

**FLORIN COUNTY WATER DISTRICT
SPECIAL MEETING OF THE BOARD OF DIRECTORS MEETING MINUTES
7090 McComber Street
Sacramento, CA 95828
Tuesday, December 26, 2023
7:00 p.m.
Floring Historical Society
7145 McComber Street
Sacramento, CA 95828**

1. CALL TO ORDER AND ROLL CALL:

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

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 Heimericks asks for his following statement to be put on record:

"I would like to go on record: I understand that one of the current Directors controls enough Directors votes to pass any motion that they want to pass. I believe that they feel that they can direct the day-to-day activities better than any General Manager, and that they will endeavor to transfer managerial duties from the General Manager to themselves. This will be done with the votes they control even though it will be to the detriment of the District. With that said I do not concur with the evening's Agenda. This Agenda usurps topics that were approved for the next regular meeting."

Director Heimericks made a motion to not approve the Agenda. Director Johnson second the motion. Board not in favor. Votes as follows:

Director Heimericks – YES (to not approve the Agenda)
Director Johnson – YES (to not approve the Agenda)
Director Russell – NO (to not approve the Agenda)
Director Schopf – NO (to not approve the Agenda)
Director Baliel – NO (to not approve the Agenda)

Director Russell made a motion to approve the Agenda as stated. Director Schopf second the motion. Director Baliel voted Yes to approve the Agenda and stated, "That carries it." Director Johnson asked for a role call vote to which Director Baliel obliged. Votes as follows for Director Russell's motion to approve the Agenda:

Director Russell – YES (to approve the Agenda)
Director Schopf – YES (to approve the Agenda)
Director Johnson – NO (to approve the Agenda)
Director Heimericks – NO (to approve to the Agenda)

Director Baliel – YES (to approve the Agenda)

Agenda approved by 3-2 vote.

3. PUBLIC COMMENT:

A Member of the Public raised concern about the Public not being properly notified regarding Special Meetings.

A Member of the Public said they have a question to which Director Baliel asked the member if they lived in the District. Attorney Mitchell said he is not allowed to ask that. The Member asked for clarification on the Board failing to obtain a quorum and yet the Board signed documents. Director Baliel clarified the Member's concern to their satisfaction.

4. PROPOSED DISTRICT POLICIES

A. Check Signing Policy

i. July 2023 Version

Director Heimericks made a motion to approve the July 2023 Check Signing Policy. Director Johnson second the motion. Board not in favor. Votes as follows:

Director Heimericks – YES

Director Johnson – YES

Director Russell – NO

Director Schopf – NO

Director Baliel – NO

July 2023 Policy not passed due to 2-3 vote.

ii. December 2023 Version

Director Johnson had a question regarding one of the statements in the policy and wants to know what the timeline is for proving the validity for the receipts. Director Baliel stated the reason for this is because the auditor found discrepancies in the receipts.

Director Johnson had another question regarding the Office Manager signing the checks and she said that she checked with the Office Manager and the Office Manager stated she has never signed checks. Director Johnson also said that she will request the Board President have a \$50K bond if this policy gets approved. Attorney Mitchell says having a bond for the Board President is not entirely necessary since the Board has approved the checks.

Director Russell made a motion to approve the December 2023 Check Signing Policy. Director Schopf second the motion.

Director Johnson would like to offer an amendment to the policy to allow the General Manager to sign checks. Director Heimericks second the motion. Director Russell voted no. Director Schopf voted yes. Director Baliel voted no.

Discussion ensued regarding Director Schopf's vote for Director Johnson's motion. Attorney Mitchell recommended she write down her motion so it is clear and stated in the event the motion passes. Director Johnson requested a recess to which Director Baliel called a 5-minute recess so she can write down her motion for the record.

Attorney Mitchell also stated that its best practice for all amendments to be written down so that way if it passes, we are always able to find and reference back to what it exactly was.

Director Johnson made a motion that, "The General Manager shall sign all checks to ensure the continuity and viability of the financial status of this District and preserve the integrity ensued for the District with control."

Director Heimericks second the motion. Director Russell voted no to the amendment. Director Schopf voted no to the amendment. Director Baliel voted no to the amendment. Director Johnson's amendment did not pass due to a 2-3 vote. Vote as follows:

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

Amendment not passed.

Attorney Mitchell stated now that the amendment did not pass then the Board is back to the original motion.

Director Russell reiterated that she made a motion to approve the December 2023 Check Signing Policy. Director Schopf second the motion earlier. Director Johnson voted no. Director Heimericks voted no. Director Baliel voted yes to approve the December 2023 Check Signing Policy. December 2023 policy passed with a 3-2 vote. Vote as follows:

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

December 2023 Check Signing Policy passed due to a 3-2 vote.

B. Board President & Officers Duties

i. July 2023 Version

Director Heimericks made a motion to approve this policy with revision to the second sentence in the first paragraph to read, "Other than statutory assigned responsibilities, the Board President and Vice President have no additional powers beyond those of any other Board Member."

Director Heimericks made a motion to approve the July 2023 policy if there are no other revisions. Director Johnson second the motion. Director Russell voted no. Director Schopf voted no. Director Baliel voted no. July 2023 Policy did not pass due to a 2-3 vote. Votes as follows:

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

July 2023 Policy not approved due to a 2-3 vote.

ii. December 2023 Version

Director Russell made a motion to approve the December 2023 Board President & Officers Duties. Director Schopf second the motion. Director Baliel voted yes to the approve. The December 2023 version passed by a majority vote. Vote as follows:

Director Russell – YES

Director Schopf – YES

Director Baliel – YES

Director Johnson – *NO VOTE GIVEN*

Director Heimericks – *NO VOTE GIVEN*

December 2023 version of Board President & Officers Duties passed by a majority vote.

DIRECTORS COMMENTS & SUGGESTIONS

Director Heimericks stated his request to have his statement made at the beginning of the meeting be put into the minutes.

Director Russell handed out her letter to General Manager Leggette her suggestions for items to be added to the next meeting's Agenda.

ADJOURNMENT: 8:07 P.M.

Respectfully submitted by:

Edmond J. Leggette

General Manager/Secretary to the Board