

**CONFORMED AGENDA**  
**SPECIAL MEETING**  
**GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS**  
**6425 MAIN STREET, GEORGETOWN, CALIFORNIA 95634**

**THURSDAY, SEPTEMBER 19, 2019**  
**2:00 P.M.**

**MISSION STATEMENT**

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It is the purpose of the Georgetown Divide Public Utility District to:

- Provide reliable water supplies
  - Ensure high quality drinking water
  - Promote stewardship to protect community resources, public health, and quality of life
  - Provide excellent and responsive customer services through dedicated and valued staff
  - Ensure fiscal responsibility and accountability are observed by balancing immediate and long-term needs.
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Out of respect for the meeting and others in attendance, please turn off all cell phones or put in the silent mode.

Pursuant to the Government Code Section 54954.3 (The Brown Act), members of the public shall be afforded the opportunity to speak on any agenda item, provided they are first recognized by the presiding officer. The Board President will call for public comment on each agenda item. Those wishing to address the Board on a matter that is not on the agenda and within the jurisdictional authority of the District may do so during the Public Forum portion of the agenda. Please be aware of the following procedures for speaking during Public Forum or public comment sessions:

1. When called on to speak by the Board President, please approach and speak from the podium.
2. Comments are to be directed only to the Board.
3. The Board will not entertain outbursts from the audience.
4. There is a three-minute time limit per speaker.
5. The Board is not permitted to take action on items addressed under Public Forum.
6. Disruptive conduct shall not be permitted.
7. Persistence in disruptive conduct shall be grounds for removal of that person's privilege of address.

The Board President is responsible for maintaining an orderly meeting.

**1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE**

*The meeting was called to order at 2:00 P.M.*

*Directors Present: Cynthia Garcia, David Halpin, Michael Saunders, David Souza, Dane Wadle.*

*Staff Present: General Manager Steven Palmer; Board Assistant Gloria Omania*

*The Pledge of Allegiance was led by Director Halpin.*

## **2. ADOPTION OF AGENDA**

*Motion by Director Halpin to adopt the agenda. Second by Director Souza.*

*Public Comment: There was no public comment.*

*Roll call vote was taken, and the vote was as follows:*

**Garcia:**        **Aye**

**Halpin:**        **Aye**

**Saunders:**    **Aye**

**Souza:**        **Aye**

**Wadle:**        **Aye**

*The motion passed unanimously.*

## **3. PUBLIC FORUM (ONLY ITEMS THAT ARE NOT ON THE AGENDA)**

*Cherie Carlyon stated she attended Finance Committee meeting the previous day and the draft Leak Policy and Discontinuance Policy was distributed but was not included in the packet. She submitted the 15-page document for this meeting's agenda which is included as Attachment 1 of these minutes).*

## **4. NEW BUSINESS**

### **A. Discuss and Consider Removing Members from the Finance Committee**

**Possible Board Action:** Adopt Resolution.

*Director Wadle stated that Director Halpin requested that this item be placed on the Special Meeting agenda and asked if Director Halpin had any comments. Director Halpin had no comments and made a motion to have Don Waltz and Steve Miller removed from the Finance Committee.*

*Director Garcia called for a point of order. The General Manager stated that the policy says the Board must take comments before a motion is made. Director Halpin withdrew his motion and Director Wadle opened the meeting for comments.*

*Director Saunders explained he thought the main reasons why this Special Meeting was called was due to previous discussions about Brown Act training and the increased costs associated with an attorney providing the training compared to other training options; an email from the FC Chair to the General Manager that was copied to all members creating a Brown Act violation and limiting the ability of the FC Liaison to manage the situation; and, because Don Waltz, the FC Secretary, was unable to complete the minutes of the previous meeting, the General Manager prepared them to attach to the agenda of the upcoming FC meeting.*

Director Garcia expressed her concern that this special meeting was called because the Board leadership failed to appropriately handle a situation in which a FC member didn't follow proper protocol that should have been mitigated before a special meeting was called. Director Garcia stated the Board should learn from this and make sure this doesn't happen again. She added that as a board member and a part of this team, she finds it discouraging that one member can bring about this meeting with 24-hour notice when she and Director Saunders have asked for months to get items on the agenda and have been ignored. Director Garcia stated the Board should fix this now because it is important that the Board support the Finance Committee and give them the tools to succeed.

**Public Comment:**

Director Wadle stated the recently adopted Board Conduct Policy allows for 20 minutes for public comment. However, he indicated it would be reasonable and fair to allow Mr. Miller and Mr. Waltz to comment and then apply the full 20-minute time period for others who want to comment.

Steve Miller read a prepared statement, included with these minutes as Attachment 2.

Don Waltz, wanting to make his role known, stated he received a voice mail from Mr. Halpin indicating he wanted to remove him from the FC because Mr. Miller had indicated to him that he, along with Mr. Miller and Mr. McDonald, were willing to sign affidavits that would portray them to be obstructionist to a training event. Mr. Waltz stated that was not the case saying they were exploring ways to reduce the cost of the training through teleconferencing, and by scheduling the FC meeting following a Board meeting to reduce the attorney's travel costs. He said they were looking at alternatives and the affidavits was one way of reducing costs; there was no intent to obstruct the training.

Director Wadle then opened the meeting for general public comments.

A resident of Garden Valley who didn't identify herself referenced Board Policy 5020 to describe how items are placed on the Board agenda. She complained that Director Halpin could request an item to be placed on a Special Meeting agenda when Directors Garcia and Saunders are unable to get items on the agenda.

Charlotte Miller provided a definition of a volunteer and commented that members of the Finance Committee volunteer to help the Board with the District's finances. The Board, in its leadership role, is responsible for making sure committee members understand their role and responsibilities. She added the Board has the responsibility to work with their volunteers, not fire them.

Glen Steer stated that he had moved into the District a year and a half ago and his water bill has tripled. He expressed support for the Finance Committee adding the District needs to move on and get it together.

~~Carelyn Leemis~~ an unknown member of the public commented the action taken here today is reprehensible and a travesty. If anyone should be dismissed, it's Dave Halpin and Steve Palmer.

*A public member who didn't identify herself stated she was pleased when Steve Miller and Don Waltz were appointed to the Finance Committee because the District needs their kind of talent to deal with the District's spending problems. If something was done wrong, it should be corrected. The Board should move on and everyone should get along to get things back in order because the Board needs to start looking at Auburn State Recreation Area.*

*Dr. Francis Todd of Pilot Hill stated that she sees the concern about the Brown Act not being presented to the new FC members, however, that Brown Act presentation did happen, so that's a non-issue. The other issue of Mr. Palmer jumping in trying to be a nice guy and doing the minutes and then didn't get them approved before publishing is not something to remove him. Dr. Todd stated both issues are points of education and it is her opinion that the punishment some want to happen far outweigh the actual two incidents and is not in the new theory of a just culture.*

*Mitch MacDonald stated he has enjoyed being on the Finance Committee thus far and feels the members are settling in and getting used to working well together. He commented that he would like to see more teaming and feels occasional meetings between the FC and the Board would improve their working relationship. The FC members are offering their assistance to the community and he was caught off guard by this. He agrees that the Brown Act presentation was important, and, at the end of the day, the committee received the training, and everything went fine.*

*Cherie Carlyon stated Mr. Miller and Mr. Waltz are doing a good job and urged the Board not to remove them from the Finance Committee.*

*Karen Bartholomew commented that she has never been fired from a job for making a mistake. He stated the FC members are doing a good job and should not be removed.*

*Steven Proe stated there is a conflict of interest between certain members of the Board which needs to stop. These gentlemen haven't done anything wrong and just want to help the District save money. Certain members of the Board do not want to save the District money, and he thinks the whole Board is corrupt.*

*That concluded the 20-minute time period for public comment and Director Wadle allowed for a couple more comments.*

*Phyllis Polito commented that the Finance Committee is hard working and the General Manager feels threatened so looked for a technicality to remove some of them.*

*Stephen Dowd stated that these two fine gentlemen are a blessing to the community, and they should not be removed from the Finance Committee.*

*Director Garcia expressed her appreciation to those who took time for their schedules to attend the meeting and for the public comments. She stated that it is the Board's responsibility to guide the Finance Committee to succeed, not to set them up for failure. She added that this is not a daunting task and sees an opportunity to now turn things around.*

*Motion by Director Halpin to remove Steve Miller and Don Waltz from the Finance Committee.*

*Director Souza stated that after listening to all the testimony, he could not back Director Halpin.*

*Director Wadle asked for a second to the motion. Hearing no second, Director Wadle declared that Director Halpin's motion fails.*

***Motion by Director Garcia to not remove anyone from the Finance Committee today. Second by Director Saunders.***

***Roll call vote was taken, and the vote was as follows:***

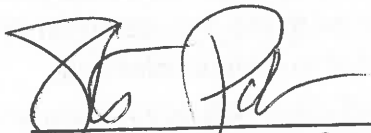
***Garcia: Aye***  
***Halpin: Abstain***  
***Saunders: Aye***  
***Souza: Aye***  
***Wadle: Aye***

***The motion passed with 4 ayes and 1 abstention.***

- 5. NEXT MEETING DATE AND ADJOURNMENT** – The next Regular Meeting will be on October 8, 2019, at 2:00 P.M. at the Georgetown Divide Public Utility District, 6425 Main Street, Georgetown, California 95634.

*The meeting was adjourned at 3:24 P.M.*

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact Steven Palmer by telephone at 530-333-4356 or by fax at 530-333-9442. Requests must be made as early as possible and at least one-full business day before the start of the meeting. In accordance with Government Code Section 54954.2(a), this agenda was posted on the District's bulletin board at the Georgetown Divide Public Utility District office, at 6425 Main Street, Georgetown, California, on September 18, 2019.



Steven Palmer, PE, General Manager

*2/25/2020*

Date

*At the Regular Board Meeting held on December 10, 2019, Directors Cyndie Garcia, and Michael Saunders, requested a discussion following the adjournment of the September 19, 2019 meeting at 1524hrs be added to the minutes of September 19, 2019. The audio recording was submitted by Director Garcia. The audio contained a discussion after the adjournment between Board members, and the public.*

**DISCUSSION FOLLOWING THE ADJOURNMENT OF SPECIAL MEETING SEPTEMBER 19, 2019:**

*At approximately 57:10 into the Special Meeting of September 19, 2019, Director Saunders asked Director Wadle if he could make a comment. Director Wadle said no, there were no more comments. Director Saunders said he planned to make the comments regardless of what Director Wadle stated. Director Wadle told Director Saunders no more comments could be made because the meeting was adjourned.*

*Director Saunders shouted that he joined this Board and was cut off by Steve Palmer stating he had stopped the recording because the meeting was adjourned. The public could be heard shouting that Mr. Palmer had no right to turn off the recording, even though the meeting had been adjourned by President Wadle. The public continued to shout stating that the District employees work for the public, and the public wanted to hear Director Saunders comments.*

*Director Garcia stated she was recording the meeting, and she would make her version of the meeting available to the public. She suggested to Director Saunders he move forward with his comments.*

*Director Saunders said when he first joined the Board, the Board brought up the issue of the Finance Committee, and he said it was one of the issues which led to the current meeting. He said there was method to remove anyone who was elected from the finance committee, even though it is understood. He said he brought discussing a revision of the policy so there is an ability to remove someone when necessary, or when their term of office ends. Instead, he said what came forward was an adoption to remove a member who had already resigned. He said the language of the policy changed to accept a resignation. Then there was another issue which came up which involved how to bring new people on to the finance committee. He said there wasn't a real direction. He said the policy needed to include interview, applications, what is the role of the liaison, voting, etc. He said there has never been any committee he has ever applied for in government that has had the issue of voting show up in a public office to humiliate people. Further he said another issue related to the role of the finance committee. He said there has been issues with the finance committee role and the Board has not been able to bring a resolution forward to revise and clarify it. He asked the Board if they planned to bring these issues forward before the finance committee is completely dissolved. Another issue he said he had was related to when he was on the finance committee related to an information email from Director Wadle related to CalPERS. He said he sent information to Mr. Palmer to be shared with the rest of the Board and Mr. Palmer said he would not be sharing the email. Director Saunders said policy 4050 1.1, 1.2,*

and 1.3 describes Policy 4050. He said he had further information he wanted to share with the Board regarding Policy 4050, and was told no.

Director Saunders said an issue came up regarding the legislative liaison position, which he and Director Garcia brought forward. He said that the legislative liaison position is an elected /appointed position and should be voted on every year. He said he was told three of the five Board members had voted on it. He said his votes don't matter, his opinions don't matter, and his emails don't matter. He said there was a point when he asked for something in minutes and was told he needed to find the timestamp and let staff know what he was referring to, meaning his words don't matter. He said when he went back into the minutes, he heard he requested an amended motion, which was ignored. He said at that time, he requested a special meeting - no meeting was scheduled and the item was never placed on the agenda, and he felt attacked by several Board members. He said he has made multiple requests that have not been placed on the agenda. He said this is why there are policies and procedures to follow. He said if he had requested to have a special meeting, he did not feel it would have made it to the agenda.

Director Garcia stated she was going to submit three pages of her notes, and she requested they be placed in the minutes. She said per Board Policy 4050 members of the Board of Directors 4050.4 have the right to recommend that their comments be added to the meeting minutes for the permanent record. Further, she said she found it disturbing that there is a lack of leadership from the current Board Chair to not follow District policies and resolutions especially when he has stated he has attended the CSDA Academy. The CSDA employer that he works for. She feels the policies and procedures are core to this Board. She said there hasn't even been a discussion of a unity of purpose. She asked how the Board can function well together when there isn't a unity of purpose. She feels when the Board cannot follow principles they have learned via programs the public have paid for, the Board is doing a disservice to the community.

