



## **MINUTES OF THE MEETING OF FEBRUARY 22, 2022**

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE MADERA CEMETERY DISTRICT, HELD TUESDAY, FEBRUARY 22, 2022 AT 5:30 P.M. AT THE ARBOR VITAE CEMETERY LOCATED AT 1301 ROBERTS AVE., MADERA, CA 93637

### **TRUSTEES PRESENT:**

DAVID NEMETH  
JIM HARPER  
LOIS BETTY  
CANDY TALLEY  
MAURICE CAPPELLUTI

### **PUBLIC/EMPLOYEES PRESENT:**

BELVA BARE -DISTRICT MANAGER  
ARTHUR GARDNER – ASST. MANAGER  
TRACY ISAAK – OFFICE TECHNICIAN  
RONNIE RAMIREZ – OPERATIONS MANAGER

David Nemeth, Jim Harper, Candy Talley, Belva Bare, Arthur Gardner, and Ronnie Ramirez met at 780 N I Street to look at property prior to the meeting in the office.

### **CALL TO ORDER:**

Chairperson David Nemeth called the meeting to order at 5:30 p.m.

### **ROLL CALL OF BOARD:**

Chairperson David Nemeth took roll of the Board. David Nemeth, Jim Harper, Candy Talley, and Maurice Cappelluti were present. Lois Betty arrived at 6:10 p.m.

### **PLEDGE TO THE FLAG:**

Chairperson David Nemeth presented the flag.

### **CHANGES TO THE AGENDA IF NECESSARY:**

None

### **PUBLIC COMMENT ON ANY AGENDA ITEM:**

None

### **CONSENT CALENDAR:**

Next meeting will be held March 22, 2022. Trustee Candy Talley inquired about a special Board meeting held February 2, 2022. Chairperson David Nemeth said the trustees Lois Betty, Maurice Cappelluti, and himself met as a special committee to negotiate the agreement with the new district manager. The outcome of that meeting would be reported in this meeting. Trustee Candy Talley inquired about the professional auditor and education line items on the budget. Trustee Jim Harper moved to

accept the consent calendar with corrections. Trustee Maurice Cappelluti motioned to second. All were in favor.

**RECESS TO CLOSED SESSION:**

Chairperson David Nemeth asked for a closed session.

**RECONVENE TO OPEN SESSION - REPORT OF ANY ACTION TAKEN DURING**

No action taken

**DISCUSSION/REPORT IF NEEDED ON OPERATIONS OF M.C.D. CEMETERIES:**

Operations Manager Ronnie Ramirez reported the well at Calvary Cemetery is operational and pumping water. Ramirez showed security camera footage of man cutting the gate chain at Oakhill Cemetery.

**DISCUSSION/REPORT OF ADAIR & EVANS AUDIT:**

Assistant Manager Arthur Gardner reported that the auditor would not be in attendance at the meeting. He reviewed District Manager Belva Bare's summary of information provided by the auditor, explaining delays caused by errors and negligence of prior auditor. Trustee Candy Talley asked whether there is a state agency to report previous auditor's poor performance.

**DISCUSSION/REPORT/APPROVAL OF LEASE AGREEMENT OF D&D AG SERVICES LLC:**

Assistant Manager Arthur Gardner reported Dennis Meisner was unable to attend. He reported that Meisner had pulled all vines off the property due to a mealy bug infestation and the ground would have to be fumigated. Trustee Lois Betty stated Meisner will have no income from the property. The lease will be discussed further with Meisner at the March Board meeting.

**DECLARATION OF BOARD OF TRUSTEES CONFLICT OF INTEREST CODE:**

District Manager Belva Bare said that when the Trustees change of roster was sent in, Madera County asked for the District's Conflict of Interest Code. Assistant Manager Arthur Gardner read aloud the proposed code. Trustee Lois Betty moved to accept the Conflict of Interest Code. Trustee Jim Harper seconded. All were in favor. David Nemeth, aye; Jim Harper, aye; Lois Betty, aye; Maurice Cappelluti, aye, Candy Talley, aye.

**DISCUSSION/REPORT ON NEW DISTRICT OFFICE:**

Arthur Gardner reviewed the latest iteration of the building plans. Belva Bare said that the property at 780 N. I Street would reduce construction costs by around \$100,000 because of access to PG&E, sewer, water, cable. Another option for that space would be to use it as burial space. Need to talk with City of Madera about what is allowed. She shared her discussion with property owner Tim Peffly.

Trustee Maurice Cappelluti said he does not like the 780 N. I Street location. Operations Manager Ronnie Ramirez said he thinks it's a great site. District Manager Belva Bare asked the Board whether we should look further into this site and stated that QuadKnopf could help with the process. Trustee Lois Betty asked about putting the office where the shop is currently located and moving the shop.

Chairperson David Nemeth summarized:

- 1) We need to consider whether to buy the property
  - 2) We need to decide what the property would be used for
  - 3) We need to decide whether the property would be beneficial to the District
- Trustee Candy Talley suggested offering less than the current selling price.

Cappelluti reiterated he does not think the property is worth it. Trustee Jim Harper suggested offering less and said we need to find out on parking and what the city will allow. A discussion was had on what type of wall or fence would surround the property. Cappelluti suggested building the office at Calvary instead because there is more room there. Trustee Lois Betty stated we need to get the hard facts before deciding anything.

**DISCUSSION/REPORT FOR ANNUAL PLANNING MEETING:**

Assistant Manager Arthur Gardner asked the Board what they want to cover at the upcoming Planning Meeting.

**DISCUSSION/REPORT/APPROVAL OF HR GENERALIST JOB DESCRIPTION AND COMPENSATION:**

Assistant Manager Arthur Gardner presented a proposed job description for Board approval. After general agreement on the description as presented, Chairperson David Nemeth asked Gardner for a suggestion on salary range. A discussion was had on the HR Generalist's role and other duties besides HR. District Manager said we have a person in mind and that legal counsel had said the District would not have to post the job publicly if the District had a candidate in mind with education/experience in the field.

Belva Bare spoke about the character and traits of the current employee management had in mind for the position. Trustee Lois Betty asked what the plan was, to which Bare replied the plan is to hire and move forward. Trustee Lois Betty made a motion to approve the position and job description for Human Resources Generalist. Trustee Jim Harper seconded and all were in favor. David Nemeth, aye; Jim Harper, aye; Lois Betty, aye; Maurice Cappelluti, aye; Candy Talley, aye.

Lois Betty motioned to approve the HR Generalist's salary. Candy Talley seconded and all were in favor. David Nemeth, aye; Jim Harper, aye; Lois Betty, aye; Maurice Cappelluti, aye; Candy Talley, aye.

**DISCUSSION/REPORT ON CALVARY WELL COMPLETION:**

Previously discussed in operations report.

**DISCUSSION/REPORT ON SOLAR PANELS FOR ARBOR VITAE:**

Assistant Mgr. Arthur Gardner said there is nothing new to report on Arbor Vitae's solar installation. Still on hold.

Gardner said the District had been contacted by Renewable Properties regarding leasing District property for the installation of solar farms at Calvary and North Fork cemeteries. Chairperson David Nemeth directed him to look into North Fork.

**DISCUSSION/REPORT/APPROVAL OF COMPENSATED ABSENCES/UPDATED VACATION ACCRUAL POLICY:**

Assistant Manager Arthur Gardner presented proposed changes in District's vacation accrual policy, changing the way hours are accrued after 10 years of service.

Trustee Candy Talley moved to approve, which was seconded by Trustee Lois Betty. David Nemeth, aye; Jim Harper, aye; Lois Betty, aye; Maurice Cappelluti, aye; Candy Talley, aye.

A discussion was had on whether to continue assigning the office's cell phone to an office staff member for the weekends for the convenience of public and funeral homes. Doing so will require the payment of three hours of overtime when non-exempt employees are on duty. It was agreed to continue the weekend phone duties.

**DISCUSSION/REPORT/APPROVAL GIFT GIVEN TO EMPLOYEE:**

Assistant Manager Arthur Gardner said a District employee was given a thank you card and a \$50.00 gift card. Gardner read the currently policy, which states gifts can be accepted with Board approval. Board Chair David Nemeth moved to approve allowing the employee to accept the gift. Trustee Candy Talley seconded. All Trustees approved.

**DISCUSSION/REPORT REGARDING ARBOR VITAE MAUSOLEUMS:**

Nothing to report.

**DISCUSSION/REPORT RE: LOCAL CORONAVIRUS FISCAL RECOVERY FUND:**

Assistant Manager Arthur Gardner pointed out the information packet that was sent to the County Board of Supervisors. Gardner reported there has been no further response from the County.

**DISCUSSION/REPORT ON I.T., INTERNET, AND SECURITY CAMERAS:**

Assistant Manager Arthur Gardner reported the District has signed an agreement with Comcast for internet service at the District office. The Arbor Vitae shop will keep AT&T. The faster internet service will allow the security cameras to function.

**DISCUSSION/REPORT ON REFUND OF OVERPAYMENT TO BELKORP:**

District Manager Belva Bare reported that Belkorp sent in a refund check for the overpayment made to them.

**DISCUSSION/REPORT/APPROVAL ON MARCH CAPC CONFERENCE:**

The CAPC Conference to be held March 10-12 in Monterey was discussed.

**DISCUSSION/REPORT/APPROVAL OF DISTRICT MANAGER AGREEMENT:**

Trustee Candy Talley moved to approve the terms of the District Manager Agreement as negotiated with Arthur Gardner at the Special Board Meeting on February 2, 2022 and to approve Gardner as a signee on all MCD accounts. Trustee Jim Harper seconded. All were in favor.

**DISCUSSION/REPORT/APPROVAL OF PROPERTY AT 780 N I STREET AS POTENTIAL URN HILL, NICH, GROUND BURIAL SPACE:**

This was covered earlier when the District office was discussed.

**DISCUSSION/REPORT OF MOSQUITO & VECTOR REPORT:**

Nothing to report.

**DISCUSSION/REPORT ON CEMETERY SECURITY REPORT:**

The report from the security company was reviewed. Neighbors of Arbor Vitae reported a lot of action at the cemetery on Valentine's Day, but security reported nothing. Assistant Manager Arthur Gardner said he is soliciting a proposal from a different security company.

**DISCUSSION/REPORT/DECISIONS ON INVESTMENTS FOR E.C. AND PRE-NEED AS PER SANDRA WHEELER/STIFEL INVESTMENTS IF NEEDED:**

Per Board Chair, David Nemeth: Nothing to report

**ADJOURNMENT:** 7:45 p.m.