



## **MINUTES OF THE REGULAR BOARD MEETING OF MAY 23, 2023**

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE MADERA CEMETERY DISTRICT, HELD TUESDAY, MAY 23, 2023 AT 4:30 P.M. AT 623 PARK LANE, MADERA, CA 93637 AND AT 5:30 AT THE ARBOR VITAE CEMETERY LOCATED AT 1301 ROBERTS AVE., MADERA, CA 93637

### **TRUSTEES PRESENT:**

CANDY TALLEY  
LOIS BETTY  
BELVA BARE  
DAVID NEMETH  
CELESTE VOYLES

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

ARTHUR GARDNER - DISTRICT MANAGER  
RONNIE RAMIREZ – OPERATIONS MANAGER  
STEPHEN CLOETERS – H.R. GENERALIST  
KERRY SMITH – OFFICE ASSISTANT  
GARRY RIEZEBOS – AUDITOR  
PUBLIC: MANUEL MENDOZA, CYNTHIA JONES,  
JOSEPH MENDOZA, MARISOL MENDOZA

### **CALL TO ORDER:**

Chairperson Candy Talley called the Closed Session to order at 4:30 p.m. at 623 Park Lane. Following the Closed Session, the Board of Trustees travelled to 1301 Roberts Ave. and Talley called the Regular Board Meeting to order at 5:38p.m.

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

Chairperson Candy Talley took roll of the Board. Trustees David Nemeth, Lois Betty, Belva Bare, and Celeste Voyles were present.

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

H.R. Generalist Stephen Cloeters led the room in the Pledge of Allegiance.

### **PUBLIC COMMENT:**

Chairperson Candy Talley read the rules for the public addressing the Board.

Manuel Mendoza stated he was there to speak to the Board about things he'd seen at Calvary Cemetery. There is a lot of partying and noise, and people are treating the cemetery like a park, which denies him the ability to spend quiet time with his wife. He stated the behavior happens both on the weekends and during the week.

Joseph Mendoza also addressed the Board in support of his father. He said he'd looked into the issue to find out what other cemeteries were doing to address this issue. Trustee Belva Bare asked District Manager Arthur Gardner to share the steps the District had taken to help resolve the problem. Gardner stated that the employee

who opens and closes the gates on the weekends has been given more hours so he can spend more time at the cemeteries to observe and mitigate the problem.

Trustee Lois Betty shared that this topic had been on her mind and that she believes education is the key to the solution.

Chairperson Candy Talley thanked the Mendoza family and said the Board would be discussing the matter further.

#### **PRESENTATION OF 2022 AUDIT BY GARRY RIEZEBOS OF ADAIR & EVANS:**

Garry Riezebos, auditor from Adair & Evans, reviewed the 2022 audit with the Board and fielded questions.

Overall, the audit looked good and he complimented the District for its accuracy on its budget. He provided four key areas for improvement.

1. Accounts receivable: There are a large number of contracts that are over 180 days past due. These contracts need to be assessed for collectability purposes.
2. Management needs to have a supplemental schedule that supports the balances in the marker deposits account and their unearned deferred income account.
3. Management needs to reconcile the outstanding checks account
4. Management needs to make the necessary transfers between cash account listed on their cash reconciliation

#### **CONSENT CALENDAR:**

Chair Candy Talley asked that “rehearsed” be changed to “reviewed” in the April 26, 2023 minutes. Talley asked the Board if changing the date of the next Regular Board Meeting to June 28 would be acceptable. Trustee Lois Betty made a motion to approve the consent calendar with the aforementioned changes, Trustee Belva Bare seconded, and all were in favor.

#### **RECESS TO CLOSED SESSION:**

Chairperson Candy Talley asked for a closed session. No action was taken.

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

Operations Manager Ronnie Ramirez said there was nothing to report at this time.

#### **REPORT/DISCUSSION ON DISTRICT OFFICE, ARBOR VITAE MAUSOLEUMS, CALVARY & ARBOR VITAE SOLAR, PLOTBOX CEMETERY MAPPING, AND ELECTRIC VEHICLES PROJECTS:**

District Manager Arthur Gardner said there was nothing to report on the progress of the Arbor Vitae mausoleums. The solar contractor is working on the planning for the Arbor Vitae installation. The solar system at Calvary is generating power but the savings haven’t yet appeared on the power bill. Digital copies of some maps were recently sent to PlotBox to help with the data reconciliation. The District

received the rebate check from San Joaquin Valley Air Pollution Control District for the electric groundskeeping tools.

**REPORT/DISCUSSION/APPROVAL OF CHANGES TO SECTION 403 OF THE EMPLOYEE HANDBOOK REGARDING TAKING TIME OFF IN MAY:**

Trustee Belva Bare made a motion to add the words “vacation time” to Section 403 of the Employee Handbook which deals with grounds employees taking time off in May. Trustee Celeste Voyles seconded, and all were in favor: Candy Talley, aye; Lois Betty, aye; Belva Bare, aye; David Nemeth, aye; and Celeste Voyles, aye.

**REPORT/DISCUSSION/APPROVAL OF UPDATED MADERA CEMETERY DISTRICT BYLAWS:**

District Manager Arthur Gardner read the revised language in the document per the Board’s direction from the prior meeting. Trustee David Nemeth made a motion to approve the new wording in the Bylaws, Trustee Lois Betty seconded, and all were in favor: Candy Talley, aye; Lois Betty, aye; Belva Bare, aye; David Nemeth, aye; and Celeste Voyles, aye.

**REPORT/DISCUSSION/APPROVAL OF BUDGET FOR FISCAL YEAR 2024:**

Trustee Lois Betty made a motion to approve the budget as presented for Fiscal Year 2024. Trustee David Nemeth seconded and all voted in favor.

**REPORT/DISCUSSION/APPROVAL OF 2024 SALARY INCREASE:**

A discussion was held on the amount of the increase in salaries for Fiscal 2024 and the increase in paying for medical benefits. Trustee David Nemeth motioned to increase employee salaried compensation by 4% and to continue to pay 100% of the cost of the United Health Care health plan. Trustee Celeste Voyles seconded the motion and all were in favor.

**REPORT/DISCUSSION/APPROVAL OF INCREASE OF SALES & SERVICE FEES:**

The Board discussed the amount of the annual increase in fees charged for burial services and non-resident fees. A discussion was held on the merits of adjusting prices per line item versus a blanket increase for all services. The Board also discussed MCD’s price for non-resident fees in comparison with other cemetery districts. Trustee David Nemeth made a motion to increase the non-resident fee to \$795, it was seconded by Trustee Belva Bare. The motion passed: David Nemeth aye; Belva Bare, aye; Candy Talley, aye; Celeste Voyles, aye; and Trustee Lois Betty abstained.

Trustee Belva Bare then made a motion to increase the Sales & Service by 5%, which was seconded by Trustee Celeste Voyles. The motion passed unanimously.

**REPORT/DISCUSSION/APPROVAL OF REVISED CONFLICT OF INTEREST CODE:**

District Manager Arthur Gardner explained that the Conflict of Interest Code that the Board had approved previously had been rejected by County Counsel. He

presented an updated Conflict of Interest Code that complied with the language suggested by County Counsel. Trustee David Nemeth made a motion to approve the new code, Trustee Lois Betty seconded, and all were in favor.

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

District Manager Arthur Gardner said that he had instructed Zaks Security to not patrol the cemeteries in May. Gatekeeper Ruben Guerra's duties were modified so that he would be on the grounds for more hours on weekends. Gardner said he'd like to have Mr. Guerra work eight hours on weekends and holidays in order to monitor and sheriff the grounds more.

**Report/Discussion/Decisions on investments for E.C. & Pre-need funds with Sandra Wheeler:**

Trustee David Nemeth reviewed recent investment transactions with the Board.

**ADJOURNMENT:** 8:22 p.m.