

# **RAND COMMUNITIES WATER DISTRICT**

## **Regular Board Meeting**

# **MINUTES**

Wednesday, August 12, 2020

501 Comstock Ave, Johannesburg, CA 93528

### **I. Call to order**

President Cliff Kennedy called to order the regular meeting of the Rand Community Water district at 7:05 pm on Wednesday, August 12, 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 Din made a motion to approve the agenda as it is, seconded by Vice-President Napolis. Motion passed with all ayes.

### **IV. Communications from the Public**

There were no public communications.

### **V. Approve Minutes**

Director Din said that when Office Manager Jones first started doing the meeting minutes that they were pretty short, and now she was making them more details. Office Manager Jones replied that she was instructed by the Grand Jury and their words to here were: "If you don't want all this stuff in the minutes, shut up during the meetings." Director Liebscher said he wanted to talk to them and asked how to contact them. Office Manager Jones said their number was on the Grand Jury website.

Director Williams made a motion that they adopt the Minutes for the July 8 and July 22 meetings as is. Vice-President Napolis seconded the motion. Vice-President Napolis, Directors Williams and Din voted aye, Director Liebscher voted nay. President Kennedy said the Grand Jury told me that he did not have to vote, he only had to break ties.

### **VI. Closed Session under California Code 54954.5 regarding approval of pay rate for Assistant GM and a raise for Maintenance Field Technician.**

The Board went into closed session at 7:12 pm.

### **VII. Open Session to announce results of closed session.**

Open session was resumed at 7:30 pm. President Kennedy that GM Greg Thompson didn't have the authority to appoint Office Manager Jones as Assistant General Manager. If the Board went along with that, they would have to have an Assistant General Manager and a General Manager, and they cannot do that. With a unanimous vote, the Board gave Office Manager Jones a \$3.00 raise to compensate for all the extra paperwork and work she is doing and a \$2.00 raise to Maintenance Technician Clair. New hire Martin

Delgadillo was approved and the Board wanted a background check done on him by Friday.

#### **VIII. Correspondence**

There was no correspondence to report.

#### **IX. Office Manager's Report**

(Copied from original report)

I hired Martin Delgadillo as a maintenance worker full time. Tiger and I both interviewed him, and he is acceptable to both of us.

On Tuesday, July 21, the Grand Jury contacted me to make an appointment to come to the office to check that we were complying with their recommendations from their report. They asked to talk to me, GM Thompson, and President Kennedy. They did not want to meet with the entire board.

They came out here on Thursday, July 23 and spent most of the day. They talked to President Kennedy in the morning, and GM Greg Thompson and me in the afternoon.

They talked to us about their requirement that all members of the board have a water account and wanted to confirm that we had that taken care of. I assured them it has been.

They talked to us about the upcoming grant. They had talked to Deisy Rio from the Water Board about its status before meeting with us. According to her, they are now in the process of writing the contract, which should be done by sometime in August. After we receive it, we have 30 days to return the signed contract, and then the grant will be awarded. If it is not returned within 30 days, the process will have to be started all over again from the beginning.

The original grant was supposed to cover replacing pipe all the way up to the Randsburg water tank, and they showed us the original drawings. Now, because of rising costs, it is only extending up to booster 3. The grant award amount was also increased to \$3,936,388.00.

I asked about the website, since Director Liebscher had mentioned again that it was being done illegally. They confirmed to me that the website is legal and compliant, and they read it often to keep up on what we are doing.

They mentioned that the minutes I have been doing do not have enough information. They want it done back to the way the board secretary was originally doing them, with more detail. I was told that the minutes are a record of a public meeting, and that the directors have no say over the content. When they approve the minutes, all they are approving is if it is a true record of the meeting. If the board does not want all the extra content in the minutes, the Grand Jury told me, and I quote: "keep your mouths shut during the meetings!"

I presume the board secretary gave everyone board packets as the Grand Jury requested. The Grand Jury told me that those packets are the property of the District and are to be kept in the office unless they are signed out by a director. Also, it is a \$150.00 fine for any packet that is not returned at the end of a director's term.

They returned exactly one week later, with the sole purpose of seeing RMC Well 4. They had seen it mentioned in the minutes after they had been here for the investigation and wanted to see what it was about. I contacted John Cruz, who is caretaking the well, and he met us there and opened it up for us. He told us the well pump is worn out, as are the engines, and could not sustain pumping water anywhere. Greg Thompson disagrees with this assessment, but I have no way of knowing one way or the other. The Grand Jury decided it could only be used in case of an emergency where water could be hauled from it to the towns.

The Grand Jury is going to do their final report on us, which I should have in about a week or so, and requested I read it to the Board. They did say it will be a good report and everyone should be happy with the results.

James from USGS came out on Tuesday to inspect Prather Well 2. The water level is at 490 feet, all tests were consistent and normal with no issues, so everything is good with the well.

(End of Report)

The Board requested that Technician Clair be present at the next meeting to answer questions about the pipes and how the lines run.

**X. Audit Proposal**

Vice-President Napolis made a motion to accept Fedak and Brown, LLP to conduct the audit for 2020. Director Williams seconded it. Motion passed with all ayes.

**XI. Board Secretary and Treasurer Appointment**

The Grand Jury told President Kennedy that a board member should be designated to be Treasurer to double-check the bank balances and other figures. Director Williams made a motion that Vice-President Napolis serve as the Treasurer for the Board. Seconded by Director Din. Passed with all ayes.

The Board decided to go with the status quo and keep Office Manager Jones as the Board Secretary since she had been doing the work since the previous board secretary left.

**XII. Consequences to board members guilty of breaking the Brown act and for discussing board business with the public outside of board meetings.**

To do so is a misdemeanor. President Kennedy said that whoever is doing that to stop or there will be consequences.

**XIII. Bill Pay**

All bills and checks were looked over and signed.

**XIV. Future Agenda Items**

Director Din asked to have a raise for Board Members be put on the agenda.

**XV. Adjournment**

Director Din made a motion to adjourn the meeting, seconded by Director Napolis. The meeting was adjourned at 7:58 PM.

ATTEST: \_\_\_\_\_  
Debbie Jones, Recorder