immediate area.

Director Heimericks asked if the District has the Tiny Home Project on Meters and who was paying that bill. General Manager Leggette responded that the Tiny Home Complex is on a meter and the County is paying their bill.

**ADJOURNMENT: 8:39P.M.**

**Respectfully submitted by:**

**Edmond J. Leggette**

General Manager/Secretary to the Board