

**MINUTES OF THE SPECIAL MEETING  
OF THE BOARD OF DIRECTORS OF  
YUIMA MUNICIPAL WATER DISTRICT  
August 20, 2015**

The Special Meeting of the Board of Directors of the Yuima Municipal Water District was held at the office of the District, 34928 Valley Center Road, Pauma Valley, California on Thursday, the 20<sup>th</sup> day of August, 2015.

**Special Meeting  
8/20/15**

**1. ROLL CALL – DETERMINATION OF QUORUM**

President Knutson called the meeting to order at 2:20 p.m. A quorum was present.

**Call to Order  
2:20 pm**

Directors Present:

**Present: 4**

W.D. “Bill” Knutson, President  
Ron Watkins, Vice-President  
Mike Fitzsimmons, Director  
Laney Villalobos, Director

Directors Absent:

**Absent: 0**

None (Division 5 seat vacant)

Others Present:

**Others Present**

Linden Burzell, General Manager  
Lori A. Johnson, Director of Finance  
Todd Engstrand, Director of Operations  
Jeff Scott Counsel  
Bill Winn  
Ben Brooks  
Arnell Fjelland  
Jim Beezhold  
George Stockton

Roland Simpson  
Daren House  
Jo Ann Morgan  
Terry Yasutake  
Don Broomell  
Bobby Graziano  
Fritz Stumpges  
Todd Lower  
Gilbert Caballero

President Knutson declared that a quorum of the Board was present.

**Quorum Present**

## **2. PLEDGE OF ALLEGIANCE**

President Knutson led those present in the Pledge of Allegiance.

**Pledge of Allegiance**

## **3. APPROVAL OF AGENDA**

There were no amendments to the agenda.

**Approval of Agenda**

## **4. PUBLIC COMMENT**

Roland Simpson asked why the board chose to appoint a new director, doubting that there were any pressing issues that warranted moving forward with an appointment at this time. He raised the issue of a potential conflict of interest in the case of a board member with a substantial issue before the board. Daren House mentioned the dispute between the Borden interests and the District as an example of such a conflict of interest. A member of the audience (not identified) questioned the estimated cost of a special election. Director of Finance Johnson indicated that the Registrar of Voters quoted a cost in excess of \$10,000. Fritz Stumpges stated that it would be the perfect solution to let the voters decide who will fill the vacancy.

**Public Comments:**

## **I. ACTION/DISCUSSION**

### **1. Board Division 5 Vacancy – Applicant Interviews**

Counsel Scott briefed those assembled on the applicable law concerning the appointment of a new director. President Knutson then outlined the procedures to be followed. Each candidate will be given the opportunity to make an introductory statement of approximately five minutes in length, followed by questions from the Board. The order of presentation will be determined by lot. After the interviews are completed, ballots with each Board member's name will be distributed and each Board member will be asked to write out their choice of applicant. If no applicant receives three votes, new ballots will be distributed to each Board member; no applicant will be eliminated from consideration. Voting will continue until either one candidate receives at least three votes, or it becomes clear that a three vote majority is impossible.

**Decision to fill the District 5 vacancy by appointment.**

Motion to Reconsider the Decision to Fill the Vacancy in Division 5 by Appointment.

Director Villalobos moved that the Board reconsider its decision to fill the Division 5 vacancy by appointment. There being no second, the motion failed.

The order of candidate interviews was then determined by drawing names from a hat. The order of interviews thereby determined was as follows:

1. Don Broomell
2. Terry Yasutake
3. Jo Morgan
4. Bobby Graziano

Following the completion of the four interviews, the first ballot was circulated, with the following result:

Supporting Bobby Graziano: Director Fitzsimmons  
Director Villalobos

Supporting Terry Yasutake: Vice President/Director Watkins  
President/Director Knutson

No candidate having received a majority, a second ballot was circulated, with the following result:

Supporting Bobby Graziano: Director Villalobos

Supporting Terry Yasutake: Vice President/Director Watkins  
President/Director Knutson  
Director Fitzsimmons

Resolution Appointing Terry Yasutake to Fill the Vacancy in Division 5 Left by the Resignation of Director George Stockton

Upon a motion by President Knutson, seconded by Director Watkins, Resolution 1630-15 *Appointing Terry Yasutake to Fill the Vacancy in Division 5 Created by the Resignation of Director George Stockton* was approved upon the following roll call vote, to wit:

**Res. 1630-15  
Appointing  
Terry Yasutake  
to serve the  
unexpired term  
of George  
Stockton in  
Division 5**

AYES: Fitzsimmons, Watkins, Knutson  
NOES: Villalobos  
ABSTAIN: None  
ABSENT: None

Administration of the Oath of Office

Against a background of commotion, in which the solemn aspects of the Oath of Office were disrespected by a number of present, including Director Villalobos, Jeff Scott, Notary Public administered the Oath of Office to Terry Yasutake, who was thereupon seated as a member of the Board of Directors representing Division 5. *Director Villalobos left the room at 3:20.*

Corrected minutes  
Add part on Notary Public with photo

**II. OTHER BUSINESS**

None

None

**III. ADJOURNMENT**

There being no further business to come before the board, President Knutson declared the meeting adjourned at 3:31 p.m. to Friday, August 28, 2015 at 2:00 p.m.

Adjourn @ 3:31 p.m.

Next meeting:  
Friday, August 28, 2015 @ 2:00 pm

  
Mike Fitzsimmons, Acting Secretary

ATTEST:  
  
W.D. "Bill" Knutson, President