

**MORONGO VALLEY COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS**  
11207 OCOTILLO STREET. MORONGO VALLEY, CA 92256

**SPECIAL BOARD MEETING MINUTES**

7:00 p.m. Regular Business

**FEBRUARY 2, 2023**

Conference via "Zoom"

CALL: 1 (669) 900 6833 MEETING ID: 839 2404 5046 PASSWORD: 240286

<https://morongocsd.specialdistrict.org/>

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**A. CALL TO ORDER**

The Special Board Meeting of February 2, 2023, was called to order at 7:11 PM.

**B. ROLL CALL**

1. Jennifer Henning, President - Present
2. James Whitney, Vice President - Present
3. Johnny Tolbert, Director - Present
4. Christina Gorke, Director - Present
5. Michael Emory, Director - Present

**B. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Chief Brakebill.

**D. PUBLIC COMMENTS**

The Board of Directors now takes time to consider your comments on items which are on the agenda. The President will recognize you at the appropriate time to assist in the orderly and timely conduct of the meeting. When called upon to speak, please state your name and residence. Comments will be limited to three (3) minutes or less. If you wish to comment on an agenda item or non-agenda items during Public Comment, fill out the form on our website, or raise your hand. There will also be a one (1) minute Public Comment period before each agenda item.

**Shawna Johnson-** Thank you my name is Shawna Johnson, there is so much to say here but the three new board members have been in the community long enough to know that there are few people who attend regular monthly meetings. And this is because meetings should be boring and should not have so much contention and we want to trust as a community we don't go because we want to trust that the board members are representing us and what our interests are. I was looking forward to the new board member's new energy and new ideas that's why I didn't run I was really looking forward to some new ideas instead we have a board that's heavy-

handed pushing through their agenda and speaking down to others board members and district employees in a condescending bullying fashion because they represent the majority of the board does not mean they represent the majority in the community. I propose we rescind the contract or negotiations for new attorneys until we have a public hearing on it, we had no idea that this was coming. No warning. And it was pushed through the same with the leasing of the truck. The contract has not been signed and I hope that the new law group hasn't been utilized. I hope that it won't be until we can resolve this matter. Concerning tonight's agenda items to adopt a policy establishing procedures for review and execution of the CSD board-approved agreements all that's doing is giving the president, and I don't care who the president is whether it's Jennifer or anybody else should not have the power to push through contracts that are voted on at the board meeting when we have a general manager and we have that for the checks and balances so that we know what's going on. If it passes, you're just telling the community we want all the power, we have all the power and we don't care about your opinion or your wishes. Also on the agenda tonight is a public employee performance evaluation, how dare you give a performance evaluation at this stage you've been on the board for two months.

**Meg Fowley-** I agree with everything that Shawna has said. I'm concerned that tonight's agenda items matters were scheduled for a special meeting the wording of the agenda raises alarm directing staff to sign a contract before adjournment of the meeting. The wording and urgency raise a lot of questions if you felt the legal counsel wasn't adequate how many bids were obtained for new representation? Were budget adjustments made to cover this increased unbudgeted defense? Why is a specific lead counsel named? Is there a financial relationship between the directors and the lead council? We can't be sure because the legally mandated form 700 which would show a financial conflict of interest is not on file with the office and is required for James and Michael. regarding the policy to allow the president to sign agreements I think you need to check with legal counsel past boards were told individual directors could not represent the district unless authority was conferred by staff. It appears that some of the current actions could put the district in a position of extreme liability. The California special district association offers free training to members. There's a recommendation starter suite for new board members and it's available on demand and covers many aspects that you need, the brown act, completing your form 700, general manager evaluations, board members and district liability, good governance, who does what, special districts in LAFCO, and the critical nature of communications in a public agency. The CSD offers the legally mandated AB 1234 ethics course even though you have a year to attend the training past directors completed it soon after taking office. I do appreciate that Michael and James stepped up when others didn't fill vacancies. The CSD government is very different from the private sector where it's common for new management to fire current staff just so they can install their own people. I really urge you to avail yourself of minimal training to learn the budget and learn the system before you make a decision. Thank you.

**Johnathon Williams-** I am a fire captain for the Morongo Valley Fire Department and I just like to speak out because of the hostility that's been going on. Three of the board members are causing this hostility in this department and it is the three new board members Jennifer Henning, James Whitney, and Michael Emory. They are causing hostility, they are threatening the fire people and they are asking to look at personnel files, which is completely illegal. Not only that they're not listening to the community, but they're also trying to make us a city that we don't have the budget for that. They are trying to go up to Sacramento that's going to take money away from the fire department and were barely scraping by as the fire department, we almost lost our fire department once and we are going down that same road again. I hate that we have three board members that do not care about this district, do not care about the fire department, and are doing things according to their agenda. They always vote together, that has to be a conflict. Johnny and Gorke do not have a say they always get outvoted and that to me is a conflict. Thank you.

**Eva Rowles-** my name is Eva Rowles I want to first say that we thank you Jim Brakebill you have been amazing for our community and I want to thank you for everything that you have done for us as a community, for our children, and our fire department. You are a vital part of our community, and I just can't even believe right now that you are going through what you are going through. You know every decision that's made that you guys make affects not only our community, but it affects our children, it affects everyone around us and the fact this

conflict of interest is going on or this hatred towards other board members or our district management this is just it's just ridiculous, it's shocking for not only me but for this community and that's why we are standing up here now and were coming forward because we're not going to put up with it were not going to stand by and were not going to let you do this to this community. Jim Brakebill has brought us back from a horrible position that we were in and brought our fire station back you know he's at our community events, every community event that we have here, he's there he makes a presence he is part of our community I have never seen these three board members ever at any community event, softball events anything that has to do with the community he is there for our kids, our families and what's being done is just not right. What you guys are doing and I'm not going to stand by idly and let it happen I know that nobody else in our community is and I think we're going to get back to the same position we were in before of replacing board members is what I think that were going to be doing it's a sad sad day when you put your trust in people and all they want to do is tear down a community, it's a sad sad day and that's what I have to say. Thank you for your time.

**Sharon Scott-** I've been in this town all my life. I have seen board members come and go, and I have seen tragedies and I have seen successes. I just want to put out this I have not been involved with the CSD for a very long time but for a very long time, I was involved with PS and MBRA. We were always concerned about our kids, our community, and everything else. We never had to fight our CSD, we shouldn't have to fight our CSD board members. I don't know who these three board members are but I feel like I need to get involved and find out. I just want to tell all of you, young people, it's important that you step up, it's important that you get involved with our community. I'm 72 years old and I will do everything I can, but it is really up to the young people of this town to step up, get involved, be informed, and find out what is going on. As to our fire Chief Brakebill, you have been amazing, and our community is so grateful for you and I am sorry if whatever is going on is hurting you or hurting our community but I do wish that this community can come together and find out what is wrong with the CSD board. Thank you.

**T Nemeth-** So I actually have a letter I'd like to read but I want to start off with I don't think it's fair that I see very amazing people that I think are beyond qualified for the positions that they are in being put in the situations they are in right now. So this is the problem I see in this is I see some coercion going on, I don't like that because I see someone that's not benefiting from where they're at right now doing some hard work and I'm sure they're highly qualified for what they are doing right now and those who are questioning his behavior are probably not as qualified as him which is very disappointing to see. I know the question comes how is it that somebody benefiting from what's going to be happening now I know he's not going to be benefitted from this whatever's going on right now and I want to know why this is coming up in the first place. Why is he being questioned? Is there an issue? Are you guys having a conflict of interest? What's going on because this person is fully qualified for their job and what they're doing and they're not benefiting from it, so I don't see why there's a question here they're doing their job good, obviously, the community thinks they're doing their job. Where is the doubt coming in? is it people that feel like I don't know they're getting threatened by him anyways I'm going to just bring in another word again it's called coercion. We are just going to keep that word there anyways so here I'm writing this letter to express my strong support for Jim Brakebill, whom I have known for over five years. During this time I've come to know him as a highly trustworthy, responsible, and selfless individual. Jim Brakebill possesses a strong moral character, always upholding his principles and values in every aspect of their life. He has shown consistent commitment to doing what is right even in the face of difficult circumstances. His honesty and integrity are unquestioned, and they have earned the respect of many around him. In addition, he is a true friend, always there for others in times of need, he has a kind heart, and is always willing to lend a hand or offer a listening ear. His generosity and selflessness are an inspiration to those around him and I am proud to know him. Overall, I have no doubt that removing him from any position has inspired so many and it would be a great mistake and a loss for the town, not to mention all the lives he saved. Thank you, I'm done.

**Autumn Anderson-** Thank you this is Autumn Anderson, I hope you can hear me okay I'm driving and I'm going to stop driving right now but I felt this meeting was so important I was not willing to miss it. I've only been a member of this community for two years but I feel that the board when I began participating the reason I began was due to issues and concerns over the fire department being closed or being replaced and that was due to a lot of mismanagement and Chief Brakebill was able to come in, resolve the issues, support the firefighters, bring up a new group of people who were trained and mentored to take responsibility and to lead a very sound fire department that's compliant with all the fire regulations. I too am confused why there would be such quick action from the new board members to address such major sweeping changes without the support of the community, I could understand, and if there had been a previous discussion as Shawna meant a public discussion with the community to change the law firm or to do something else. At this point, I've been attending the meetings almost every meeting and I am curious as to the status of the job description and the job search that is supposed to be going on for the other position to continue supporting and ensuring some accountability across the different roles within the community, which we all know is important and we all are trying to have the best most cohesive small town community and it's not technically even a town and while I appreciate the efforts and perhaps the attempts to formalize some things where perhaps the new board members see an opportunity or a different approach its very clear by the turnout tonight that that is not an option that the community is looking for and I hope that the message can be received and that can be amended so we can continue to have the personnel who again are willing to step up and participate which I also appreciate. I would hate for it to be a situation where that was not mutually agreeable by you know the way things could come together and work as a team and as a community. One of the previous people mentioned we shouldn't there shouldn't be a fight from the community as a whole and I think again every single person could say nice things about Chief Brakebill but they're all true to what's been said he's always made me feel welcome and his motives are so genuine in trying to help other people and improve the lives of other people, he brought in new firefighters and so much support for medical care for the community and so many different things that it's just so confusing why there would be a desire for such a quick and dramatic change so I would strongly request that you three step down.

**Lynn Hover Watts-** Hi everyone there is a theme here going on everyone's really unhappy and everyone is expressing that but I wanted to be really specific there are probably a lot of people listening that don't really know what's going on and so I just want to bring up a couple of items that for me personally I have an issue with, our currently legal counsel or former legal counsel just to back up for a second it was recommended online that we go to the CSD office and get all the emails between the Chief and board members and to also get the contracts. This is public knowledge, it's available to anyone who wants it. I do have all of the information, you can hit me up in the chat and I'd be happy to email you what have or you can just go to the CSD office but the current attorney that we have whom we've had since 2014 I believe I might be wrong on that but I think we've had quite a long time. He charges about \$125 this new firm starts at \$245 and can go as high as \$895 per hour. Now I don't know why, maybe there's a good reason I would love to hear the reason why we're in a rush and we have to change council. I know that whenever anything else is put up for a vote where we are spending money the customary thing to do is to get a few different quotes to have everyone talk about it, have a public conversation, and then vote on it. That's not what happened here. Yes, it was on the agenda, but you don't see it in the agenda and think oh were agenda the board members I don't think they had a chance to really review it. We didn't review it as public that I have an issue with is that when I look at the emails it was very interesting to me three board members on all of the emails. why are only three board members shouldn't all of them when they're talking to the chief and giving him orders and telling him do this do that do group conversation I don't know why you know Christina and Johnny were left out of those loops but I do know that there are three board members that all have a personal relationship whether it's you know there's a partnership here there are employment issues where they work together and have a relationship

outside of the CSD for me that's a huge conflict of interest and then with this agenda item where they're going to vote on cutting the general manager out of signing off on stuff I mean this is kind of sounds like there's absolute control there's more like there's just so much but I would like to give other people a chance to chime in and I just really wanted to be specific about the issues for at least some of the issues.

**Jim Ragland-** Thank you and good evening. I want to say first thank you to the board members for serving because there are a lot of us saying in this community that we need to step up and do that job. So we appreciate the fact or at least I do that for giving your time to supper juvenile to less than the community is saying we've got a large group of people the largest group that we've had any meeting in a long time the more. So, I would encourage you to listen to these comments tonight. I think the majority of these folks don't agree with what you're trying to do tonight.

**Brennain Gorter-** All right thank you very much, you got the name correct. Morongo Valley special place and it's a place that holds a special spot in most of our hearts there's no secret or surprise that it is small and vulnerable, especially considering its location but it's exactly for those reasons that the community the people look to their representatives to guide them to represent to share their values and prioritize the well-being and safety of the citizens of Morongo Valley. When you took the oath of office and it means something leader should lead with intent and overalls for places like Morongo Valley this becomes even more important from what I'm hearing the individuals on the boarding conversation aren't listening, they are not making ethical decisions for the betterment of the community or even their staff the CSD employees without the CSD there is no autonomy and there is no local control listen to the people you represent to do what is best for them in every decision and every action you make that is what makes the leader and that is what James Brakebill does and continues to do as Chief.

**Jessica Vonderahe-** Hello this is Jessica Vonderahe and I just wanted to say Christina you're not president anymore no sorry seriously I understand that life goes on and we all get really busy but it's like our CSD is meant to be here for our people and I see people in our community coming together tonight because they went out in urgency that once again we have people on our board that it sounds like you're not doing what's like in favor of the people here in Morongo Valley so I don't know when these people are voted in office please thank you to all the people who notified the community about what's going on and keeps us up but it is our responsibility to vote these people and where we are now whatever it is that's going on we need to put our heads in the in these meetings because it sounds like what's going on is the same thing that happened almost a year or two ago where people are putting their butts in our CSD and doing things that are crooked and corrupt so thank you Christina and Johnny for being on the board and hope that things get better but can you guys just leave our little town alone it's great thank you that's all I have to say.

**Vanesa (no last name)-** thanks I just wanted to emphasize that for the most part people coming to this meeting tonight have very little information about what sounds like very significant changes that the board is considering or at least three members of the board is considering making and I would strongly suggest that those three members of the board hold off on making any significant decisions into the community has a full sense of what's going on and I think it's clear correct from everyone talking tonight that and I think that it's probably clear to everyone on the board that that that the board serves the community so I'm just I just really love to emphasize that the community needs way more information before the board can decide on anything this gravity thanks.

**Donna (no last name)-** My name is Donna I would like to share with the community that I think it's really important that we join together I'm horrified at what I'm hearing I'm horrified that that that people are

changing things in and the way that they're trying to change them and I would I would encourage everybody in the community to come together which I haven't been doing as much as I will from this point on and on I think there's a lot of choices that we have and I really ask the board to start going into the community and finding out what it is that we want I certainly don't want a more expensive legal team and I hear the things that are happening and it's really sad and we almost lost our fire department two times and I think it's very important that we all step up and do what we need to for the community to actually make things better so the second part of this is I would like everybody to be a little kinder and nicer to each other so I appreciate everything that everybody is doing and I assume that it's all the people that are making decisions like this are doing it because they believe it's right but I hope we can step back and if those decisions are made tonight I think we need to consider legal action thank you.

**Buddy Stogner-** OK so yes I've been here in our little town for 35 years over this past year Jim and Johnny and Tink and the rest of our staff and our firefighters have pulled some amazing stuff off I mean they have literally just brought everything and everybody in this town together and if we all worked together to get to where we are at now and then here come you three and I don't know what your agendas are but you guys do not care about anybody or anything in this town and I think it's just going to be best you can see the outcome on this meeting tonight if you guys just pack up your stuff and go back on home that's all I have to say thank you.

**Sue Lefevre-** thank you and yes all of you who serve on the board I appreciate everything that you are doing. I understand that there are some issues that are very sensitive to the community and I was thrilled when I saw some of the new members come in. I have applied for a seat on the board I have stepped up I have served in the community in many ways. I was thrilled to see that there was a younger community coming together to take care of their own and now we're back to square one I just can't believe what happened I so far listen to what the agenda is for the majority really important that we left this community forward live here now and support their agenda and I don't understand why you're now shifting back to this this this new thing but I computer old school I served on a lot of boards and I was I saw that there was this kind of agenda going forward so I would say please listen to the community this is a great place to live there's no need to change it OK let's stay together as a community thank you.

**Christina Sanchez-** my name is Christina Sanchez I am a resident here in Morongo Valley. I just want to echo what many of the other folks that have spoken before me and in particular Vanessa bringing up a point that we need to be made aware of if it wasn't for Shawna who made a post. I didn't hear much of this stuff I have a crazy busy work life and if it wasn't for the community like Shawna and other folks in the community that are sharing information because we are not aware of what is happening within our community. Money could be spent elsewhere I believe supporting our local fire department. Who else is going to come to help us? It's just a small little department. I also ask the board members to find ways to reach out to the public there are many folks that do not have access to the internet, including many elders who do not know how to work a computer so I believe that they'll need better public outreach thank you.

**Matthew Campos-** thank you very much my name is Matthew Campos and I have the distinct pleasure and privilege of serving on the CSD board I served a 5 year term and not to say that it was completely without its turmoil from time to time but I wanted to remind this particular board that first of all I think most of the public needs to know that that you guys weren't voted in you did sign up and we appreciate your service on to the board but your names were never on a ballot I don't think anybody ever cast a vote for you to sit on this board so that's one thing to keep in mind the other thing is I'd love to sing the praises of Mr. Jim Brakebill, Jim has revived our fire department our standing not only in Morongo Valley but around the Morongo basin throughout Inland Empire Southern California and throughout California under Jim's guidance and leadership

his years of knowledge his expertise his relationships with fire departments all across the state this man has been able to acquire so much mutual aid support for this community he's been able to bring us fire trucks that that have cost us nothing and he is literally with his guidance built our department back up I cannot say enough about Mr. Jim Brakebill I'd like you guys to really take a look at your agenda and the way that you are framing these new business items I would strongly recommend that you consider taking the action of postponing any votes on any of these items continued business or new business they're not worthy first of all of the board they don't propel or make things any better for our community actually I think they make things worse I have not heard any justification for terminating our previous attorneys for Best Best and Krieger I understand who they are I know who they are I understand their reputation but I haven't heard any justification for changing attorneys and the concept of having the board president overrides have signature authority is not wise idea at all so I would strongly recommend you never do take action on that.

**Jeremiah Weldon-** My name is Jeremiah Weldon and I've actually lived in the Bronx valley for 46 of my 47 years and in that time I've been raised here and I've raised my children here and it's a beautiful place like none other and I would just ask that people realize how special this is and should not try to make the changes that you guys are going through with before you guys explain to the community exactly what's going on and you guys have a full meeting where people can come in and hear you speak because there's a lot of people in this community that can't do zoo that don't that aren't tech savvy you guys are represent us as a community including the elderly including the children we have one of the best schools in the state and I really do think that the community is deserves to at least understand what's going on and that's all I would like to say I heard about the things that have happened around to try to shut down certain things that happened in this community and it it's disheartening and it doesn't serve our children and it's ridiculous so you guys have a good day.

**Lisa Weldon-** thank you so much yeah I agree with Jeremiah buddy everyone I've been listening to tonight we all have this town's best interest in mind and it doesn't seem like these three representatives have the same interests that are whole entire community has in mind and you can see by all of you and thank you all for showing up tonight and showing that we care and we do want to show up in person if you can have a meeting so we can all discuss this because I think it is important to this community Jim Brakebill is amazing he's done nothing but great things for this community and Christina thank you for everything that you've done down at the park and everything for all these kids it really makes a difference my kids love it they enjoy it down there thank you very much and Johnny you've done nothing but great things as well you we've all been in the community my whole entire life I'm 47 and I have not seen anything like this the three of you are acting like children I mean if you don't want to be part of this community and you don't want to be part of this family that we have and this community represents then please step down carry on go somewhere else but yeah it's important that we all stand up together and thank you very much Jim for all that you've done for the community and our judo program as well down at the park we appreciate everything that you've done for all of us thank you so much Sir.

**Estell Foster-** I'm so grateful that I tuned into this meeting and if I can add my voice to say that it is imperative that we get to hear what's going on and we all get to have a say in what's going on there's no other way nothing can be just overridden and pushed through by force or whatever other means without the community. This community is unique I certainly agree with the man that spoke before it's unique it's special and we are all special and we need to be heard and so my vote and those of my husband and those of my family vote for a postponement of any rushing and there is no need to rush anything through. My vote is to take a step back and let's have a meeting that's inclusive. Thank you all so much. thank you, my neighbors, my friends all the people in Morongo whom I look forward to meeting bye for now.

**Karen Lowe-** My name is Karen Lowe just over 20 years it is so disappointing that we just got through a period of horrible turbulence and unhappiness and Mr. Brakebill came in and managed to get things back running and now here we are over again all of a sudden you know we have to have a special meeting in order to select a new attorney I mean that we obviously can't afford so I really hope that the three members of this board that are making these seemingly very bad decisions would take a step back and listen to the community we need to have a regular meeting where we discuss what's going on and what the reasoning is and hearing that we have gone back to a hostile workplace it is incredibly upsetting and I'm sure that you can see that there are you know nearly 100 people on this meeting and there has been the entire time I've been watching the attendance please know that we are not going away and we like our town the way it is we like our fire department the way it is you know please think about your actions before you take this crazy step thank you.

**Evelyn Hanna-** hello my name is Evelyn Hanna valley as well as business owner here elementary and I agree with Karen and so many of the other members found out about this video on Facebook that's ridiculous I have no idea what was going on up until a little bit ago and thankfully I'm tech savvy enough actually my daughters tech savvy enough to get me on the zoom meeting I absolutely believe that we need to have an in person meeting at the Community Center where we can discuss these things because I don't think it's up to three board members to dictate everything that happens in the entire community of Morongo Valley it's outrageous and I think we need to be able to share a collective voice here because there's plenty of really good people that don't do zoom that never even knew this was going on no notice nothing so and like I said I own a business and I own a home here and I went on Facebook to find out it's ridiculous we should all be notified of what's happening in our community it's a small one and it's amazing and we deserve the chance to make decisions in it and nobody else should thank you.

**Lisa Rayblack-** thank you, Jennifer, hi this is Lisa Rayblack my family's been here since 1930 beautiful 5-acre parcel with a house and I'd like to thank the new board members for bringing us all together, unfortunately, it's not the happiest events but here we are so nonetheless and this very small town has so much to offer I would like to thank buddy and Tammy for letting me produce the wrong valley music festival at Covington park I was faced with a lot of adversity and people tried to shut me down and it was just bizarre and it was indicated that that might have come on inside the board which was very disappointing so here we are collectively it doesn't seem as though the new board members are very welcome and I would call for them to probably stand down thank you for letting me share.

**Rosemarie (no last name)-** hi my name is Rosemary and I moved to Morongo in 2015 and I've served on many boards in the past and currently serve on a board when I'm into Morongo I tried to get information about a Morongo Valley board or who's you know in control of this city and there was very little information and very old information and I didn't even believe that there wasn't anybody because we're unincorporated I just thought we were under San Bernardino County and that we didn't really have a board and more recently through social media I found out about the meetings and some things especially back when the issues with the fire department were happening and then again yesterday about this emergency meeting so I just feel like there's very little transparency with this board and like a lot of other people here we just found out about this and we don't even know why it's happening why you want new legal counsel while you're thinking of incorporating Morongo Valley you know there may be very good reasons but there's very little transparency here with the with the board and it seems to be from what I'm hearing specifically three new board members are together on this and the whole community is against it or just needs more information maybe there's valid reasons and it would be a good thing for the community but we just don't know that where do we get the information about why these things are happening so I think it's important I don't know if there is a website for

Morongo Valley board I still haven't found anything like that but I think it's important to be more transparent with the community and as some other people mentioned that we should have a public meeting in person meeting about these issues before any decisions are made.

## **E. CONTINUED BUSINESS**

### **1. DIRECT GENERAL MANAGER/FIRE CHIEF TO SIGN LEGAL COUNSEL AGREEMENT**

Director Tolbert expressed his concern for the new BB&K contract that was presented to General Manager/ Fire Chief Jim Brakebill which is not the same contract presented to the board during the regular board meeting of January 18<sup>th</sup>, 2023. His concern was about the price difference between the two different contracts. Director Tolbert also made it known to the board the threats made to the CSD employees during a special meeting between the three new board members and BB&K. President Henning and Vice President Whitney conveyed their appreciation with the announcement of presenting Chief Jim Brakebill with a proclamation of honor for his service as fire chief. President Henning explained the meeting between BB&K was merely for the attorneys to try and get the lay of the land. It was revealed that Director Tolbert and President Henning have reached out to LAFCO on separate occasions regarding bringing on BB&k as legal counsel. Director Tolbert questioned the state of the CSD office employees revealing Brittney had sent out a letter stating President Henning and Vice President Whitney's hostile work environment and that she is out on a workers comp claim due to stress. Chief Brakebill is also filing a worker's comp claim due to stress.

Chief Brakebill was told that the purpose of the special meeting was to ask him to sign the contract and that if he did not the meeting would continue into a closed session and talk about his performance and possibly take punitive action. Chief Brakebill spoke out about being threatened for standing by his morals. Stating he was uncomfortable with signing because it was not brought to the public. Chief Brakebill approached Director Gorke about having a special meeting with the public input. Director Gorke agreed along with Director Tolbert however President Henning disagreed and refused. Director Gorke showed her frustration with the contract for BB&k which was presented and voted on in the last regular board meeting. Said contract was handed out in the middle of the meeting and it was very quickly moved through. Director Gorke also mentioned it was presented without public knowledge. Vice President Whitney explains item F1 on the agenda stating that it is unclear who can sign in the General Manager's stead on items already passed by the board due to a lack of policies and bylaws.

**MOTION:** Director Gorke motioned for a hold on any contracts to be completed until our next regular meeting in February so that it can be more appropriately put on the agenda, with more than one bid and we take public comments at that time.

**SECOND:** Director Tolbert

**ROLE CALL:** Vice President Whitney – Nay, Director Tolbert – Aye, Director Emory – Nay, Director Gorke – Aye, President Henning - Nay

**RESULT:** Motion fails 2/3 vote.

**MOTION:** President Henning motioned to accept the recommendation as presented on the agenda to re-memorialize the board's past action at the January 18<sup>th</sup>, 2023, regular board meeting. The

motion is as follows direct General Manager to complete the execution of the agreement before adjournment of this special board meeting to retain the legal services of Best Best & Krieger as approved by the Morongo Valley Community Services District Board of Directors on January 18, 2023, by a motion of Vice President Whitney bring Best Best & Krieger on with Shawna Amons as lead counsel starting immediate subject to an advanced deposit or trust not to exceed \$25,000 or a retainer in excess of \$500 a month. Seconded by Director Emory the motion passed by a roll call vote Aye- 3, Nays- 2.

**SECOND:** Director Emory.

**ROLE CALL:** Vice President Whitney – Aye, Director Tolbert – Nay, Director Gorke – Nay, Director Emory – Aye, President Henning – Aye.

**RESULT:** Motion passes 3/2 vote.

## **F. NEW BUSINESS**

1. ADOPT POLICY ESTABLISHING ADMINISTRATIVE PROCEDURE FOR THE REVIEW AND EXECUTION OF CSD BOARD APPROVED AGREEMENTS

## **G. CLOSED SESSION**

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section 54957(b)(1)

Title: General Manager/ Fire Chief

## **J. ADJOURNMENT**

President Henning sought to adjourn the meeting without discussion of items F.1 and G Closed Session. Director Tolbert requested clarification, President Henning clarified to not take any actions on items F.1 and G Closed Session. The board adjourned the Special Board Meeting of February 2, 2023, without addressing the remainder of the meeting at 10:02 PM.

**Moved:** President Henning

**Second:** Director Emory

**Vote:** Unanimous