

1 Also present were:

2

3 Lisa Sieglaff, Clerk of the Board of Directors

4 Vonn Jones, Interim System Manager

5

6 Mr. Preston: Item 3.

7

8 **3. Discussion and possible action concerning formation**
9 **and appointment of Grievance Committee**

10

11 Mr. Preston: On the Grievance Committee I would like to hear a
12 report on what has been done so far?

13

14 Mr. Peetoom: Nothing.

15

16 Mr. Preston: Nothing?

17

18 Mr. Kendrick: Nothing.

19

20 Mr. Peetoom: Mr. Chairman?

21

22 Mr. Preston: Yes?

23

24 Mr. Peetoom I'd like to have Mr. Castaneda – I'd like to have ten
25 of the most important parts of what Sig did wrong to
26 fire him where we can go through each deal and
27 say yes or no and then we can put a report out.

28

29 Mr. Preston: Mr. Castaneda do you have a list?

30

31 Mr. Castaneda: Mr. Chairman, I'm not certain what Board Member
32 Peetoom is asking. I didn't give a list of ten things, I
33 think I gave a list of three things.

34

35 Mr. Peetoom: I request ten.

36

37 Mr. Preston: Why do you request ten?

38

39 Mr. Peetoom: Because I think there's more than three things that
40 you people are saying that he did wrong and I don't
41 have a list of what he's done wrong where we can

1 go through them, the fact finders, and go through it
2 and see if we agree or not agree. There might be
3 some questions.
4
5 Mr. Preston: Well I think Mr. Peetoom I think that that's up to you
6 two to get in and dig that out. That's what a fact
7 finder is to do.
8
9 Mr. Kendrick: Mr. Chairman?
10
11 Mr. Preston: Yes.
12
13 Mr. Kendrick: I'd like to have a meeting of the Grievance
14 Committee one day this week so we can get started
15 on this and get it done and over with.
16
17 Mr. Castaneda: Mr. Chairman?
18
19 Mr. Preston: Mr. Castaneda."
20
21 Mr. Castaneda: I would still like to address Board Member Peetoom.
22 I don't understand why you would like a list of ten. If
23 I give you one offense that is punishable by
24 termination wouldn't that be sufficient for you?
25
26 Mr. Peetoom: What I was thinking about is if you give us ten we
27 can go through and say first offense, and then we
28 can go to another one and say it was second
29 offense and then we can go on down and if it says
30 terminate then we can go on through. That's what I
31 want to do.
32
33 Mr. Preston: Well then you have to get with the Committee and
34 dig out that information.
35
36 Mr. Peetoom: Well you people know what he did.
37
38 Mr. Preston: Well so do you. You were here.
39
40 Ms. Cummings: Mr. Chairman?
41

1 Mr. Preston: Yes.
2
3 Ms. Cummings: I'd like to address the Board personally. I think what
4 Don is talking about is that since it was filed a
5 grievance to the Board it wasn't put in his folder, not
6 that I'm aware of, at any time by any Board Member
7 that he had a first offense against him, a second
8 offense and then the third, you know, and then be
9 fired. So I think that's where Don's coming from.
10 This is what I believe that, you know, that's how
11 we're going to find our facts on whether the
12 termination was legit or not. I mean I might be
13 wrong but you know each employee has a file, am I
14 correct? And when something happens even the
15 prior SOP had where that if something happened
16 they get written and put in the file. I mean I think
17 that that's crucial as far as you know having the fact
18 finders especially under that circumstances. I mean
19 the other grievances were different circumstances.
20 This is the System Manager that he's speaking
21 about and it's to the Board, the whole Board. So his
22 reasons for wanting the ten – the reasons for why
23 the Board fired him I believe that that's a good
24 reason why. Because it wasn't put in his file at any
25 time."
26
27 Mr. Kendrick: Mr. Chairman?
28
29 Mr. Preston: Yes Gary
30
31 Mr. Kendrick: I looked through the employee files. They were
32 poorly kept. The last thing I seen Sig do with then
33 was I think 2006. And a reason to terminate any
34 employee... you don't need to give them a first
35 offense, second offense, third offense. You can just
36 – you can terminate with immediate termination.
37 They don't have to have a first, second or third
38 offense. That's my understanding.
39
40 Ms. Cummings: Mr. Chairman, I kind of agree with Gary to a point
41 but the facts remain is that Sig Danielson, he was

1 the System Manager. He wasn't just an employee
2 he was the Manager over the employees. So I
3 believe that irregardless it should be put in his file
4 from the Board Members if there was a warning that
5 should have been done. I mean I think that
6 irregardless it still is a good choice.
7

8 Ms. Sieglaff: Mr. Chairman, as the fact finder of the Committee
9 may I say something?
10

11 Mr. Preston: Yes.
12

13 Ms. Sieglaff: I think the point is that we need to know what all of
14 the allegations are that led to your decision to
15 terminate him. And I had mentioned that to you
16 when we were talking, I said before I can even do
17 any fact finding I need to know what the allegations
18 are, you know. Do you remember Luis, I asked you
19 to give me a list of what he did that warranted
20 termination. Because how is a fact finder going to
21 find facts, you know, without knowing what the basis
22 for the termination was? The whole basis not just
23 one issue. You said there were many, many issues.
24 So in order for the Committee to be able to be fair to
25 everybody we need to know what all of those issues
26 were. And I think you [Lou] and Luis are the ones
27 who know, who went through the files, went through
28 the phone bills, you know, did all that. So in order
29 for us to be able to do it we have to know, you
30 know, we have to be able to make a
31 recommendation based on how egregious this was
32 or serious or... do you see what I'm saying?
33

34 Mr. Preston: What did you want somebody to do, start World War
35 three?
36

37 Ms. Sieglaff: No.
38

39 Mr. Preston: When I put a warning in Theresa Hicks' file and that
40 started World War two. And you want to go ahead
41 and start World War three?

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Ms. Sieglaff: I'm not talking about putting things in people's file.

Mr. Castaneda: Mr. Chairman, I understand the concern of our Clerk, the concern of the Board Members. I want to remind you folks that are sitting on the Grievance Committee you have an obligation to follow a procedure. A procedure that's passed by this governing body. It's clearly stated and outlined in that employee manual how this grievance procedure is to take place. Now what is in there is black and white on how to guide you and how to do it. If anybody wants any information from me they can formally submit that letter to me in memo form or whatever form they would like to get me that letter so I can have ample time to respond to it I would be delighted to help the Committee in any way shape or form. But you guys have got to pick up that ball. You folks are the ones who were appointed to that Committee. Furthermore, I don't see what, why the Committee is asking me for a list of ten items because no where in our Manual does it say that it takes ten items for you to be terminated. First of all, he used the credit cards wrong. That's a terminable offense. He used the credit card, he turned around and wrote himself a receipt saying that he paid us back and he could have punched it into our machines over there on our cash register. He did not do that. So you know, I understand that you guys are you guys' request for your time but – you need ten items – I don't see – I will give you the items that I suggested why he should be – and I think that should be sufficient.

Mr. Preston: Gary?

Mr. Kendrick: Thank you Mr. Chairman. I agree I think that the Committee we need to have meeting this week, a get together meeting. Lisa and Don, get those letters from Luis and the Chairman if he wants to write one as well and then we can go ahead and

1 start on this. At least we can get started on it. It
2 shouldn't take very much time I'm thinking. That
3 way by our next meeting we can have a resolution.
4

5 Mr. Preston: Mr. Jones.

6
7 Mr. Jones: Well I think Mr. Peetoom is right. I think you need to
8 list as many things as you can and the whole
9 purpose is to show a history because, you know, it
10 may come to a civil suit at some point and to show a
11 history of abuse or neglect in whatever you're doing
12 so I think, you know, having dates in there is
13 important.
14

15 Mr. Preston: Mr. Jones, are you finished.

16
17 Mr. Jones: Yes.

18
19 Mr. Preston: In the Personnel Policy you do not have to have a
20 reason to terminate anybody. And it so states that.
21 That you do not need a reason to terminate.
22

23 Mr. Jones: At-will employees are always like that. But that
24 doesn't mean he doesn't have the right to sue
25 either.
26

27 Mr. Castaneda: Mr. Chairman?

28
29 Mr. Preston: Let him sue if he wants to sue.
30

31 Mr. Castaneda: If I may ask Board Member Kendrick if he could at
32 least give us until Friday for this letter. Only
33 because I am going to be asking; I don't know if you
34 want this in exhibit form, do you want me to tell you
35 the situation and give you the exhibit verifying what I
36 am saying or do you want me just to tell you and
37 then you go look into the records yourselves. Like
38 the buying of the cake on a credit card and the
39 lunches. I'm going to have to go back and make
40 copies of those receipts. I'll have to go back into

1 the files and get those copied. So do you want it
2 in... "

3

4 Mr. Kendrick: If you can get me...

5

6 Mr. Castaneda: ...what I'm accusing the gentleman of and the
7 verification that I have?

8

9 Mr. Kendrick: If you can get me copies of everything and a list of
10 what and you can give us the documents too if you
11 want.

12

13 Mr. Castaneda: I know that there was at some point in time there
14 was misuse of the telephones. I wanted to
15 reprimand Mr. Danielson at one point in time I
16 believe for using the telephone 165 times; am I right
17 or wrong Mr. Preston...

18

19 Mr. Preston: "Yes. 145.

20

21 Mr. Castaneda: ... and the Board decided, we brought it up that he
22 should be penalized for it and the Board decided not
23 to. We decided he gave somebody vacation time
24 when they were supposed to be suspended. We
25 asked for a day suspension, there was nothing done
26 on that.

27

28 Mr. Kendrick: Yeah. I think all that should be written down.

29

30 Mr. Castaneda: So I will do my best if you could just give me some
31 time.

32

33 Mr. Kendrick: That's fine.

34

35 Mr. Preston: Well this what I'm trying to say is that Don Peetoom
36 you want ten items. Go through the Minutes and
37 you'll find those ten items. Why do you need Mr.
38 Castaneda to give it to you when it's at your
39 fingertips? Which is you're supposed to be as a fact
40 finder.

41

1 Mr. Peetoom: If you do that it will be next month before we get to
2 the grievance and stuff.
3
4 Mr. Preston: Then you didn't get it done. You'll not get it done by
5 pushing it aside.
6
7 Mr. Kendrick: Mr. Chairman?
8
9 Mr. Preston: Yes Gary.
10
11 Mr. Kendrick: I think we'll be happy with what Luis is going to get
12 for us and write down for us. And then again, if Mr.
13 Peetoom is not happy with what Luis comes up with
14 then that's a discussion for another time. As it
15 stands Luis is going to get this stuff to us by Friday.
16 We can go ahead and set a meeting for next
17 Monday, the following Monday after he gets us the
18 stuff. That's what, the 3rd, 2nd?
19
20 Ms. Cummings: March 2nd.
21
22 Mr. Kendrick: We can do it during lunch or whatever you guys
23 want, you know. I'll come down here and eat. Go
24 through what he's got, what I've got and get this
25 thing started. And, like I said, one step will be done.
26 I don't see this taking very long to get this done and
27 over with. I don't know if it will be a whole ten items
28 like Mr. Peetoom wants but it should be close.
29
30 Mr. Preston: Anybody else have any discussion?
31
32 Mr. Castaneda: I just want to clarify one thing Mr. Chairman. Mr.
33 Kendrick you want me to get you the reasons why
34 and the other documentation supporting why. Is
35 that correct?
36
37 Mr. Kendrick: Yes. Please.
38
39 Mr. Castaneda: Alright. I'll get that to you by Friday.
40

1 Mr. Kendrick: Anything you can. Receipts showing that he did
2 use the business card. I believe that there was
3 Minutes about him even saying that he used it.
4

5 Ms. Cummings: Excuse me Mr. Chairman. I don't mean to interrupt
6 Gary but I believe that Don Peetoom was the first to
7 request the items. So I think that Don should be
8 addressed as well as Gary on this matter of the
9 grievance.
10

11 Mr. Preston: You not being on the Committee I think you have
12 the last word not the first word.
13

14 Ms. Cummings: Excuse me Mr. Chairman. I still am a Board
15 Member. I still have some say so.
16

17 Mr. Preston: But you're not on the Committee.
18

19 Ms. Cummings: But it does not matter. I'm still part of the Board.
20

21 Mr. Castaneda: Mr. Chairman I will...
22

23 Ms. Cummings: My input is very important.
24

25 Mr. Castaneda: I will give my communications to Mr. Kendrick via
26 the Clerk. The Clerk will stamp it and make sure
27 this Committee as a whole has it. Because I do
28 believe the Committee as a whole wanted it. Right
29 Ms. Sieglaff? You wanted information as well,
30 correct?
31

32 Ms. Sieglaff: Yes.
33

34 Ms. Cummings: So I believe I will be giving it to all of the Committee
35 Members.
36

37 Mr. Preston: Alright. You're going to give them how many items?
38

39 Mr. Castaneda: I will give them a report of what I believe is a
40 substantial amount of reasons why.
41

1 Mr. Preston: Okay.
2
3 Mr. Castaneda: I won't limit myself to ten. If there's 20 I'll give them
4 the 20. If there's only six I'll give them six.
5
6 Ms. Sieglaff: Excuse me Mr. Chairman. I didn't ask for
7 documentary evidence *per se*. I had just asked for
8 a list, you know, a list like – for instance what Luis
9 had just said. The credit cards. He felt that he
10 didn't use the credit cards properly. The telephone
11 usage; the personal calls on the company phone
12 was one thing. He paid Don Perry vacation pay
13 while he was on suspension. Those are three
14 things. As the fact finder I don't think I need that
15 documentary evidence unless he refutes this, if he
16 brings a lawsuit then we're going to have to have
17 the documentary to prove the allegations are true.
18 So to have a Grievance Committee meeting, you
19 know it would be great if Luis had all of that together
20 for us because we may need it down the line as
21 Vonn said. He could very well bring a wrongful
22 discharge lawsuit against this District. So we need
23 to get our ducks in a row as far as the documentary
24 evidence that proves that the allegations are true.
25 So as long as we're going to do it now we might as
26 well do it, have all that stuff together...
27
28 Mr. Preston: Lisa, you know as well as I do that the stuff is all
29 together. It's all in the Minutes. You just have to
30 dig it out. And that's what the fact finders are
31 supposed to do.
32
33 Mr. Kendrick: And having the stuff together with all the documents
34 from the beginning is the best way to do it because
35 I'm sure we're going to be meeting with Sig and we'll
36 be able to show him, here's the facts, here's the
37 paper. You know if you want to continue with your
38 suit or whatever, go ahead. This is what facts we
39 have, this is what information we have, you know.
40 The documentation is very important. It's not just
41 words.

1
2 Mr. Preston: Like the Personnel Policy says, you don't need a
3 reason to fire anybody. Okay? But we've got a lot
4 of reasons. Gary?
5
6 Mr. Kendrick: I did go over the Grievance in the old Personnel
7 Policy Manual and it states in there, and it says it
8 everywhere, and employee, an employee. It
9 doesn't say anything about a former employee filing
10 a grievance. It doesn't say anything about a
11 disgruntled citizen filing a grievance. I even think
12 there's a different procedure that should be done
13 then a grievance. Because grievances are for
14 employees. Sig should not be even having this
15 Grievance Committee done because he is not an
16 employee. He's not an employee. It doesn't say
17 anywhere in the Grievance Committee that former
18 employees, citizens, whatever. You should go the
19 Better Business Bureau or whatever. This
20 Grievance Committee, I think, is a total waste of
21 time because it shouldn't even be done.
22
23 Mr. Preston: Gary that is for you guys to dig out. That's what fact
24 finding is for.
25
26 Mr. Castaneda: And Mr. Chairman if I may address... the reason
27 Gary that we have come to this point is because
28 counsel has directed, or advised us, that we should
29 give him that opportunity to grieve this. For some
30 reason or another this has to be the ultimate thing
31 that seals the deal I guess. This is... "
32
33 Mr. Kendrick: It's not going to stop here. Sorry to interrupt you.
34
35 Mr. Castaneda: I don't believe so either, but that's why we're at this
36 point. Because District Counsel has suggested that
37 we give him this last opportunity to hold on to hope I
38 guess.
39

1 Mr. Kendrick: With all due respect to Mr. Frazier, did we get a
2 second opinion somewhere else that we should do
3 this?
4

5 Mr. Preston: Vonn?
6

7 Mr. Jones: In the Personnel Policy it says the suspension,
8 dismissal, layoff or demotion of an employee for any
9 disciplinary reason shall be effective on the initial
10 date of the notice even though the employee
11 exercises the right of appeal. So ever after they're
12 laid off the have the ability to appeal. Or dismissed
13 or suspended or demoted. This is the topic that's
14 located on page 12.
15

16 Mr. Kendrick: Page 12?
17

18 Mr. Castaneda: I didn't bring mine.
19

20 Ms. Cummings: Mine's here in the folder, I mean he's still an
21 employee.
22

23 Mr. Kendrick: Then why are you saying _____ from
24 saying that?
25

26 Ms. Cummings: No. As far as the grievance, yeah, I was going to
27 say... "
28

29 Mr. Kendrick: Is an appeal different from a grievance?
30

31 Ms. Cummings: Yes. I have a little pocket dictionary. Appeal and a
32 grievance there is a difference, yeah. So yeah.
33

34 Mr. Kendrick: Okay. So after we review this grievance since the
35 lawyer thinks it's a good idea to do when we get
36 done with that whatever the results may be and
37 then he's going to file an appeal?
38

39 Ms. Cummings: Okay. Mr. Chairman, I'd like to address Gary on
40 this matter here. This is why in the beginning that a
41 few people had suggested to the Board that it needs

1 to be done by the outside and not from the company
2 itself. What everybody knows. This is the reason
3 why. They're going to look at everything. I mean
4 they're not going to... I mean they're not an
5 employee, they're not a Board Member, you know, I
6 mean that's the reason that the suggestion was
7 made. So that there's not, well, you know, if so be I
8 use it, a conflict of interest. Am I correct?
9

10 Mr. Kendrick: I don't know if you're correct on that but ... even if
11 it's...
12

13 Ms. Cummings: She's working with you; he's working with you.
14

15 Mr. Kendrick: Even if it's an outside grievance committee like you
16 said we're still going to come up with the same
17 documentation, the same reasons that the outsiders
18 would do.
19

20 Ms. Cummings: But let them be the one to make the final decision
21 and not the community.
22

23 Mr. Kendrick: Because the Chairman has already stated that he
24 wants it inside and we already have a Committee
25 for that.
26

27 Ms. Cummings: Yeah, but we could amend that. We could make a
28 motion that it goes outside.
29

30 Mr. Preston: No.
31

32 Ms. Cummings: I mean that – I think it would solve a lot of the
33 problems right now, why Don and Gary and Lisa are
34 requesting so many things, items; the reasons why.
35 And that would stop it right there.
36

37 Mr. Kendrick: Mr. Castaneda? Do you have a problem getting the
38 stuff that we asked for?
39

40 Mr. Castaneda: No. But Mr. Chairman I really want to address the
41 issue that the reason that this procedure was in our

1 Policy Manual is because this governing body
2 passed it. This governing body accepted it as the
3 way it is. So it doesn't say anything about taking it
4 outside, doing this, doing that. It says do what we
5 have to do and let's get it done.
6
7 Mr. Kendrick: Mr. Chairman?
8
9 Mr. Preston: Gary.
10
11 Mr. Kendrick: First of all I make a motion that we table this until
12 the Grievance Committee meets and has its
13 meeting.
14
15 Ms. Cummings: I second the motion.
16
17 Mr. Preston: Did you make a motion about that?
18
19 Mr. Kendrick: Yes. She seconded it.
20
21 Ms. Cummings: Exactly.
22
23 Ms. Sieglaff: Roll call?
24
25 Mr. Castaneda: Excuse me Madam Clerk it goes to discussion now.
26 Board Member Kendrick, do you want to table the...
27 do you still want me to get you the information by
28 Friday?
29
30 Mr. Kendrick: Right. Correct.
31
32 Mr. Castaneda: And then because I plan on putting a special
33 meeting together for the 2nd on that date, but okay
34 so I could still give it to you on Friday and you can...
35
36 Mr. Kendrick: Yeah, look at it over the weekend and...
37
38 Mr. Castaneda: That's all I just wanted to know.
39
40 Mr. Kendrick: Then have the meeting Monday.
41

1 Mr. Preston: Mr. Jones, did you find the article in the Personnel
2 Policy that says that you do not need a reason to
3 terminate anybody. Did you find that in there?
4

5 Mr. Jones: No, but I'm sure I can. You want me to do it?
6

7 Mr. Preston: Yeah.
8

9 Mr. Jones: Because at-will employees, which all the District
10 employees are, you don't need a reason to fire
11 them.
12

13 Mr. Kendrick: Okay. So then can we take a vote on the motion?
14

15 Mr. Preston: The motion's been made and seconded that we...
16 go ahead and tell me what it is.
17

18 Mr. Kendrick: I made the motion that we table this until after we
19 have received Luis' documentation and next
20 Monday meeting and the Grievance Committee will
21 meet and discuss this and then we will bring it back
22 to the Board.
23

24 Mr. Preston: Okay all in favor?
25

26 Ms. Sieglaff: Unanimous?
27

28 Ms. Cummings: Yes.
29

30 **AYE 5 NAY 0 ABSTENTIONS 0**
31

32 Mr. Jones: Would you like me to read this?
33

34 Mr. Preston: Yes. Please.
35

36 Mr. Jones: Okay, it's on page 3. Employment with MDWID is
37 terminable at will. This means that any employee of
38 the District is free to resign their position at any time
39 they wish with or without notice and for any reason
40 they deem appropriate. Likewise, MDWID has the
41 right to terminate any employee at any time with or

1 without notice for any or no reason not prohibited by
2 law.

3

4 Mr. Preston: That answers the question.

5

6 Mr. Castaneda: And Mr. Chairman, before we move on I just want to
7 remind the Grievance Committee to be fair and
8 unbiased. I understand that one of you have worked
9 with him, both of you have been quite closely. It's
10 not here about friends. It's here about business; a
11 business that we were elected to oversee and it is
12 our responsibility to our constituents out there to be
13 responsible and not biased. So please remember
14 that when you go into those hearings.

15

16 Mr. Preston: Okay. Hearing that we will move on to item 4.

17

18 **4. Discussion and possible concerning Personnel Policy Manual**

19

20 Mr. Peetoom: Mr. Chairman, I'd like to table it until we get the
21 Personnel Policy back from the lawyer and Lisa has
22 to get it all typed up and get it to the lawyer. I make
23 a motion.

24

25 Ms. Cummings: I second the motion.

26

27 Mr. Peetoom: And we already approved it how we've got to let the
28 lawyer.

29

30 Mr. Castaneda: I'm okay with that because it's not in front of us but I
31 need to put time lines on this. We're putting this off
32 way too long once again this is taking way too – for
33 some reason or another the Personnel Policy
34 Manual and this Board does not get along. I took us
35 five months to draft up one original that we came to
36 a conclusion with to shoot it down. Now we just
37 worked on it again and we're still waiting. So if
38 Board Member Peetoom would not mind me
39 amending his motion to table it I'll go with it but with
40 the amendment that it be ready by the 2nd of March
41 and let's get this done.

1
2 Mr. Peetoom: Can you get it done?
3
4 Ms. Sieglaff: Mr. Chairman may I say something?
5
6 Mr. Preston: Yes.
7
8 Ms. Sieglaff: The reason I haven't had an opportunity to work on
9 the Personnel Policy Manual is because there were
10 five meetings, as everybody knows, in January. All
11 those Minutes had to be transcribed. I have just
12 barely been able to, well, not just barely, but I am
13 working on the February 9th Meeting Minutes and
14 the tape – the quality of the tape is really atrocious.
15 It's almost impossible because we used the other
16 machine. So it's not that I'm dragging my heels, it's
17 the fact that we have five sets of Minutes, one a
18 week that I had to do for the January meetings.
19 Were it not for that I would have of course had this
20 done. And the final discussions on the Personnel
21 Policy Manual were at the last meeting on the 26th.
22 And I have that all transcribed so now all I need to
23 do is to go into there and – the hard part is done in
24 other words. It's all transcribed. Everything I need
25 to do and need to know to do the Personnel Policy
26 Manual and get it into a form where we can send it
27 to the attorney. It's all done. However, I was told
28 that the Minutes were more important than the
29 Personnel Policy Manual and I haven't finished the
30 February 9th meeting Minutes and would like this on
31 the record. I will be more than glad, since we won't
32 need the February 9th meeting Minutes until the
33 March 9th meeting, I'll be more than glad to set that
34 aside and work on the – start working on the
35 Personnel Policy Manual tomorrow with the Board's
36 permission.
37
38 Mr. Preston: How much more time do you need to get all caught
39 up? Everything. Personnel Policy, Minutes,
40 whatever. How much time do you need?
41

1 Ms. Sieglaff: I really don't know how much time it's going to take
2 to finish transcribing the February 9th meeting
3 Minutes. The Personnel Policy; the template is
4 already on the computer it's just a matter of going,
5 you know, making a list from the Minutes of the
6 changes and going into the version of the Personnel
7 Policy that's on the computer already and making
8 the changes. So that, you know, I can't really give
9 you a time line on how long that's going to take
10 because off the top of my head I don't know what's
11 going have to be taken out, what's going to have to
12 be changed and what's going to have to be
13 inserted. So, the answer is I don't know.
14

15 Mr. Preston: "The reason why I'm asking you what I asked you is
16 that if you need overtime we'll get this Board to
17 grant you the overtime to get it done.
18

19 Ms. Sieglaff: Well that would work because I could work on it on
20 the weekend and I wouldn't have any interruptions, I
21 wouldn't have to relieve Theresa for lunch, I
22 wouldn't have to take an hour off for my lunch, I
23 could just work.
24

25 Mr. Preston: Okay. Vonn this brought into a thing – a question
26 that I have. When Theresa is sick Lisa covers up
27 for her. Is that correct?
28

29 Mr. Jones: Yes.
30

31 Mr. Preston: But she went home sick last Friday. Why didn't
32 Theresa Hicks cover up for her?
33

34 Mr. Jones: Doing what?
35

36 Mr. Preston: Her job. She was supposed to deliver the packets
37 and that wasn't done and she could have done it.
38

39 Mr. Jones: I guess she could have. I didn't have a discussion
40 about it. Did you ask her to cover and to do that?
41

1 Ms. Sieglaff: I told her I didn't know whether she should do it or
2 not. She needed to check with the Board but she
3 didn't so. I called Luis and Luis said well let's just
4 do it Tuesday. So we just tried to get it done, you
5 know.
6
7 Ms. Cummings: Mr. Chairman, Lisa did state that to me, that you
8 know, that we could do it...
9
10 Mr. Preston: Hold on. Are you hearing me Vonn?
11
12 Mr. Jones: Yeah. I think that could have been handled, I mean
13 managed. This wasn't a big chore was it? Just
14 taken them around and post them and everything?
15 That's all it was.
16
17 Ms. Sieglaff: She did it for a very long time before I came to work
18 here.
19
20 Mr. Jones: Did you already have the Agenda completed?
21
22 Ms. Sieglaff: No.
23
24 Mr. Jones: Well it looks like that would have been...
25
26 Ms. Cummings: Excuse me Mr. Chairman. The Agenda was not
27 ready.
28
29 Ms. Sieglaff: That's right. We didn't get the Agenda ready until
30 yesterday.
31
32 Ms. Cummings: That's right, so...
33
34 Mr. Preston: Just a minute.
35
36 Ms. Cummings: I said Mr. Chairman.
37
38 Mr. Preston: That doesn't give you the right to talk until you are...
39 until you have the right to do it. Mr. Gary over here
40 was talking and I asked him to wait until Vonn got

1 finished but you butt right in and take over. You
2 better stop it.
3
4 Ms. Cummings: Mr. Chairman, I did not blurt right in.
5
6 Mr. Preston: Yes you did.
7
8 Ms. Cummings: No I did not.
9
10 Mr. Preston: Gary, go ahead.
11
12 Mr. Kendrick: One thing I was going to say was Theresa was –
13 Theresa has the know how to do the Agenda. Even
14 if it wasn't done she could have typed it out. She
15 could have called the Chairman, found out what
16 was on the Agenda, typed it up, got it out where we
17 could have had this meeting yesterday. That's the
18 only thing I wanted to say.
19
20 Ms. Sieglaff: Well, Mr. Chairman?
21
22 Mr. Preston: Yes.
23
24 Ms. Sieglaff: Mr. Jones has not been trained on the computer
25 how to take payments. With me being home sick
26 Theresa had to stay here to take care of the
27 customers. There would have been nobody to
28 service the customers if Theresa had been out
29 putting up Agendas and delivering packets. So that
30 was the problem. My thought is, what I think, is that
31 Vonn should know how to take payments. But he
32 hasn't gotten that far yet I guess.
33
34 Mr. Jones: I have been watching over her shoulder a couple of
35 times so I'm getting up to speed on that but the
36 main thing is that if it had been brought to me I
37 would have tried to arrange it and make it happen.
38 But it never happened. I didn't even think about it.
39
40 Mr. Preston: Well, in a case like that can't Theresa close at 5:00
41 and then go deliver the packets? On overtime?

1
2 Mr. Jones: She could, yeah. We've been trying to hold down
3 overtime...
4
5 Mr. Preston: I understand.
6
7 Mr. Jones: If there was an emergency there's no reason she
8 couldn't. And anyone can deliver the packets right?
9 It doesn't have to be Theresa?
10
11 Ms. Sieglaff: Excuse me Mr. Chairman?
12
13 Mr. Preston: Yes.
14
15 Ms. Sieglaff: While we're on the subject it's just a matter of
16 putting the Agendas up in the Minit Mart, the Valley
17 Mart and the hardware store and having them sign
18 the sheet that we put the Agenda up and delivering
19 the five packets to the five Board Members.
20
21 Mr. Jones: And that's not hard to do. What I heard was that
22 they had postponed the meeting. I didn't really
23 understand why.
24
25 Ms. Sieglaff: Well that was why.
26
27 Mr. Jones: But yeah, Lisa, if you want that to happen you need
28 to come to me and say I'm going to be off sick and
29 we need to get the Agenda out. Well, I mean, you
30 know, when you have to go home. Say I'm going to
31 be off just like anyone else would and this is what's
32 pending for me. Can you take care of it while I'm
33 gone?
34
35 Ms. Sieglaff: But you weren't here Friday.
36
37 Mr. Jones: Well I know but someone should be able to cover.
38
39 Ms. Sieglaff: I mean, you know...
40

1 Ms. Cummings: Mr. Chairman? They can surely, without a doubt in
2 my mind call Vonn or e-mail him.
3
4 Ms. Sieglaff: He was out of town.
5
6 Ms. Cummings: Well they can still call him...
7
8 Mr. Jones: Yeah, yeah they can.
9
10 Ms. Cummings: Yeah, they can call you and let you know and he
11 can direct over the phone if that's at all possible,
12 right Lisa? I mean, you know, because I didn't even
13 know that you were sick.
14
15 Mr. Jones: It's like if Theresa is going to be out for the
16 afternoon whatever the reason if it's sudden like that
17 she needs to say well I'm going have to go home
18 sick I'm not feeling well, can you get Lisa to come
19 work for me? And we'll make it happen. If she can't
20 somebody else will. You know, eventually we'll get
21 that all worked out so that there's not lag in
22 operations.
23
24 Mr. Preston: You'll handle that then Vonn?
25
26 Mr. Jones: Yes.
27
28 Mr. Kendrick: And if Theresa or Lisa were to leave sick, Lisa and
29 Theresa should say to you okay I've got this to do
30 I've got to get this done today, I've got to get this
31 done today, you know.
32
33 Mr. Jones: Whatever works.
34
35 Mr. Kendrick: What she's working on and whatever needs to be
36 out that day the other person needs to get it done.
37
38 Mr. Jones: Yeah, because it's just like if Tony is reading water
39 meters and he has to go home sick, he should
40 come to me and say well I'm sick and I need to go

1 home can we get Don to cover for me and then we
2 can do that.

3

4 Mr. Kendrick: Are we tabling the Personnel Manual or what's
5 going on?

6

7 Mr. Castaneda: Mr. Chairman?

8

9 Mr. Preston: Go ahead.

10

11 Mr. Castaneda: There's a motion made and seconded and I was
12 asking everybody if it could please be amended to
13 get it done on the 2nd which would be next week.
14 That would be okay for over time so is that
15 amendment okay with Mr. Peetoom's request?

16

17 Mr. Peetoom: So that's on Monday the second and then we have
18 a regular meeting the 9th?

19

20 Mr. Kendrick: Correct.

21

22 Mr. Peetoom: It's fine with me.

23

24 Mr. Castaneda: Okay. We will vote I guess not. He agreed to my
25 amendment.

26

27 Mr. Preston: Yes. Go ahead.

28

29 Ms. Sieglaff: Is that unanimous?

30

31 Mr. Preston: Yes.

32

33 **AYE 5 NAY 0 ABSTENTIONS 0**

34

35 Mr. Preston: Item 5.

36

37 **5. Discussion and possible action concerning the**
38 **preparation and adoption of bylaws**

39

40 Mr. Preston: "Mr. Gary, would you...

41

1 Mr. Kendrick: Well I put this together this weekend from several
2 different forms and stuff that I had had. I know it's
3 not perfect it needs to be changed. Some things
4 need to be added, the stuff that I've written has to
5 be changed but it's a pretty good start I think. I
6 think Lisa and I – Lisa has some more – she has a
7 pack of stuff from when you all started last year.
8 With your permission I'd like to get together with
9 Lisa. Maybe this week we'll get together and try to
10 get – or even me and Louis or me and you, or me
11 and Theresa – any one of us can get together with
12 those – all these notes and stuff and put it together
13 and have it ready by the 2nd.
14
15 Mr. Preston: Okay.
16
17 Mr. Kendrick: I'm willing to do that. I'm fine with that. I'd like to
18 make a motion that I get together with one other
19 Board Member or the Clerk and change what needs
20 to be changed in our bylaws, add what needs to be
21 added and get this finished so we can adopt it by
22 our meeting on March 2nd.
23
24 Mr. Preston: Mr. Gary?
25
26 Mr. Kendrick: Yes?
27
28 Mr. Preston: I suggest that you work with Lisa on that.
29
30 Mr. Kendrick: Okay
31
32 Mr. Preston: With her background of legal...
33
34 Mr. Kendrick: Yeah. And it's not going to take too long because
35 she knows all the verbiage and that stuff. I can
36 meet with her any day she wants before the 2nd.
37
38 Ms. Sieglaff: Mr. Chairman?
39
40 Mr. Preston: Yes.
41

1 Ms. Sieglaff: Would it be possible for Mr. Kendrick to amend his
2 request to have it on the 2nd because I have to have
3 the Personnel Policy Manual done by then. Can we
4 move the bylaws to the 9th? The meeting on the
5 9th?
6

7 Mr. Kendrick: Okay, I'll amend my motion to do the work with Lisa
8 on the bylaws so that we can have it by the meeting
9 on March 9th. We'll get together one day after the
10 2nd and get this done Mr. Chairman.
11

12 Mr. Preston: The motion's been made and seconded, all in
13 favor?
14

15 Mr. Castaneda: Mr. Chairman if I just may I would like to add some
16 stuff to that. I don't know if Mr. Kendrick wants it or
17 not but can I just offer it and then if you guys decide
18 you don't like it or – I mean I'll give it to you, some
19 stuff that I would really like in the bylaws.
20

21 Mr. Kendrick: Yeah, you can just type that information out.
22

23 Mr. Castaneda: And I'll get it to you after the 2nd because I've got
24 another thing I've got to get ready.
25

26 Ms. Sieglaff: Mr. Chairman?
27

28 Mr. Preston: Yes?
29

30 Ms. Sieglaff: Would it be all right if Luis and Gary and I all met
31 together as sort of a committee?
32

33 Mr. Preston: Well yes.
34

35 Ms. Sieglaff: I mean so Luis isn't feeding Gary stuff and ...
36 doesn't it make more sense that we could be a
37 committee and do it together?
38

39 Mr. Preston: That's fine.
40

1 Ms. Cummings: Excuse me Mr. Chairman I'd like to address the
2 Board Members on this, the bylaws. I think that all
3 of the Board Members should be a part of this and
4 not just three Board Members. If we're going to
5 consider bylaws I think everybody should have a
6 say-so in it.
7
8 Ms. Sieglaff: I'll have a draft.
9
10 Mr. Kendrick: If you do a draft it's going to come to the Board and
11 then you'll say okay, I want to change this, change
12 this...
13
14 Ms. Cummings: Are we going to have a committee about bylaws? I
15 mean...
16
17 Mr. Kendrick: It's got to be done. It's been way too long.
18
19 Ms. Cummings: Way too long.
20
21 Mr. Kendrick: You've had nine years, ten years without bylaws.
22 It's ridiculous. It seems like everything gets pushed
23 to the side, pushed to the side. Let's do it later.
24
25 Mr. Preston: Are you finished Gary?
26
27 Mr. Kendrick: Yes.
28
29 Mr. Jones: Did they – have there been attempts to do bylaws
30 before??
31
32 Mr. Castaneda: Yes. Many and we have been shot down.
33
34 Ms. Cummings: When...
35
36 Mr. Jones: Well because I know Districts that don't have
37 bylaws because you're already governed by the
38 State regulations, you're already governed by the
39 Statutes for special taxing districts and you already
40 have to comply with the Pima County regulations
41 and things like that. So you already have three sets

1 of laws you're complying with so your bylaws
2 basically end up saying we will comply with the laws
3 that we're already governed by. You can't
4 supersede any of those laws. But, you know, it'
5 guidance.
6

7 Mr. Kendrick: Did you read it?

8
9 Mr. Jones: Yes.

10
11 Mr. Kendrick: What did you think of it?

12
13 Mr. Jones: It's not bad. It's probably not as complete as you
14 would like to see because any bylaws I've seen,
15 usually a lot of the things that they include would be
16 who is eligible for elections, who is a District person
17 who is eligible for elections, who is a District person
18 who lives within the District that is eligible to be on
19 the Board and stuff like that. So that might be
20 something that you might want to expand on. Who
21 is eligible to run for office and that sort of thing.
22

23 Mr. Kendrick: I admit it's not done. It needs some more.

24
25 Mr. Jones: Well then if you need any guidance I'll try to get you
26 some examples from other districts who might have
27 bylaws.
28

29 Mr. Kendrick: I'd appreciate that very much.

30
31 Mr. Jones: Again, there's always room for improvement.
32

33 Mr. Castaneda: Mr. Chairman?

34
35 Mr. Preston: Mr. Jones I think the reason that we came to the
36 conclusion that it was so important that need bylaws
37 is because even though we're governed by – we
38 operate by Robert's Rules of Order you've been to
39 our meetings before and you've seen that we really
40 don't operate by Robert's Rules of Order. I mean
41 some of us interject whenever we want, we don't

1 ask for the floor, and it's... a lot of Member don't
2 even know what their roles and responsibilities are.
3 And I think by having bylaws it governs us, it helps
4 us. There are checks and balances in it. I don't
5 know if these bylaws have it, I know I would like it in
6 the bylaws I was elected for a four term. We've had
7 one gentleman sit on this governing body that was
8 the Chair for eight years out of this governing body.
9 The people here voted him over and over. There's
10 got to be some checks and balances. I know last
11 year Mr. Peetoom wanted to try his shot at
12 governing the body and he did. But there should
13 be something in our bylaws saying: 'Hey you were
14 elected for a four year term you can only serve as
15 the Chairman two years out of your four year term.'
16 You could use it back to back or use it at the end of
17 your term or at the beginning. If you don't to be the
18 Chair you don't ever have to be the Chair. But if
19 you do want to be the Chair you should not be one
20 that's on the holy pulpit for ten years because you
21 can.

22
23 Mr. Jones: As long as it doesn't conflict with any of the other
24 regulations...

25
26 Mr. Castaneda: Correct. Right.

27
28 Mr. Preston: I want to make a correction on something. When
29 the Committee comes up with bylaws, those bylaws
30 come to the Board and the Board goes through
31 each and every one of them before they are
32 passed. So that Ms. Ball-Cummings can stand
33 corrected in saying that once the Committee gets
34 through with it, it's passed. No, it's not. I just want
35 to make that correction.

36
37 Ms. Cummings: Mr. Chairman. Thank you very much. I appreciate
38 that. I mean it with all my heart. I appreciate that.

39
40 Mr. Preston: Okay. So we are going to item number 5. Well we
41 did five, excuse. Item 6.

1 **6. Discussion and possible action concerning Cash**
2 **Accountability Forms**

3
4 Mr. Preston: Mr. Gary has gone to great lengths to make us
5 forms as to the accounting and accountability of
6 cash monies. Mr. Gary, would you explain what you
7 have done and why?
8

9 Mr. Kendrick: Each one has a book. This one is for a Petty Cash
10 Log. Mr. Vonn actually gave me something to add
11 to it and I agree. This needs to be added. But it's
12 just a daily count of what's in there. That's all it is.
13 It takes five minutes to count the drawer, write it
14 down, done. The credit cards; I'm hoping that all
15 the credit cards have been put in the petty cash box
16 and are being kept there and being signed out.
17

18 Mr. Jones: I don't think it was ever done.
19

20 Mr. Kendrick: I was pretty sure that we did approve on that at one
21 of our last meetings. Okay, I'll say it again.
22

23 Mr. Jones: Well another problem with that is the inaccessibility.
24 Because if I lock the petty cash in my room and I
25 have it in my office and I have all the credit cards in
26 there and somebody needs something and I'm gone
27 then they would have to go to Lisa which may or
28 may not work at times. If I was there all the time or
29 if Theresa had it where someone is in the office all
30 the time that would probably work.
31

32 Mr. Kendrick: Either Theresa needs to have it up there by her or
33 Theresa needs to have the key to your office.
34

35 Mr. Jones: And I'm okay with either one of those. Whichever
36 the Board chooses.
37

38 Mr. Kendrick: I'm pretty sure I've done this in the past at our
39 meetings but I'll do it again. I will go ahead and
40 make it a motion that all company credit cards – all
41 company credit cards remain locked in the petty

1 cash box and when they are needed they can be
2 signed out using the credit card sign in and out log.
3 All it asks for is the last four digits of the credit card
4 number, date, time out, print your name, employee's
5 initials, time in and was there a receipt received.
6 That's it.

7
8 Mr. Castaneda: Mr. Chairman?

9
10 Mr. Preston: Yes.

11
12 Mr. Castaneda: I know Mr. Kendrick wants a second on his motion
13 but can I be so forward to get you to – can we
14 accept all of them together or do you want to accept
15 form by form. He just made the motion to accept
16 the credit card form.

17
18 Mr. Kendrick: Okay. I'm sorry. Let me amend that motion and go
19 ahead and I would like to see the petty cash daily
20 counts as well as the front door opening and closing
21 accounts done daily as a matter of business. Did I
22 say that right?

23
24 Mr. Castaneda: Your motion is actually to accept all four forms of
25 cash accountability which is the credit card sign out
26 sheet, the petty cash daily sheet and your front
27 drawer opening and closing count forms?

28
29 Mr. Kendrick: Correct.

30
31 Mr. Castaneda: I'll second that motion.

32
33 Mr. Jones: In doing that you kind of skipped over that once
34 before I tried to get the Board to let me give
35 Theresa the petty cash up in the front of the office
36 and it was said that we should talk about that and
37 we never fully discussed it. But I also believe that
38 Theresa should have the petty cash up there with
39 the credit cards and sign things in and out. Keep a
40 running account of everything. So I would just like
41 to make sure that that is part of the motion and that

1 we're able to this as a matter of setting up this
2 account. She knows how to already do it, I just
3 need permission for her to do that.
4
5 Mr. Kendrick: Okay. Add that to the motion. What do I say? I'd
6 like to amend the motion?
7
8 Mr. Preston: Yeah, amend.
9
10 Mr. Castaneda: Amend the motion.
11
12 Mr. Kendrick: I want to amend the motion that Theresa our
13 secretary, that she be... "
14
15 Mr. Castaneda: Or Lisa, whoever is in charge that day.
16
17 Mr. Kendrick: Or Lisa whoever is in charge that day at the office
18 have access to the petty cash drawer whether it's
19 either up front in a safe or the front desk or in
20 Vonn's office that they have a key because they
21 have to have access to the petty cash box. Thank
22 you.
23
24 Mr. Preston: In order to do the credit cards?
25
26 Mr. Kendrick: In order to do the credit cards; sign in, sign out.
27
28 Mr. Preston: The motion's been made and seconded and
29 amended, all in favor?
30
31 Mr. Peetoom: I've got a question.
32
33 Mr. Preston: Go ahead.
34
35 Mr. Peetoom: If there's only one key to his office and Lisa's got the
36 key and she's sick she's going to have to give it to
37 Theresa before she goes home?
38
39 Mr. Kendrick: Correct.
40
41 Ms. Sieglaff: May I respond to that Mr. Chairman?

1
2 Mr. Preston: Yes, go ahead.
3
4 Ms. Sieglaff: What we've been doing is I've been opening the
5 door, in fact Vonn said that he preferred, you know,
6 that it didn't need to be locked as far as he's
7 concerned but by virtue of the fact that the petty
8 cash is kept in there the door is locked at night but
9 every morning when I come in, except once I forgot,
10 I open that door for her. And Vonn has a key to the
11 door. And I believe we also have a spare key to the
12 door.
13
14 Mr. Kendrick: I don't think so. I believe Vonn's office only had two
15 keys made. But like somebody was saying, if you
16 go home sick you just make sure you leave give the
17 key to Theresa so she can lock the door at night
18 when she closes.
19
20 Ms. Sieglaff: Right. Yeah, we've been working that out pretty
21 good.
22
23 Mr. Kendrick: That can be worked out. There should be access to
24 that petty cash – all three of you should have easy
25 access to that petty cash box.
26
27 Ms. Sieglaff: And we have. We have been able to do that.
28 We've done that.
29
30 Mr. Peetoom: Are you talking about moving the petty cash out of
31 Vonn's office up to the front office?
32
33 Mr. Kendrick: I don't think that needs to be done.
34
35 Mr. Jones: Either method is okay with me, it doesn't matter as
36 long as we have access to it, yeah.
37
38 Ms. Cummings: Mr. Chairman?
39
40 Mr. Preston: Yes.
41

1 Ms. Cummings: The sole reason that the petty cash is in the
2 Manager's office is due to the fact that there's a lot
3 of petty cash in there. I mean it's a very safe and
4 secure place to be so that if someone happens to
5 come in, not saying that it will, but, you know, it's
6 just better if it is back there where, you know,
7 Theresa don't have to worry if, you know, that's just
8 something that I would take into consideration, you
9 know because up front there's not very much in that
10 drawer for them to you know deal on an every day
11 basis with the customers out there. The box in the
12 back is a different story. I mean if, you know, that's
13 just my, you know, just the about of cash that's kept
14 in there.

15
16 Mr. Preston: Mr. Gary?

17
18 Mr. Kendrick: Like we said, either way. We keep it in the back in
19 the office. Like Lisa said, the office is open all day
20 anyway. It's not kept lock.

21
22 Mr. Peetoom: Well the key is gone.

23
24 Mr. Kendrick: It's open.

25
26 Mr. Peetoom: The office should be closed.

27
28 Mr. Kendrick: It's not.

29
30 Mr. Jones: Theresa wouldn't have access to the petty cash if
31 it's locked.

32
33 Mr. Kendrick: If that's the case then we need to get Theresa a key
34 to his office which is a good point. I think it should
35 be locked. Since there is a lot of money kept in
36 there, just get Theresa a key. So you have a key,
37 she has a key and Theresa has a key. That takes
38 care of it right there.

39
40 Mr. Castaneda: Mr. Chairman?

41

1 Mr. Preston: Just a second. Vonn, how many people have keys
2 to your office?
3
4 Mr. Jones: Just two. Her and I.
5
6 Mr. Preston: I have one.
7
8 Mr. Jones: You have one?
9
10 Mr. Preston: Yes. My name wasn't mentioned before. That's
11 why I want you to know that I have a key.
12
13 Mr. Jones: Okay.
14
15 Mr. Peetoom: All the Chairmen have had a key.
16
17 Mr. Castaneda: Mr. Chairman?
18
19 Mr. Preston: Yes.
20
21 Mr. Castaneda: Board Member Kendrick do you know, maybe Mr.
22 Jones can help me on this, Mr. Jones at night when
23 they are closing up the drawer and they make that
24 deposit bag, where does that deposit bag get put
25 away for the night?
26
27 Mr. Jones: I believe it's in a filing cabinet. Isn't it?
28
29 Ms. Sieglaff: In a locked file cabinet in the front.
30
31 Mr. Castaneda: So we're here; the last 15 minutes of conversation
32 was how important it was to keep this \$400.00
33 locked up in Mr. Jones' office, yet we can have
34 deposits that may be thousands of dollars on any
35 given night in a filing cabinet?
36
37 Ms. Cummings: Mr. Chairman that isn't what I...
38
39 Mr. Castaneda: Well because...
40
41 Ms. Cummings: Back up a second.

1
2 Mr. Castaneda: Well...
3
4 Ms. Cummings: Excuse me. During the day time when it's
5 accessible to the people up front dealing with an
6 every day customer. That's all I stated. You're the
7 one who just opened up and said blah, blah, blah.
8 So don't throw this one on me. Okay. Be careful
9 what you say. All right because I did not say
10 nothing of that fact. I just said why have that much
11 cash up in the front where the bigger amount which
12 has always been safe in the back in a locked desk,
13 in a locked box, petty cash box. I mean, you know,
14 that's all my point was Luis. So what's the big deal.
15 Why do you always got to make a big deal, a big
16 mountain and it's just a little mole hill? You know, I
17 mean, that was my point. You know, why move the
18 petty cash up there I mean. If nobody knows
19 this...we have been robbed twice. Yes we have
20 and that's the main reason why that petty cash box
21 is in the back office. That's part of the reason I
22 mean.
23
24 Mr. Preston: Vonn, we have a safe in the barn/shed out there,
25 right?
26
27 Mr. Jones: I believe we do. I've heard that.
28
29 Mr. Preston: Yes, there is a safe out there. Why is that not being
30 utilized?
31
32 Mr. Jones: I don't know. I wasn't even aware until yesterday
33 that it was even out there. But Theresa I know
34 stated today that she's not able to open it. She
35 spent an hour out there one day trying to open it
36 and it wouldn't open for her. I can look into that and
37 see if it's something we can utilize. Apparently at
38 one time, from what I understand, Sig had taken it
39 down to a locksmith and tried to get it more
40 accurately calibrated so that it could be opened

1 easier and I don't think it was successful. But we
2 can give it a shot and see if we can do that.
3
4 Mr. Preston: I believe it was utilized at one time.
5
6 Mr. Jones: It was?
7
8 Mr. Preston: Yes. Because I was out there one time when Sig
9 put money in it and you never have to worry about –
10 that's in the floor; in the concrete floor. So... Yes,
11 Gary?
12
13 Mr. Kendrick: Has that combination been changed?
14
15 Mr. Preston: I don't know.
16
17 Ms. Sieglaff: No.
18
19 Mr. Preston: Well let's correct both ends then. Why don't we get
20 C & S lock, they're the ones that came up and done
21 the other locks, let them come up and service that.
22 As far as I know that's never been serviced. And
23 service that and change the combination to it.
24
25 Mr. Castaneda: And start utilizing it.
26
27 Mr. Jones: Okay. I'll see if we can make that work, because I
28 don't know, there's apparently been some problem
29 with it in the past but I don't know what it was but I
30 will look into.
31
32 Mr. Preston: Well if it was a problem they can correct it and
33 change the code on it. Gary?
34
35 Mr. Kendrick: Who's going to put this in motion, you?
36
37 Mr. Jones: I will.
38
39 Mr. Kendrick: Do you work tomorrow? Are you here tomorrow?
40
41

1 Mr. Jones:
2
3 Mr. Peetoom: Mr. Chairman, I think they use that safe between
4 Brinks' pick up twice a week. I think they put all the
5 money in the safe for the break.
6
7 Mr. Jones: And then Brinks picks it up out of the safe?
8
9 Mr. Peetoom: No they... I think they bring it in here when they
10 know he's coming. That's all I know. That's why
11 Sig went down and had it fixed where they could
12 open it up and put stuff in there when... between
13 Brinks.
14
15 Mr. Jones: Well I'll look into it and see if we can get it
16 operational.
17
18 Mr. Preston: Okay. Gary?
19
20 Mr. Kendrick: I think when Brinks shows up for the safe deposit or
21 whatever they should go out and get it out of the
22 safe at that time, you know. Don't leave it in the
23 office. You never know when you're going to be
24 robbed.
25
26 Mr. Castaneda: Mr. Chairman?
27
28 Mr. Preston: Yes.
29
30 Mr. Castaneda: The companies that I work with and we deal with
31 Brinks coming and picking us up, we have a key for
32 the safe that we can get into a portion of it but once
33 you put in a deposit in for the night the deposit is
34 stuck in there. Only two people can get into that
35 safe and one is the Manager that has the key to the
36 one part and Brinks having a key to the other which
37 will release all of the deposits for the week, or
38 month, or whatever...
39
40 Mr. Kendrick: That will work.
41

1 Mr. Castaneda: ... it does. I don't know if our safe has that two
2 keep capability but I know that in the Hollywood
3 Videos they have a two key capability and Brinks
4 carries one key and you carry another key. You
5 can't internally rob the place either. Once you drop
6 the money, you drop it.
7

8 Mr. Preston: Okay. So Mr. Jones is going to take care of that.
9

10 Mr. Jones: So that means Brinks will have to have a key to the
11 gate and a key to the shed and a key to the safe.
12

13 Ms. Cummings: Right
14

15 Mr. Castaneda: Well if their normal time to come pick up is during
16 operation hours, if it's between 11:00 and 1:00 in
17 the afternoon you're already here so they don't need
18 a key. They only key that they would need is the
19 safe key and they would have one, which is totally
20 different from your key because it takes two keys to
21 operate the safe. And I don't know if ours... that
22 safe that you have here operates that way or not.
23

24 Ms. Sieglaff: Mr. Chairman, may I respond to that?
25

26 Mr. Preston: Yes.
27

28 Ms. Sieglaff: Our safe does not have that capability. The
29 protocol that Sig had in place was if there was over
30 \$500.00 in receipts for that day it would go into the
31 safe. And if it was less than \$500.00 it would be
32 locked in the file cabinet in there. The petty cash
33 has always, of course, been kept locked in the
34 locked petty cash drawer in that office. And Brinks
35 only comes one a week so it wouldn't be a problem
36 to keep the receipts in there and then once a week
37 we know he's coming on Tuesday or Thursday and
38 Theresa can get the money out of there and have it
39 ready for him when he comes.
40

1 Mr. Preston: If he only comes once a week we definitely should
2 utilize that safe. Okay? Will you report back to us
3 some more on it?
4

5 Mr. Jones: Um, hum.
6

7 Mr. Preston: Okay. We'll move on to item 7.
8

9 **7. Discussion and possible action concerning fire safety**
10 **codes/fire extinguishers**
11

12 Mr. Preston: Mr. Gary do you have anything to report on that?
13

14 Mr. Kendrick: I came down yesterday to get this started but,
15 unfortunately, Vonn had to miss yesterday. He has
16 somewhere important to be. All I'm waiting for is
17 Vonn to tell me what account to use and what...
18 how much money is in there that we can use to get
19 these fire extinguishers in all of our... on the whole
20 property up to date serviced because they all are
21 supposed to be serviced. They are supposed to be
22 checked annually plus every six years they are
23 supposed to be recharged. The two fire
24 extinguishers in the office haven't been serviced
25 since 2003. That's what it says on the tag, that's
26 why I said 2003. These in here do not have any
27 tags. I think we need to get this done and get it up
28 to date. If O.S.H.A. was to come in here and look
29 and see this we'd be in some trouble.
30

31 Mr. Preston: Mr. Gary?
32

33 Mr. Kendrick: Yes?
34

35 Mr. Preston: Would it be beneficial for us to bring O.S.H.A. up
36 here and let them tell us where we need
37 extinguishers?
38

39 Mr. Kendrick: I can see doing that after we get these updated
40 because you don't O.S.H.A. showing up here with
41 the things like that.

1
2 Mr. Preston: Well the thing about it is if we bring them up here to
3 recharge these fire extinguishers or with a package
4 they can bring new fire extinguishers up here if we
5 need be.
6
7 Ms. Sieglaff: Mr. Chairman may I make a...
8
9 Mr. Preston: Oh, sure.
10
11 Ms. Sieglaff: O.S.H.A. doesn't do that. O.S.H.A – in the event
12 there was a fire and fire extinguisher failed to
13 operate properly and it caused bodily harm or
14 property damage and O.S.H.A. knew that that fire
15 extinguisher wasn't up to code then we would be
16 held liable. But O.S.H.A. is a government agency to
17 make sure that – all right; say I fell down the stairs,
18 hit my head and got killed. O.S.H.A. would be here
19 to find out was it just an accident or was it
20 something that the District did or didn't do with
21 those stairs, for instance, if there wasn't a railing.
22 There would be a violation made against the District
23 if they found something that was not up to a safety
24 or fire code. But as far as the fire extinguishers are
25 concerned the Fire Department...
26
27 Ms. Cummings: Exactly...
28
29 Ms. Sieglaff: ... are the people who can come and look at the
30 extinguishers, look at the fire alarms and let us
31 know if anything needs... what, if anything, needs to
32 be done. It's the Fire Department that we would
33 have a representative from the Fire Department
34 come over here and look at it. Now whether it's
35 changed since I had to take care of that kind of
36 thing in one of the law offices, whether it's changed
37 since then or not I don't know. But I know the Fire
38 District was very gracious and they sent somebody
39 over there and they checked all of them out and
40 they checked the pressure on them and told us
41 what we needed to do and what we didn't need to

1 do. So that's the information that I have on that
2 situation.
3
4 Mr. Preston: Okay. Are you finished?
5
6 Ms. Sieglaff: Yes.
7
8 Mr. Preston: Gary?
9
10 Mr. Kendrick: I can call the fire company tomorrow and find out...
11 and talk to them and see if in fact still do this...
12
13 Mr. Preston: Yeah, they can send a Fire Marshall...
14
15 Mr. Castaneda: Mr. Chairman? I think I can save you a lot of
16 problems. I happen to know somebody on the Fire
17 Board.
18
19 Mr. Preston: Your Daddy?
20
21 Ms. Cummings: Yeah.
22
23 Mr. Castaneda: Yes that would be one. O.S.H.A. is a safety
24 agency...
25
26 Ms. Cummings: Yes.
27
28 Mr. Castaneda: And yes, they do come and do inspections at any
29 place of business that may be not up to code. I don't
30 know there might be some regulations and Statutes
31 in law saying that we need to have an eye wash put
32 in our barn. And for all we know, and we don't know
33 it. So yes we can call O.S.H.A. and O.S.H.A. will do
34 an inspection – a safety inspection and tell you that
35 you need an eye wash center over there. Helen's
36 grandmother which came in a wheel chair, your
37 bathroom does not have the proper railings for
38 wheelchair accessibility, fix that, yes, they will come
39 and tell you that. That's what O.S.H.A. does. They
40 are involved in safety. So they will look at
41 everything. They will look at the insurance part and

1 so on and so forth. But no; we do have a Fire
2 Marshall and the Fire Marshall you definitely don't
3 want your house because then he will tell you what
4 you need to do and what you don't need to do.

5
6 Ms. Cummings: [inaudible comment]

7
8 Mr. Castaneda: But I don't know, I think O.S.H.A. would be a...

9
10 Mr. Kendrick: O.S.H.A. would be...

11
12 Mr. Castaneda: I would think... Vonn have you worked with people
13 from O.S.H.A.?

14
15 Mr. Jones: Yes. And normally I would rather go through the
16 Fire Department. Well, try to work things out and
17 make sure they're up to snuff before you call
18 O.S.H.A.

19
20 Ms. Cummings: Yeah.

21
22 Mr. Kendrick: My suggestion is get everything done that we can
23 and have the Cintas company come out, inspect, do
24 everything. They should know to tell us where we
25 need fire extinguishers. They should be able to tell
26 us how many fire extinguishers we need. You
27 know, that's their job.

28
29 Mr. Jones: And the Fire Marshall could also do that.

30
31 Mr. Kendrick: Yeah. Cintas will come out and do the actual work
32 but the Fire Marshall will tell you what the actual
33 requirements are, right? And then once we're up to
34 snuff we can get O.S.H.A. But I'm afraid O.S.H.A. –
35 we might be opening a door there because they
36 might want us to have sprinklers in the buildings
37 and all that stuff unless we're grandfathered in and
38 that sort of thing. So its... we need to make sure
39 we have our ducks in a row before we call O.S.H.A.
40 You know, I'm never against calling someone like
41 that because you need to find out what's wrong

1 before you can correct it. But we need to make
2 sure that we have money to correct it because once
3 they come out they will be out again at some point
4 to see that you've corrected those things.
5
6 Mr. Kendrick: Yeah. So when I come tomorrow you'll have those
7 answers for me? On the money short, how much
8 money...
9
10 Mr. Jones: Oh, money for the...
11
12 Mr. Kendrick: Extinguishers and stuff.
13
14 Mr. Jones: Yeah.
15
16 Ms. Cummings: Mr. Chairman?
17
18 Mr. Preston: Go ahead.
19
20 Ms. Cummings: May I say something please? I believe last year in
21 one of our meetings prior the election if anybody
22 recalls Lilian did mention something due to fire
23 extinguishers and Sig was sitting here and I think
24 something was brought up that the Fire Marshall
25 had come over here and had inspected them. If I,
26 yeah... don't look at me like that. I mean you
27 know...
28
29 Mr. Kendrick: I looked at you like that because the tag in there
30 says it expired 2003.
31
32 Ms. Cummings: Well if you look on them each one of them is
33 charged. They're not discharged or needs to be
34 recharged. So he can come in and look at them. I
35 mean, I'm just saying what was brought up at one of
36 the meetings. Because we were talking about
37 O.S.H.A. and the Fire Department – and Lilian was
38 sitting right here, I mean, you know, so that's all I'm
39 making a comment about. What's wrong with that
40 Gary? Talking about the past meetings we've had
41 when we've brought up fire extinguishers.

1
2 Mr. Kendrick: Absolutely nothing.
3
4 Ms. Cummings: Well thank you.
5
6 Mr. Kendrick: I didn't say there was anything wrong to begin with.
7
8 Ms. Cummings: Well my Lord. Give me a break.
9
10 Mr. Kendrick: Okay.
11
12 Ms. Cummings: Anyways Mr. Chairman that was what I wanted to
13 bring up because...
14
15 Mr. Preston: Are we all finished with discussion and possible
16 action?
17
18 Ms. Cummings: Yes thank you.
19
20 Mr. Preston: The fire safety codes and fire extinguishers? Do
21 you know what we're going to do on that Gary?
22
23 Mr. Kendrick: No, I, it's all up in the air now. I don't know what
24 they want me to do now. I had a plan set in motion
25 but ...
26
27 Mr. Castaneda: Was there a motion made and seconded?
28
29 Mr. Kendrick: No, not yet.
30
31 Mr. Castaneda: Did you make the motion yet?
32
33 Mr. Kendrick: No.
34
35 Mr. Castaneda: Do you want me to make the motion?
36
37 Mr. Kendrick: The only thing I was going to do Luis was first get a
38 hold of Mr. Jones and see if we have the funds to
39 do it, call...
40
41 Mr. Castaneda: Make it into a motion.

1
2 Mr. Peetoom: I don't think it can be done this year.
3
4 Mr. Kendrick: Because we've got to get the money from
5 somewhere because this is a hazard.
6
7 Ms. Cummings: Yeah.
8
9 Mr. Kendrick: I'd like to make it into a motion that I will get with Mr.
10 Vonn Jones tomorrow the 26th of February and see
11 if we have enough funds to call Cintas, have them
12 come out do all the charging and inspections of all
13 District fire extinguishers and get the up to date,
14 even the ones in the vehicles.
15
16 Ms. Sieglaff: Have who come out?
17
18 Mr. Kendrick: C-i-n-t-a-s. I called around four different places;
19 they were the cheapest.
20
21 Mr. Castaneda: Do you know what the total was Mr. Kendrick?
22
23 Mr. Kendrick: It's \$45.00 for them to come out once a year and
24 annually check all of them. It is \$23.00 per unit to –
25 only if they're six years old or haven't been serviced
26 in six years will they have to recharge them and put
27 a new O ring in the top and that's \$23.00 each unit.
28
29 Mr. Preston: So when they get finished the fire extinguishers are
30 ready to go?
31
32 Mr. Kendrick: Yes. They're ready to go after...
33
34 Mr. Preston: And pass inspection?
35
36 Mr. Kendrick: Yes.
37
38 Mr. Preston: What do you want?
39
40 Mr. Castaneda: Does that sound about right Mr. Kendrick?
41

1 Mr. Kendrick: Well there's two in the office, two here...
2
3 Mr. Castaneda: Say five at \$23.00...
4
5 Mr. Kendrick: And he only does inspections on the five and ten
6 pounders. The little ones that go in the vehicles I
7 don't know. I think we just buy new ones. They
8 cost like \$10.00/\$12.00 if they've got an expiration
9 date. You know I don't see how...
10
11 Mr. Castaneda: So you're looking at a \$300.00 expense?
12
13 Mr. Kendrick: No, we have what? How many vehicles? One, two,
14 three, four five. I'll give you an estimate here.
15 We're looking at about \$240.00 I'd say. That's only
16 if each one of these fire extinguishers needed to be
17 recharged and done.
18
19 Mr. Jones: Now I still believe that we should have the Fire
20 Department come out here to give us any advice
21 like do we have enough fire extinguishers? Do we
22 have smoke alarms? Do we need to have like a
23 restricted area where people can't park for access
24 and that sort of thing just to help us update any fire
25 situation that you might have.
26
27 Ms. Cummings: I think so too.
28
29 Mr. Kendrick: I'd like to vote on that too as well.
30
31 Mr. Castaneda: Mr. Lloyd Baker, he's the Fire Marshal for the Avra
32 Valley Fire District.
33
34 Mr. Kendrick: And it has to be the Fire Marshal, it can't be like a
35 Fire Chief or somebody?
36
37 Mr. Castaneda: I don't know Board Member Kendrick if they do that
38 that way or if it's just his specialty and what he
39 does. That's something you'd have to ask him.
40
41 Mr. Kendrick: I will look into that for the Board.

1 Mr. Preston: Okay that was item 7. We'll go to item 8.
2
3 Ms. Sieglaff: Excuse me Mr. Chairman there's a motion on the
4 floor.
5
6 Mr. Castaneda: Oh, is there a deadline. Do you guys want to do
7 this by the next meeting on the second?
8
9 Mr. Kendrick: I want it done by the next meeting, yes, definitely. I
10 made the motion.
11

12 Mr. Castaneda: Second.

13
14 Mr. Preston: The motion's been made and seconded, all in
15 favor?
16

17 **AYE 5 NAY 0 ABSTENTIONS 0**

18
19 Mr. Kendrick: That gives us seven days to get the Fire Marshall
20 out here and get him to look at everything. That's
21 what we... I'll call them first thing in the morning.
22

23 Mr. Preston: Okay.
24

25 **8. Announcement of the next meeting**
26

27 Mr. Preston: The next meeting is March 2nd, right?
28

29 Mr. Castaneda: Correct.
30

31 **9. Adjournment**
32

33 Mr. Preston: I'll entertain a motion to adjourn.
34

35 Ms. Cummings: I second the motion.
36

37 **AYE 5 NAY 0 ABSTENTIONS 0**
38

39 Mr. Preston: I'll adjourn the meeting at 8:27 p.m.
40
41

1
2
3
4
5

Minutes prepared by

Lisa M. Sieglaff
Clerk of the Board of Directors