

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
KINNELOA IRRIGATION DISTRICT
JANUARY 17, 2012**

MEMBERS PRESENT: Directors Barkhurst, Eldridge, Kilburn and Sorell.
Director Griffith was out of town.

STAFF PRESENT: Melvin Matthews, General Manager
Chris Burt, Facilities Supervisor
Shirley Burt, Administrative Assistant

CALL TO ORDER: The Meeting was called to order by the President, Gerrie Kilburn, at 1930 hours. She noted that there was a quorum present. The Agenda was unanimously approved as presented.

PUBLIC COMMENT: No members of the public wished to speak.

SELECTION OF LAFCO REPRESENTATIVE:

The Board reviewed the resumes that had been submitted by the candidates.
It was M/S/C- Sorell/Eldridge-4/0

“That the Board nominates Donald Dear to serve as Special District Representative to the LAFCO Board.”

REVIEW OF SIERRA MADRES VILLA/WINDOVER ROAD PIPELINE PROJECT:

The **General Manager** reviewed his written report of the project. He noted that the total cost for the Contractor was \$671,612.41, for the Engineer 60,398.81, for supplies provided by the District \$21,740.74, for concrete testing \$1,603.44 which brought the grand total to \$755,355.40. He explained that the additional \$170,054 for the project was due to changes required at the Vosburg Reservoir Valve Pit, the backfill and road paving requirements of Los Angeles County and the additional paving done on Windover Road and the Vosburg Reservoir driveway.

Director Kilburn noted that the improvement of the driveway would improve access for the next project at the Reservoir.

DISCUSSION AND APPROVAL OF MASTER PLAN PROJECTS FOR 2012:

The **General Manager** reviewed the list of proposed projects for 2012 noting that some of the projects are incremental parts of larger projects.

Director Barkhurst stated that he sees the year as one that will permit the District to rebuild the reserves and still leave sufficient reserve to do a large emergency project if one should occur.

It was M/S/C-Barkhurst/Sorell-4/0-

“The proposed Master Plan Projects for the year 2012 be approved”

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RESOLUTION 2011-12-20B Revision of Employee Policy and Procedures

The Chair requested comments from the Board regarding the proposed changes to the Employee Policy and Procedures Manual.

Director Barkhurst referred to page 41-“extending vacation for full time employees from three weeks to four weeks per year” and questioned as to how many of the employees who are full time or part time do not have more than ten years employment and the **General Manager** replied that all full time employees have more than ten years employment with the District.

Director Barkhurst then questioned as to when the General Manager would reach his tenth year and the **General Manager** replied that he had been grandfathered in due to his service on the Board.

Director Barkhurst then questioned the General Manager as to whether as General Manager, since all employees could take off four weeks per year, did he believe that he had the ability to keep the District running on the basis that the Board wants it to be run without having to cut corners or hire part time employees in order to get the job done, be able to stay within the budget and do things in a professional way and the **General Manager** replied yes he could.

Director Kilburn referred to the overtime policy –“employees will be paid overtime after they have worked forty hours in week” that formerly read “employees will be paid overtime after they have worked eight hours in a day” – and questioned whether a person who worked overtime in a day would be expected to come to work the next morning and the General Manager said that in a employee memo he had encouraged them to take time off later in the week to avoid overtime.

Director Barkhurst questioned whether the General Manager expected to see much of a change in the employee’s paycheck and the **General Manager** stated that he expected it could be lower over time for some employees.

Director Sorell noted that he did not see an arbitration policy in the manual that contains procedures for handling grievances and the **General Manager** stated that since the manual states the District is an “at will employer” he had been advised by our attorney and Nancy Stengel that if an arbitration policy is included that would be a direct conflict as you want to be able to terminate.

Director Sorell stated he would not necessarily disagree but that many companies have a provision that states if a matter cannot be resolved through the grievance process, the parties agree to submit any disputes to binding arbitration rather than litigation and it is enforceable if the employee does not incur additional costs. He noted that if policy were included in the manual it would be a lot to add at this time, but it is a pretty common practice.

Director Kilburn questioned whether it might be best to ask further since that is something that could happen and **Director Sorell** said it is preferred by a lot of employers because it avoids expensive litigation but he would not push for it to be a change at this time but it could be submitted for approval at a later date.

The **General Manager** replied that he had been advised that it should not be in the policy and **Director Sorell** replied that that he could not disagree more and that it certainly is not the trend. The General Manager suggested that Director Sorell submit some language that would be appropriate and would not jeopardize the “at will employment” policy.

Director Sorell replied that it has nothing to do with the “at will employment” policy but a question of how a dispute can be handled within the grievance process.

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Director Kilburn questioned Director Sorell as to whether he would submit a suggested policy and he replied that he would submit some information to actually do it right.

Director Eldridge called the Board's attention to the topic of "Social Networking" and questioned whether this policy refers to when people are at work or outside of work and **Director Sorell** replied that it refers as to what extent you can limit free expression outside of work.

Director Eldridge then questioned "who is the authority" as it appears on page 42, under the "Return to Work" policy and Director Sorell that the word should be changed to "District."

Director Sorell questioned "Employee Benefits" as outlined on Page 43, Section 6 and suggested that the wording should include that "these are the benefits presently offered and these can be changed without notice.

Director Kilburn then questioned many areas within the document that she thought needed additional language so as to provide more detail for clarification and noted that she did not see a drug policy.

Director Kilburn stated that the next step would be for the General Manager to take some of these suggestions and put them into the document and the **General Manager** replied that while he did take notes it would be helpful if there was something that someone felt passionate about some of the suggested corrections that they give them to him in writing so that he could consider including them in the next draft.

Director Barkhurst questioned whether these suggestions aren't incidental to the document and

Director Kilburn replied that some of them should be incorporated into the document as they will make it more usable but the **General Manager** stated he had hoped it could be approved subject to including some of these suggestions.

Director Eldridge questioned as to whether, if the document is approved and something is not correct, can it be changed at a later time and the General Manager explained it could be changed at any time.

Director Sorell questioned whether the General Manager had a list of what suggestions he would include and the **General Manager** said that he would add additional material to a clean document and that anything that is controversial would be open for discussion at the next meeting.

Director Eldridge questioned whether the action would be to approve the document in its present form and the Director Sorell replied that it would be with the understanding that there will be another working draft submitted with the additions included at the next meeting.

It was M/S/C – (Sorell/Eldridge-4/0)-

"That the Policy Manual as written be approved subject to further additions which will come before the Board at the next Regular Meeting.

REVIEW OF THE GENERAL MANAGER'S REPORT:

The **General Manager** reviewed his report as presented in the Board Packet and reported in detail on the status of the new billing program noting that the schedule is about one week behind.

Director Eldridge questioned as to the status of the Lead Education Program and the **General Manager** replied that he had included a very detailed message on the last water billing.

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REVIEW OF MINUTES:

The minutes of December 20, 2011 were unanimously approved as submitted.

Director Kilburn stated that the nomination that occurred at the last meeting for Treasurer was invalid as Director Sorell was Chair of the meeting and therefore cannot nominate per Roberts Rules of Order.

Director Kilburn then requested nominations for the office of Treasurer. **Director Barkhurst** nominated Director Sorell and Director Sorell declined. Director Eldridge nominated Director Barkhurst and the nomination was seconded by Director Sorell.

Director Barkhurst was declared Treasurer by a vote of 4/0.

REVIEW OF FINANCIAL REPORTS:

Director Barkhurst reviewed the Financial Reports and stated that the income statement shows how the District performed in 2011 as compared to the 2012 Budget and that he is not suggesting that the 2012 Budget be changed but he had the following questions-

-\$27,900 was collected for Leased Water Rights this year and \$38,000 is budgeted for next year and questioned whether water will cost the District more next year and the **General Manager** stated that the increase was due to the fact that the District is leasing more water in 2012.

-\$172,600 was spent this year for Operations and Maintenance Labor and \$160,500 is budgeted for this year and he questioned whether the budgeted amount is realistic because there are going to be fewer operations and maintenance issues and the **General Manager** stated that it was if he is successful in controlling overtime. He noted that in 2011 the District spent \$42,000 less than budgeted and in 2012 the District is going to spend \$130,000 more. The Financial Reports were unanimous approved for filing as presented.

ITEM FOR NEXT AGENDA

Review Employee Policy and Procedure with the changes
General Manager Performance Review

ADJOURNMENT:

The meeting was adjourned at 2100 Hours.

There will be an Executive Session on February 17th at 10:00 A.M.

The meeting for May 15 will be adjourned to May 23 as the General Manager will be out of town.

Respectfully submitted,

Shirley Burt
Secretary to the Board