

RAND COMMUNITIES WATER DISTRICT

Special Board Meeting

MINUTES

Wednesday, July 22, 2020

501 Comstock Ave, Johannesburg, CA 93528

I. Call to order

President Cliff Kennedy called to order the special meeting of the Rand Community Water district at 7:00 pm on Wednesday, June 22, 2020 in Johannesburg, California. The Pledge of Allegiance was recited.

II. Roll call

Present were President Cliff Kennedy, Director Tom Williams, Vice-president Ernest Napolis, Director Ghulam Din, and Director Will Liebscher.

III. Adopt Agenda

Director Williams stated that he would like to add the Manager's resignation prior to adopting the agenda as it would be two weeks from the date of his stated resignation. Director Din did not think that anything could be added that would require action. Director Williams asked what action needed to be taken as he had already resigned. Director Liebscher said so did Director Williams but he was still here and asked him why he did not just leave. Director Din suggested that nothing be added to the agenda.

Vice-President Napolis said that decorum should be practiced during the meeting with no shouting out at other board members. Decorum means not to challenge or threaten anyone. He felt that if one of the board members continued to disrupt the meeting, he should be asked to leave.

Director Williams made a motion to discuss the General Manager's resignation which should be as of today. President Kennedy seconded it. President Kennedy and Director Williams voted aye. Vice-President Napolis, Director Din and Director Liebscher voted Nay. Motion failed.

Director Napolis wanted to change item 6 of the agenda to read: Replacing the President. He asked Director Liebscher if that is how he wanted it to read. Director Liebscher said it should read: Chose a Different President.

Director Napolis made a motion to change the title of item 6 to Choose a New President. Director Din seconded it. Vice-President Napolis, Director Din, and Director Liebscher voted aye. President Kennedy and Director Williams voted nay. Vice-President Napolis said the Brown Act required it be changed to be clearer.

IV. Communications from the Public

The public did not offer any comments that were not on the agenda. They commented on the issue of changing the President.

V. Replacing the President

President Kennedy wanted to know what he was being accused of. Director Napolis stated he would too and wanted to forward this to the next agenda to make sure it was done legally. He said it was Director Liebscher's thing and he wanted to see what it was about. They needed the allegations and the reasons why. Director Liebscher said they did not need to and could just vote to change the officers. Director Napolis said they had to agree on why, and Director Liebscher had to say why he wanted this done.

Director Din said since the President was the Board Secretary's friend, and the Board Secretary was trying to sue the District. President Kennedy then asked if Director Din was friends with Director Liebscher. Director Din said since he was a friend with her and the District was facing a lawsuit, and that he wanted to pay her the money she was asking for. He was interrupted in his speech by the other board members because he was violating the Brown Act by discussing the specifics of the possible lawsuit.

Director Napolis then asked Director Liebscher what he had. President Kennedy told him not to read from the Brown Act, but to tell him what he had done wrong. Director Liebscher said the minutes should never reflect the board secretary's opinion, favorable or otherwise, on anything said or done. He said President Kennedy sat there and expressed the Board Secretary's opinions to the Board, and it was wrong. Director Liebscher said the second charge was he and Director Din called the rest of the board on how the Board Secretary was being paid, who was assigning her work and signing her checks.

President Kennedy reminded him that the Board voted three for and two against that the board secretary would get \$50.00 per meeting, and she was able to work, if requested, four more hours.

Director Liebscher said the third charge was that President Kennedy submitted a synopsis to the Grand Jury in the name of the Board without consulting the Board or anyone. He then went to President Kennedy's house to ask for the document to see what it said, and said the cops were called on him.

President Kennedy said he did not call the cops. He said Director Liebscher came to his house one night when he had company, walked up into his driveway, and started screaming. He had some guy with him and wanted to see a letter written about him before it was sent to the Grand Jury. He wanted to know what was in the letter to the Grand Jury about him. President Kennedy said he had never written a letter nor talked to the Grand Jury.

Director Din said that Director Liebscher going to President Kennedy's house might have been wrong, but that the Grand Jury response was supposed to be the Board's response. The response was signed by the President. Director Din and Director Liebscher continued to argue that the final draft was never brought before the board.

The Grand Jury response was found on the website, and it was found that only the board President was required to sign. Director Din said he had never seen the response document. He also said the board had discussed parts of it. Director Din said that he did not agree with the findings on the document because everything was admitted to.

President Kennedy asked what these issues had to do with him. Director Liebscher said that these are a series of behaviors that indicate to him that President Kennedy has little understanding of Parliamentary procedure and that RCWD has no transparency. He said the website was illegal and did not comply with a bill that he would not tell the number of, but that they should look it up. Office Manager Jones, who was in charge of the website, disagreed and said the website followed all the legal requirements for transparency.

Director Williams said that if these are the allegations, they do not sound valid to him. Director Liebscher started to talk about the board secretary and her checks again after being asked if that was all he had and was told not to go back to that again. Director Williams said Director Liebscher had wasted the Board's time and made a motion to pay the bills and adjourn. There was no second and the motion died.

Director Liebscher asked if the Board knew what the consequences would be if they did not change officers. Director Williams asked him to state the consequences. Director Liebscher said for Director Williams to tell him, and Director Williams said there are no consequences because nothing was done wrong. Director Liebscher could not say what the consequences would be when asked again. He then started talking about the resignations and rescinding of resignations of President Kennedy and Director Williams. Director Williams reminded him that the resignations were never given in writing.

Vice-President Napolis made a motion that they vote on this to change the President, seconded by Director Williams. Director Din said that GM Thompson had some issues and wanted to quit because of those issues. He said that changing the officers would help GM Thompson to stay. President Kennedy said he had no problem with GM Thompson.

President Kennedy, Director Williams, and Vice-President Napolis voted nay. Director Din and Director Liebscher did not vote. Motion failed.

Vice-President Napolis said he could not go with this. He told Director Liebscher that next time he brings something to the Board that he wants to do, to have something sensible and to the fact and was asked to not put anyone in this position again.

VI. Bills Paid

Office Manager Jones presented the bills to be paid along with the checks to be signed by the Board. All checks presented were signed.

VII. Adjournment

Director Williams made a motion to adjourn the meeting, seconded by Vice-President Napolis. The meeting was adjourned at 7.43 PM.

ATTEST: _____
Debbie Jones, Recorder