

RESOLUTION NO. 2018-05

RESOLUTION BY THE BOARD OF DIRECTORS OF THE PARADISE IRRIGATION DISTRICT REGARDING THE CENSURE OF DIRECTOR WILLIAM KELLOGG

WHEREAS, the Board of Directors received a complaint alleging that Director William Kellogg was engaging in harassing behavior by confronting staff regarding job duties and performance;

WHEREAS, an investigation into the allegations was conducted and the allegations were sustained.

WHEREAS, Board Policy provides:

1. 1.8 LIMITATIONS OF ACTIONS AND AUTHORITY OF THE BOARD

A. Individual Board members shall not give orders or direction to any staff member or the Manager, either publicly or privately, but may make suggestions and recommendations to the Manager.

B. Directors individually shall refrain from interfering with District operations.

C. Directors, in their capacity as a Board member may speak with District staff and seek information pertinent to District operations. Such inquiries from and contact with District staff shall most often be made through the Manager. The Manager shall arrange for the time and place for staff members to meet with the Director. Any staff member may bring a staff member of their choice as a neutral observer. The Manager shall be advised of this ahead of the meeting. If an employee wishes to contact a Director about District business, they may do so without contacting the Manager; however the Director should request that a second Director attend any such meeting. Conversely, if a Director wishes to make an inquiry of staff without the Manager's knowledge, they may do so only if two Directors are present at all times during the inquiry and the contacted staff member shall have the right to have a District observer of their choice present during the inquiry. Such contact will only be during normal working hours of the District and when the employee is present at work. A Director acting in his capacity as a citizen or customer shall be afforded the same rights and courtesies as other citizens and customers.

D. To facilitate integration and effective interpersonal relationships with the Board, Manager, and employees, the Board recognizes the importance of limiting its contact with the Manager, staff or employees. Directors shall not cause the Manager or staff to generate any special work without Board approval.

E. Nothing in this section shall prevent a majority of a quorum of the board from appointing committees of its own members to conduct investigations into the conduct of any officer or department, of District government, or any matter relating to the welfare of

the District, and delegating to these committees such powers of inquiry, as the Board may deem necessary.

2. The primary responsibility of the Board is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to the professional staff members of the District. (2.1 Paragraph C(3), Code of Ethics) and
3. In seeking clarification for policy-related concern, especially those involving personnel, legal action, annexation, property acquisition and development, finances, and programming, said concerns could be referred directly to the Manager. (Paragraph (C)7(d), Code of Ethics)

WHEREAS, the Paradise Irrigation District Code of Ethics provides that a violation of policy by a Director can be addressed by adoption of a resolution expressing disapproval of the conduct of the Board member who has violated policy. (Paragraph (C)14, Code of Ethics)

NOW, THEREFORE, BE IT RESOLVED that:

1. Director Kellogg's confrontation of staff regarding job duties and performance is in violation of Board Policy; and
2. That the Board of Directors of the Paradise Irrigation District does not approve of or condone Director Kellogg's contact with Paradise Irrigation District employees outside of the chain of command.
3. The Board of Directors urges Director Kellogg to adhere to the adopted Board Policies.

Passed and adopted this 16th day of May, 2018, the following Trustees voting thereon:

AYES:

NOES:

ABSENT:

ABSTAINS:

PARADISE IRRIGATION DISTRICT

Dan Wentland, President

Attest:

Georgeanna Borrayo, Secretary