

RAND COMMUNITIES WATER DISTRICT
Regular Board Meeting
MINUTES

Wednesday, September 9, 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 7:00 pm on Wednesday, September 9, 2020 in Johannesburg, California. The Pledge of Allegiance was recited.

II. Roll call

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

III. Adopt Agenda

Director Din made a motion to approve the agenda as it is, seconded by Director Williams. Motion passed with all ayes.

IV. Communications from the Public

Comments were heard from Dan Stanton of Red Mountain.

V. Approve Minutes

Director Williams made a motion that they approve the Minutes for the August 12, 2020 meeting. Director Din seconded the motion. President Kennedy, Directors Williams and Din voted aye, Director Liebscher voted nay.

VI. Closed Session under Gov. Code Section 54956.9(d)(1) regarding existing litigation and California Code 54957 regarding General Manager appointment.

The Board went into closed session at 7:18 pm.

VII. Open Session to announce results of closed session.

Open Session resumed at 7:53 pm. There were no reportable actions taken.

VIII. Correspondence

A letter was received from the Grand Jury and read in open session. The contents of the letter are as follows:

The 2019-2020 Kern County Grand Jury has reviewed your February 28, 2019 response to the 2018-2019 Grand Jury Report on the Rand Communities Water District. The Grand Jury recently visited your District and observed first-hand the progress you have made. The grand Jury appreciates the Rand Communities Water District's efforts in correcting the many discrepancies that had existed.

As indicated in your response, most of the Grand Jury recommendations have been implemented with two exceptions. We understand Recommendation 1 is at the discretion

of the Kern County Auditor-Controller-County Clerk. The Grand Jury is pleased the District has provided financial information to the Kern County Auditor-Controller-County Clerk. In order to facilitate a review.

The only other recommendation not implemented is Recommendation 20. In light of the other actions taken by your Board, this recommendation is no longer relevant.

The Grand Jury understands there are still many challenges ahead for your District, not the least of which is the resignation of your General Manager. However, given the positive actions taken thus far, we are optimistic you have turned the corner and will continue to improve the level of service provided to the communities.

IX. Office Manager's Report
(Copied from original report)

We replaced the totalizer at Booster 3 to what looks to be a new one last week that we had in our inventory at the request of people from the grant. It had a low meter reading, pristine glass over the meter numbers, and unmarred paint. We ended up also having to replace the valve in the line to turn the water off to replace it as the old one was so corroded it would not close.

The contract for the 3.9-million-dollar grant was received on August 17, 2020 and forwarded to our lawyer David Mann. I also forwarded a copy to each board member via email. David Mann and his law partners, however, are not happy with it.

Ellen Brooks of the State Water Board is being contacted by David Mann to determine if there is another way forward.

FYI, our Zoom meetings are being recorded and uploaded to our YouTube account where anyone can access and watch them.

I put in an ad for a General Manager in the Daily Independent, on our website, and on both Post Office bulletin boards as requested. I have not received any responses other than my own.

We received a new water account for 416 Oompaul in Johannesburg. We also have someone wanting to open an account for a mining claim in the Airport Well area. There is water to the meter for it, which is located on this side of Highway 395. We have fixed a few broken parts there and are now waiting for documentation from the customer that proves they have the mining claim. The pipe runs under Highway 395 from the meter and across the airport in a diagonal line heading towards the Airport Well tank. We are not responsible for any of the pipe beyond the meter.

We eliminated the Merchant One credit card machine, as the Government Portal online one does the same thing with the bonus of customers being able to pay their water bill online. This eliminates being charged for two credit card accounts each month. Close to 1/3 of our income from water accounts is through credit cards now.

X. Grant Contract

David Mann has contacted Ellen Brooks, the lawyer for the State Water Board concerning the opinion letter the Water Board wants him to sign. His firm does not want to sign the letter because they have never seen the type of opinion letter the Water Board wants them to sign in all the years they have been in business. The opinion letter wanted his firm to be responsible if RCWD did not spend the grant money in the way the grant requires. He said his firm is not in the insurance business, they are in the lawyer business. He is waiting to hear from the Water Board’s attorney to see if there can be some kind of compromise to the opinion letter.

President Kennedy said that the money in the grant is coming from two different sources. One source will pay for expenses incurred before July 24, 2019, and the other will pay for expenses incurred after that date. Deisy Rio from the State Water Board also told him that money could be moved from one account to another if needed.

XI. Bill Pay

No bills needed to be paid.

XII. Officer Raise

Director Din stated he wanted to change the Bylaws to match the County ones. He handed out a page showing other water district board members were paid up to \$1250 per meeting. Office Manager Jones said that the County Water Codes stated that board members could receive no more that \$100 per meeting for up to six meetings per month. Director Din then said that we should change the Bylaws to \$100 per meeting.

President Kennedy disagreed. He said that this is a volunteer job. Director Din said that we need quality people to control the District and stay on the board, and we need to give them some initiative to stay. President Kennedy said when he was on the board before he donated his pay to the employee Dental Plan. Director Din said we should think about the future.

President Kennedy said he would like to see it put to a vote of the people. Office Manager Jones said this could be done by mailing a voting ballot via the USPS Every Door Direct program, which would cost under \$40.00.

President Kennedy said to put this issue as a future agenda item.

XIII. Future Agenda Items

Items will be added before the next meeting.

XIV. Adjournment

Director Din made a motion to adjourn the meeting, seconded by Director Williams. The meeting was adjourned at 8.25 PM.

ATTEST: _____
Debbie Jones, Recorder